

RINGKASAN

Maria Sari Megaputri, Hukum Ekonomi dan Bisnis, Fakultas Hukum Universitas Brawijaya, Maret 2017, KEWENANGAN LEMBAGA PENJAMIN SIMPANAN DALAM PENYELESAIAN BANK GAGAL BERDAMPAK NON SISTEMIK, Dr. Bambang Winarno, SH., MS., Ranitya Ganindha, SH., MH.

Pada skripsi ini, penulis mengangkat permasalahan mengenai kewenangan Lembaga Penjamin Simpanan dalam penyelesaian bank gagal berdampak non sistemik. Pemilihan tema tersebut dilatarbelakangi oleh kewenangan yang dimiliki oleh Lembaga Penjamin Simpanan dalam penyelesaian bank gagal berdampak non sistemik dan hambatan-hambatan yang terjadi selama penyelesaian bank gagal berdampak non sistemik tersebut.

Berdasarkan uraian diatas, skripsi ini mengangkat perumusan masalah: (1) Apa kewenangan Lembaga Penjamin Simpanan dalam penyelesaian bank gagal berdampak non sistemik?, (2) Apa saja hambatan yang dihadapi oleh Lembaga Penjamin Simpanan dalam penyelesaian bank gagal berdampak non sistemik?, dan (3) Apa upaya yang dilakukan oleh Lembaga Penjamin Simpanan dalam menghadapi dan mengatasi hambatan-hambatan yang timbul dalam penyelesaian bank gagal berdampak non sistemik?.

Penulisan laporan penelitian skripsi ini menggunakan penelitian hukum empiris, dengan metode pendekatan yuridis sosiologis. Data primer dalam penelitian ini diperoleh dari hasil wawancara dengan pihak Lembaga Penjamin Simpanan dan data sekunder dalam penelitian ini diperoleh dari dokumen-dokumen dari Lembaga Penjamin Simpanan dan bahan-bahan hukum yang terkait, seperti peraturan-peraturan perundang-undangan, buku-buku, dan studi kepustakaan lainnya. Teknik analisis data yang digunakan dalam penelitian ini adalah deskriptif kualitatif, yaitu metode analisa data dengan cara memaparkan semua data, kemudian dianalisis berdasarkan teori dan peraturan yang berlaku dan akhirnya dibentuk suatu kesimpulan.

Dari hasil penelitian dengan metode diatas, peneliti memperoleh jawaban bahwa Kewenangan Lembaga Penjamin Simpanan dalam melakukan penanganan dan penyelesaian bank gagal diatur dalam pasal 6 Undang-Undang Nomor 24 Tahun 2004 tentang Lembaga Penjamin Simpanan dan Pasal 30 ayat (1) dan Pasal 23 Undang-Undang Nomor 9 Tahun 2016 tentang Pencegahan dan Penanganan Krisis Sistem Keuangan. Dalam pelaksanaan penyelesaian bank gagal berdampak non sistemik ditemukan hambatan-hambatan, baik hambatan hukum maupun hambatan non hukum. Lembaga Penjamin Simpanan melakukan berbagai upaya untuk menangani hambatan-hambatan selama penyelesaian bank gagal berdampak non sistemik.

Kata Kunci: Kewenangan, Lembaga Penjamin Simpanan, Bank Gagal Berdampak Non Sistemik

SUMMARY

Maria Sari Megaputri, Economic and Business Law, Law Faculty of Brawijaya University, March 2017, THE AUTHORITY OF INDONESIA DEPOSIT INSURANCE CORPORATION IN THE SETTLEMENT OF FAILED BANK RESULTING ON NON SYSTEMIC IMPACT, Dr. Bambang Winarno, SH., MS., Ranitya Ganindha, SH., MH.

In this thesis, the author raised the issue about the authority of Indonesia Deposit Insurance Corporation in the completion of a non-systemic failed bank. The selection of these themes distributed by authorities owned by Indonesia Deposit Insurance Corporation in the completion of a non-systemic failed banks and barriers that occurred during the completions of a non-systemic failed banks.

Based on explanation above, this thesis raised the formulation of the problem: (1) what is the authority of Indonesia Deposit Insurance Corporation in the completion of a non-systemic failed bank?, (2) what are the obstacles faced by Indonesia Deposit Insurance Corporation in the completion of a non-systemic failed bank?, and (3) what efforts made by Indonesia Deposit Insurance Corporation in facing and overcoming obstacles that arise in the completion of a non-systemic failed banks?.

This thesis research report writing using empirical legal research, with juridical sociological approach method. Primary data in the study was obtained from interviews with Indonesia Deposit Insurance Corporation and secondary data in this study were obtained from the documents of the Indonesia Deposit Insurance Corporation and materials related legal regulations, such as legislation, books, and other resources. Data analysis techniques used in this research is descriptive qualitative data analysis method, which is by exposing all of the data, and then analyzed based on theories and regulations and eventually formed a conclusion.

From research results with the method above, researchers obtain answers that the authorities of the Indonesia Deposit Insurance Corporation in doing the handling and resolution of failed banks is regulated in article 6 of Act No. 24 of 2004 about Indonesia Deposit Insurance Corporation and section 30 subsection (1) and article 23 of Act No. 9 2016 about prevention and handling of the crisis in the financial system. In the implementation of the resolution of a non-systemic failed bank, Indonesia Deposit Insurance Corporation found obstacles, both legal obstacles and non-legal obstacles. Indonesia Deposit Insurance Corporation do various attempts to address the barriers during the completions of a non-systemic failed bank.

Key Words: Authorities, Indonesia Deposit Insurance Corporation, and A Non-systemic Failed Bank.