ABSTRACT

One of insurance company in Indonesia is PT.Asuransi Jiwa Nusantara which was established in 1996. After so many years conducting life insurance, PT.Asuransi Jiwa Nusantara being supervised by the Financial Services Authority because of poor financial health. Financial Services Authority board of Commissioners eventually filed a bankruptcy petition against PT.Asuransi Jiwa Nusantara because it cannot improve its financial condition and debt claims totaling Rp 56 billion to about 30,000 insured and policyholders. The subject matter of the writing of this research is whether the legal consequences for PT.Asuransi Jiwa Nusantara after the bankruptcy decision on commercial court and the aim is to examine what are the legal consequences for PT.Asuransi Jiwa Nusantara after the bankruptcy decision on commercial court.

The type of research used in this research is normative law research is research undertaken to obtain legal material nature through literature theory, Law Number 37 of 2004 on Bankruptcy and Law Number 40 of 2014 on Insurance, articles on the internet and opinion of legal experts related to insurance and bankruptcy. Legal materials analysis techniques used in this paper is the juridical analysis techniques qualitative analysis with analytical descriptive ad prescriptive decomposition by describing and outlining the legal materials have been obtained to then connect with Law Number 37 of 2004 on Bankruptcy and Law Number 40 of 2014 on insurance, and is therefore expected to be clearly known aspects related to the considered problem for later obtained a general conclusions with systematic arrangement and find a solution that is expected.

Research results obtained that the legal consequences for PT.Asuransi Jiwa Nusantara after the bankruptcy decision on commercial court based on Law Number 37 of 2004 on bankruptcy article 24 paragraph 1 is the loss of authority of directors PT.Asuransi Jiwa Nusantara to organize and conduct settlement bankruptcy assets against creditors. Curator authorized to conduct settlement bankruptcy estate under the supervision of the supervisory judge who has been assigned by the commercial court. Suggestion bankruptcy laws need to determine restrictions on the minimum amount of debt that is used as a basic to file for bankruptcy and the need for setting the distinction between bankruptcy against legal entities and non-legal entity.

Keywords = Legal Consequences, Bankruptcy Insurance Company