

Perlindungan hukum nasabah kartu kredit dalam hal penagihan oleh jasa debt collector = Legal protection to the customer of credit card in relation to the collection conducted by vendor of debt collector

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Abstrak

Penagihan hutang kartu kredit dengan menggunakan jasa debt collector oleh bank dapat dilakukan karena tidak adanya larangan dari Bank Indonesia untuk menggunakan jasa debt collector. Tewasnya salah seorang nasabah pengguna kartu kredit yang memiliki tunggakan hutang kartu kredit akibat perbuatan debt collector menunjukkan tidak dipatuhinya pokok-pokok etika penagihan yang terdapat dalam Surat Edaran BI. Tujuan dari penelitian ini adalah untuk mengetahui perlindungan hukum terhadap nasabah pengguna kartu kredit dari jasa debt collector menurut hukum perbankan dan untuk mengetahui tanggung jawab bank serta debt collector. Metode pendekatan yang digunakan dalam penelitian ini adalah yuridis normatif dan bersifat deskriptif analisis yang sumbernya dapat diperoleh dari bahan pustaka dan studi dokumen. Dari hasil penelitian dapat disimpulkan bahwa penagihan oleh jasa debt collector hanya dapat dilakukan apabila kolektibilitas kartu kredit telah tergolong macet, serta pelaksanaan penagihan oleh jasa debt collector harus dilakukan sesuai tata cara yang berlaku

.....Collection of credit card debt by Bank using the service provided by vendor of debt collectors is likely to be done considering there is no prohibition issued by Indonesian Central Bank for the using of the service provided by debt collectors in collecting the credit card debt. The death of one of the customer of credit card that had an outstanding debt came from credit card debt as a result of actions of debt collectors showed non-compliance on the ethical collection principals as set forth in the Circular Letter issued by the Indonesian Central Bank. The purpose of this study is to perceive legal protection of the customer of credit card against the service of debt collectors under the banking law and to understand the responsibility of the bank on the action of debt collectors. The approach method used in this research is normative and descriptive analysis, The data obtained is the secondary data originated from the literature study (library research). From the outcome of the research it can be concluded that legal protection can be done preventively. The collection using the service provided by vendor of debt collectors can only be conducted if the collectability of credit cards has been classified as bad credit, as well as implementation of the collection using the service provided by vendor of debt collectors must be done in accordance with the applicable procedures.