

Bank Efforts in Handling Problem MSME Credit Debtors Through Fulfillment of Additional Guarantee Obligations

Muh Gani Irwansyah
Email: cintashalawat@gmail.com

Abstract

The purpose of the study was to find out efforts to deal with problematic MSME debtors through fulfilling the obligation to provide additional guarantees and what are the supporting and inhibiting factors in the bank's efforts to deal with problematic MSME debtors through fulfilling the obligation to provide additional guarantees. The type of research used is an empirical study because PT BPR Sinar Kuta's UMK lending to customers has various ways of solving problems, so the researcher wants to examine what efforts are made by banks when facing debtors who are more prioritized, assisted in terms of business aspects. . This article discusses the efforts of banks in dealing with problematic MSME debtors through the fulfillment of the obligation to provide additional guarantees at PT BPR Sinar Kuta.

Keywords: MSMEs, Bank Efforts, Debtors

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INTRODUCTION

The economic system is used by a country to allocate its resources both to individuals and organizations in that country. To drive the wheels of a country's economy to develop properly and it is necessary to have government policies in the development of regional autonomy. Economic development is the flow of funds for economic activities, one of which is in the form of credit for individuals or business entities, and one of the banking financial institutions is a financial institution under the auspices of the OJK (Financial Services Authority).

It is important to pay attention to MSMEs, because one of the main requirements to become autonomous is that the region concerned must have sufficient regional income to finance the wheels of the economy. This means that local economic activities or institutions, including MSMEs, are needed that will contribute to regional income. So the role of MSMEs in the regions is not only as an instrument of government policy to eliminate income disparities or development between regions, but also as a tool for developing regional autonomy.

The credit transaction process is further streamlined by having precise measurements of some that will be received by creditors and some that will have to be paid by debtors in the future, encouraging creditors not to use part of their money at this time. Thus, it is hoped that the wheels of the economy can continue to develop by facilitating contributions from banking financial institutions to participate in the development of providing business modes for people engaged in MSMEs.

To be able to expand the bank's business activities, one of them can even be said that the lifeblood of the banking business sector is through credit, but of course based on this principle banks must be very careful in channeling funds that have been collected from the community and channeled back to the community, thus the bank has perform its function properly. In this connection, the bank as one of the forums for gathering weak economic forces will further enhance its role and capabilities through a comprehensive program, by prioritizing providing credit to the public.

There are several types of credit offered by the Bank, one of which is credit for providing working capital or investment to MSME actors, to become a bankable debtor, of course, to be able to maintain and move the wheels of business that have been operating for at least one year and there are routine business operations that at least describe financial statements. even if it's simple.

The bank provides money loans to its customers who need additional capital for their business and supports government programs to develop the MSME business sector. So BPR Sinar Kuta, which is one of the many financial institutions, participated in contributing to the government's program. A debtor is said to be negligent if he does not fulfill his obligations or is late in fulfilling them or fulfilling them but not as agreed. Negligence or default on the part of the debtor must be officially declared, namely giving a warning to the debtor by going through a good process according to banking procedures.

Principal collateral is goods, securities or guarantees that are directly related to the object financed with the credit in question, such as goods or projects purchased with guaranteed credit, while additional collateral is securities with fixed value (land certificates and land certificates). buildings), or movable goods (proof of ownership of vehicle securities).

METHODS

The type of research used is an empirical study because in the distribution of UMK loans by PT BPR Sinar Kuta

to customers, there are various ways of trying to solve problems, the researchers want to examine what efforts are made by banks when facing debtors who are more prioritized, assisted in terms of business aspects. .

The research approach uses a sociological juridical approach, because the Banking Law states that the provision of credit is based on the explanation of Article 8 of the Banking Law that Banks are not required to ask for collateral in the form of goods that are directly related to the object being financed, which is commonly known as additional collateral. This means that it is possible to provide credit without any (additional) collateral or simply rely on the principal collateral only. But in reality, to avoid the risk of non-performing loans, banks ask for guarantees from bank debtors.

The location of the research was carried out at the Sinar Kuta Rural Bank, which is one of the banks that participates in promoting government programs in developing MSME-based people's businesses. the credit analysis process needs to be seen as important, especially in the collateral aspect, the existence of additional guarantees is one of the efforts to deal with problems in dealing with MSME debtors.

This paper uses empirical legal research methods because it sees the problems that occur where a gap is found between the credits given to MSME debtors at PT. Many BPR Sinar Kuta have problems, this is triggered by the lack of strengthening of credit guarantees received by debtors, so it is necessary to consider the importance of additional guarantees, in order to increase the level of debtor's responsibility to meet credit obligations to the bank.

RESULT AND DISCUSSION

MSMEs are divided into three, namely micro, small and medium enterprises. Each criterion has its own characteristics and a business is included in which criteria depending on the characteristics of the existing business. Currently, there are many micro-enterprises in Indonesia, but these micro-enterprises have not been able to make the Indonesian economy better. Small businesses or medium businesses are needed to be able to improve the economy in Indonesia.

How to handle non-performing MSE credit

According to the Standard Operational and Procedures for MSMEs, it is stated that it is possible for problematic UMK debtors to be restructured in accordance with the provisions in force at the Bank. No additional loan ceilings are allowed. Other provisions are in accordance with other credit provisions. The restructured MSME credit does not invalidate the claim rights from the Implementing Bank to the Guarantee Company. Submit collateral to the Bank. Paying obligations (loan principal and interest) on loans received in accordance with the repayments agreed with the Bank with the debtor until the credit is paid off. The Debtor must submit Collateral to the Bank in the form of: Principal Collateral, namely Business Feasibility and the Object that is financed itself. Additional collateral in accordance with the provisions of the Implementing Bank, such as land certificates, car BPKB, and so on.

Supporting and inhibiting factors in the bank's efforts to deal with troubled People's Business Credit debtors through the fulfillment of the obligation to provide additional guarantees

The bank's supporting factor in dealing with troubled MSME debtors is the content of the credit agreement made by the bank and the debtor. In the credit agreement made between the debtor and the bank it is written in it that the debtor submits additional guarantees in the form of objects such as land certificates, proof of ownership of motorized vehicles, and other certificates.

The bank will be based on the contents of the credit agreement when the MSME debtor begins to show non-performing criteria. The first thing the bank does is make an insurance claim on the guaranteed credit to the guarantor company. After filing a claim the bank confiscates and sells the object of additional collateral for credit fulfillment. If the object of collateral sold is still insufficient to cover the credit loan, the bank must ask the customer for the shortage.

CONCLUSION

1. Bank's efforts to deal with troubled MSME debtors by fulfilling the obligation to provide additional guarantees, namely by carrying out credit agreements made between the bank and the debtor. The troubled debtor must fulfill his obligations in submitting additional guarantees to the bank.
2. Factors that support the efforts of banks in dealing with problematic MSME debtors through the fulfillment of the obligation to provide additional guarantees, namely the content of a binding credit agreement between the bank and the debtor. The existence of good faith from customers also needs to be considered to be a supporting factor in the bank's efforts to deal with non-performing credit debtors. The inhibiting factor for the bank's efforts to deal with problematic debtors is to fulfill the obligation to provide additional guarantees, namely when the guarantee execution process is carried out with the collateral object controlled by the debtor, such as land.

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