ABSTRAK

Penelitian ini ditujukan untuk mengetahui dan menganalisis perjanjian jaminan kredit pegawai (*personal loan*) yang ada pada PD BPR BKK Cilacap dengan menggunakan jaminan berupa SK Pegawai dan BPKB, serta hak-hak PD BPR BKK Cilacap selaku kreditur pemegang jaminan dalam hal debitur wanprestasi. Metode pendekatan yang digunakan dalam penelitian ini adalah yuridis normatif, yaitu mengkaji kaidah-kaidah, prinsip-prinsip, norma-norma hukum yang berlaku, dengan spesifikasi penelitian deskriptif dan analisis secara kualitatif.

Berdasarkan hasil analisis maka dapat disimpulkan bahwa konstruksi yuridis penjaminan berupa penyerahan SK Pegawai dan BPKB hanya melahirkan hak jaminan yang lain , karena tidak dapat deikelompokan sebagai hak jaminan kebendaan maupun hak jaminan perorangan. Adapun hak PD BPR BKK Cilacap selaku kreditur dalam hal debitur wanprestasi adalah berhak untuk menahan SK Pegawai dan BPKB sampai semua tagihan debitur dibayar lunas yang dikenal dengan hak Retensi.

Kata Kunci : Kredit Pegawai – Perjanjian Jaminan Kredit - Hak Jaminan Yang Lain – Hak Retensi

ABSTRACT

This observation is aimed to know and to analyze about credit collateral agreement in PD BPR BKK Cilacap by using SK of Employee (Decision Letter) and BPKB(the book of vehicle ownership), and also to know and to analyze about the right of PD BPR BKK Cilacap as a creditors collaterals holder in cases debtor doing wanprestasi (break a promise). The approach method in use in this research is normative legal method, it discusses rules, principles, and legal norms being efective with descriptive for the specification of research and qualitative analyzing.

Based on the result of this research, so concluded that the juridical construction of guaranteeing like handover SK of Employee and BPKB just giving the right of another collateral, because can't be grouped as a material collateral right nor individual collateral right. As for the right of PD BPR BKK Cilacap as a creditor collaterals holder in case debtor doing wanprestasi is having right to restrain those collateral until debtor pays everything their payable, this is similiar like the Retention Right.

Key Word : Employee's Credit – Collateral Credit Agreement – The Another Collateral Right – Retention Right