

Aspek hukum pemberian fasilitas pendanaan jangka pendek bagi Bank umum oleh Bank Indonesia (Studi kasus: Bank Century)

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Abstrak

Skripsi ini membahas mengenai pemberian fasilitas pendanaan jangka pendek (FPJP) sebagai salah satu perwujudan peranan Bank Indonesia sebagai lender of last resort dan secara khusus membahas tentang pemberian FPJP kepada Bank Century yang marak diperdebatkan kesesuaiannya dengan peraturan yang berlaku antara lain berupa perubahan ketentuan Peraturan Bank Indonesia tentang Fasilitas Pendanaan Jangka Pendek Bagi Bank Umum, pengajuan permohonan repo aset, nilai capital adequacy ratio (CAR) Bank Century dan nilai agunan yang diajukan Bank Century tidak memenuhi ketentuan minimal 150% dari plafon FPJP.

Metode penelitian yang digunakan adalah pendekatan yuridis normatif, sedangkan metode analisis data menggunakan metode kualitatif.

Hasil penelitian menyimpulkan bahwa pemberian FPJP kepada Bank Century telah dilakukan sesuai dengan ketentuan yang berlaku.

This thesis analyzes the legal aspects of the injection of short-term liquidity facility as one of the realization of Bank Indonesia's role as lender of last resort, taking its focus on the injection of short-term liquidity facility entrusted by Bank Indonesia to Bank Century on November 14th, 2008 and November 18th, 2008 with amounted to Rp 689.394.000.000,00 and eventually paid back on February 11th, 2008. The decision by Bank Indonesia received numerous responses from the public, mostly questioning the legality of the action taken.

This thesis uses juridical norms approach as research implementation method as well as qualitative method in data assessment.

The end result of this thesis found that allegations directed to Bank Indonesia and Bank Century not having fulfilled their respective duties of prudence are false.