

LEGAL PROTECTION FOR CONSUMERS USING SERVICES FROM ILLEGAL PRIVATE PAWNSHOPS IN DENPASAR CITY

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ABSTRACT

This discussion about pawning has surfaced in the last few years as people more and more often carry out this practice of pawning in solving the problems they face. One of the problems behind the implementation of pawning by the community is that the pawning process does not take a long time. In addition, a person can solve the problems they face immediately by using the valuables they have as collateral without having to be afraid of losing these items. The enactment of the Financial Services Authority Regulation Number 31/POJK.05/2016 concerning Pawn Business is a strong legal basis for OJK to supervise the pawn business as one of the Special Financial Services Industries. This study has two formulations of the problem, namely: 1) What is the basis for regulating private mortgages in Indonesia? and 2) What is the legal protection for consumers who use the services of private pawn companies?. This study uses the type of empirical legal research. The data collection technique in this study is by conducting interviews. In this study a legal sociological approach was used, meaning that in examining the issues raised with facts supported by a juridical approach. Legal arrangements regarding pawning in Indonesia are basically regulated in articles 1150 to 1160 of the Civil Code. The issuance of the Financial Services Authority Regulation Number 31/POJK.05/2016 concerning Pawn Business explains the wider scope of the pawn business. However, the regulations that have been set are ineffective, as seen from the large number of private pawn companies that do not have licenses. Regarding consumer protection from private pawn companies, it is still not guaranteed because there are still many private pawn companies that do not have permits to circulate in the community, which have the opportunity to commit fraud against consumers because they do not get legal protection from private pawnshops, so that consumers feel disadvantaged and do not get protection and inconvenience when pawning the goods.

Keywords: Legal Protection, Consumers, Private Pawn

1. INTRODUCTION

The Republic of Indonesia is recognized as a developing country actively engaged in comprehensive development across various sectors through a National Development Pattern, which consists of a series of integrated, directed, and continuous development programs. To implement this development effectively, Indonesia requires readily available capital to ensure smooth and successful progress (Million, Esther, 2004:1).

Similarly, the Indonesian society itself needs financial resources to meet daily living expenses and to start or expand their businesses. However, not all segments of society have sufficient monetary capital for these activities, necessitating fresh funds in the form of loans to support their endeavors. As social beings, humans require interaction with others to live within a community; thus, the regulation governing human relationships concerning material possessions is pawnage. According to Article 1, point 11 of Law No. 10 of 1998 concerning Banking, credit is defined as the provision of money or claims equivalent to it based on an agreement

between a bank and another party that obligates the borrower to repay the debt after a specified period with interest (Indradewi, Anak Agung Sagung Ngurah, 2015:4).

The discussion about pawnage has surfaced more prominently in recent years as society increasingly engages in this practice to resolve their issues. One reason for the popularity of pawnage is that the process does not take much time. Additionally, individuals can quickly address their problems using valuable items as collateral without fearing loss, as they can reclaim their pledged items upon repaying the loan.

To solved these issues, the government has established credit institutions that can provide loans to the public with simple, quick procedures and without cumbersome processes. Pawn shops are deemed appropriate for fulfilling this role (Indradewi, Anak Agung Sagung Ngurah, 2015:4). However, illegal pawnage practices persist in society, potentially harming individuals seeking legitimate credit services due to the absence of proper licensing for such businesses.

The issuance of Financial Services Authority Regulation No. 31/POJK.05/2016 on Pawnshop Business has influenced the regulatory framework governing guarantees, particularly pawnage as a form of material security in Indonesia. Article 1, point 1 of this regulation defines pawnage business as any business involving loans secured by movable goods, custodial services, appraisal services, and/or other services, including those conducted under Sharia principles.

The scope of pawnage business is broader than the definition of pawnage under Civil Law because it also includes custodial services, appraisal services, and other services conducted under Sharia principles. Until now, positive law regulating pawnage as collateral for movable objects has been outlined in Articles 1150 to 1160 of the Civil Code, especially Article 1152 :

"The pledge right over movable goods and receivables arises by delivering the pledge to the authority of the creditor or a third party agreed upon by both parties. The pledge right cannot exist over goods that remain in the possession of the debtor or the pledgor, or that are returned at the request of the creditor. The pledge right is extinguished when the pledge is removed from the possession of the pledge holder. However, if the goods are lost or taken from their possession, the holder has the right to reclaim them according to Article 1977, second paragraph, and if the pledged item is returned, then the pledge right is considered to have never been lost. The lack of authority of the pledgor to act freely over the goods cannot be held against the creditor, without diminishing the rights of those who have lost or had their goods stolen to reclaim them."

The enforcement of the Financial Services Authority Regulation on Pawnshop Business serves as a strong legal foundation for the OJK to supervise pawnshop operations as a specific financial services industry. This raises legal issues that need to be discussed, as unregistered pawnshops operating without business licenses are considered illegal, meaning their practices lack legal certainty and pose a higher risk of harming and defrauding the public, given that their mechanisms do not comply with the proper pawn regulations. Furthermore, these unlicensed pawnshops cannot be monitored by the OJK, resulting in a lack of transparency in their financial activities.

If pawnshop services are not regulated in terms of licensing, there is a significant risk that pledged items could be stolen or embezzled, leading to losses for consumers. If a pawnshop lacks the necessary permits, there is concern over potential negative outcomes for consumers, who may feel they do not have legal protection. According to initial data from the OJK, several illegal private pawnshops exist in Denpasar:

Table 1.
Data on Illegal Private Pawnshops in Denpasar for 2022

Num	Location Name	Location	Number Of Outlets
1	Gadai Mega Elektronik	Pulau Komodo No. 15 Street, Kel. Dauh Puri Kelod, Denpasar Barat, Kota Denpasar, Bali	1
2	Triptoo Gadai	Jl. Diponegoro Jl. Pesanggaran No.12, Pedungan, Denpasar Selatan, Kota Denpasar, Bali	1
3	Flobamora Gadai	Jalan Seroja Denpasar	7
4	KSP Gadai	Jl. Suwung Batan Kendal No.23, Sesetan, Denpasar Selatan, Kota Denpasar, Bali	1
Total			10

Source: Office of the Financial Services Authority Regional 8 Bali and Nusa Tenggara.

Therefore, registration and licensing are required so that the OJK can supervise and ensure that pawnshop companies comply with regulations and align with their establishment goals. In this context, the role of the OJK in integrated regulation and supervision must be optimized, as this oversight aims to reduce the potential systemic risks of financial service groups, minimize moral hazard, enhance consumer protection, and achieve financial stability (Handayani, Tri dan Lastuti Abubakar, 2017:422). Risk is a consequence of a compelling situation (Overmacht), while compensation results from default (Trisna Dewi, Ni Made 2015:7).

Based on the background above, the author raises the following research questions:

1. What is the legal protection for consumers using services from illegal private pawnshops in Denpasar?
2. What legal efforts are being made to supervise illegal pawnshops in Denpasar?

2. RESEARCH METODOLOGY

The type of research that will be used in this study is empirical legal research. Empirical legal research is a method that aims to observe the law in a tangible sense and to examine how the law operates within a community. This type of research focuses on the behavior of legal norms (law in action) and requires primary data as the main data source, alongside secondary data (legal materials).

3. LITERATUR REVIEW

Research related to legal protection for consumers, particularly in the context of goods transportation services or digital-based services, has been extensively conducted to identify various legal issues faced by consumers. In the context of the studies "Legal Protection for Gojek Drivers Experiencing Losses Due to Consumer Order Cancellations" and "Legal Protection for Consumers Against Loss and Damage of Goods by JNE Expedition Company in Gianyar," there is a connection with studies discussing consumer rights and business obligations as regulated under Law No. 8 of 1999 on Consumer Protection. This research aligns with a focus on the application of justice principles in business transactions, complaint mechanisms, and oversight of business actors.

Empirical research employing sociological and juridical approaches highlights the importance of regulations such as Ministerial Regulations and other sectoral regulations to provide guarantees of protection for consumers, both as service

users and as parties interacting with technology-based or service companies. Additionally, research on the role of authorities like the Financial Services Authority (OJK) in supervising financial service companies indicates implementation gaps that could lead to potential consumer losses. Previous studies have also emphasized the need for education for business actors regarding their legal obligations and the steps consumers can take to protect their rights in cases of default or losses during transactions.

4. RESULTS AND DISCUSSION

4.1. Legal Protection for Consumers Using Services of Illegal Private Pawn Companies in Denpasar

Throughout its history, pawn services have long been recognized in Indonesian society. Based on this, pawn businesses are categorized into five (5) eras linked to the ruling government at that time in Indonesia:

1. Pawnshops during the VOC Era (1746-1811)
2. Pawnshops during British Colonial Rule (1811-1816)
3. Pawnshops during Dutch Colonial Rule (1816-1942)
4. Pawnshops during Japanese Occupation (1942-1945)
5. Pawnshops in the Independence Era (1945-present) (Maryunani, Adang, 1976:78-82)

The legal framework governing pawning in Indonesia is primarily regulated under Articles 1150 to 1160 of the Civil Code, which outlines the definitions, subjects, objects, characteristics, rights, and obligations of the parties involved in pawning, as well as the conditions leading to the creation and termination of a pawn agreement. However, due to the complexity of contemporary business activities, the Civil Code has not been able to adequately address and accommodate current developments in pawning practices. Regulations for pawn companies are established under OJK Regulation Number 31/POJK.05/2016 concerning Pawn Business. The legislative process serves as a primary tool for the government to enact changes within institutions. This underscores that lawmakers must recognize their duty to create effective laws capable of fostering change since an effective law in a specific context can encourage desired behaviors or regulate them. In this context, Law Number 21 of 2011 concerning Financial Services Authority aims to establish an OJK with functions, duties, and powers for regulating and supervising activities within the financial services sector in an integrated, independent, and accountable manner. It is important to note that prior to the issuance of the OJK Law, financial oversight of companies operating in the financial sector was conducted by two (2) agencies appointed by the government:

1. Banking Financial Institutions: Oversight was carried out by Bank Indonesia, meaning all banking activities were fully managed by Bank Indonesia, including granting licenses, taking action against violations, and dissolving banks.
2. Non-Banking Financial Institutions: Such as capital markets, insurance, pawnshops, pension funds, and other financial service institutions were supervised by the Ministry of Finance, Bank Indonesia, and the Capital Market Supervisory Agency (Bapepam-LK) (Kasmir, 2002:323-324).

The idea of separating banking supervision from Bank Indonesia emerged during the presidency of B.J. Habibie, when the government drafted a Bill concerning Bank Indonesia (which later became Law No. 23 of 1999) (Sitompul, Zulkarnain, 2004:1). The financial crisis that hit Indonesia at that time revealed weaknesses in the central bank's banking supervision system. This led to the separation of macro and micro banking policy authorities by the government and the House of

Representatives, where the central bank would only handle macro banking, while micro banking would be managed by a financial services supervisory agency (Mustaqim, Andika Hendra, 2010:6).

According to Law No. 8 of 1999 on Consumer Protection, it is stipulated who should be held accountable for errors or negligence that cause harm to consumers. This Consumer Protection Law provides for reverse proof both in civil and criminal matters, where the business actor, in this case, the creditor, must prove whether they have committed negligence or errors that resulted in damage to the collateral goods. The obligation for business actors to provide reverse proof regarding any elements of fault that harm consumers is outlined in Article 29 and Article 22 of the Consumer Protection Law (Sidabolok, Janus, 2000:56) (Interview with Dede Surya Putra, 2023). The term consumer protection relates to legal protection, thus consumer protection inherently contains legal aspects. The material being protected is not merely physical but also pertains to abstract rights. Therefore, consumer protection is closely associated with the legal protection afforded to consumers' rights. Both the Financial Services Authority regulations and the Consumer Protection Law provide legal protection for consumers to ensure they receive appropriate safeguards.

Regarding consumer protection in pawn businesses, particularly private pawnshops, OJK issued Regulation No. 31/POJK.05/2016 on Pawn Business in 2016. OJK published this regulation to encourage the growth of the private pawn industry while simultaneously protecting society, especially consumers. Many people are attracted to and enjoy private pawn services due to their speed and ease; however, regulation is now necessary to prevent significant harm to consumers and ensure their protection. The intention is not to stifle existing pawn businesses but rather to encourage them to operate more orderly and comply with regulatory provisions. Generally, this Financial Services Authority regulation governs legal entity forms, capital requirements, and conditions detailing how consumer goods should be stored using safes, appraisers, and business licensing procedures. All these aspects relate to consumer protection because if damage or loss occurs regarding consumers' collateral goods, it raises questions about who will be responsible for ensuring consumer security. Once undesirable events occur, no one wants to be blamed or suffer losses.

In an interview regarding losses experienced by victims of private pawning, Dede Surya Putra stated, "I once suffered a loss in the form of a pawned item that was not returned during the installment process because the pawnshop located in Denpasar was closed, and I could not contact them; however, I did not pursue this further with authorities because the item's value was not significant."

After conducting interviews with a private pawn company located in Denpasar, this was done with one employee willing to be interviewed. This private pawn company has several branches in Bali, with its headquarters located in Jakarta. It is known that there are comprehensive regulations regarding proper pawning procedures, safeguarding consumer goods, appraising items, and other aspects related to pawn operations. When discussing the Consumer Protection Law and OJK Regulation No. 31/POJK.05/2016 concerning pawn businesses, they demonstrated a good understanding of both laws.

This was echoed by an informant from the private pawn company. In an interview about the Consumer Protection Law and OJK regulations, Adi Berliana said: "Certainly all employees here are required to know and understand the Consumer Protection Law and Financial Services Authority regulations because we are

currently managing permits from OJK in Jakarta." (Interview with Adi Berliana, 2023)

Essentially, this private pawn company is deemed suitable for operating within society as it has implemented OJK regulations and understands Consumer Protection principles. In an interview about consumer goods used as collateral and what responsibilities arise if loss occurs, Adi Berliana explained: "In this private pawn company, there has never been a loss of items because we have implemented OJK regulations regarding consumer goods stored in safes; thus, consumer items are secure. If loss does occur, we will take responsibility according to OJK regulations unless it results from natural disasters that could damage collateral items, such as floods." (Interview with Adi Berliana, 2023)

The private pawn company is currently processing its license from OJK and has implemented Financial Services Authority regulations while ensuring consumer comfort and security.

Consumer protection aims to enhance awareness, capability, and independence among consumers to protect themselves while creating a consumer protection system that includes legal certainty and information transparency. It also seeks to foster awareness among business actors about the importance of consumer protection and cultivate honest and responsible attitudes.

Regarding obligations alone, some still engage in unlawful acts regulated under Financial Services Authority regulations related to pawn businesses; this is not only within OJK regulations but also within the Consumer Protection Law which outlines consumers' rights and obligations alongside business actors'. One common violation by business actors is their refusal to comply with procedures established by Financial Services Authority regulations concerning pawn operations. Everything has been meticulously regulated within these provisions so that it becomes a legitimate business capable of providing security and comfort for consumers themselves. And certainly, when undesirable events occur, all parties will likely avoid blame and point fingers at each other.

Thus, in practice, legal protection from Financial Services Authority regulations concerning pawn businesses and the Consumer Protection Law has not maximized its effectiveness in safeguarding consumers' rights. Consumers are often harmed by business actors due to their limited understanding of pawning practices along with Financial Services Authority regulations and Consumer Protection Law principles being low among them. Consequently, regarding consumer protection efforts are often superficial based on trust systems; however when undesirable events occur they refuse accountability or responsibility.

4.2. Legal Efforts Undertaken in Supervising Illegal Pawnshops in Denpasar

Consumer protection from private pawn companies, as derived from interviews with several private pawnshops in the Denpasar area, indicates that there is no significant difference between private pawn companies and government-owned pawnshops, as both apply the Financial Services Authority regulations. Additionally, as stipulated in Law No. 21 of 2011 concerning the OJK (Financial Services Authority), Article 30 states that:

- (1) For the protection of consumers and the public, the OJK has the authority to take legal action, which includes:
 - a. Ordering or taking certain actions against financial service institutions to resolve complaints from consumers harmed by those institutions;
 - b. Filing lawsuits:

1. 1. To recover property belonging to the harmed party from the party causing the loss, whether it is under the control of the party causing the loss or under the control of another party acting in bad faith; and/or
2. 2. To obtain compensation from the party causing harm to consumers and/or financial service institutions due to violations of regulations in the financial services sector.

(2) Compensation referred to in paragraph (1) letter b number 2 is solely for paying damages to the harmed party.

In addition to several facts outlined above, it was also found that the Bali Financial Services Authority does not have jurisdiction over licensing and supervision regarding pawning. In an interview with I Gusti Bagus Adi, Head of Consumer Protection Education at OJK Regional Office 8, he stated, "Based on written regulations, the Bali OJK only has authority over banks, while only the central OJK located in Jakarta has jurisdiction over pawn supervision." (Interview with I Gusti Bagus Adi, 2023)

There are several differences between licensed private pawn companies and those without licenses, including licensing and consumer protection. In terms of licensing, unlicensed private pawnshops operate legally without obtaining permission from the Financial Services Authority as per Article 8 paragraph 1 of Financial Services Authority Regulation No. 31/POJK.05/2016 concerning Pawn Business, which states:

"For pawnshop operators that have been registered as referred to in Article 5, paragraph (7), it is mandatory to submit a business license application as a Pawnshop Company within a maximum period of 3 (three) years from the promulgation of this OJK Regulation."

As mentioned, private pawn companies that do not yet have a license are required to obtain a license from the Financial Services Authority to ensure they can be supervised and operate in accordance with applicable legal provisions.

In terms of consumer protection, several differences have been found among private pawn companies in the Denpasar area. In this case, consumers engaging in transactions have rights according to Article 4 letter b of the Consumer Protection Law, which states:

"The right to comfort, security, and safety in consuming goods and/or services."

In this regard, private pawn companies that are licensed by the OJK in storing items used as collateral for pawning are in compliance with the Consumer Protection Law. In addition to adhering to the Consumer Protection Law, consumers in this context are also protected under Article 22 of the Financial Services Authority Regulation, which states:

- (1) Pawnshops are required to have a storage facility for collateral goods in accordance with pawn law and entrusted items that meet security and safety requirements.
- (2) Pawnshops must have written guidelines for maintaining the security and safety of collateral goods in accordance with pawn law and entrusted items.
- (3) Pawnshops are required to insure collateral goods in accordance with pawn law and entrusted items to mitigate risk.
- (4) Further provisions regarding the requirements for the storage of collateral goods in accordance with pawn law and entrusted items as referred to in paragraph (1) shall be regulated in OJK Circular Letters.

Pawn companies that do not comply with the provisions of the Financial Services Authority regulations will face administrative sanctions, which may include warnings, freezing of business activities, cancellation of approval for certain business activities, revocation of business unit licenses for government pawn companies, and/or revocation of business licenses.

Warnings may be issued up to three (3) consecutive times, with each warning lasting no more than 40 (forty) days. If the pawn company complies with OJK regulations before the end of the warning period, the warning will be revoked. If the third warning period expires and the pawn company still does not comply with OJK regulations, a business suspension sanction will be imposed. The business suspension sanction will be issued in writing and will last for 6 (six) months; if the pawn company complies with regulations before the end of this suspension period, OJK will revoke the business suspension sanction. If, by the end of the suspension period, the pawn company still does not comply with OJK regulations, then the following actions will be taken:

- a. Cancellation of approval for certain business activities.
- b. Revocation of business unit licenses for government pawn companies; or
- c. Revocation of business licenses.

For registered pawn businesses that do not comply with OJK regulations, sanctions will include warnings issued up to two (2) consecutive times, with each warning lasting no longer than 1 (one) month. If the pawn business complies with regulations before the end of the warning period, OJK will revoke the warning. If the second warning period expires and the pawn business still does not comply with regulations, OJK will cancel its registration.

Before a business license is revoked by OJK, pawn companies must fulfill their obligations to customers. The procedure for fulfilling these obligations must be conducted in accordance with applicable laws and must take into account customer interests. Pawn companies that have had their licenses revoked are prohibited from using the term "pawn" or any terms that characterize pawning activities in their company name.

The OJK (Financial Services Authority) is the regulatory body overseeing the financial services industry. Its duties are outlined in Article 8 letter i of Law No. 21 of 2011 concerning the Financial Services Authority, which includes establishing regulations regarding sanctions in accordance with legal provisions in the financial services sector. Based on Article 9 letters g and h of Law No. 21 of 2011 concerning the Financial Services Authority, it can grant and revoke business licenses; individual licenses; effectiveness of registration statements; certificates of registration; approvals for conducting business activities; ratifications; determinations or approvals for dissolution; and other determinations as stipulated in laws governing the financial services sector.

Legal protection can be understood as providing guarantees and certainty that individuals will receive what is their right and obligation or protection regarding their interests, thereby ensuring that they feel secure. Legal protection is intended to prevent disputes from occurring. It is also provided to every individual as a means to foster a sense of security and minimize disputes that could cause losses to both business actors and customers. Customers have the right to receive accurate, clear, and honest information regarding the legality of pawn businesses; with complete information from pawn operators, customers can make informed choices about safe products central to pawning activities, such as loan disbursement services, valuable item storage services, and appraisal services for collateral quality (Siallagan & Siregar, 2017:4).

Therefore, OJK has established legal regulations to ensure that the increasing number of private pawn companies in society operates under legal licenses. As an authority responsible for overseeing financial service transactions in Indonesia, OJK has issued Regulation No. 31/POJK.05/2016 concerning Pawn Business. This regulation requires private pawn companies to obtain a business license and governs the operation of private pawning businesses to guarantee legal protection for customers utilizing private pawning services. The regulation mandates that private operators must obtain a license. Additionally, this business is restricted to non-corporate actors only.

However, since the issuance of this OJK regulation until now, there are still many illegal pawn companies operating without licenses. This can be seen from numerous pawn businesses lacking OJK logos. The issuance of OJK regulations does not guarantee that all pawn service providers comply with licensing legality requirements, especially those located in roadside shops. Many illegal pawn businesses continue to operate—both long-established ones and new entrants—posing significant risks to customers since many of these businesses lack viability as legitimate pawn operations. OJK, as the authority responsible for overseeing financial service companies, has been insufficiently strict regarding licensing rules issued by OJK itself because it tends to allow violations without taking firm action against illegal pawn businesses.

5. CONCLUSION

Legal protection for consumers using the services of pawn companies, particularly private pawnshops licensed by the OJK and compliant with the provisions of Financial Services Authority Regulation No. 31/POJK.05/2016, is well-established because they meet various requirements set forth in the Financial Services Authority regulations as well as OJK Circular Letters. In stark contrast, private pawn companies that do not possess a license under Financial Services Authority Regulation No. 31/POJK.05/2016 do not receive legal protection from pawnshops, as these businesses have not obtained the necessary licenses and do not comply with the regulations outlined in the Financial Services Authority Regulation No. 31/POJK.05/2016. Consequently, consumers feel disadvantaged and do not receive protection or comfort when pawning their items.

Legal efforts undertaken to supervise illegal pawning include OJK issuing written warnings to pawn businesses that have not registered their operations or have not completed the licensing process. If these warnings are not heeded, OJK may freeze their operations in collaboration with the relevant authorities. OJK also has the authority to take legal action to recover property belonging to harmed parties from those causing the loss, whether that property is under the control of the party causing the loss or elsewhere, in order to obtain compensation for consumers and/or financial service institutions as a result of violations of regulations in the financial services sector.

REFERENCE

- Kasmir, 2002, Bank dan Lembaga Keuangan Lainnya, PT. Raja Grafindo Persada Jakarta.
- Maryunani, Adang, 1976, Seri Melayani Masyarakat Pegadaian, PT. Sanggubuwanan, Bandung.
- Million, Esther, 2004, Tugas dan Fungsi Pegadaian Sebagai Lembaga Pembiayaan Dalam Pemberian Kredit Dengan Sistem Gadai, Tesis, PPS USU, Medan.
- Sidabolok, Janus, 2000, Hukum Perlindungan Konsumen di Indonesia, Citra Aditya Bakti, Bandung.
- Sitompul, Zulkarnain, 2004, Menyambut Kehadiran Otoritas Jasa Keuangan, Pilars.

- Handayani, Tri dan Lastuti Abubakar. (2017). Perkembangan Hukum Sektor Jasa Keuangan Dalam Upaya Pertumbuhan Ekonomi Nasional, Jurnal De Lega Lata, 2(2).
- Indradewi, Anak Agung Sagung Ngurah. (2015). Analisis Yuridis Kredit Sindikat. Kerta Dyatmika, (12)1.
- Mustaqim, Andika Hendra. (2010). Otoritas Jasa Keuangan Sebagai Solusi Sistem Ekonomi Nasional, Perspektif, 8(1).
- Siallagan & Siregar. (2017). Tinjauan Yuridis terhadap Penyelesaian Wanprestasi Perjanjian Asuransi dalam Putusan No. 537/Pdt.g/2013/PN.MDN. Jurusan Ilmu Hukum, Fakultas Hukum, Universitas Medan Area, 4(1).
- Trisna Dewi, Ni Made. (2015), Tanggung Jawab Debitur Terhadap Musnahnya Benda Jaminan Fidusia Dalam Perjanjian Kredit Bank, Kerta Dyatmika, 12(2).
- Kitab Undang-Undang Hukum Perdata.
- Undang-Undang Nomor 10 Tahun 1998 Lembaran Negara Republik Indonesia Tahun 1998 Tentang Perbankan No. 182, Tambahan Lembaran Negara Republik Indonesia No. 3790.
- Undang-Undang No. 8 Tahun 1999 Lembaran Negara Republik Indonesia Tahun 1999 Tentang Perlindungan Konsumen No. 22, Tambahan Lembaran Negara Republik Indonesia No. 3821.
- Undang-Undang Nomor 21 Tahun 2011 Lembaran Negara Republik Indonesia Tahun 2011 Tentang Otoritas Jasa Keuangan No.111, Tambahan Lembaran Negara Republik Indonesia No. 5253.
- Peraturan Otoritas Jasa Keuangan Nomor 31 /POJK.05 /2016 tentang Usaha Pergadaian.