

KEBIJAKAN PERUSAHAAN PERBANKAN TERHADAP KREDIT BERMASALAH KARENA DAMPAK PANDEMI COVID-19 DI KABUPATEN TEMANGGUNG

INTISARI

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Penelitian ini bertujuan mengkaji kebijakan perusahaan perbankan terhadap kredit bermasalah, mengkaji akibat debitur kredit bermasalah, mengkaji akibat hukum terhadap jaminan pada kredit bermasalah terdampak pandemi Covid-19 di Kabupaten Temanggung. Jenis penelitian yuridis normatif empiris. Analisis data dengan teknik analisis kualitatif.

Berdasarkan hasil analisis, diperoleh kesimpulan terdapat kebijakan bank terhadap kredit bermasalah karena dampak pandemi Covid-19 dalam bentuk restrukturisasi kredit, yaitu: pemberian *grace period* (penundaan) pembayaran pokok dan bunga, perpanjangan jangka waktu kredit, penurunan suku bunga, penghapusan tunggakan pokok dan bunga, pelunasan dengan keringanan hal ini sesuai dengan upaya perbaikan kredit bermasalah dengan restrukturisasi yang terdapat pada ketentuan Peraturan Bank Indonesia Nomor 14/15/PBI/2012 tentang Penilaian Kualitas Aset Bank Umum. Bank membuat kebijakan terhadap kredit bermasalah dengan didasarkan peraturan pemerintah Peraturan Otoritas Jasa Keuangan Republik Indonesia Nomor 11/POJK.03/2020. Dengan dibuatnya kebijakan mengenai penanganan kredit karena dampak pandemi Covid-19, maka debitur-debitur yang tidak menepati janji membayar angsuran tepat waktu menjadi tidak serta merta langsung dikategorikan sebagai debitur wanprestasi karena kejadian pandemi Covid-19 ini dapat menjadikan alasan *overmacht*/ketidakmungkinan yang bersifat relatif, dan ada syarat-syarat tertentu yang harus dipenuhi debitur agar mendapatkan kebijakan tersebut. Akibat hukum terhadap jaminan karena kredit bermasalah karena dampak pandemi Covid-19 yaitu apabila kredit bermasalah mendapat persetujuan restruktur maka debitur tidak dianggap wanprestasi, sehingga jaminan tidak dieksekusi. Namun bila restruktur tidak disetujui, debitur tetap dianggap wanprestasi sehingga jaminan akan dieksekusi.

Kata kunci: pandemi Covid-19, kredit bermasalah, kebijakan bank

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BANKING COMPANY POLICY ON PROBLEM LOANS DUE TO THE IMPACT OF THE COVID-19 PANDEMIC IN TEMANGGUNG DISTRICT

ABSTRACT

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This research for legal writing is aims to determine and analyze the policies of banking companies on non-performing loans, study the consequences of non-performing credit debtors, examine the legal consequences of collateral for non-performing loans affected by the Covid-19 pandemic in Temanggung Regency. This type of empirical normative juridical research. Data analysis using qualitative analysis techniques.

Based on the results of the analysis, it is concluded that there are banking company policies towards non-performing loans due to the impact of the Covid-19 pandemic in the form of credit restructuring, namely: granting grace periods of principal and interest payments, extending credit terms, lowering interest rates, eliminating principal arrears and interest, repayment with lightness. This is in accordance with efforts to repair non-performing loans with restructuring contained in the provisions of Bank Indonesia Regulation Number 14/15/PBI/2012 concerning of Asset Quality Assessment of Commercial Banks. Banks make policies on non-performing loans based on government regulations based on Regulation of the Financial Services Authority of the Republic of Indonesia Number 11/POJK.03/2020 concerning of National Economic Stimulus as a Countercyclical Policy Impact of the Spread of Corona Virus Disease 2019. Covid-19 pandemic can be used as an excuse for debtors not to carry out their obligations in the credit agreement because the overmacht is relative, there are certain conditions that the debtor must meet in order to get this policy. The legal consequence of collateral is due to non-performing loans due to the impact of the Covid-19 pandemic, namely if non-performing loans receive restructuring approval, the debtor is not considered default, so the guarantee is not executed. However, if the restructuring is not approved, the debtor is still considered in default so that the guarantee will be executed.

Keywords: Covid-19 pandemic, non-performing loans, bank policy.

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