

**ANALISIS PEMBATALAN AKTA KUASA OLEH AHLI WARIS  
TERHADAP OBJEK YANG DIJAMINKAN**  
(Studi Kasus Perkara Wanprestasi Oleh Nan Di Pt Multindo Auto Finance)

Oleh

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**INTISARI**

Penelitian ini bertujuan untuk mengetahui dan menganalisis Perlindungan Hukum bagi PT. Multindo Auto Finance sebagai Pemegang Jaminan atas Akta Pembatalan Kuasa oleh Ahli Waris terhadap Objek yang dijamin. Tujuan lain dari penelitian ini adalah untuk mengetahui dan menganalisis Implikasi Akta Pembatalan Kuasa oleh Ahli Waris terhadap Objek yang Dijamin bagi NAN dan PT. Multindo Auto Finance.

Penelitian tesis ini merupakan penelitian hukum normatif yang bersifat deskriptif. Penelitian normatif dilakukan dengan cara penelitian kepustakaan untuk mendapatkan data sekunder berupa bahan hukum primer, sekunder maupun tersier dengan alat berupa studi dokumen. Penelitian normatif ini didukung wawancara terhadap narasumber yang berkompeten dibidangnya dengan alat berupa pedoman wawancara. Data hasil penelitian dianalisis secara kualitatif.

Hasil Penelitian menyimpulkan: Pertama, jaminan untuk pelunasan fasilitas kredit termuat dalam perjanjian tidak dilakukannya disiplin hukum yaitu pengikatan jaminan tidak menggunakan lembaga jaminan yaitu pengikatan Hak Tanggungan, maka penulis memberikan penjelasan bahwa upaya hukum untuk penyelesaiannya adalah dilakukan pengikatan Hak Tanggungan yang dapat mengakomodir keikutsertaan hak atas tanah milik Ahli Waris . Kedua, menurut Pasal Pasal 1813 KUHPerdara setelah dilaksanakannya pembatalan akta karena penarikan kembali kuasa penerima kuasa, artinya akta pembatalan sah menurut hukum dan akan mengikat para pihak secara hukum bahwa benar telah dilakukan pemberian kuasa secara sah dimata hukum dan dibenarkan pada saat pembatalan akta kuasa sebagai bentuk representasi adalah dibenarkan oleh Pemberi Kuasa atas segalanya perbuatan hukum oleh penerima kuasa saat akta pemberian kuasa itu berlaku. Termasuk tidak mengugurkan Objek yang dijamin karena surat kuasa yang dibuat dihadapan Notaris dilakukan sebelum dibuat akta pembatalan kuasa.

**Kata Kunci: Pembatalan Akta kuasa, Objek Jaminan, dan Pengikatan Jaminan**

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***ANALYSIS OF THE CANCELLATION OF THE POWER OF ATTORNEY  
DEED BY THE HEIRS AGAINST THE PLEDGED OBJECT  
(Case Study of Default by Nan at Pt Multindo Auto Finance)***

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**ABSTRACT**

*This research aims to know and analyze the Legal Protection for PT Multindo Auto Finance as a Security Holder on Deed of Cancellation of Power of Attorney by Heirs to the Secured Object. Another purpose of this research is to know and analyze the Implication of Deed of Cancellation of Power of Attorney by Heirs against the Secured Object for NAN and PT Multindo Auto Finance.*

*This thesis research is a descriptive normative legal research. Normative research is conducted by means of library research to obtain secondary data in the form of primary, secondary and tertiary legal materials with tools in the form of document studies. This normative research is supported by interviews with competent sources in their fields with tools in the form of interview guidelines. The research data is analyzed qualitatively.*

*The research concluded: First, the collateral for the repayment of the credit facility contained in the agreement does not carry out legal discipline, namely the binding of collateral does not use a collateral institution, namely the binding of Mortgage Rights, so the author provides an explanation that the legal remedy for its resolution is the binding of Mortgage Rights which can accommodate the participation of land rights belonging to the Heirs. Second, according to Article 1813 of the Civil Code after the cancellation of the deed due to the withdrawal of the power of attorney, it means that the deed of cancellation is valid according to law and will bind the parties legally that it is true that the granting of power of attorney has been carried out legally in the eyes of the law and justified at the time of cancellation of the deed of power of attorney as a form of representation is justified by the Grantor of the power of attorney for all legal actions by the recipient of the power of attorney when the deed of power of attorney is valid. Including not nullifying the pledged object because the power of attorney made before the Notary was made before the power of attorney cancellation deed was made.*

***Keywords: Cancellation of Power of Attorney Deed, Collateral Object, and Collateral Binding***

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