

Asuransi benda jaminan pada perjanjian kredit pemilikan rumah di PT Bank Commonwealth = Insurance of guarantees object on kredit pemilikan rumah at PT Bank Commonwealth

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Abstrak

[PT Bank Commonwealth merupakan sebuah perusahaan yang bekerja sama dengan salah satu jenis perusahaan yang dapat menyelenggarakan kegiatan usaha perasuransian. Dengan kerja sama tersebut, Produk Kredit Pemilikan Rumah (KPR) ditawarkan kepada nasabah. Asuransi Benda Jaminan yaitu Objek Asuransi yang mengalami kerugian, pada dasarnya akan diganti oleh pihak asuransi sesuai dengan yang dinyatakan di dalam polis. Jika kerugian yang terjadi di luar yang dinyatakan di dalam polis, maka hal tersebut tidaklah diganti berapapun nilai kerugiannya. PT Bank Commonwealth berdasarkan Surat Edaran Bank Indonesia (SEBI) Nomor 12/35/DPNP merekomendasikan kepada nasabah yang telah mengajukan Kredit Pemilikan Rumah (KPR) untuk mengasuransikan rumahnya dengan Lembaga Asuransi yang bekerjasama dengan PT Bank Commonwealth yaitu PT Asuransi X yang mana Lembaga Asuransi X juga merupakan nasabah PT Bank Commonwealth. Peran Bank disini terbatas sebagai perantara dalam meneruskan informasi produk asuransi mitranya. Tulisan ini difokuskan pada penolakan klaim asuransi yang sesuai dengan Hukum dan juga rekomendasi yang di berikan oleh Bank Kepada nasabah diatur oleh hukum serta tanggung jawab dari Bank jika ada penolakan klaim asuransi nasabahnya oleh mitranya . Penulisan ini merupakan penelitian yuridis normatif dengan melakukan penelitian hukum kepustakaan dan didukung wawancara kepada informan. Jenis data yang digunakan adalah data sekunder. Metode analisis yang digunakan adalah metode kualitatif. Berdasarkan Surat Edaran Nomor 12/35/DPNP Perihal Penerapan Manajemen Risiko pada Bank yang Melakukan Aktivitas Kerjasama Pemasaran dengan Perusahaan Asuransi (Bancassurance), mengatur sampai sejauh mana tanggung jawab bank terhadap nasabah, yaitu tentang Kejelasan hak dan kewajiban masing-masing pihak (Bank dan perusahaan asuransi mitra Bank), terutama adanya klausula yang menyatakan tanggung jawab masing-masing pihak dalam melakukan bancassurance, dalam hal untuk model bisnis Referensi dan/atau Kerjasama Distribusi, Bank tidak menanggung Risiko atas produk asuransi yang dijual.;PT Bank Commonwealth is a company that works closely with one of the types of companies which may conduct insurance business. With this partnership, Credit Products (KPR) offered to customers. Insurance Guarantee Objects, Objects of Insurance namely the loss, will essentially be replaced by insurance in accordance with the stated in the policy. If the losses which occur outside stated in the policy, then it is not changed regardless of the value of the losses. PT Bank Commonwealth by Bank Indonesia Circular Letter (SEBI) No. 12/35 / DPNP recommend to customers who have filed mortgage (KPR) to insure his home with the Insurance Institute in cooperation with PT Bank Commonwealth, namely PT Asuransi X which the X Insurance Institute also are customers of PT Bank Commonwealth. Bank role here is limited as intermediaries in transmitting information insurance products of its partners. This study focused on denial of insurance claims in accordance with the law and also the recommendations given by the Bank To the customers governed by the

laws and the responsibility of the Bank if there denial insurance claims its customers by its partners. This study is a normative juridical research by conducting legal research literature as well as informant interviews. The type of data used is secondary data. The analytical method used is qualitative method. Based on the Circular No. 12/35 / DPNP regarding Implementation of Risk Management for Banks Marketing Activities Cooperation with Insurance Company (Bancassurance), regulate the extent to which the responsibility of banks to clients, which is about the clarity of the rights and obligations of each party (Bank and Bank partner insurance companies), particularly the clause that states the responsibility of each party in conducting bancassurance, in terms of business models Reference and / or Cooperation Distribution, the Bank does not bear the risk on insurance products sold., PT Bank Commonwealth is a company that works closely with one of the types of companies which may conduct insurance business. With this partnership, Credit Products (KPR) offered to customers. Insurance Guarantee Objects, Objects of Insurance namely the loss, will essentially be replaced by insurance in accordance with the stated in the policy. If the losses which occur outside stated in the policy, then it is not changed regardless of the value of the losses. PT Bank Commonwealth by Bank Indonesia Circular Letter (SEBI) No. 12/35 / DPNP recommend to customers who have filed mortgage (KPR) to insure his home with the Insurance Institute in cooperation with PT Bank Commonwealth, namely PT Asuransi X which the X Insurance Institute also are customers of PT Bank Commonwealth. Bank role here is limited as intermediaries in transmitting information insurance products of its partners. This study focused on denial of insurance claims in accordance with the law and also the recommendations given by the Bank To the customers governed by the laws and the responsibility of the Bank if there denial insurance claims its customers by its partners. This study is a normative juridical research by conducting legal research literature as well as informant interviews. The type of data used is secondary data. The analytical method used is qualitative method. Based on the Circular No. 12/35 / DPNP regarding Implementation of Risk Management for Banks Marketing Activities Cooperation with Insurance Company (Bancassurance), regulate the extent to which the responsibility of banks to clients, which is about the clarity of the rights and obligations of each party (Bank and Bank partner insurance companies), particularly the clause that states the responsibility of each party in conducting bancassurance, in terms of business models Reference and / or Cooperation Distribution, the Bank does not bear the risk on insurance products sold.]