

ABSTRACT

Implementation of law No. 1 Year 1995 about limited liability of its bearing with Board of directors responsibility, Commissary, and Stockholder of Limited Liability and law No. 4 Year 1998 about bankrupt in the case of corporation bankrupt which need understanding or interpretation and also applying the rule of laws by comprehending intactly and totally (integral and comprehensive) about doctrine - doctrine and ground - principle of justice from common law system of system punish Dutch (Europe Continental, what it is true embraced by laws of limited liability and Indonesia bankrupt.

Related to the number of Appellate Court and Commercial Justice decision which described about inconsistency in applying punish bankrupt in bankrupt cases befalling at limited liability which have liquidated, show the legal insecurity in its applying. The Inconsistency legal insecurity is not at bankrupt laws but more its caused by Commercial Judge which gristle to certain economic approach.

Beside about Board of directors responsibility, Stockholder and Commissary which becoming punish issue in this research is about the effect of legal consequences which generated to limited liability of liquidation in bankrupt, both of limited liability in liquidation as limited liability creditor or in liquidation as debtor, as applicant or requested.

This research is normative punishment research with approachment of legislation supported with approach of case for the purpose in order to more comprehensive to find answers of law issue which becoming fundamental discussion.

Through invention of this research is expected in order to a guidance in there and union of vision in applying punishment by judge, so that inconsistency of Commercial Jurisdiction Judge earn more obviated and can give efficient, effective and right protection, in the same cases.

Keyword : Responsibility, Liquidation, Bankruptcy.