

**TESIS**

**FUNGSI BANK DALAM PENYALURAN KREDIT YANG  
BERWAWASAN LINGKUNGAN**

*(Role of Banks in the Distribution of Environment Oriented Credit )*

**Oleh :**

**Ni Nyoman Astiti Asih, S.H.**

**NIM: 080720101028**

**PROGRAM STUDI MAGISTER ILMU HUKUM  
KONSENTRASI HUKUM EKONOMI**

**FAKULTAS HUKUM  
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**T E S I S**

**Untuk memenuhi Gelar Magister  
Dalam Program Ilmu Hukum  
Pada Program Pascasarjana Universitas Jember**

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**NIM: 080720101028**

**PROGRAM STUDI MAGISTER ILMU HUKUM  
KONSENTRASI HUKUM EKONOMI**

**FAKULTAS HUKUM  
UNIVERSITAS JEMBER  
Tanggal 28 Februari 2011**

**TESIS INI TELAH DISETUJUI  
TANGGAL 28 FEBRUARI 2011**

Oleh  
Dosen Pembimbing Utama,

**Prof. Dr. H. M. Khoidin, S.H., C.N., M.Hum**  
NIP: 196303081988021001

Dosen Pembimbing Anggota,

**Kopong Paron Pius, S.H., S.U.**  
NIP: 194809031980021001

Mengetahui  
Dekan Fakultas Hukum Universitas Jember

**Prof. Dr. M. Arief Amrullah, S.H., M.Hum**  
NIP: 196001011988021001

**PENGESAHAN**

**FUNGSI BANK DALAM PENYALURAN KREDIT YANG  
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Telah dipertahankan di depan Tim Penguji  
Pada Tanggal 28 Februari 2011

Susunan Tim Penguji,

**Ketua,**

**Sekretaris,**

**Dr. Dominikus Rato, S.H., M.Si**  
NIP: 195701051986031002

**Dr. Widodo Eka Tjahjana, S.H., M.Hum**  
NIP: 197105011993031001

**Anggota I**

**Anggota II**

**Prof. Dr. H. M. Khoidin, S.H., C.N., M.Hum**  
NIP: 196506031990022001

**Kopong Paron Pius, S.H., S.U.**  
NIP: 194809031980021001

**Mengetahui /Menyetujui,  
Dekan Fakultas Hukum Universitas Jember**

**Prof. Dr. M. Arief Amrullah, S.H., M.Hum**  
NIP: 196001011988021001

## SUMMARY

The function of banks according to Law No. 10 of 1998 concerning amendments to the Act No. 7 of 1992 in article 3 is determined that the primary function of banks is as a collector and distributor of public funds. This means that the presence of banking as a business entity is not solely aimed at mere business, but there are other missions and one of them is increasing the welfare of society in common. Therefore, a bank that would extend credit to debtors, both debtors in the form of an incorporated company and not incorporated company, the bank is in addition to observing the principles of bank soundness, it also needs to consider the impact of giving credit toward environmental sustainability.

Banks as financial institutions that manage public funds are required to optimally manage their business both to manage public funds and to channel them back to the community in the form of loans to debtors of incorporated or not incorporated company. Thus, credit can be accomplished in accordance with its objectives, namely to improve the welfare of society and not to harm the community.

Precautionary principle should be adhered to, whereas the provisions on banking activities need to be improved, especially pertaining to distribution of funds, including increasing the role of environmental impact assessment.

The relationship between banks and debtors in contract law means that the parties in this case the bank as an enterprise and its customers, either individuals or businesses that have the same rights and obligations in the conduct of its business is sensible considering the environmental aspect because the current environment is an integral part of the global business world and highly vulnerable to environmental damage.

Bank as a business entity that has the primary function of collecting funds from society and channel them back to the community in the form of credit has been duly to include aspects of environmental management in the credit agreement signed by the customers as in the Law Number 10 of 1998 no single article that strictly regulates the obligation for banks to include provisions for environmental management.

**Keywords: bank, credit, environment.**