

Akuisisi saham perusahaan televisi dan radio sebagai suatu penyelundupan hukum ketentuan pengalihan hak kepemilikan frekuensi penyiaran = Acquisition of shares of the television and radio company as a smuggling of law provisions diversions proprietary rights of broadcasters frequencies / Ahmilia Pusparini

Ahmilia Pusparini, author

Deskripsi Lengkap: <https://lib.ui.ac.id/detail?id=20433550&lokasi=lokal>

Abstrak

ABSTRAK

Tesis ini bertujuan memberikan gambaran yang menyeluruh mengenai interaksi antara stake holders, lembaga pemerintah dan regulasi penyiaran dalam menata sistem kepemilikan media penyiaran di Indonesia, terutama sejak banyaknya kasus akuisisi perusahaan televisi baik stasiun televisi besar maupun televisi lokal oleh para pemodal besar. Jenis penelitian yang dilakukan yaitu menggunakan jenis yuridis normatif dimana undang-undang menjadi sentral penelitian. Dalam penelitian ini, terdapat tiga aspek yang akan diteliti, pertama terkait dengan pengaturan prinsip diversity of ownership dan diversity of content dari Undang-Undang Penyiaran, akuisisi dalam industri penyiaran ditinjau dari Undang-Undang Perseroan Terbatas dan Undang-Undang Penyiaran serta putusan Mahkamah Konstitusi terkait Pasal 18 ayat (1) dan Pasal 34 ayat (4) Undang-Undang Penyiaran serta akan dikemukakan juga analisa akuisisi industri penyiaran yang terjadi pada LPS di daerah Jawa Timur

Hasil penelitian menunjukkan bahwa dengan akuisisi saham perusahaan televisi tersebut menciptakan pemusatan kepemilikan media serta mengakibatkan pengalihan kepemilikan frekuensi dan Izin Penyelenggaraan Penyiaran. UU Penyiaran yang memiliki prinsip diversity of content, diversity of ownership ini tidak mampu mencegah praktik konsentrasi kepemilikan karena adanya celah penafsiran terutama pada pasal 18 ayat (1) tentang pembatasan pemusatan kepemilikan dan pasal 34 ayat (4) tentang larangan pemindahtanganan izin penyiaran.

ABSTRACT

This research aims to provide a comprehensive description of the interaction between stakeholders, government agencies and broadcasting regulations in managing the system of ownership of broadcast media in Indonesia, especially since the number of cases of the acquisition of the television companies both large television stations and local television by major investors. This type of research is carried out using normative juridical statute which became a central research. In this study, there are three aspects to be studied, the first related to the principles of diversity of ownership and diversity of content of the Broadcasting Act, the acquisition of the broadcasting industry in terms of the Law on Limited Liability Company and the Broadcasting Act and the ruling of the Constitutional Court related Article 18 paragraph (1) and Article 34 paragraph (4) of the Law of broadcasting and acquisition analysis will be presented also the broadcasting industry that occurred in the broadcasting Agency in the area of East Java.

The results showed that the acquisition of shares in a television company that creates media ownership concentration and the resulting transfer of ownership of broadcasting frequencies and Provider License. Broadcasting Law, which has a principle of diversity of content, diversity of ownership is not able to prevent the practice of concentration of ownership for their interpretation gap mainly on article 18 paragraph (1) restrictions on concentration of ownership and Article 34 paragraph (4) on the prohibition of alienation of a broadcasting license.