

Permasalahan tentang pengangkatan dan pemberhentian pengurus perseroan, serta akibat hukumnya : kasus anak perusahaan persero =
The issues about the promotion and demotion of the management company and their legally repercussion : study case of subsidiary of own company

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Abstrak

Tesis ini membahas tentang persyaratan dan efektifitas pengangkatan dan pemberhentian anggota Direksi dan Dewan Komisaris pada anak perusahaan Persero, serta permasalahan dan akibat hukumnya, dimana pada prinsipnya selain mengacu kepada Undang-Undang Perseroan Terbatas Nomor 40 tahun 2007 juga berpedoman pada Peraturan Menteri Negara BUMN. Penelitian ini menggunakan metode penelitian hukum normatif yang bersifat deskriptif analitis.

Hasil penelitian menyarankan bahwa diperlukan suatu mekanisme yang dapat meminimalisir dan mengatasi kepentingan politik yang selama ini umumnya mengintervensi pengangkatan dan pemberhentian anggota Direksi dan Dewan Komisaris perseroan pada anak perusahaan Persero.

.....The thesis discusses about the qualification and the effectiveness of promotion and demotion of the member of Board of Director and Board of Commissioner on subsidiary of own state company, which is principally based not only on Regulation of Corporation number 40 of year 2007, but also on Regulation State Ministry of Own State Enterprises. This research uses normatif legal research method with analytical descriptive characteristic.

The result of the research suggests that it is important to have a mechanism which can minimize and surpass the political interest that often intervene the procedure of promotion and demotion of the member of Board of Director and Board of Commissioner on subsidiary of own state company.