

Analisis grosse akta pengakuan utang dari perspektif hukum surat berharga = Analysis of original counterpart of acknowledgement of indebtedness deed in the perspective of law of negotiable instrument / Fajar Cahyanto Santosa

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Abstrak

[ABSTRAK

Tesis ini membahas tentang Grosse Akta Pengakuan Utang dari perspektif Hukum Surat Berharga, dengan permasalahan mengenai karakteristik Grosse Akta Pengakuan Utang dan potensi pemanfaatannya dalam dunia perniagaan. Penelitian ini adalah penelitian kualitatif dengan pendekatan peraturan perundang-undangan. Hasil penelitian menyimpulkan bahwa Grosse Akta Pengakuan Utang merupakan “Surat yang Berharga” yang selalu bersifat accessoir, namun ia dapat dimanfaatkan dalam dunia perniagaan, bahkan dengan lebih praktis dan berbiaya lebih ringan jika dibandingkan dengan instrumen jaminan lain seperti Hak Tanggungan dan Fidusia. Berdasarkan hasil penelitian ini, Grosse Akta Pengakuan Utang disarankan untuk selalu diinformasikan dan digunakan baik oleh profesional hukum maupun pelaku dunia perniagaan.

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ABSTRACT

This thesis reviews the Original Counterpart of Acknowledgement of Indebtedness Deed in the perspective of Law of Negotiable Instrument, which its problems are about the characteristics of Original Counterpart of Acknowledgement of Indebtedness Deed and its potentials to be used in business and trading. This research is a qualitative research with statute approach. This reseach result concludes that Original Counterpart of Acknowledgement of Indebtedness Deed is a form of Non-Negotiable Instrument which always accessory/supplementary in its nature, but it can be used in business and trading, moreover it is more practical and less-costly compared to the others Indonesian collateral instrument such as mortgage (Hak Tanggungan) and pledge (Fidusia). According to the result of this research, Original Counterpart of Acknowledgement of Indebtedness Deed is advised to be informed and used by legal professionals and also business doers and traders., This thesis reviews the Original Counterpart of Acknowledgement of Indebtedness Deed in the perspective of Law of Negotiable Instrument, which its problems are about the characteristics of Original Counterpart of Acknowledgement of Indebtedness Deed and its potentials to be used in business and trading. This research is a qualitative research with statute approach. This reseach result concludes that Original Counterpart of Acknowledgement of Indebtedness Deed is a form of Non-Negotiable Instrument which always accessory/supplementary in its nature, but it can be used in business and trading, moreover it is more practical and less-costly compared to the others Indonesian collateral instrument such as mortgage (Hak Tanggungan) and pledge (Fidusia). According to the result of this research, Original Counterpart of Acknowledgement of Indebtedness Deed is advised to be informed and used by legal professionals and also business doers and traders.]