

Implementasi kewenangan otoritas jasa keuangan (OJK) terkait mundurnya stand by buyer dalam proses right issue sebagai akibat dari ketidakefektifan peraturan BAPEPAM IX. D. 1 tentang hak memesan efek terlebih dahulu: studi kasus pada right issue PT. Bank Mayapada Internasional Tbk. dengan brilliant bazaar Pte Ltd sebagai stand by buyer berdasarkan akata kesanggupan No. 129 = The implementation of Indonesia financial services authority related to the withdrawal of stand by buyer in the right issue process as a result of an ineffectiveness of BAPEPAM regulation no ix d 1 about pre emptive rights: case study in PT. Mayapada Bank right issue with brilliant bazaar Pte Ltd as stand by Buyer based on the statemant letter No. 129

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Abstrak

Skripsi ini membahas mengenai mekanisme right issue dan secara khusus merujuk pada proses right issue yang dilakukan oleh Bank Mayapada. Selanjutnya, skripsi ini akan menganalisa 3 (tiga) pembahasan utama, yaitu (i) peraturan perundang-undangan mengenai stand by buyer dalam proses right issue, (ii) akta kesanggupan stand by buyer, dan (iii) kewenangan Otoritas Jasa Keuangan dalam proses right issue, khususnya kewenangan dalam menghadapi mundurnya stand by buyer. Analisa dalam skripsi ini menunjukkan bahwa terdapat kekosongan hukum mengenai pengaturan stand by buyer di Indonesia serta masih minimnya peran OJK dalam proses right issue tersebut. Oleh karena itu peraturan mengenai right issue maupun kewenangan OJK di dalamnya perlu diperjelas guna menciptakan iklim pasar modal yang sehat.

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This study focuses on right issue process evidence from right issue conducted by Mayapada Bank. Therefore, this study will further elaborate on 3 (three) main issues which are (i) the regulations governing on stand by buyer - in particular the right issue process, (ii) the breaches against statement letter of the stand by buyer, and (iii) the authorities of Indonesia Financial Services Authority (Otoritas Jasa Keuangan) herein. The analysis shows that the regulations do not promptly govern on the right issue process: so that it creates recht vacuum and the detailed authority of Indonesia Financial Services Authority. Thus, the vivid regulations and authorities will be required to establish a decent capital market circumstances.