

Analisis penetapan pengadilan negeri atas izin penjualan barang tidak bergerak milik anak di bawah umur = Analysis of the determination of the district court over the sale of unmoveable goods belong to children under the age

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Abstrak

[ABSTRAK

Harta benda milik anak di bawah umur sangat rentan terhadap penyalahgunaan atau kejahatan dari pihak wali atau pihak lainnya sehingga orang tua atau wali harus dapat membuktikan dan meyakinkan hakim dan Balai Harta Peninggalan bahwa tindakan wali menjual benda milik anak di bawah umur adalah untuk kepentingan anak di bawah umur itu sendiri dan bukan untuk kepentingan wali atau orang lain. Tesis ini membahas mengenai penetapan pengadilan negeri atas izin penjualan barang tidak bergerak milik anak di bawah umur disertai dengan analisis terhadap penetapan pengadilan yang berkaitan dengan hal tersebut yakni Penetapan Pengadilan Negeri Cibinong Nomor 977/Pdt.P/2013/PN.Cbn. Penelitian ini adalah penelitian yuridis normatif dengan sifat preskriptif. Hasil penelitian menyarankan bahwa hakim hendaknya berhati-hati dalam memeriksa suatu permohonan dan mendasarkan putusan/penetapannya pada alat bukti yang kuat; jual beli tanah milik anak di bawah umur tetap sah meskipun tidak disertai penetapan dari pengadilan; dan PPAT wajib memberikan penyuluhan terhadap pihak yang akan melakukan perbuatan hukum dihadapannya.

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ABSTRACT

Property owned by a children under the age are particularly vulnerable to abuse or crime by the guardian or the other parties so that parents or guardians must be able to prove and convince judges and The Relic Treasure Hall that the action of the guardian sells the property owned by a children under the age is to the interest of the children under the age itself and not for the benefit of parents or others. This thesis deals with the determination of The District Court over the sale of unmoveable good belong to children under the age accompanied by an analysis of the determination of the Court with regard to such matters i.e. determination of the Cibinong District Court Number 977/Pdt.P/2013/PN.Cbn, This research is a normative juridical research with the prescriptive. Result suggests that the judge should be careful in examining a request and basing decision and was on a strong evidence; the sale of unmoveable goods belong to children under the age remain valid though not accompanied by a court determination of PPAT; and PPAT is obliged to provide counseling against parties who will do the legal actions before him, Property owned by a children under the age are particularly vulnerable to abuse or crime by the guardian or the other parties so that parents or guardians must be able to prove and convince judges and The Relic Treasure Hall that the action of the guardian sells the property owned by a children under the age is to the interest of the children under the age itself and not for the benefit of parents or others. This thesis deals with the determination of The District Court over the sale of unmoveable good belong to children under the age accompanied by an analysis of the determination of the Court with regard to such matters i.e. determination of the Cibinong District Court Number 977/Pdt.P/2013/PN.Cbn, This research is a normative juridical research with the

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