

Analisis keberlakuan pembatasan kepemilikan asing dalam praktik private equity di Indonesia = Analysis of the enforceability of restrictions on foreign ownership in private equity practice in Indonesia

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Abstrak

ABSTRAK

Skripsi ini membahas bagaimana keberlakuan pembatasan kepemilikan asing terhadap penanam modal asing yang merupakan limited partners dalam private equity fund berdasarkan Undang-Undang Nomor 25 Tahun 2007 tentang Penanaman Modal. Penelitian ini merupakan penelitian yuridis normatif dengan menggunakan pendekatan kualitatif. Hasil penelitian ini menunjukkan bahwa pembatasan kepemilikan asing belum berlaku secara efektif terhadap penanam modal asing dari private equity fund. Meskipun, secara normatif yuridis, pembatasan kepemilikan asing seharusnya berlaku terhadap penanam modal asing dari private equity fund, secara praktik, pembatasan kepemilikan asing tidak berlaku terhadap penanam modal asing tersebut.

ABSTRACT

This thesis examines how restrictions on foreign ownership apply to foreign investors that are limited partners in private equity fund under Law Number 25 of 2007 regarding Investment. This thesis is a normative legal research using a qualitative approach. The result of the research shows that restrictions on foreign investment have not effectively applied to foreign investors in private equity practice yet. Although restrictions on foreign investment should have legally applied to such foreign investors, in fact the restrictions did not apply to such foreign investors at all.