

## **ABSTRACT**

**Ervina Christine Simangunsong (01053200002)**

**ANNULMENT OF COMPOSITION AGREEMENT DUE TO DEBTOR NEGLIGENCE IN THE SUSPENSION OF DEBT PAYMENT OBLIGATIONS (CASE STUDY OF VERDICT NUMBER 39/PDT.SUS-PEMBATALAN PERDAMAIAAN/2022/PN.NIAGA.JKT.PST. JO. NUMBER 175/PDT.SUS PKPU/2020/PN.NIAGA.JKT.PST.)**

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In the context of Suspension of Debt Payment Obligations there's a composition agreement. Composition agreement that has been ratified by the commercial court is called homologation. The granting of the composition agreement aims to enable the debtor to settle their debts to the creditors. However, in practice, debtors often misuse the composition agreement in bad faith to avoid bankruptcy. Based on this issue, this research is conducted to address, identify, and understand the legal consequences of the annulment of composition agreements in Suspension of Debt Payment Obligations under Law No. 37 of 2004 and to provide a legal analysis of the annulment of composition agreements in Suspension of Debt Payment Obligations based on the verdict in Case Number 39/Pdt.Sus-Pembatalan Perdamaian/2022/PN.Niaga.Jkt.Pst Jo. Number 175/Pdt.Sus-PKPU/2020/PN.Niaga.Jkt.Pst. The research method used was a normative-empirical legal research approach study cases. The research findings showed that the debtor's bad faith towards the creditors led to the submission of a motion for the annulment of a composition agreement that had been ratified by the Commercial Court. There was evidence of bad faith that had been considered and decided by the panel of judges against the debtor PT. Prakarsa Semesta Alam and Ir. Musyanif as a personal guarantor. Therefore, it was reasonable for the judges to grant the petition for the annulment of the composition agreement. As a legal consequence, PT. Prakarsa Semesta Alam and personal guarantor Ir. Musyanif was declared bankrupt in accordance with Article 291 paragraph 2 of the Bankruptcy and Suspension of Debt Payment Obligations Law.

**Keywords:** Suspension of Debt Payment Obligations, Annulment of composition agreement

**Reference:** 34 Books (1983-2023)