

## PERLINDUNGAN HUKUM TERHADAP PEMENANG LELANG SUKARELA DI BALAI LELANG PT TRIAGUNG LUMINTU SEMARANG

Oleh :

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Penelitian ini bertujuan untuk mengetahui bagaimanakah pelaksanaan lelang sukarela di Balai Lelang PT Triagung Lumintu kota Semarang sesuai dengan Peraturan Menteri Keuangan Nomor 93/PMK.06/2010 tentang petunjuk pelaksanaan lelang. serta untuk mengetahui perlindungan apa saja yang di berikan oleh Balai lelang PT Triagung Lumintu kepada pemenang lelang

Pendekatan penelitian yang digunakan dalam pelaksanaan penelitian ini adalah empiris dengan normatif penelitian dilakukan dengan wawancara Data peneliti terdiri dari data primer di lengkapi dengan data sekunder, Data di analisis secara kualitatif yang di tulis secara deskriptif

Berdasarkan penelitian yang dilakukan terhadap pelaksanaan lelang sukarela di Balai Lelang PT Triagung Lumintu semarang, pelaksanaan lelang sukarela tidak sepenuhnya didasarkan pada Peraturan Menteri Keuangan Nomor 93/PMK.06/2010 dalam hal pembuatan risalah lelang, risalah lelang dilakukan terlebih dahulu untuk memudahkan proses penandatanganan risalah lelang. Pelaksanaan lelang didahului dengan permohonan lelang oleh pemohon lelang yang berkehendak melaksanakan lelang sukarela di Balai Lelang dan selanjutnya dilakukan proses verifikasi dengan standard dan ketentuan yang ketat untuk memperkecil timbulnya resiko permasalahan, ditindak lanjuti dengan pelaksanaan lelang dan diakhiri dengan pasca lelang. Pemenang mendapatkan Risalah Lelang sebagai tanda bukti peralihan hak secara lelang. Perlindungan hukum yang diberikan oleh Balai Lelang berdasarkan Pasal 16 Peraturan Menteri Keuangan Nomor 93/PMK/06/2010 penjual bertanggung jawab terhadap keabsahan barang, keabsahan dokumen persyaratan lelang, serta dokumen kepemilikan kepada pemenang, selain itu penjual juga bertanggung jawab terhadap gugatan perdata dan tuntutan pidana yang timbul sebagai akibat dari perbuatannya terhadap objek lelang serta tuntutan ganti rugi yang timbul karena ketidakabsahan barang. Selain dari pasal 16 balai lelang selaku pelaksana lelang meminta pemilik atau pemohon lelang untuk membuat surat pernyataan bersedia bertanggung jawab apabila terjadi sengketa terhadap objek lelang dikemudian hari

**Kata Kunci : Pemenang lelang, Perlindungan Hukum, Balai Lelang**

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## THE LAW PROTECTION ON THE VOLUNTARY AUCTION WINNER IN THE AUCTION OFFICE OF PT TRIAGUNG LUMINTU SEMARANG

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### ABSTRACT

The recent research is aimed at identifying whether the implementation of voluntary auction in Auction House of PT Triagung Kuminto, Semarang City was compliant with the Legislation issued by Monetary Minister No 93/PMK.06/2010 about the guidance of auction performance. It was also identify the protection given by Auction Office of PT Triagung Lumintu for the auction winner

The recent research adopted approach which consisted of empirical and normative research as well as interview method. The data consisted of primary data and was supplemented with the secondary data. The data was analyzed qualitatively and was written descriptively.

The result indicated that the implementation of voluntary auction in the Auction House of PT Triagung Lumintu semarang was not fully compliant with the Legislation of the Monetary Minister No 93/PMK.06/2010 in the case of auction treatise generation. Auction treatise was subsequently created to facilitate the validation process of the auction treatise. The auction implementation was preceded by the auction proposal by those who want to do the voluntary auction in the auction office and subsequently verification was conducted using rigid standard and requirement to narrow the opportunity of problem to appear and then followed with the auction implementation and ended with post-auction. The winner obtained the auction deed as a proof of right alteration through auction. The law protection was given in accordance with the article 16 of Monetary Minister Legislation No 93/PMK/06/2010 the seller was responsible for the object validation, the validation document of auction requirements, and the ownership document for the winner. In addition, the seller was also responsible for the law suit which emerged in case the deed to the object and the compensation because of the object invalidation. Furthermore, article 16 states that the auction proprietor requires the owner to prepare the statement conveying that he/she is responsible for any dispute about the object in the future.

**Keyword : Auction Winner, Law Protection, Auction House**

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