

## Tinjauan yuridis atas peran bank kustodian dalam mendaftarkan jaminan dalam reksa dana penyertaan terbatas = The legal review on the role of custodian bank in the registration of pledge in the private equity investment

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### Abstrak

[Dengan disahkannya Peraturan Otoritas Jasa Keuangan Nomor 37/POJK.04/2014 tentang Reksa Dana Berbentuk Kontrak Investasi Kolektif Penyertaan Terbatas kini Bank Kustodian harus mendaftarkan jaminan oleh perusahaan sasaran demi kepentingan Reksa Dana Penyertaan Terbatas. Tesis ini menganalisa mengenai bagaimana peran Bank Kustodian Dalam Reksa Dana Penyertaan Terbatas sesuai peraturan perundang-undangan yang berlaku. Tesis ini juga menganalisa mengenai bagaimana perlindungan investor terkait pendaftaran pembebanan jaminan fidusia dan hak tanggungan oleh Bank Kustodian atas nama Investor dalam Reksa Dana Penyertaan Terbatas. Metode yang digunakan dalam penelitian ini adalah metode penelitian kepustakaan (penelitian yuridis normative) yaitu penelitian yang melihat pada asas-asas dalam hukum tertulis. Kesimpulan yang di dapat adalah Bank Kustodian mempunyai peran tambahan yaitu terkait pendaftaran Jaminan dalam Reksa Dana Penyertaan Terbatas atas efek bersifat utang. Bank Kustodian harus mempunyai kualifikasi tambahan sehingga dapat memaksimalkan perannya dalam hal pengikatan jaminan fidusia dan hak tanggungan untuk melindungi Investor

Reksa Dana Penyertaan Terbatas;By the issuance of Financial Service Authority Regulation Number 37/POJK.04/2014 concerning Collective Investment Contract in Limited Participation Investment Fund, now

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pledges by Custodian Bank as Registrar for the virtue of investor. The Method of this research is yuridis normative, which mean the research that observe on the principle in the written law. The conclusion of the Tesis is Custodian Bank has new additional role to register a pledge in private equity investment on bonds. Custodian Bank must have additional qualification to maximize its role related to registration of fiducia security and mortgage to protect the investor in Private

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