

## Benturan hukum dalam penyelesaian piutang Bank BUMN: analisis penyelesaian piutang Bank Mandiri = Dispute of law in the settlement of state-owned bank receivables: analysis of the settlement of Bank Mandiri receivables

Wahyu Nur Razak, author

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### Abstrak

Negara sebagai badan hukum publik dapat membentuk badan hukum perdata, salah satunya adalah bank BUMN. Permodalan bank BUMN berasal dari kekayaan negara yang dipisahkan, sehingga tunduk kepada ketentuan tentang pengelolaan perusahaan yang sehat. Namun, pengaturan tentang keuangan negara mengatur piutang bank BUMN termasuk ke dalam piutang negara, sehingga diurus oleh PUPN berdasarkan UU PUPN. Dalam penelitian dipergunakan bahan hukum primer dan bahan hukum sekunder. Kemudian untuk mendukung penelitian ini, dilakukan pula wawancara dengan informan. Data tersebut kemudian dianalisis secara kualitatif, sehingga menghasilkan penelitian yang berbentuk deskriptif analitis. Penelitian ini menyimpulkan kewenangan publik yang dimiliki negara telah beralih ketika terjadi penyeteroran modal terhadap tubuh bank BUMN yang diatur dalam peraturan pemerintah pembentukan bank tersebut. Piutang bank BUMN adalah piutang privat dan diselesaikan melalui mekanisme privat biasa.

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State as a public legal entity can establish a civil law, one of which is state-owned bank. Capital state-owned bank came from state property that are separated, so that subject to the provisions of regulations on companies. However, the state set of financial receivables, including state-owned bank in receivables to the state, so that based on PUPN managed by the Law PUPN. Research material used in the primary legal and secondary legal materials. And to support this research, also conducted interviews with informants. Data is then analyzed in a qualitative, so that the research in the descriptive analytic. This study concluded that public authority has owned the country for the switch when the capital of the bank state-owned body that is set in the formation of the government bank. Receivables owned banks and private credit is completed through a private common mechanism.