

Analisis mengenai kompetensi absolut Pengadilan Negeri di Indonesia terhadap sengketa dengan Klausul Arbitrase (Kasus Astro melawan Ayunda Prima Mitra) = Analysis on absolute competence of Indonesian District Court on dispute with arbitration clause (Case of Astro vs Ayunda Prima Mitra)

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Abstrak

Skripsi ini membahas analisis mengenai kewenangan mengadili (kompetensi absolut) pengadilan di Indonesia dalam hal adanya sengketa dalam perjanjian dengan klausul arbitrase. Penelitian ini menggunakan metode pendekatan normatif dengan metode analisis data deskriptif kualitatif. Hasil penelitian menyarankan bahwa pengadilan melalui hakim perlu lebih memahami Undang-Undang No. 30 Tahun 1999 tentang Arbitrase dan Alternatif Penyelesaian Sengketa terkait adanya klausula pilihan penyelesaian sengketa.The focus of the study is the analysis on absolute competence of Indonesian District Court in a condition where there is an arbitration clause within the agreement from which the disputes arises. This study uses a normative approach with descriptive qualitative data analysis method. The results suggest that the court through the judges should give more consideration to Law No. 30 year 1999 concerning Arbitration and Alternative Dispute Resolutions, related to the existence of alternative dispute resolutions clause.