

ABSTRACT

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Legal Responsibility of Sharia Life Insurance Companies for Claims in Review of Indonesian Laws and Regulations (Case Study 39/Pdt.G/2024/PTA.JK)
(xii+88 halaman)

Risks such as health issues, loss, damage, or financial setbacks are inevitable aspects of human life. One way to manage these risks is through insurance services, where the insured transfers the risks to the insurance company by paying premiums or contributions. In Indonesia, insurance activities are governed by Law Number 40 of 2014 concerning Insurance, which provides a legal framework for both conventional and sharia-based insurance. This study focuses on a breach of contract in a sharia life insurance claim case as reflected in Judicial Decision Number 39/Pdt.G/2024/PTA.JK. In this case, the claim for the insured amount by the beneficiary of the insured was rejected by the insurance company due to alleged incomplete information in the Life Insurance Application Form (SPAJ). The study employs a normative juridical approach to analyze legal regulations, insurance agreements, and relevant sharia principles. The findings reveal that despite the insured fulfilling administrative requirements, the rejection of the claim highlights a lack of transparency and fairness in the implementation of sharia insurance. Stricter regulations, oversight by the Financial Services Authority (OJK), and adherence to Standard Operating Procedures (SOPs) aligned with sharia principles are essential to prevent breaches of contract. This study recommends strategic measures such as public education and strict law enforcement to build public trust in Indonesia's sharia insurance industry. Achieving legal equality between sharia and conventional insurance will ensure comprehensive protection for all policyholders.

References: 52 (1981 – 2024)

Keyword: *Legal Responsibility, Sharia Life Insurance, Indonesian Insurance Regulation*