

ABSTRAK

Skripsi ini berjudul: **Studi Terhadap Hak-Hak Kreditur dan Debitur Dalam Transaksi Kredit Briguna Pada BRI Kantor Cabang Sriwijaya Palembang**. Ketika debitur gagal membayar cicilan kredit sesuai dengan perjanjian karena kesulitan keuangan dan tidak ada itikad baik untuk memenuhi kewajiban kreditnya, debitur dianggap melakukan wanprestasi. Dalam hal ini, kreditur memiliki hak untuk mengambil tindakan hukum dan bekerja sama dengan instansi tempat debitur berkerja jika debitur melanggar perjanjian. Permasalahan dalam penelitian ini yaitu: Apa hak dan kewajiban kreditur dan debitur dalam transaksi kredit briguna? Dan Bagaimana perlindungan hukum terhadap hak dan kewajiban kreditur dan debitur dalam transaksi kredit briguna perspektif hukum ekonomi syariah? Adapun jenis-jenis penelitian ini merupakan penelitian lapangan (*field research*). Berdasarkan hasil dari penelitian yang penulis teliti pada pihak debitur dan kreditur hubungan antara kreditur dan debitur dirancang untuk melindungi kepentingan kedua belah pihak dan memastikan kelancaran pembayaran kredit. Kreditur memiliki hak untuk menerima pembayaran angsuran tepat waktu, melakukan penagihan jika terjadi keterlambatan, dan mendapatkan dana kredit sesuai perjanjian, serta berkewajiban memberikan informasi yang jelas tentang syarat dan ketentuan kredit. Sementara itu, debitur berhak menerima dana kredit dan informasi yang lengkap, serta berkewajiban membayar angsuran tepat waktu dan melunasi seluruh kewajiban setelah jatuh tempo. Untuk menjamin keadilan dan keamanan hukum dalam setiap transaksi kredit di sistem perbankan, sangat penting untuk memberikan perlindungan hukum terhadap hak dan kewajiban debitur dan kreditur. Perlindungan ini mencakup penjelasan yang jelas dan rinci tentang hak dan kewajiban masing-masing pihak, serta penerapan sanksi yang adil jika terjadi wanprestasi. Menurut hukum ekonomi syariah, perlindungan tersebut didasarkan pada prinsip keadilan, transparansi, dan kepastian hukum. Kreditur memiliki hak untuk pembayaran yang tepat waktu dan jaminan atas utang, sementara debitur dilindungi dari bunga yang tidak adil, informasi yang jelas, dan penagihan yang tidak wajar.

Kata Kunci: *Kreditur, Debitur, Wanprestasi, Hak dan kewajiban, Perlindungan hukum.*

ABSTRACT

This thesis is entitled: Study of the Rights of Creditors and Debtors in Briguna Credit Transactions at the BRI Sriwijaya Palembang Branch Office. When a debtor fails to pay credit installments according to the agreement due to financial difficulties and there is no good faith in fulfilling his credit obligations, the debtor is considered to be in default. In this case, the creditor has the right to take legal action and cooperate with the agency where the debtor works if the debtor violates the agreement. The problem in this research is: What are the rights and obligations of creditors and debtors in broad-use credit transactions? And what is the legal protection for the rights and obligations of creditors and debtors in credit transactions from a sharia economic law perspective? The types of research are field research. Based on the results of the author's research on debtors and creditors, the relationship between creditors and debtors is designed to protect the interests of both parties and ensure smooth credit payments. Creditors have the right to receive installment payments on time, make collections if there is a delay, and obtain credit funds according to the agreement, and are obliged to provide clear information about credit terms and conditions. Meanwhile, debtors have the right to receive credit funds and complete information, and are obliged to pay installments on time and pay off all obligations after they are due. To ensure justice and legal security in every credit transaction in the banking system, it is very important to provide legal protection for the rights and obligations of debtors and creditors. This protection includes a clear and detailed explanation of the rights and obligations of each party, as well as the application of fair sanctions in the event of default. According to sharia economic law, this protection is based on the principles of justice, transparency and legal certainty. Creditors have the right to timely payment and security for debts, while debtors are protected from unfair interest, clear information, and unreasonable collection. Keywords: Creditors, Debtors, Default, Rights and obligations, Legal protection.

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