

## TABLE OF CONTENT

COVER.....	i
ENDORSEMENT .....	ii
APPROVAL PAGE.....	iii
STATEMENT OF ANTI-PLAGIARISM .....	iv
ACKNOWLEDGEMENTS .....	v
TABLE OF CONTENT .....	vi
ABSTRACT .....	ix
<i>INTISARI</i> .....	x
CHAPTER I.....	1
INTRODUCTION.....	1
A. Introduction .....	1
B. Research Question.....	7
C. Research Goal .....	7
D. Originality of Research .....	8
E. Benefit of Research .....	8
CHAPTER II .....	10
THEORETICAL REVIEW .....	10
A. Insurance .....	10
B. Suretyship.....	12
C. The Difference Between Insurance and Suretyship .....	15
CHAPTER III.....	20
RESEARCH METHOD .....	20

A. Type of Research .....	20
B. Validity of Research.....	20
C. Types of Data .....	21
D. Data Collection Method .....	22
E. Data Analysis .....	25
F. Stages of Research .....	26
CHAPTER IV.....	28
RESULT AND DISCUSSION.....	28
A. Output and Legal Consequence for Insurance Companies To Carry Out Suretyship Post Enactment Of The Constitutional Court Decision Number 5/PUU-XVII/2020 .....	28
1. Analysis on The Constitutional Court Decision Number 5/PUU-XVII/2020.....	28
2. Insurance Companies Can Continue to Run Suretyship Business Lines .....	37
3. Certainty in Carrying Out Suretyship Businesses by Insurance Companies Can Be Done Without the Imposition of Criminal Sanctions .....	52
4. Opening Opportunities to Expand Insurance Business Lines according to Community Needs 56	
5. Challenges For Insurance Companies To Carry Out Suretyship Post Enactment Of The Constitutional Court Decision Number 5/PUU- XVII/2020 .....	58
B. Possible Alternative Recourse For Insurance Companies To Take To Continue The Surtysip Business .....	62
C. Analysis of Possibility of Changes to Law No. 40 of 2014 and Law No.1 of 2016 to accommodate the legal status of suretyship in financial institutions in Indonesia.....	66

1. Problems in Law No. 40 of 2014 and Law No. 1 of 2016 in Accommodating the Legal Position of Suretyship.....	68
2. Analysis of Possibility of Changes to Law No.1 of 2016 on Suretyship .....	75
3. Analysis of Possibility of Changes to Law No. 40 of 2014 .....	81
CHAPTER V .....	87
CLOSURE .....	87
BIBLIOGRAPHY .....	90