

INTISARI

Pelaksanaan Perjanjian Pembiayaan Konsumen Used Motor Cycle (UMC) Financing

Kendaraan Bermotor di PT. Federal International Finance (FIF) Cabang Ngawi

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13/358042/HK/19775

Used Motor Cycle (UMC) Financing merupakan suatu jenis pembiayaan konsumen yang membiayai kendaraan bermotor yang telah lunas angsuran dengan jaminan surat kendaraan bermotor. *Used Motor Cycle (UMC) Financing* adalah perjanjian pembiayaan konsumen yang legal karena telah mematuhi peraturan perundang-undangan tentang pembiayaan konsumen namun ketentuan khusus yang mengatur perjanjian pembiayaan konsumen *Used Motor Cycle (UMC) Financing* belum ditetapkan dan disahkan yaitu pada Draft Peraturan Menteri Keuangan Nomor .../PMK.010/... tentang Perusahaan Pembiayaan, memenuhi syarat sahnya perjanjian dalam Pasal 1320 KUHPdata.

Pada pelaksanaan perjanjian pembiayaan konsumen *Used Motor Cycle (UMC) Financing* terdapat wanprestasi dalam bentuk kredit macet, konsumen sengaja menghilangkan tanpa melaksanakan kewajibannya yakni melunasi hutang dalam perjanjian pembiayaan konsumen dan beralihnya barang tanpa sepengetahuan PT. Federal International Finance (FIF) Cabang Ngawi.

PT. Federal International Finance (FIF) Cabang Ngawi memberikan sanksi berupa denda, somasi yang terdiri dari somasi pertama, kedua dan somasi lawyer, penarikan objek perjanjian pembiayaan konsumen, gugatan, ancaman pidana dan juga *blacklist* terhadap konsumen yang melakukan perbuatan wanprestasi yang menyebabkan kerugian terhadap perusahaan pembiayaan konsumen.

The Implementation of Consumer Finance Agreement for Used Motor Cycle

(UMC) Financing of Motor Vehicle in PT. Federal International Finance

(FIF) Ngawi Branch.

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Abstract

Used Motor Cycle (UMC) Financing is a type of consumer finance that financing paid motor vehicle with vehicle registration certificate as collateral. UMC Financing is a legal agreement to finance motor vehicle to the consumer because it is complies with the law of consumer finance; but there is not a specific provision declared yet that arranges UMC Financing in Draft Minister of Finance Regulation No .../PMK.010/ ... concerning Finance Company, which has not yet meet the condition from Indonesian Civil Law Article 1320.

In practice, there are cases of breach. For example, the consumer doesn't pay his/her installment; consumer vanishes into thin air and not paying his/her debt; or changes of object's ownership without PT. Federal International Finance (FIF) Ngawi Branch's knowledge.

If there are cases as mentioned above, PT. Federal International Finance Ngawi Branch will gives sanctions in the form of: (1) fine; (2) summation which consisting of the first and second summation and summation from a lawyer; (3) withdrawal of the object from the consumer finance's agreement; (4) lawsuit; (5) potential liability for criminal penalty; and (6) blacklisting the consumer who breached and causing an amount of loss to the Finance Company.