

Analisis mengenai akta pengakuan utang yang diikuti perjanjian pengikatan jualbeli dibandingkan dengan pembebanan jaminan melalui lembaga jaminan hak tanggungan = Analysis on acknowledgement of indebtedness followed by sale and purchase agreement compared with security encunberance by security rights institution

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Abstrak

Indebtedness followed with Sale and Purchase Agreement is an agreement made under the principle of freedom of contract in the agreement. Agreement made legally valid as laws for making it. Treaty debt with collateral such as land must consider the provision of guarantees of right to land. Regarding the collateral in the form of land should consider the enforceability of Law No 4 of 1996 on Mortgage.

In the case of debt instruments with a deed of guarantee in the form of land followed by a binding sale and purchase agreement is accompanied by the selling power of causing harm to the debtor where the creditor is facing Officer Land Deed Makers to make a Sale and Purchase Deed under power of sale is when the debtor has paid all his debts.

This thesis discusses the mechanisms of debt and deed of sale and purchase agreement binding legally valid if the terms of the legal guarantee of the security institutions and the role of agency mortgage insurance for people who want to make the land and buildings as objects of debts. This research is a normative juridicial research with descriptive typology.

From the obtained results the conclusion is that with the enactment of the Act Mortgage, the power of sale is made shall impose a Power of Attorney for Mortgage made by a notary or a Land Deed Makers Acting in accordance with the applicable provisions of the Mortgage Act. HAVING made a Power of Attorney impose Mortgage, Mortgage Imposition Act was made in accordance with the applicable provisions thus avoiding dispute between the parties.