

**PERLINDUNGAN HUKUM TERHADAP LESSEE TERKAIT PENARIKAN  
KENDARAAN BERMOTOR  
OLEH DEBT COLLECTOR  
(STUDI KASUS PUTUSAN NO.1052/PID.SUS/2021/PN.DPS)**

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**Abstrak**

*Debt collector* adalah pihak ketiga yang menghubungkan antara kreditur dan debitur dalam hal penagihan kredit, dimana penagihan tersebut hanya dapat dilakukan apabila kualitas tagihan kredit dimaksud telah termasuk dalam kategori kolektibilitas diragukan atau macet. *Debt Collector* bukanlah berstatus sebagai karyawan perusahaan, tetapi pihak diluar perusahaan yang diberi kuasa berupa kontrak kerja untuk bekerja atas nama leasing dalam menangani konsumen yang mengalami gagal bayar atau kredit macet. Terkait dengan adanya kasus kredit macet yang menyebabkan debitur wanprestasi, perusahaan pembiayaan konsumen bertindak mengirimkan surat peringatan (somasi) beberapa kali pada pihak debitur. Namun apabila surat peringatan tersebut tidak dihiraukan oleh debitur, maka perusahaan pembiayaan akan mengambil atau menyita barang tersebut dengan bantuan *Debt Collector*. Seperti halnya contoh kasus pada Putusan Pengadilan Negeri Denpasar Nomor 1052/Pid.Sus/2021/PN.Dps. Pada prinsipnya perlu ada penegakan hukum terhadap adanya penarikan paksa atau perampasan terhadap kendaraan bermotor milik *lessee* oleh *leasing* melalui *debt collector* dalam perspektif hukum perdata sehingga mencerminkan kepastian hukum.

Kata Kunci : Perlindungan Hukum, Penarikan, Kendaraan Bermotor, Debt Collector

**LEGAL PROTECTION AGAINST LESSEE REGARDING TOUCHING OF MOTOR  
VEHICLES  
BY DEBT COLLECTOR  
(CASE STUDY OF DECISION NO. 1052/PID.SUS/2021/PN.DPS)**

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**Abstract**

*Debt collector is a third party that connects creditors and debtors in terms of credit collection, where the collection can only be done if the quality of the credit bill has been included in the category of doubtful or bad collectibility. The Debt Collector is not a company employee, but a party outside the company who is authorized in the form of a work contract to work on behalf of leasing in dealing with consumers who have failed to pay or bad credit. In relation to the case of bad loans that caused the debtor to default, consumer finance companies acted to send warning letters (sumasi) several times to the debtor. However, if the warning letter is ignored by the debtor, the finance company will take or confiscate the goods with the help of the Debt Collector. As is the case with the Denpasar District Court Decision Number 1052/Pid.Sus/2021/PN.Dps. In principle, there needs to be law enforcement against the forced withdrawal or confiscation of motorized vehicles belonging to the lessee by leasing through a debt collector in the perspective of civil law so that it reflects legal certainty.*

*Keywords: Legal Protection, Withdrawal, Motor Vehicles, Debt Collector*