

Perbandingan perjanjian franchise di Indonesia dan Australia = Comparison of the franchise agreement In Indonesia and Australia

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Abstrak

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Perjanjian franchise berperan penting dalam sistem franchise karena sistem franchise didasarkan pada suatu perjanjian sebagai pedoman pelaksanaan. Di Indonesia, mengenai franchise diatur dalam Peraturan Pemerintah No. 42 tahun 2007 tentang Waralaba dan Peraturan Menteri Perdagangan Republik Indonesia Nomor 53/M-DAG/PER/8/2012 tentang Penyelenggaraan Waralaba. Sementara itu, di Australia, franchise diatur dalam Competition and Consumer Industry Codes ndash; Franchising Regulation 2014 Select Legislative Instrument No. 168, 2014 yang dikenal sebagai lquo;Franchising Code of Conduct rsquo;. Penelitian ini menggunakan metode yuridis normatif, penelitian perbandingan hukum ini menunjukkan bahwa selain terdapat perbedaan dalam pengaturan hukum mengenai perjanjian franchise yang berlaku di Indonesia dan Australia, juga terdapat persamaan.

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ABSTRACT

Franchise agreement has a vital role in the franchise system, because the franchise system based on an agreement as implementation guidance. In Indonesia, franchise is regulated in Government Regulation No. 42 year 2007 on Franchise and Regulation of the Minister of Trade of The Republic of Indonesia Number 53 M DAG PER 8 2012 on Franchising. Meanwhile, in Australia, franchise is regulated in Competition and Consumer Industry Codes ndash Franchising Regulation 2014 Select Legislative Instrument No. 168, 2014 also known as lquo lquo Franchising Code of Conduct rdquo . This research is jurisdistic normative research, this legal comparative research shows that other than the difference in the regulation about franchise in Indonesia and Australia, it also has the similarity.