

Akibat Yuridis Pengalihan Objek Jaminan Fidusia yang di Operkreditkan kepada Pihak Lain Secara Sepihak Berdasarkan Tinjauan Kasus Nomor: 174/Pid/B/2013/PN.Tsm = Juridical Effect of Fiduciary Object Transfer Over Credited Repeatedly to Other Debtor Unilaterally

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Abstrak

[ABSTRAK

Skripsi ini menjelaskan akibat hukum dari pengalihan objek jaminan fidusia serta upaya hukum yang dapat dilakukan oleh kreditur terhadap objek jaminan fidusia yang telah dialihkan kepada pihak lain secara sepihak. Selain itu, dijelaskan pula akibat hukum dari adanya cidera janji debitur. Pengalihan ini dilakukan berulang kali ke beberapa pihak lain dari waktu ke waktu untuk melanjutkan pelunasan debitur lama tanpa sepengetahuan krediturnya. Tujuan penulisan ini untuk mengetahui akibat dan kewajiban hukum dari perbuatan tersebut. Berdasarkan penelitian ini diketahui berbagai permasalahan kurangnya perlindungan hukum dan kepastian hukum yang terdapat dalam undang-undang jaminan fidusia yang diberikan kepada para pihak dalam proses jaminan fidusia.

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ABSTRACT

This thesis explains about the legal consequences arising from the transfer of fiduciary collateral object and the legal remedies which could be brought by the creditor on regards of fiduciary collateral objects which has already transferred to another party one-sidedly. Besides, it also explains the legal consequences of the default made by the debtor(s). The transfer of fiduciary collateral objects is done continuously to many other parties several times in order to carry on the repayment of the debt from the previous debtor without giving any notice to the creditor. The purpose of this thesis is to elaborate the impacts and legal basis of consequences from the default caused by the giver of fiduciary which has made the one sided transfer of fiduciary collateral object. From this research, we could recognize various problem arising from the lack of legal safeguarding and the legal consequences which are found in the Law No. 42 of 1999 concerning Fiduciary given to the parties in fiduciary system., This thesis explains about the legal consequences arising from the transfer of fiduciary collateral object and the legal remedies which could be brought by the creditor on regards of fiduciary collateral objects which has already transferred to another party one-sidedly. Besides, it also explains the legal consequences of the default made by the debtor(s). The transfer of fiduciary collateral objects is done continuously to many other parties several times in order to carry on the repayment of the debt from the previous debtor without giving any notice to the creditor. The purpose of this thesis is to elaborate the impacts and legal basis of consequences from

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