

Pengaruh putusan Mahkamah Konstitusi Nomor 28/PUU-XI/2013 dalam perkara pengujian Undang-Undang Nomor 17 tahun 2012 tentang Perkoperasian terhadap pengelolaan koperasi di Indonesia = The effects of Constitutional Court decision Number 28/PUU-XI/2013 on reviewing Law Number 17 year 2012 on Cooperative towards cooperative governance in Indonesia

Ega Windratno, author

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Abstrak

[ABSTRAK

Putusan Mahkamah Konstitusi Nomor 28/PUU-XI/2013 telah mencabut UU Nomor 17 tahun 2012 tentang Perkoperasian. Terdapat 3 (tiga) hal utama yang dipertimbangkan Mahkamah yaitu tentang badan usaha Koperasi, tata kelola organisasi, dan permodalan. Daalm beberapa bagian pertimbangannya, Mahkamah Konstitusi tidak mendasarkan pertimbangannya pada argumentasi hukum yang kuat yang memberikan pengaruh terhadap semakin hilangnya atau semakin kaburnya tujuan Koperasi yang merupakan kekhasan dari Koperasi.

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ABSTRACT

Constitutional Court Decision Number 28/PUU-XI/2013 has repealed Law Number 17 year 2012 on Cooperative. There are three main issues which have been considered by Constitutional Court in its decision namely cooperatives as a business entity, the organizational governance of cooperative, and its capital. In several parts, Constitutional Court did not base its argumentation with a strong legal argument which impacts Cooperatives to loose or to unclear Its special nature of entity.;Constitutional Court Decision Number 28/PUU-XI/2013 has repealed Law Number 17 year 2012 on Cooperative. There are three main issues which have been considered by Constitutional Court in its decision namely cooperatives as a business entity, the organizational governance of cooperative, and its capital. In several parts, Constitutional Court did not base its argumentation with a strong legal argument which impacts Cooperatives to loose or to unclear Its special nature of entity., Constitutional Court Decision Number 28/PUU-XI/2013 has repealed Law Number 17 year 2012 on Cooperative. There are three main issues which have been considered by Constitutional Court in its decision namely cooperatives as a business entity, the organizational governance of cooperative, and its capital. In several parts, Constitutional Court did not base its argumentation with a strong legal argument which impacts Cooperatives to loose or to unclear Its special nature of entity.]