

Navigating Risk and Compliance: The Critical Role of Prudential Standards in Private Foreign Exchange Banks' Unsecured Lending in Indonesia

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ABSTRACT

This research examines the crucial role of prudential standards in the unsecured lending practices of private foreign exchange banks in Indonesia. As Indonesia experiences rapid economic growth, financial institutions are key in providing access to credit, particularly through unsecured loans, or Kredit Tanpa Agunan (KTA). These loans, issued without collateral, offer flexibility to borrowers but entail substantial risks due to the absence of security.

The research evaluates the regulatory frameworks that govern unsecured lending, focusing on the regulations set by the Financial Services Authority (OJK) and their effectiveness in enforcing prudential standards. It further explores the legal and financial consequences for banks that fail to comply with these regulations, underscoring the importance of effective risk management and regulatory oversight.

The research assesses the fundamental factors and hierarchical processes within private foreign exchange banks that enable the approval of unsecured loans, particularly in the absence of collateral, while also evaluating the effectiveness of regulatory frameworks in ensuring compliance with prudential standards. Additionally, it analyzes the legal and financial consequences for banks that fail to meet these standards. The findings highlight the critical role of borrower assessment models such as the 5C and 7P frameworks, robust risk management strategies, and the need for consistent regulatory enforcement. Inconsistent application of these standards increases the risk of non-performing loans (NPLs), and the absence of collateral complicates legal recovery, creating financial and reputational challenges for banks.

Keywords: Unsecured Lending, Prudential Standards, Private Foreign Exchange Banks, Risk Management, Regulatory Compliance, Non-Performing Loans (NPLs).

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Navigasi Risiko dan Kepatuhan: Peran Kritis Standar Kehati-hatian dalam Pemberian Kredit Tanpa Agunan pada Bank Devisa Swasta di Indonesia

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ABSTRAK

Penelitian ini meneliti peran penting standar kehati-hatian dalam praktik pemberian kredit tanpa agunan di bank devisa swasta di Indonesia. Seiring dengan pertumbuhan ekonomi Indonesia yang pesat, lembaga keuangan memainkan peran penting dalam menyediakan akses kredit, terutama melalui Kredit Tanpa Agunan (KTA). Pinjaman ini, yang diberikan tanpa jaminan, menawarkan fleksibilitas bagi peminjam namun membawa risiko signifikan akibat ketiadaan agunan.

Penelitian ini mengevaluasi kerangka regulasi yang mengatur pemberian kredit tanpa agunan, dengan fokus pada peraturan yang diterapkan oleh Otoritas Jasa Keuangan (OJK) serta efektivitasnya dalam menegakkan standar kehati-hatian. Selain itu, penelitian ini mengkaji konsekuensi hukum dan finansial bagi bank yang gagal mematuhi peraturan tersebut, menyoroti pentingnya manajemen risiko yang efektif dan pengawasan regulasi yang ketat.

Penelitian ini menilai faktor-faktor mendasar dan proses hierarkis di bank devisa swasta yang memungkinkan persetujuan kredit tanpa agunan, terutama tanpa adanya jaminan, sambil mengevaluasi efektivitas kerangka regulasi dalam memastikan kepatuhan terhadap standar kehati-hatian. Selain itu, penelitian ini juga menganalisis konsekuensi hukum dan finansial bagi bank yang gagal mematuhi standar ini. Hasil penelitian menyoroti pentingnya model penilaian peminjam seperti kerangka 5C dan 7P, strategi manajemen risiko yang kuat, serta perlunya penerapan regulasi yang konsisten. Ketidakkonsistenan dalam penerapan standar meningkatkan risiko kredit bermasalah (NPL), dan ketiadaan jaminan memperumit pemulihan hukum, menciptakan tantangan finansial dan reputasi bagi bank.

Kata Kunci: Kredit Tanpa Agunan, Standar Kehati-hatian, Bank Devisa Swasta, Manajemen Risiko, Kepatuhan Regulasi, Kredit Bermasalah (NPL).

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