

Penerapan UNCITRAL model law on cross-border insolvency dalam pengaturan kepailitan lintas batas di Indonesia, Singapura, dan Jepang = Application of UNCITRAL model law on cross-border insolvency in cross-border insolvency regulation in Indonesia, Singapore, and Japan

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Abstrak

Dengan semakin meningkatnya transaksi bisnis internasional, maka semakin meningkat pula kemungkinan terjadinya kepailitan lintas batas. Oleh karena itu, dibutuhkan suatu pengaturan kepailitan lintas batas yang memadai. Suatu negara dapat mengadopsi salah satu instrumen hukum internasional, yaitu UNCITRAL Model Law on Cross-Border Insolvency, ke dalam hukum kepailitannya guna menghadapi kasus kepailitan lintas batas. Skripsi ini membahas mengenai langkah Singapura dan Jepang dalam menghadapi kasus-kasus kepailitan lintas batas dengan mengadopsi UNCITRAL Model Law on Cross-Border Insolvency dan bagaimana UNCITRAL Model Law on Cross-Border Insolvency tersebut diterapkan dalam pengaturan kepailitan lintas batas di masing-masing negara. Skripsi ini juga akan membahas mengenai kemungkinan penerapan UNCITRAL Model Law on Cross-Border Insolvency dalam hukum kepailitan di Indonesia sebagai solusi dalam menghadapi permasalahan kasus kepailitan lintas batas dengan melihat Singapura dan Jepang sebagai acuan.

.....With the ever-increasing number of international business transactions, the possibility of cross-border insolvency also increases. Therefore, an adequate cross-border insolvency regulation is needed. A country can adopt one of the international law instruments, namely the UNCITRAL Model Law on Cross-Border Insolvency, into their insolvency law to deal with cross-border insolvency cases. The study will discuss about Singapore and Japan's steps in facing cross-border insolvency cases by adopting the UNCITRAL Model Law on Cross-Border Insolvency and how the UNCITRAL Model Law on Cross-Border Insolvency is applied in cross-border insolvency regulation in each country. This study will also discuss about the possibility of adopting the UNCITRAL Model Law on Cross-Border Insolvency in Indonesia's insolvency law as the solution to facing cross-border insolvency cases by looking at Singapore and Japan as a reference.