

ABSTRAK

PENYELESAIAN PERJANJIAN KREDIT MACET AKIBAT OVERMACHT BAGI PENERIMA KREDIT USAHA RAKYAT (STUDI KASUS DI PT BANK JATENG KABUPATEN KUDUS)

Kredit Usaha Rakyat merupakan salah satu bentuk dukungan perbankan terhadap pengembangan usaha mikro, kecil, dan menengah. Praktikanya banyak ditemukan kasus kredit macet yang terjadi bukan karena kelalaian debitur, melainkan karena adanya keadaan memaksa yang tidak dapat dihindari dan diprediksi, seperti bencana alam, pandemi, atau kondisi ekonomi nasional yang berdampak terhadap kemampuan usaha debitur. Penelitian ini dikaji dengan teori penyelesaian sengketa, tanggung jawab hukum, dan perlindungan hukum sebagai landasan untuk memahami posisi para pihak dalam menghadapi kondisi overmacht. Penelitian ini bertujuan untuk menganalisis bagaimana penyelesaian kredit macet akibat overmacht serta perlindungan hukum para pihak. Penelitian ini menggunakan metode pendekatan yuridis empiris, dengan pengumpulan data melalui wawancara karyawan bank, debitur KUR, serta telaah dokumen hukum dan ketentuan perundang-undangan yang berlaku, khususnya regulasi dari Otoritas Jasa Keuangan (OJK). Hasil penelitian menunjukkan penyelesaian kredit macet akibat overmacht di PT Bank Jateng Kudus dilakukan melalui berbagai mekanisme, seperti restrukturisasi kredit, penjadwalan ulang pembayaran, penundaan angsuran, serta pemberian stimulus tertentu. Perlindungan hukum diberikan melalui asas keadilan, kepastian hukum, dan itikad baik dalam pelaksanaan perjanjian. Penelitian ini merekomendasikan perlunya regulasi yang lebih rinci dan fleksibel terkait mekanisme penyelesaian kredit macet karena overmacht, agar mampu memberikan kepastian dan perlindungan hukum secara seimbang bagi kedua belah pihak.

Kata Kunci: Kredit Usaha Rakyat, Overmacht, Penyelesaian Kredit Macet

ABSTRACT

SETTLEMENT OF NON-PERFORMING LOAN AGREEMENTS DUE TO FORCE MAJEURE FOR RECIPIENTS OF PEOPLE'S BUSINESS CREDIT (CASE STUDY AT PT BANK JATENG, KUDUS REGENCY)

Kredit Usaha Rakyat (KUR), or People's Business Credit, is one of the banking programs aimed at supporting the development of micro, small, and medium enterprises (MSMEs). In practice, many cases of non-performing loans occur not due to the debtor's negligence, but as a result of force majeure conditions that cannot be avoided or predicted, such as natural disasters, pandemics, or national economic crises that significantly affect the debtor's business capacity. This research is analyzed using the theories of dispute resolution, legal liability, and legal protection as the foundation to understand the legal standing of the parties involved when facing force majeure. The purpose of this study is to analyze how non-performing KUR loans caused by force majeure are resolved and how legal protection is provided to the involved parties. The research employs a juridical-empirical approach, with data collected through interviews with bank employees and KUR debtors, as well as a review of legal documents and applicable regulations, particularly those issued by the Financial Services Authority (OJK). The results show that the resolution of non-performing loans at PT Bank Jateng Kudus is carried out through various mechanisms such as credit restructuring, rescheduling of payments, deferment of installments, and provision of financial relief or stimulus. Legal protection is provided through principles of justice, legal certainty, and good faith in contract execution. This research recommends the need for more detailed and flexible regulations regarding the settlement of non-performing loans due to force majeure, to ensure balanced legal certainty and protection for both parties.

Keywords: *People's Business Credit, Force Majeure, Non- Performing Loan Settlement.*