

TESIS

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

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

Oleh :

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**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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**FUNGSI BANK DALAM PENYALURAN KREDIT YANG
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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.