

Peran PPAT dalam jual beli harta pailit berupa tanah dikaitkan dengan pasal 185 ayat (2) undang-undang nomor 37 Tahun 2004 tentang kepailitan dan penundaan kewajiban pembayaran utang (analisa terhadap akta jual beli nomor 21/2010 Tanggal 14 April 2010) = PPAT's role in purchases and sales of bankruptcy assets in the form of land, associated with article 185 paragraph (2) of law of number 37 year 2004 on bankruptcy and suspension of payment (an analysis on the sale and purchase deed number 21/2010 dated April 14, 2010)

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Abstrak

Tesis ini merupakan penelitian yuridis normatif. Tesis ini menyimpulkan bahwa dalam penjualan harta pailit berupa tanah yang menjadi penjual adalah kurator berdasarkan ketentuan Pasal 24 juncto 69 Undang-undang Kepailitan dan PKPU.

Dalam menuliskan komparasi kurator selaku penjual, PPAT harus memberikan keterangan mengenai dasar kewenangan bertindak kurator yaitu putusan pailit yang menjadi dasar penunjukannya dan penetapan hakim pengawas yang memberikan izin penjualan harta pailit tidak melalui lelang.

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This thesis discussed the role of PPAT in the bankruptcy assets purchase and sale in the form of land associated with article 185 paragraph 2 of Law Number 37 Year 2004 on Bankruptcy and Suspension of Payment. This thesis is a legal normative research.

This thesis concluded that in the purchase and sale of bankruptcy assets in the form of land, curator acting as the seller under the provisions of Article 24 conjunction with Article 69 Law Number 37 Year 2004 on Bankruptcy and Suspension of Payment. In writing a curator position as a seller, PPAT should provide legal bases of curator's authority which are the bankruptcy decision that also mention curator appointment and stipulation from supervisory judge that authorize curator to sell bankruptcy.