

ABSTRAK

Kegiatan kredit tidak lepas dari kehidupan sehari-hari masyarakat guna menunjang taraf hidupnya untuk meningkatkan kesejahteraan hidup dalam pemenuhan kebutuhan seperti sandang pangan, biaya pendidikan dan kesehatan yang memadai. Dengan adanya kredit dapat meningkatnya kesejahteraan serta peluang kerja masyarakat miskin diperdesaan dengan mendorong kemandirian dalam pengambilan keputusan serta pengelolaan, sebab dengan terdapatnya Dana Amanah Pemberdayaan Masyarakat (DAPM) ini khususnya mengenai perjanjian kredit tanpa jaminan, Masyarakat merasa tidak terlalu terbebani apabila dibandingkan jika perjanjian kredit tersebut disertai dengan jaminan. Penelitian ini berjudul, “Pelaksanaan Kredit Tanpa Jaminan Antara Kelompok Simpan Pinjam Dengan Unit Pengelola Kegiatan Dana Amanah Pemberdayaan Masyarakat (DAPM) Di Desa Angkatan Lor Kecamatan Tambakromo Kabupaten Pati”. Bertujuan mengetahui prosedur pelaksanaan perjanjian kredit tanpa jaminan antara kelompok simpan pinjam dengan Unit Pengelola Kegiatan (UPK) Dana Amanah Pemberdayaan Masyarakat (DAPM) di Desa Angkatan Lor Kecamatan Tambakromo Kabupaten Pati dan upaya yang ditempuh apabila kelompok simpan pinjam melakukan wanprestasi terhadap kredit tersebut.

Metode penelitian menggunakan pendekatan *uridis sosiologis*. Sumber data diperoleh dari beberapa tahapan yaitu melalui penelitian lapangan (wawancara) dan penelitian pustaka. Analisis data dengan cara sistematis meliputi reduksi data, penyajian Data serta penarikan kesimpulan.

Hasil penelitian menunjukkan dalam pengajuan kredit menurut Undang-Undang Nomor 10 Tahun 1998 tentang Perbankan wajib mempunyai keyakinan berdasarkan analisis yang mendalam atas etikat dan kemampuan serta kesanggupan melunasi pembiayaan sesuai yang diperjanjikan. Sehingga dalam hal ini UPK-DAPM Tambakromo tidak membelakukan syarat adanya agunan dalam pengajuan kredit kelompok simpan pinjam. Apabila terjadi wanprestasi antara UPK-DAPM Tambakromo dengan kelompok simpan pinjam maka dilakukan musyawarah, kemudian dilakukan tanggung renteng, namun jika kedua upaya tersebut tidak dapat ditempuh maka dilakukan upaya hukum yaitu melalui pengadilan. Untuk mengatasi hal tersebut perlu adanya agunan dalam ketentuan persyaratan pinjaman di UPK-DAPM Tambakromo sesuai dengan penjelasan Pasal 8 Undang – Undang Nomor 10 Tahun 1998 tentang Perbankan. Dan penjelasan yang lebih detail oleh petugas UPK-DAPM Tambakromo mengenai ketentuan-ketentuan dalam perjanjian kredit yang sudah disepakati antara pihak UPK-DAPM Tambakromo dengan kelompok peminjam.

Kata Kunci : Kredit, Jaminan, Simpan Pinjam

ABSTRACT

Credit activities cannot be separated from people's daily lives in order to support their standard of living to improve their welfare in fulfilling needs such as food and clothing, adequate education and health costs. With the existence of credit, it can increase the welfare and work opportunities of the poor in rural areas by encouraging independence in decision making and management, because with the existence of the Community Empowerment Trust Fund (DAPM), especially regarding unsecured credit agreements, the community feels less burdened when compared to the credit agreement accompanied by a guarantee. This research entitled, "Implementation of Unsecured Credit Between Savings and Loans Groups and Community Empowerment Trust Fund Activities Management Unit (DAPM) in Angkatan Lor Village, Tambakromo District, Pati Regency". Aim to know the procedures for implementing unsecured credit agreements between savings and loan groups and the Community Empowerment Fund (DAPM) Fund Management Unit (DAPM) in Angkatan Lor Village, Tambakromo District, Pati Regency and the efforts taken if the savings and loan group defaults on the credit.

The research method used a sociological juridical approach. Sources of data obtained from several stages, namely through field research (interviews) and library research. Data analysis in a systematic way including data reduction, data presentation and drawing conclusions.

The results showed that in applying for credit according to Law Number 10 of 1998 concerning Banking, it is mandatory to have confidence based on an in-depth analysis of the ethics and abilities as well as the ability to pay off as agreed. So that in this case the UPK-DAPM Tambakromo does not enforce the requirements for collateral in the savings and loan group application. If there is a default between the UPK-DAPM Tambakromo and the savings and loan group, deliberations are held, then joint responsibility is carried out, but if these two efforts cannot be taken then legal measures are carried out, namely through the judiciary. To overcome this, it is necessary to have collateral in the terms of the loan requirements at UPK-DAPM Tambakromo in accordance with the explanation of Article 8 of Law Number 10 of 1998 concerning Banking. And a more detailed explanation by the Tambakromo UPK-DAPM officer regarding the terms of the credit agreement that has been agreed between the UPK-DAPM Tambakromo and the borrower group.

Keywords: Credit, Guarantee, Savings and Loans