

Pengelolaan Informasi Trade Credit (Utang Dagang) oleh Biro Kredit = Processing of Trade Credit Information by Credit Bureaus

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Abstrak

Penelitian ini mencoba menjawab pertanyaan tentang apakah data trade credit termasuk data yang dikelola oleh biro kredit mengingat pentingnya peranan trade credit dalam perekonomian. Dalam menjawab pertanyaan tersebut, penelitian yuridis-normatif ini meninjau praktik-praktik biro kredit di beberapa negara di dunia, terutama dari segi kerangka hukum, untuk melihat tentang keberadaan pengelolaan data trade credit (utang dagang) oleh biro kredit di negara-negara tersebut. Selain tentang pengelolaan data trade credit, penelitian ini juga mempelajari ketentuan-ketentuan hukum yang memberikan perlindungan terhadap data kredit yang dikelola.

Data trade credit ternyata adalah data yang telah dikelola oleh biro kredit di negara-negara tersebut. Mereka bahkan telah memasukkan unsur trade credit secara eksplisit dalam definisi kredit pada umumnya, tidak seperti definisi kredit di Indonesia yang hanya terbatas pada kredit oleh lembaga keuangan. Negara-negara tersebut juga memiliki kerangka hukum terhadap perlindungan data yang lebih komprehensif daripada yang ditemui di Indonesia. Penelitian ini juga mendapatkan beberapa pembelajaran dari negara-negara tersebut tentang struktur biro kredit yang dapat mengatasi kendala-kendala yang berpotensi muncul dalam pengelolaan informasi trade credit di Indonesia.

.....This research attempts to answer the question on whether trade credit is processed by credit bureaus, owing to the important role trade credit plays in the economy. In the quest for the answer, this legal-normative research looks at the practices of credit bureau in several countries in the world, especially at their legal and regulatory frameworks, to observe the existence of such trade credit processing by the credit bureaus in those countries. Aside from the trade credit processing, this research also learns about the various legal rules providing for the protection of the credit data processed by the credit bureaus.

The processing of trade credit is already part of the operation of the credit bureaus in those countries. They have also explicitly included the trade credit elements in their definition of credit, unlike the credit definition in Indonesia which is still largely limited to the credit by financial intermediaries. Those countries also employ more comprehensive legal frameworks of data protection than the one found in Indonesia. This research also benefits from some learning on the credit bureau structures in those countries, which can be used to address the constraints potentially arising in the trade credit processing in Indonesia.