

ABSTRACT

The purpose of this research is to understand and analyze the legal protection of debtors regarding the seizure of fiduciary collateral (Analysis of the Court Decision Number 172/Pdt.G/2020/PN.Amb). The issues addressed in this study are: 1) What were the considerations of the panel of judges in the Court Decision Number 172/Pdt.G/2020/PN.Amb, which did not refer to the Constitutional Court Decision Number 18/PUU-XVII/2019? 2) How is the legal protection of debtors regulated regarding the forced seizure of fiduciary collateral? The research method used in this thesis is normative juridical. The findings of this study show that: 1) In the Court Decision Number 172/Pdt.G/2020/PN.Amb, the judge considered that the actions taken by the debtor were deemed to be a default (*wanprestasi*). 2) The regulation of legal protection for debtors based on the Fiduciary Security Law and the Constitutional Court Decision Number 18/PUU-XVII/2019 states that creditors may only execute fiduciary collateral if the debtor is declared in default based on the agreement of both parties or through a court decision. This protection emphasizes that forced seizure without following the proper legal procedure violates the debtor's rights and may result in legal claims.

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