

ABSTRACT

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***JURIDICAL REVIEW OF THE BANKRUPT DECISION AT PT ASURANSI
JIWA KRESNA AND THE ROLE OF THE FINANCIAL SERVICES
AUTHORITY AS THE APPLICANT FOR BANKRUPTCY (Case Study of
Supreme Court Decision No. 647 k/Pdt.Sus-Pailit/2021)***

(x+ 84pages)

Every business run by a person in any form has the risk of defaulting to his creditors. This includes an insurance company called PT Asuransi Jiwa Kresna which was bankrupted by its creditors due to default. In the decision by the Supreme Court Number 647 K/Pdt.Sus-Pailit/2021 it was stated that PT Asuransi Jiwa Kresna was declared bankrupt, even though the application for bankruptcy did not comply with the provisions because there was no application made by the Financial Services Authority as an authorized institution. filing for bankruptcy against insurance companies. The author in this case uses a type of normative juridical research with a statutory approach and a case approach. In the results of the study conducted by the author, the results of the research that the author got were that the Supreme Court's decision, according to the author, had made a mistake in interpreting the law because it stated PT Asuransi Jiwa Kresna was bankrupt and granted the request of its creditors. If this is allowed then in this case it will be a setback in a jurisprudential discovery and will be dangerous in legal discovery because other creditors will follow if they want to bankrupt an insurance company. Thus, the judge in this case must be able to give a decision in accordance with the applicable rules and take sides with those who have the authority to apply for the settlement of a bankruptcy case.

Keywords: Insurance Company, Bankruptcy, Financial Services Authority

References: 20 books, 9 journals, 8 laws, 1 websites (1981-2021).