

Comparative Study of Equity Crowdfunding in Indonesia and Australia = Studi Perbandingan Equity Crowdfunding di Indonesia dan Australia

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Abstrak

Dalam perkembangan ekonomi di dunia, teknologi finansial menjadi salah satu bagian yang mengalami kemajuan pesat. Equity crowdfunding sendiri merupakan salah satu bagian teknologi finansial dengan metode pengumpulan dana untuk mengembangkan usaha dengan reward berupa saham bagi para peserta yang ikut menghimpun dana. Indonesia dan Australia adalah negara yang telah menerapkan aturan mengenai equity crowdfunding. Di Indonesia di atur oleh Peraturan Otoritas Jasa Keuangan Nomor 37 tahun 2018 dan di Australia di atur oleh Corporate Amendment (Crowd-Sourced Funding) Act 2017 dan Corporate Amendment (Crowd-Sourced Funding for proprietary company) Act 2018. Dalam pengaturannya terdapat perbedaan dan persamaan dari equity crowdfunding di Indonesia dan Australia.

Skripsi ini pun di tulis untuk menjawab dua pertanyaan. Yang pertama yaitu apa saja regulasi dan syarat dari equity crowdfunding di Indonesia dan Australia dan yang kedua yaitu apa saja persamaan dan perbedaan dari regulasi dan syarat serta cara kerja dari equity crowdfunding di Indonesia dan Australia. Dengan menggunakan metode penelitian hukum normatif, skripsi ini menunjukkan aturan dan syarat equity crowdfunding di Indonesia dan Australia serta perbedaan dan persamaan dari aturan dan syarat serta cara kerja equity crowdfunding di Indonesia dan Australia.

Dari penelitian ini ditemukan bahwa terdapat persamaan dalam cara kerja equity crowdfunding di Indonesia dan Australia dan perbedaan terletak pada syarat untuk menjadi investor, operator, penerbit saham. Australia mempunyai peraturan yang lebih terbuka terhadap investor sehingga membuat angka pertumbuhan equity crowdfunding cukup tinggi. Saran diberikan kepada Otoritas Jasa Keuangan untuk membuat peraturan yang lebih terbuka terhadap investor untuk meningkatkan angka pertumbuhan equity crowdfunding di Indonesia.

In the world economic development, financial technology is one part that is experiencing rapid progress. Equity crowdfunding itself is one of financial technology with methods of raising funds to develop businesses with rewards in the form of shares for participants who participate in raising funds. Indonesia and Australia are among the countries that have implemented rules regarding equity crowdfunding. In Indonesia it is regulated by Financial Services Authority Regulation Number 37 of 2018 and in Australia it is regulated by the Corporate Amendment (Crowd-Sourced Funding) Act 2017 and the Corporate Amendment (Crowd-Sourced Funding for proprietary company) Act 2018. In its regulation there are differences and similarities from equity crowdfunding in Indonesia and Australia.

This thesis was written to answer two questions. The first question is what are the regulations and requirements of equity crowdfunding in Indonesia and Australia and the second one is what are the

similarities and differences of the regulations and terms and ways of working for equity crowdfunding in Indonesia and Australia. Using normative legal research methods, this thesis shows the equity crowdfunding rules and conditions in Indonesia and Australia as well as the differences and similarities of the rules and conditions and the workings of equity crowdfunding in Indonesia and Australia.

From this study it was found that there are similarities in business operation of equity crowdfunding in Indonesia and Australia and the differences lies in the requirements to become an investor, intermediaries, and issuer. Australia has more open regulations on investors, so the equity crowdfunding growth rate is quite high. Suggestions are given to the Financial Services Authority to make regulations more open to investors to increase equity crowdfunding growth rates in Indonesia.