

Perbandingan terhadap penutupan asuransi secara ko-asuransi di Indonesia dan India = Comparison on co-insurance in Indonesia and India

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Abstrak

ABSTRACT

Penutupan asuransi secara ko-asuransi merupakan salah satu mekanisme yang digunakan dalam hal nilai objek asuransi sangat besar karena beberapa penanggung dapat bekerja sama untuk menanggung satu objek asuransi secara bersama-sama dalam kasus per kasus. Di Indonesia, hal ini kemudian diatur melalui POJK No.23/Pojk.05/2015 dan POJK No. 69/Pojk.05/2016. Akan tetapi, pengaturan tersebut belum cukup mengatur perihal penyelesaian klaim antara ketua dan anggota ko-asuransi, serta kepada tertanggung. Di India, pengaturan penutupan asuransi secara ko-asuransi dilakukan melalui IRDA/NL/ETASS/RIN/103/05/2015 dan Coinsurance Agreement dated 5 December 2014 sebagai pedoman perilaku yang bersifat sukarela. Setelah dilakukan analisa secara normatif yuridis dan deskriptif, praktik asuransi di India memberi pedoman supaya penyelesaian klaim pada penutupan asuransi secara ko-asuransi diatur secara tegas. Selain itu, kewajiban penggunaan Electronic Transaction Administration and Settlement System di India membuat pelaksanaan penutupan asuransi secara ko-asuransi lebih transparan dan mudah diawasi.

ABSTRACT

Co-insurance is one of the mechanisms used in the terms of the value of the insurance object is whopping because some insurers can cooperate to bear an insurance object together in a case by case. In Indonesia, this mechanism is regulated in OJK Regulation No.23/Pojk.05/2015 and OJK Regulation No. 69/Pojk.05/2016/. However, the regulations are still not enough to regulate concerning the claim settlement among co-insurance leader, member(s) of co-insurance, as well as the insured. In India, regulation concerning insurance coverage by co-insurance is held through IRDA/NL/ETASS/RIN/103/05/2015 and Coinsurance Agreement dated 5 December 2014 as the guidelines for voluntary behavior. After juridical normative and descriptive analysis are done, insurance practice in India gives guidelines for claim settlement by co-insurance regulated strictly. Moreover, the obligation of using Electronic Transaction Administration and Settlement System in India makes the implementation of insurance coverage by co-insurance is more transparent and could be monitored easily.