

ABSTRACT

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JURIDICAL REVIEW REGARDING THE USE OF CRYPTO ASSETS AS COLLATERALS

(xii + 92 Pages)

The objective of this research is to examine regulations related to the use of crypto assets as objects of guarantee (collateral) in Indonesia. The background for this topic is based on the very rapid development of financial technology, which has led to the emergence of digital currencies known as crypto assets, which are used as legal tender in several countries, and also as investment instruments. In Indonesia, it's not known as cryptocurrencies but rather known as crypto assets. Crypto assets have similarities with stocks because they can both be traded on exchanges and have economic value so that they can be classified as commodities, so departing from this, questions arise that will be focused on in reviewing this research: 1) Can the object classification of crypto assets be equated with stocks? 2) How is the imposition of crypto assets as collateral objects? This study uses a normative legal research method, followed by a statutory and conceptual approach to producing a qualitative analysis. This research will contribute to academic literature based on the analysis that 1) the classification of objects on crypto assets can be equated with the classification of objects on stocks, namely movable objects and intangible objects. 2) crypto assets cannot be used as objects of guarantee because crypto assets have a high level of volatility so they do not have a definite and measurable fixed value to be used as collateral. In addition, juridically, there is no regulation regarding crypto assets as collateral objects that can provide protection and legal certainty for holders of guarantee rights.

References: 41 (1995-2021)

Keywords: Crypto assets, objects, credit agreements, collateral.