RINGKASAN

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PERLINDUNGAN HUKUM BAGI NASABAH TERHADAP LIKUIDASI PT. BANK PERKREDITAN RAKYAT SYARIAH KOTA JUANG DI KABUPATEN BIREUEN
(Dr. Marlia Sastro, S.H., M.Hum. dan Tasyukur, S.H., M.H.)

Perlindungan hukum bagi nasabah telah diatur dalam Undang-Undang Nomor 10 Tahun 1998 tentang Perbankan. Perkembangan perekonomian yang sangat pesat telah membuat peningkatan kegiatan ekonomi terutama dalam bidang bisnis dan transaksi keuangan. Meskipun mekanisme perlindungan hukum bagi nasabah telah tertuang dalam berbagai regulasi, tetapi fakta di lapangan masih terdapat implementasi yang tidak sesuai dengan yang tertuang dalam undang-undang perbankan sehingga bank tersebut dilikuidasi. Tujuan penelitian ini dilakukan untuk mengetahui tentang perlindungan hukum bagi nasabah terhadap likuidasi PT. Bank Perkreditan Rakyat serta untuk mengidentifikasi upaya tanggung jawab bank terhadap nasabah jika terjadi likuidasi.

Metode penelitian yang digunakan adalah jenis penelitian kualitatif, melalui pendekatan yuridis empiris. Pengumpulan data dilakukan melalui penelitian lapangan dan penelitian kepustakaan seperti buku-buku hukum dan jurnal yang relevan dengan penelitian ini.

Hasil penelitian menunjukkan bahwa upaya perlindungan hukum bagi nasabah terhadap likuidasi PT. Bank Perkreditan Rakyat Syariah Kota Juang dijamin oleh pemerintah melalui Otoritas Jasa Keuangan (OJK) dengan mengkoordinasikan langkah-langkah penanganan lebih lanjut dengan lembaga terkait, terutama Lembaga Penjamin Simpanan (LPS) yang turut aktif menjaga stabilitas sistem perbankan sesuai dengan kewenangannya. Seluruh tanggung jawab atas pengembalian aset simpanan PT. Bank Perkreditan Rakyat Syariah Kota Juang setelah terjadinya likuidasi meliputi seluruh kewajiban bank untuk melunasi pinjaman jaminan, simpanan dan agunan akan dialihkan kepada tim likuidasi yaitu Lembaga Penjamin Simpanan (LPS).

Berdasarkan temuan tersebut, disarankan agar lembaga likuidasi dapat melakukan pengawasan dan pembinaan lebih lanjut kepada nasabah terkait informasi penyimpanan dan pinjaman yang jelas serta transparansi mengenai produk simpanan yang dijamin oleh LPS, termasuk mengadakan mekanisme klaim yang lebih sederhana dan pengembalian aset dalam jangka waktu lebih cepat bagi nasabah yang mengalami kerugian akibat likuidasi bank.

Kata Kunci: Perlindungan Hukum, Nasabah, Likuidasi, BPRS.

SUMMARY

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LEGAL PROTECTION FOR CUSTOMERS AGAINST THE LIQUIDATION OF PT. SHARIA PEOPLE'S CREDIT BANK JUANG CITY IN BIREUEN REGENCY
(Dr. Marlia Sastro, S.H., M.Hum. and Tasyukur, S.H., M.H.)

Legal protection for customers has been regulated in Law Number 10 of 1998 concerning Banking. The rapid development of the economy has made an increase in economic activities, especially in the field of business and financial transactions. Although the legal protection mechanism for customers has been contained in various regulations, the fact on the ground is that there are still implementations that are not in accordance with what is stated in the banking law so that the bank is liquidated. The purpose of this research was to find out about the legal protection for customers against the liquidation of PT. Bank Perkreditan Rakyat and to identify the bank's responsibility efforts towards customers in the event of liquidation.

The research method used is a type of qualitative research, through an empirical juridical approach. Data collection was carried out through field research and literature research such as law books and journals relevant to this research.

The results of the study show that legal protection efforts for customers against the liquidation of PT. Bank Perkreditan Rakyat Syariah Kota Juang is guaranteed by the government through the Financial Services Authority (OJK) by coordinating further handling measures with related institutions, especially the Deposit Insurance Corporation (LPS) which actively maintains the stability of the banking system in accordance with its authority. All responsibility for the return of PT. Bank Perkreditan Rakyat Syariah Kota Juang after the liquidation occurs, including all bank obligations to pay off collateral loans, deposits and collateral will be transferred to the liquidation team, namely the Deposit Insurance Corporation (LPS).

Based on these findings, it is suggested that liquidation institutions can conduct further supervision and guidance to customers regarding clear deposit and loan information as well as transparency regarding deposit products guaranteed by LPS, including establishing a simpler claim mechanism and returning assets in a faster period for customers who suffer losses due to bank liquidation.

Keywords: Legal Protection, Customers, Liquidation, BPRS.