RINGKASAN

Perlindungan hukum terhadap debitor dalam penyelesaian kredit macet dimasa Pandemi Covid-19 berdasarkan peraturan Otoritas Jasa keuangan Kebijakan Stimulus Nomor.11/POJK.03/2020 Dampak penyebaran *Corona Virus Disease* 2019.

Kredit merupakan bagian dari fungsi perbankan dalam hubungan bank sebagai kreditor dengan nasabah sebagai debitor, salah satu produk yang diberikan oleh bank dalam membantu kelancaran usaha debitor, dengan pemberian kredit, bank merupakan sumber untuk memenuhi kebutuhan yang di inginkan pelaku usaha mikro, kecil dan menengah yang membutuhkan dana untuk keperluan dan kebutuhan tambahan modal usaha. Masalah penyelesaian kredit macet pada intinya lebih banyak berkisar pada bank untuk melakukan penyelamatan dimasa Pandemi Covid-19 berdasarkan Peraturan Otoritas Jasa Keuangan Nomor.11/POJK.03/2020, dengan pemberian restrukturisasi kredit. Salah satunya adalah pada putusan Nomor 184/Pdt.G/2022/PN-Mks – Putusan Nomor 724 PK/Pdt/2024.

Tujuan Penelitian ini dilakukan untuk menganalisis perlindungan hukum terhadap debitor dalam penyelesaian kredit macet di masa Pandemi Covid-19 berdasarkan Peraturan Otoritas Jasa Keuangan Nomor.11/POJK.03/2020 stimulus Pandemi Covid-19 yang memberikan keringan kredit dalam bentuk restrukturisasi kredit. Untuk menganalisis pertimbangan hukum hakim pada putusan Nomor 184/Pdt.G/2022/PN-Mks – Putusan Nomor 724 PK/Pdt/2024 tentang perlindungan hukum debitor dimasa Pandemi Covid-19 berdasarkan Peraturan Otoritas Jasa Keuangan Nomor.11/POJK.03/2020 stimulus *Countercyclical* Covid-19.

Berdasarkan hasil penelitian menemukan bahwa Perlindungan hukum dalam penyelesaian kredit macet berdasarkan peraturan Otoritas Jasa Keuangan Stimulus Nomor 11/POJK.03/2020 dapat dilakukan dengan cara, penyelamatan kredit macet melalui skema Restrukturisasi Kredit yaitu: Penurunan suku bunga kredit, Perpanjangan jangka waktu kredit, Pengurangan tunggakan bunga kredit, Pengurangan tunggakan pokok kredit, Penambahan fasilitas kredit, dan Konversi kredit menjadi penyertaan modal sementara, skema tersebut dapat dikombinasikan khususnya penurunan suku bunga kredit, dan pengurangan tunggakan pokok kredit, telah memenuhi bentuk perlindungan terhadap kredit macet dimasa Pandemi Covid-19. Adanya perbedaan pertimbangan hakim, Majelis hakim Pengadilan Negeri pada putusan Nomor 184/Pdt.G/2020/PN-Mks mengabulkan sebagian telah sesuai berdasarkan Peraturan Otoritas Jasa keuangan Nomor.11/POJK.03/2020 memberikan perlindungan hukum preventif kepada debitor yang masih beritikad baik. Sedangkan pertimbangan hukum hakim pada putusan Nomor 724PK/Pdt/2024 Hakim Mahkamah Agung yang membatalkan putusan Pengadilan Negeri Makassar tidak menerapkan Peraturan Otoritas Jasa keuangan No.11/POJK.03/2020 Dampak Covid-19 dan debitor tidak mendapatkan perlindungan hukum preventif.

SUMMARY

Legal Protection for Debtors in the Settlement of Non-Performing Loans During the Covid-19 Pandemic Based on the Financial Services Authority Stimulus Regulation Number 11/POJK.03/2020 Concerning the Impact of the Spread of Coronavirus Disease 2019.

Credit is a part of banking functions in the relationship between banks as creditors and customers as debtors. It is one of the products provided by banks to support the smooth operation of debtors' businesses. By providing credit, banks serve as a source to meet the needs of micro, small, and medium enterprises (MSMEs) that require funds for operational needs and additional business capital. The issue of resolving non-performing loans primarily revolves around the banks' efforts to safeguard credit during the Covid-19 pandemic based on Financial Services Authority Regulation Number 11/POJK.03/2020 through the provision of credit restructuring. One example is Decision Number 184/Pdt.G/2022/PN-Mks – Decision Number 724 PK/Pdt/2024.

The aim of this study is to analyze legal protection for debtors in the settlement of non-performing loans during the Covid-19 pandemic based on Financial Services Authority Regulation Number 11/POJK.03/2020, which offers credit relief in the form of loan restructuring. It also seeks to analyze the legal considerations of judges in Decision Number 184/Pdt.G/2022/PN-Mks – Decision Number 724 PK/Pdt/2024 regarding debtor protection during the pandemic under the Financial Services Authority's Countercyclical Policy stimulus.

Based on the research findings, legal protection in resolving non-performing loans under the Financial Services Authority Stimulus Regulation Number 11/POJK.03/2020 can be carried out through the following credit restructuring schemes: reduction of loan interest rates, extension of loan terms, reduction of accrued interest, reduction of loan principal arrears, provision of additional credit facilities, conversion of loans into temporary equity participation, these schemes can be combined particularly interest rate reduction and reduction of loan principal arrears which fulfill the forms of protection for non-performing loans during the Covid-19 pandemic.

There are differences in judicial considerations. The panel of judges at the District Court in Decision Number 184/Pdt.G/2020/PN-Mks partially granted the claims in accordance with Financial Services Authority Regulation Number 11/POJK.03/2020, providing preventive legal protection for debtors who demonstrate good faith. While the judge,s legal consideration in the decision Number 724 PK/Pdt/2024,supreme court judge who overturned the Makassar District court decision did not apply financial service authority regulation No. 11/POJK.03/2020 on the impact of Covid-19 and debtors do not receive preventive legal protection.