

ABSTRACT

Daniel Hariyadi Sihombing (01051180246)

“JUDICIAL REVIEW CONCERNING DEBT PAYMENT ADMINISTRATIVE REQUIREMENTS IN APPLICATION SUSPENSION OF DEBT PAYMENT OBLIGATION INSTITUTIONS (PKPU) BASED ON LAW NUMBER 37 OF 2004” (Case Study of Decision Number 05/Pdt.Sus-PKPU/2013)

(viii+64)

The legal remedy known as "suspension of debt payment obligation institutions" (PKPU) is available to debtors who are unable to foresee when they will no longer be in a position to continue making payments on their debts that are both due and collectible. This option is available to debtors who have been unable to pay their debts on time. The decision case number 51/PDT.SUS/PKPU/2013/PN.Niaga JKT.PST was one of the cases that had been presented without a request for a bankruptcy statement that had been submitted by creditors. This case was one of the ones that were resolved by the PKPU procedure. The author of this research posed the following question in the form of a problem: (1) What are the administrative procedures for filing a PKPU application in accordance with Law Number 37 of 2004, which concerns insolvency and the suspension of obligations to pay debts? (2) What factors did the panel of judges take into consideration when making their judgement regarding case number 51/PDT.SUS/PKPU/2013/PN.Niaga JKT.PST? Considering that there are examples that are dissected as part of the study that is carried out, the author conducts research using empirical normative legal methodologies. The main, secondary, and tertiary legal documents consisting of Indonesian laws and regulations, books, and journals that have been previously published are used as references. These references are used to define or clarify the administrative requirements that must be met in a PKPU application. According to the findings, an individual who is either a creditor or a debtor may make an application for a PKPU. When filing a PKPU application, the applicant is responsible for paying attention to or otherwise comprehending the administrative procedures that have been outlined in Law Number 37 of 2004, which governs insolvency and the suspension of debt payment obligations.

Reference: 31 (1847-2020)

Keywords: PKPU, Bankruptcy, obligations.