



**JURIDICAL REVIEW OF THE CANCELLATION OF THE PEACE  
HOMOLOGATION BETWEEN PT MAYBANK INDONESIA  
TBK AND PT NUSUNO KARYA**

**LEGAL WRITING**

Submitted in partial fulfilment of the requirements for obtaining Bachelor's degree in Law

(S1) Undergraduate Program

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SEMARANG

2024

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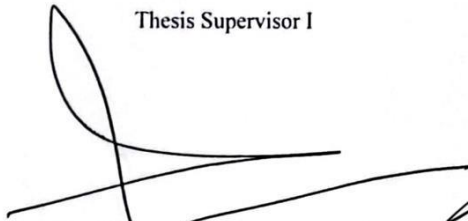
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**JURIDICAL REVIEW OF THE CANCELLATION OF THE PEACE**

**HOMOLOGATION BETWEEN PT BANK MAYBANK INDONESIA TBK AND PT**

**NUSUNO KARYA**

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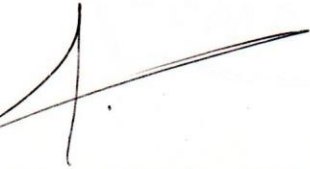
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## STATEMENT OF ORIGINALITY

I hereby declare that this Legal Writing has never been proposed to obtain a degree in another tertiary institution and to be the best of my knowledge, there are no word or opinions that have been written or opinion published by other people, except those that are written in writing referred to in this manuscript and is mentioned in the references.

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## MOTTO AND DEDICATION

### MOTTO:

*“Know thy self, know thy enemy. A thousand battles, a thousand victories.”*

– 孫子 –

### DEDICATION:

The author would like to dedicate this thesis to:

1. Allah SWT, the Most Merciful and Most Gracious, The One who guides me through it all.
2. Bunda, who has consistently offered encouragement and wholeheartedly believes in the author's ability to achieve his goals.
3. Ayah, who has consistently offered encouragement and wholeheartedly believes in the author's ability to achieve his goals.
4. Raisya and Azky, the author's younger sister who has been diligently supporting the author's physically and emotionally
5. I extend my heartfelt gratitude to my loving partner, whose unwavering support and encouragement have been instrumental in the completion of this thesis. She have consistently been my first line of defense, offering solace and guidance during my time in Semarang.
6. Faculty of Law, Diponegoro University

## FOREWORD

With deep reverence and humility, I invoke the blessings of Allah, the Most Gracious, the Most Merciful, the Sustainer of the heavens and the earth, the Source of all knowledge and wisdom. It is with immense gratitude that I embark on the task of presenting this thesis, the culmination of my studies at the International Undergraduate Program, Faculty of Law, Universitas Diponegoro. This thesis, titled "**Juridicial Review Of The Cancellation Of The Peace Homologation Between PT Bank Maybank Indonesia TBK AND PT Nusuno Karya,**" marks a significant milestone in my academic journey. Throughout this endeavor, I have been constantly reminded of Allah SWT's boundless blessings and unwavering guidance. His mercy and wisdom have illuminated my path, enabling me to navigate the complexities of research and bring this thesis to fruition.

While making this thesis, the author's progress has been closely intertwined with the assistance and support received from various individuals. Therefore, it is only fitting, on this occasion, for the author to extend profound gratitude to:

1. Dr. Ery Agus Priyono S.H., M.Si., as the first supervisor who has provided guidance and direction.
2. Aisyah Ayu Musyafah S.H., M.Kn., as the second supervising lecturer who has also provided guidance and direction.
3. Every lecturer and staff member from the International Undergraduate Program who supported the author throughout their academic journey at the Faculty of Law, Diponegoro University.

4. The author's father, mother, sister, and other extended family members have shown unwavering belief in the author's ability to achieve their aspirations and follow their passions.
5. The author's devoted partner, Aghna Zarra Amani, has consistently stood by the author, offering steadfast support through all endeavors.
6. The other friends of the author who became source of support and kindness to his life

As the author submits this thesis to the academic community and beyond, they hope it becomes a wellspring of knowledge and inspiration. May it play a role in advancing our comprehension of the cancellation of peace homologation of PKPU. With a profound sense of achievement and deep gratitude for the journey, the author humbly presents this work, acknowledging that it is the outcome of both external support and their steadfast belief in themselves.

Semarang, 21<sup>st</sup> of August 2023

Raihan Khaliq Adipratama

## **ABSTRACT**

The Central Jakarta Commercial Court granted an extension of the postponement of PT Nusuno Karya's debt payments for 90 days. The court also granted PT Bank Maybank Indonesia TBK's demand for annulment of the peace agreement between PT Nusuno Karya and PT Bank Maybank Indonesia TBK. This resulted in PT Nusuno Karya being declared bankrupt again. PKPU aims to restructure debt through homologation, not liquidation. Debtors propose homologation plans, and creditors' meetings establish binding decisions. Homologation failure can lead to bankruptcy. The cancellation of a peace agreement can have legal consequences, such as compensation for creditors. If a debtor violates a peace agreement, a cancellation process occurs before bankruptcy. PKPU significantly impacts bankruptcy and corporate financial restructuring.

This study employs a normative approach to examine unresolved legal issues in Indonesia. The normative Approach involves analyzing relevant laws and regulations, the Case Approach involves scrutinizing relevant case studies, and the Conceptual Approach involves leveraging legal doctrines to construct legal arguments. This methodology ensures a comprehensive and foundational understanding of the issues under consideration.

PT Nusuno Karya's failure to fulfill its obligations led to the cancellation of the peace homologation and its subsequent declaration of bankruptcy. This decision reflects the company's inability to honor the agreed settlement agreement and fulfill the commitments it made during the PKPU process. The cancellation of the peace homologation not only resulted in bankruptcy but also paved the way for additional legal consequences, such as compensation claims from creditors. This incident highlights the wide-ranging implications of legal events in the context of bankruptcy.

**Keyword: Bankruptcy, Homologation Cancellation, PKPU**



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