LEGAL PROTECTION OF CUSTOMERS IN HOME OWNERSHIP AGREEMENT BETWEEN THE BANK TO CONNECT WITH A THIRD PARTY IN LAW NUMBER 10 OF 1998 TO AMEND THE LAW NUMBER 7 OF 1992 ON BANKING

ABSTRACT

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Based on the banks of the economic democracy with its primary function as a collector and distributor society fund has a strategic role to support the implementation of national development in order to improve the equitable distribution of national development and its results, economic growth and national stability, the direction of increasing standard of living of many, such as home is a primary requirement for most families. The fulfillment of these primary needs, can not be met if there is no financing and customer protection against third parties, therefore, required a financial institution to provide financial assistance in the form of lending, especially in the Home Ownership Loan (mortgage).

Method of approach in the writing of this thesis is empirical juridical, the authors attempted to approach the problems examined in accordance with the legal nature of the real force in society, while the sampling technique was purposive sampling samplenya based on specific goals.

Third parties in this case does not fulfill its answer to the customers of the bank by default. Breach of contract action by a third party to the detriment of the customer concerned, including the customer in question did not get his rights under the agreement and the customer in question fall within collectibilitas 5 (bad debts), for the legal protection for bank customers really need in addition is also the right for customers to conduct customer complaints, as well as the use of banking mediation forum for settlement of disputes in the banking.