www.bircu-journal.com/index.php/birci
Budapest International Research and Critics Institute-Journal (BIRCI-Journal)
Humanities and Social Sciences
ISSN 2615-3076 Online)
ISSN 2615-1715 (Print)

Principles of Credit Analysis in BUMN/BUMD Banks in Indonesia

Indra Gunawan Purba[1], Warsiman[2], Ervina Sari Sipahutar[3]
[1,2,3]*Faculty of Law,Universitas Al-Azhar, Medan, Indonesia*
indrapurba07081978@gmail.com, warsimanshmh@gmail.com, vina.sofyan@gmail.com

Abstract

The bank's business activities must be carried out in a more administrative nature and prioritize procedural aspects. BUMN / BUMD banks in providing credit to prospective debtors must follow the standards and standard mechanisms that apply within the bank itself or the Standard Operational Procedure (SOP), for that it is then required to comply with standards to arrive at a credit decision. The bank functions as a financial intermediary (intermediary financial) between parties with excess funds (surplus of funds) and parties requiring funds (deficit of funds). The main function of the bank is to mobilize public funds appropriately and quickly channel them to effective and efficient use or investment. A function like this is a "blood flow" for the economy and an increase in the standard of living. Without trust, this function will not work. Credit assessment is an activity carried out by credit analysts to assess whether credit to be given to debtors can be carried out. Assessment for consumptive credit is based only on the amount of salary earned in installments plus interest and the maximum will be determined at the amount of income.

Keywords
principle; analysis credit; banks; assesment; granting credit

I. Introduction

Advancing welfare for all people as mandated in the preamble of the 1945 Constitution which is further regulated in more detail in Article 33 of the 1945 Constitution is a constitutional duty for all components of the nation. In this regard, the management of all economic power through business units owned by the government is absolutely necessary in order to achieve the goal of providing maximum benefits for the welfare of the people.

The BUMN / BUMD Bank is one of the many state business units, the establishment of the BUMN / BUMD Bank as a manifestation of the state's efforts to achieve the country's goals, namely the welfare of the people.

Banks in the form of State-Owned Enterprises and Region-Owned Enterprises (BUMN / BUMD Banks) are very promising big profits if managed properly (good) and prudently, on the other hand if managed poorly and carelessly have the potential to cause various risks, because the banking industry is a risky business (full risk business). In running the business of extending credit to customers (debtors), BUMN / BUMD Banks must be careful. Not being careful, the management of BUMN / BUMD Banks in providing credit can result in material losses and can be categorized as illegal acts.

The bank functions as a financial intermediary (intermediary financial) between parties with excess funds (surplus of funds) and parties requiring funds (deficit of funds). The main function of the bank is to mobilize public funds appropriately and quickly channel them to effective and efficient use or investment. A function like this is a "blood flow" for the economy and an increase in the standard of living. Without trust, this function will not work.

Budapest International Research and Critics Institute-Journal (BIRCI-Journal)
Volume 3, No 4, November 2020, Page: 3884-3893
e-ISSN: 2615-3076(Online), p-ISSN: 2615-1715(Print)
www.bircu-journal.com/index.php/birci
email: birci.journal@gmail.com

BUMN / BUMD banks play an important and strategic role, not only in driving the pace of the national economy, but also as agents of development, supporting national development.

The bank is simply defined as a financial institution whose business activities are collecting funds from the public and channeling these funds back to the community and providing other bank services. According to banking principal Law No.10 of 1998 quoted by Idroes (2008: 15) which regulates the main banking regulations in Indonesia define as follows: "Banks are business entities that collect funds from the public in the form of deposits and distribute them to the public in the form of credit and or other forms in order to improve the lives of many people." (Dianto et al, 2020)

According to RI Law No. 10 of 1998 dated 10 November 1998 concerning banking, what is meant by banks is "business entities that collect funds from the public in the form of deposits and distribute them to the public in the form of credit or other forms in order to improve the lives of many people". Bank can simply be interpreted as "financial institutions whose main activity is to collect funds from the public and channel them back to the community and provide other bank services. Furthermore, if viewed from the origin of the occurrence of the Bank, the notion of the bank is a table or place to exchange money. (Rosmika et al, 2019)

Lending to BUMN / BUMD Banks contains risks that can affect business health and sustainability. Liquidity, solvency and profitability are strongly influenced by the success of management in managing credit distribution. BUMN / BUMD banks of course must have credit planning policies, credit policy organizing, implementing regulations for credit extension, and monitoring the implementation of credit disbursement. This mechanism is carried out as a form of prudence, and minimizes possible risks within tolerable limits . Careful, thorough, careful consideration, avoiding fraud, and not against propriety.

The bank's business activities must be carried out in a more administrative nature and prioritize procedural aspects. BUMN / BUMD banks in providing credit to prospective debtors must follow the standards and standard mechanisms that apply within the bank itself or the Standard Operational Procedure (SOP), for that it is then required to comply with standards to arrive at a credit decision.

The standard for arriving at such credit decisions is to comply with the principles of credit analysis. In Indonesia, in practice, there are several standard principles of credit analysis which are used to guarantee that the credit given will not be problematic. Therefore, this research was conducted to see how to see the principles of credit analysis at BUMN / BUMD banks.

II. Research Methods

The type of research used is normative juridical research, including research on legal principles as a normative study, legal norms on the provisions of positive Indonesian law that govern the principles of credit analysis at BUMN / BUMD banks.

The data source used in this study is secondary data, which includes three legal materials, namely primary legal materials, secondary legal materials, and tertiary legal materials. The nature of the research used in this research is prescriptive and descriptive. The nature of this research, apart from describing (describing) and describing the facts of credit assessment and credit analysis at BUMN / BUMD banks, also analyzes these facts normatively with several approaches. Descriptive describes the facts of credit giving practice, while descriptive analyzes, justifies, and assesses the reasons for using credit analysis in providing credit to BUMN / BUMD banks.

III. Discussion

3.1 Productive Credit Assessment at BUMN / BUMD Banks

Credit assessment is an activity carried out by credit analysts to assess whether credit to be given to debtors can be carried out. Assessment for consumptive credit is based only on the amount of salary earned in installments plus interest and the maximum will be determined at the amount of income. Generally, the amount of consumer credit is worth around 60% of income. The bank will look at the amount of salary or salary slip for the employee concerned, while the guarantee is in the form of a statement from the treasurer of the company where they work and is known by the boss.

The assessment for productive credit is more complex because the risks and problems with this credit are much greater. As for what is assessed by the bank on the application for consumptive credit in general, among others:

1. The purpose of using the proposed credit. Is it for legal businesses and is used for investment credit or additional working capital or both.
2. The target the applicant wants to achieve in the future if credit is granted. This is to assess the reasonableness of the current condition of the company.
3. The applicant's business development during the last 3-5 years in terms of balance sheet, profit and loss as well as business activities. This is to see whether the financial condition is healthy enough, and see the business development during that period.
4. Adhere to BI regulations, such as the Legal Lending Limit (BMPK), types of businesses that are usually financed or prohibited, such as gambling, liquor and others. Without exception the internal provisions of the lending bank itself, such as the priority sector being financed and so on.

Banks in general will use the basic principles of credit analysis in considering the feasibility of applying for credit facilities, namely the 5C principle, covering aspects of character (character, character, and personality), capacity (business ability both in terms of the entrepreneur and the capacity of the place of business), capital, existing), collateral (guarantee / collateral), condition of economy (current and future economic conditions) .

Banks in carrying out the principle of prudence, to better protect the interests of the bank's business, also require individual guarantees and / or corporate guarantees to these debtor customers. Banks as creditors in providing credit to debtor customers, do not carelessly provide credit to debtors without going through a guarantee or certain conditions that can provide legal certainty for the creditor so that the debtor keeps his promises and includes personal guarantees (personal guarantees) and company guarantor (corporate guarantee).

Personal guarantee is a guarantor in the form of an individual (personal) who guarantees the debtor's debt to the creditor to anticipate one day the debtor is unable to pay his debt to the creditor. Individual guarantor pledges his personal assets, or in the form of goods or money to fulfill the debtor's obligations to the creditor. Meanwhile, the guarantor in a corporate guarantee is the company as a third party that guarantees debtor's debt to creditors. The guarantor guarantees part or all of the assets / assets he owns, both in the form of goods and money to fulfill the debtor's obligations to the creditor.

Credit applications submitted by prospective debtors to banks will generally be processed through credit analysis. The sequence of mechanisms starting from application, credit analysis with various document requirements, interviews, on the spot, to deciding on credit extension means that the first thing the debtor mentioned to be fulfilled is the most important of all the items, even though everything must be fulfilled to minimize the risk that will be faced by the bank.

In principle, any business that is run by an individual or a legal entity always faces business risks, as well as business activities of BUMN / BUMD Banks. Banking business risk is the level of uncertainty regarding the profit that is expected to be received by the bank. Due to the uncertainty of profits, the law obliges banks without exception to apply the prudential banking principle in carrying out their business activities, particularly in managing credit.

BUMN / BUMD banks can minimize the risk of losses from lending that may occur in order to carry out the function of extending credit to debtors, with the principles that must be applied by BUMN / BUMD Banks as well as to prevent criminal acts and abuse of authority is the obligation to apply the principle of prudence in crediting strictly. One way to do this is by conducting an in-depth analysis of the credit application.

3.2. The Principles of Credit Analysis at BUMN / BUMD Banks in Indonesia

Banks in general and BUMN / BUMD Banks in particular to minimize the possibility of these risks, must be careful, careful, and thorough in providing credit to prospective debtors who can be individuals and / or a legal entity or corporation. All documents submitted by prospective debtors must be analyzed in depth, evaluated carefully, carefully, verifying all requirements in the credit application file, direct interviews with debtors, conducting on the spot, including interviews with parties who know about the prospective debtor's reputation. Taking into account all criteria related to business prospects, performance and ability to pay potential debtors.

The principles of credit analysis are 5C, 5P, 3R, and 6A. The 5C principle is a basic principle in credit analysis, covering character (character, character, personality), capacity (ability), capital (capital), collateral (guarantee / collateral), condition of economy (economic conditions). Credit analysis by banks generally uses the 5C approach to assess the eligibility of a project / debtor customer. Classically, banks use the 5C approach aimed at assessing the feasibility of prospective borrowers (debtors).

The 5C approach to lending has been used for a long time and is still being used today. This indicates that the principles contained therein are still relevant to current conditions. The 5C principle is so popular and is used by bankers in general to assess character, capacity, capital, collateral, and conditions of economy.

The Caracter principle describes the character, traits, disposition and personality of the potential debtor. BUMN / BUMD banks need to analyze the character of prospective debtors, what are the actual characters of prospective debtors, therefore it is necessary to conduct interviews and surveys to find out the seriousness of the prospective debtors to fulfill their obligations to pay the loan until it is paid off. BUMN / BUMD banks want to know that prospective debtors have good character, are honest, and have a commitment to repayment of loans that will be received from the bank.

Credit analysts from BUMN / BUMD Banks to find out the character (nature) of the prospective debtor in general, see from the credit application data that has been provided by the bank. If it is deemed necessary to hold an interview to find out in more detail, what is the true character of the prospective debtor. The characteristics of prospective debtor customers are related to honesty, morale, and the willingness of management to work well together. BUMN / BUMD banks will only provide credit to debtors who have good faith and are committed to repaying loans. .

The character (character) of a prospective debtor customer must be analyzed by a BUMN / BUMD Bank to determine its characteristics in relation to issues of responsibility. In assessing the character of a debtor, BUMN / BUMD banks can obtain information from other banks because the banking system is known as the exchange of bank information. Debtor character assessment can also be known from the data or documents submitted in the credit application. There it can be seen whether the data is true or fictitious, or partly false. From this data, BUMN / BUMD Banks can judge debtor customers to be honest or not in providing data. Thus in the future it will have an effect on the smooth return of credit.

The bank's assessment of capital, especially for small customers, for example, often debtor customers are asked for a copy of the passbook to find out how much and how often money is transacted in the savings account. If the quantity of banking transactions in the savings book does not show an intensity that meets the requirements according to the bank's internal assessment, and there are no other requirements to support this, then the credit should be canceled or rejected.

Assessment of capital is very important, even it is an obligation of BUMN / BUMD Banks to find out whether the amount of capital owned by prospective debtors is sufficient to run their business or not. The greater the amount of capital the prospective debtor has in the business to be financed through the credit shows the seriousness of the prospective debtor in running his business. The large amount of capital owned, in the form of movable and immovable objects, will provide business resilience in facing economic cycles and fluctuations.

BUMN / BUMD banks in carrying out their function of extending credit to debtors must analyze potential borrowers based on collateral, comparing the amount of collateral / collateral compared to the amount of credit requested by the debtor. The collateral principle is the guarantee or collateral provided by the prospective debtor for credit submitted as a second source of financing, meaning that if the debtor faces bad credit, the creditor can execute collateral through sales and the proceeds will be used as a second source of financing.

The guarantee function in banking practice occupies a very important (urgent) position. The main function of the guarantee, both personal guarantee and corporate guarantee for the bank itself, is to convince the bank or creditor that the debtor has the ability to return or repay the credit given to him in accordance with the terms and credit agreement agreed upon together.

Collateral-based analysis emphasizes the amount of collateral / collateral rather than the amount of credit. Is the guarantee that will be given by the prospective debtor is proportional to the amount of credit received. This is important so that collateral / collateral can be sold to cover credit if the debtor is unable to pay off the credit. BUMN / BUMD banks will not provide credit that exceeds the value of the guarantee / collateral except for program loans or special loans which are sometimes not covered with adequate collateral.

Evaluation of BUMN / BUMD Bank officers on collateral needs to be done to find out the value of collateral / collateral submitted by prospective debtors to cover the risk of failure to return credit that will be obtained by the debtor. The value of collateral is at least the same as the credit value that the debtor will receive. The collateral functions as a safeguard or protection against the possibility of the prospective debtor's inability to pay off the credit received from the BUMN / BUMD Bank.

In principle, the assessment of guarantees is carried out by BUMN / BUMD Banks as creditors for the goods that will be guaranteed by the prospective debtor. The assessment is by assessing the value of collateral items whether they can cover the credit that will be given by the BUMN / BUMD Bank if the prospective debtor at one time is unable to cover or repay the debt.

In connection with this collateral, it has been explained in the explanation of Article 8 paragraph (1) of RI Law No.7 of 1992 jo. Law No.10 of 1998, that if based on other elements the bank has gained confidence in the ability of a prospective debtor to repay debts, collateral can only be in the form of goods, projects, or collection rights financed with the credit concerned. Banks are not required to request additional collateral in the form of goods that are not directly related to the object being financed by bank credit.

The purpose of Article 8 paragraph (1) of Law RI No.7 of 1992 jo. Law No.10 of 1998 is quite good and fair because with collateral in the form of a project financed by bank credit, it is known that the value of the collateral concerned no longer needs to ask for additional collateral. Now the problem is regarding the subject of the collateral owner, who owns the object of credit? If the owner is a customer of the prospective debtor concerned, then this is not a problem. What if, on the other hand, the prospective debtor is not the owner of the credit object, in this case it is impossible for the object to be used as collateral for credit.

Property belonging to other people that has nothing to do with the use of credit funds, is not allowed to be used as collateral / collateral for a prospective debtor's credit application. In guarantee law, in principle, the assets of a prospective debtor can be guaranteed for a debt. If the credit is for the purpose of building construction, then the customer who is a contractor cannot guarantee the building being built because he is not the owner. This is intended to avoid future legal problems between the prospective debtor and the owner of the object, which could attract BUMN / BUMD Banks as parties in the case.

Furthermore, the principle of the condition of economy analyzes the economic conditions. BUMN / BUMD banks as creditors must also consider in terms of the prospective debtor's business sector in terms of current and future economic conditions, whether economic conditions can affect the prospective debtor's business in the future.

Some things that can be used as items of analysis of the condition of economy factors are government policies because they are very influential in channeling bank loans to debtor customers. If government policies change frequently, it will make it difficult for banks, including BUMN / BUMD, to conduct analysis based on the condition of economy.

In practice, banks generally do not carry out an analysis of this credit based on the condition of economy in relation to the condition of the prospective debtor. However, the bank will make an association between the prospective debtor's workplace with current and future economic conditions, so that an estimate can be made of the company's condition. This is related to the continuity of the job of the prospective debtor and the repayment of credit.

BUMN / BUMD banks to analyze credit applications from prospective debtors based on the condition of economy must pay attention to economic conditions and whether this is possible. Analysis based on the condition of economy by looking at the point of view of government policy, will certainly affect the conditions of the prospective debtor from the economic side. This occurs because each factor in the life of a state affects each other if economic conditions are difficult, for example the weakening of the rupiah against the US dollar greatly affects the economic conditions of a country, including the economic conditions of individuals in a country.

An assessment of the condition of economy needs to be carried out by BUMN / BUMD Banks before giving credit to prospective borrowers, to find out conditions at one time or in a certain area that might affect the smooth running of the prospective debtor's business. It also includes laws and regulations or government policies that have an impact on economic conditions which in turn will affect the prospective debtor's business activities.

Gatot Supramono said that the analysis based on the condition of economy is an analysis based on prospects. In principle, the business prospects of the object to be financed with credit must be assessed by the bank to determine its future condition. The assessment is carried out in various ways so that possible factors that may hinder or smoothen the business situation of a prospective debtor customer can be identified.

The credit team from BUMN / BUMD Banks must assess whether the prospective debtor's business or credit object is beneficial to the community or not. Then also consider whether the prospective dabitur's business is against the applicable legal provisions. Furthermore, from an economic point of view, will the debtor's business get sufficient profits so that the debtor will return his debt to the bank on time.

The bank will assess based on all the elements above, so that it appears whether or not there is good faith from the prospective debtor and the ability and ability to repay the debt to the bank. Based on the assessment, whether the bank is sure to decide whether to provide credit or not. If the bank does not have confidence or the results are negative, then the bank will reject the credit application from the prospective debtor.

A positive bank assessment means that it creates confidence for the bank on the request, and decides to provide credit to prospective debtor customers. Not even one year or the credit period is still ongoing, it turns out that the debtor customer is unable to pay and his credit becomes bad, does this incident not give the impression that the bank is wrong in gaining confidence in analyzing credit applications. If this happens, it is necessary to investigate the factors that occurred, especially what happened to both parties.

The confidence of the credit analysis team has been established and the credit has been disbursed, but it turns out that the debtor has bad credit. For BUMN / BUMD Banks in such cases the potential to be processed legally with charges of violations of criminal acts of corruption. Of course, based on the results of the investigation in order to fulfill the criminal element for this, for example the belief that the bank had previously formed was not based on prudence and others, the public prosecutor must be able to prove the fulfilled criminal error to prosecute those involved in extending credit.

The 5C principles that have been stated above are the basic principles of credit analysis including character (character, character, personality), capacity (capability), capital (capital), collateral (guarantee / collateral), condition of economy (economic conditions). Based on the 5C principle, all loan applications from prospective debtor customers, without exception, must be analyzed by the credit team of BUMN / BUMD Banks in depth, carefully, carefully, and carefully, before credit is given to prospective debtors. Some applications for credit for certain types of credit are sufficient with a 5C analysis. For example, for consumptive credit, only analyzing based on character, capacity, capital, collateral, and condition of economy, a description of the prospective debtor can be obtained, so that the BUMN / BUMD Bank may decide to accept or reject the credit application submitted by the debtor prospective customer.

The development of the 5C principle is the 5P principle covering party (group), purpose (goal), payment (repayment), protability (the company's ability to earn a profit), and protection (protection). Including the 3R principles covering return (business results), repayment (repayment), and risk bearing ability (ability to bear risks), and 6A analysis covering legal aspects, marketing aspects, technical aspects, management aspects, financial and socio-economic aspects.

BUMN / BUMD banks as creditors must also analyze credit based on the 5P principles (party, purpose, payment, protability, and protection). Analysis of lending by banks to prospective debtors based on the party principle can be seen from the characteristics, capacity and capital. These three principles must be considered by banks in general and BUMN / BUMD Banks in particular in making credit decisions which are the minimum principles that must be analyzed by creditors before deciding on credit.

The analysis based on the purpose principle is focused on the intended use of credit by potential borrowers. The creditor will see where the destination will be directed by the debtor for the credit. If credit is used not for its intended purpose, it can have a negative impact on credit sustainability. BUMN / BUMD banks in providing credit to debtors will see where the objectives are to be directed by the debtor for the credit. Because if credit is used by prospective debtors not in accordance with its objectives, it will have a negative impact on credit sustainability.

Analysis based on the principle of payment, recalculates the ability of prospective debtors by estimating income and costs to determine the amount of profit or remaining unused funds as installment funds to creditors. Banks also need to estimate the time period the debtor can pay off his credit according to net cash flow, namely the ratio between cash in flow and cash in flow of prospective debtors.

Analysis based on the principle of protability looks at the company's ability to earn profits, creditors must calculate the amount achieved by the prospective debtor with the credit. The amount can be seen from the interest that will be received in addition, and also takes into account other income besides the interest. For example, fee and commission income because the debtor will make every transaction through the bank.

Protability is not limited to the benefits of prospective debtors, but also the benefits that will be obtained by BUMN / BUMD Banks as creditors if the credit is given to prospective debtors. BUMN / BUMD banks will calculate the amount of profit that will be achieved by prospective borrowers with credit and without credit. BUMN / BUMD banks also need to calculate the amount of income they will receive and this amount can be seen from the amount of interest they will receive. BUMN / BUMD banks must also consider other income besides interest, for example income (commission) from each transaction through the bank.

The analysis is based on the protection principle, namely creditors ask for material guarantees from the debtor as collateral in the framework of protection as a second source of financing. Protection is a protective measure undertaken by banks as a precaution if prospective debtors fail to fulfill their obligations. To protect this credit, the bank asks for material guarantees from prospective debtor customers. For example, a credit secured by a plot of land on which a building stands.

Creditors must also pay attention to the 3R principle (return, repayment, and risk bearing ability). The principle of return analyzes credit based on the business results achieved by prospective borrowers to obtain credit. The principle of repayment is based on the calculation of refunds from activities that receive credit. The principle of risk bearing ability analyzes based on the calculation of the debtor's ability to face unexpected risks.

BUMN / BUMD banks as creditors in providing credit to prospective borrowers must pay attention to the 3R principle (return, repayment, and risk bearing ability). In addition to analyzing credit based on business results (returns) from prospective borrowers, BUMN / BUMD banks also analyze based on the calculation of the refund (repayment), and analyze credit applications based on the calculation of the potential debtor's ability to face unexpected risks (risk bearing ability).

The principles of this analysis are actually the most important and basic is to prioritize the 5C principles, while the 5P and 3R principles are the development of the 5C principles. The 5P and 3R principles are mixed in the 5C principles so that they are difficult to distinguish from one another, however the 5C principles are more popular than the 5P and 3R principles. In practice, banks tend to apply the 5C principle in deciding the creditworthiness of potential borrowers.

BUMN / BUMD banks as creditors in providing credit to prospective debtor customers when using the 5C principle have actually carried out in-depth analysis and the analysis is sufficient. An example of a credit application for consumptive credit, in this case the credit analysis team from a BUMN / BUMD Bank is sufficient to only carry out an analysis based on the 5C principles to obtain an overview of potential debtor customers and their possible credit.

Actually, there are many analytical principles that can be used by banks as creditors as a development of the 5C principles. Creditors can also perform analysis based on 6 Aspects (6A) of potential debtor credit applications. The 6A principles cover (1) legal aspects, (2) marketing aspects, (3) management aspects, (4) financial aspects, and (5) socio-economic aspects. Analysis of the legal aspects, namely paying attention to the rights and obligations of each party (creditors and prospective debtors) in the credit agreement so that it can provide information to creditors about who has the right to sign the credit agreement and their respective rights and obligations.

Analysis from a legal point of view, in principle, a bank must pay attention to three things from the classification of prospective debtor customers, namely prospective individual debtors (individuals), legal entities, and not legal entities. Prospective individual debtors (individuals) submitted by someone on their personal behalf and credit is intended for their own interests. Prospective debtors who are legal entities are proposed by prospective debtors who are legal entities such as Limited Companies (PT), Cooperatives, Foundations, and others. Prospective debtors who are not legal entities submitted by debtors who are not legal entities such as CV, UD, and Firma.

BUMN / BUMD banks are required to carry out analysis on this legal aspect. In the case of prospective debtor customers who are legal entities or non-legal entities, the BUMN / BUMD Bank must trace who the owner is and who has the right to sign. This can be seen from the deed of establishment of CV, looking at the business license it owns, domicile and Taxpayer Identification Number (NPWP). For a legal entity, it must also be seen in terms of the deed of establishment of PT, Foundation, Cooperative and see whether the business license owned is in accordance with the deed and practice in the field, domicile, including the NPWP.

The importance of credit analysis carried out by BUMN / BUMD Banks as creditors based on legal aspects to assess the authenticity and validity of the documents submitted by prospective debtors. Assessment of this legal aspect is also intended so that documents submitted to BUMN / BUMD Banks are fake documents or documents that are in a dispute status so that they can cause legal problems in the future.

IV. Conclusion

Credit assessment is an activity carried out by credit analysts to assess whether credit to be given to debtors can be carried out. Assessment for consumptive credit is based only on the amount of salary earned in installments plus interest and the maximum will be determined at the amount of income.

A good analysis will produce the right decision. To anticipate the occurrence of business risks, before credit is given by BUMN / BUMD Banks to debtor customers, it is better if BUMN / BUMD Banks as creditors first analyze them. This is done in anticipation of non-performing loans. Analysis of the provision of credit is carried out by the bank to assess the credit application submitted by the debtor, whether it is feasible or not worthy of the credit being given or rejected.

The principles of this analysis are actually the most important and basic is to prioritize the 5C principles, while the 5P and 3R principles are the development of the 5C principles. The 5P and 3R principles are mixed in the 5C principles so that they are difficult to distinguish from one another; however the 5C principles are more popular than the 5P and 3R principles. In practice, banks tend to apply the 5C principle in deciding the creditworthiness of potential borrowers.

References

Asikin. (1995). *Pokok-Pokok Hukum Perbankan*, (Jakarta: RajaGrasindo Persada), P. 7.

Dianto, E,. et al. (2020). BNI Marketing Strategy for Credit Cards in Dealing Global Competition in State Bank Indonesia (Persero) Tbk Banda Aceh Branch Office

Gatot Suparmono. (1997). *Tindak Pidana Korupsi di Bidang Perkreditan*, (Bandung: Alumni), P. 47.

Hermansyah. (2009). *Hukum Perbankan Nasional Indonesia Ditinjau Dari Undang-Undang Nomor 7 Tahun 1992 Tentang Perbankan Sebagaimana Telah Diubah Dengan Undang-Undang Nomor 10 Tahun 1998 dan Undang-Undang Nomor 23 Tahun 1999 Jo. Undang-Undang Nomor 3 Tahun 2004 Tentang Bank Indonesia*, Edisi Revisi, (Jakarta: Kencana Prenada Media Group), P. 40.

Ikatan Bankir Indonesia. (2014). *Mengelola Bank Komersil*, (Jakarta: Gramedia Pustaka Utama), P. 64.

Ikatan Bankir Indonesia. (2015). *Manajemen Risiko 2, Mengidentifikasi Risiko Likuiditas, Reputasi, Hukum, Kepatuhan, dan Strategik Bank*, (Jakarta: Gramedia Pustaka Utama), P. 53.

Jonathan Patar Mangapul Sibarani. (2014). *Pertanggungjawaban Personal Guarantee Terhadap Utang Debitor Dalam Kepailitan Perseroan Terbatas*, (Medan: Program Studi Magister Ilmu Hukum Fakultas Hukum Universitas Sumatera Utara), P. 52-53.

Jonker Sihombing. (2009). *Tanggung Jawab Yuridis Bankir Atas Kredit Macet Nasabah*, (Bandung: Alumni), P. 48.

Peraturan Otoritas Jasa Keuangan (POJK) Nomor 42/POJK.03/2017 Tentang Kewajiban Penyusunan dan Pelaksanaan Kebijakan Perkreditan atau Pembiayaan Bank Bagi Bank Umum. POJK Nomor 32/POJK.03/2018 Tentang BMPK dan Penyediaan Dana Besar bagi Bank Umum.

Pasal 10 PBI No.7/2/PBI/2005 Tentang Penilaian Kualitas Aktiva Bank Umum, jo. PBI No.8/2/PBI/2006 (Revisi I) jo. PBI No.9/6/PBI/2007 (Revisi II) jo. PBI No. 11/2/PBI/2009 (Revisi III), menentukan: "Kualitas kredit ditetapkan berdasarkan faktor penilaian sebagai berikut: prospek usaha, kinerja (*performance*) debitur, dan kemampuan membayar.

Rosmika, T., et al. (2019). The Role of BRI Bank Medan Perjuangan Unit for Customer's Households, Indonesia. Budapest International Research and Critics Institute-Journal (BIRCI-Journal). P. 363-374

Siti Sundari Arie. (2011). "Laporan Kompendium Hukum Bidang Perbankan", *Pusat Penelitian dan Pengembangan Sistem Hukum Nasional Badan Pembinaan Hukum Nasional Kementerian Hukum dan HAM RI*, Jakarta, P. 1-2.

Sutarno. (2003). *Aspek-Aspek Hukum Perkreditan Pada Bank*, (Jakarta: Alfabeta), P. 149.

Zulkarnain Sitompul. (2007). *Lembaga Penjamin Simpanan, Substansi dan Permasalahan*, (Bandung: Books Terrace & Library), P.1.