

Analisis yuridis merger perusahaan penyelenggara telekomunikasi di Indonesia = Juridical analysis on telecommunication operator companies merger in Indonesia

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Abstrak

Spektrum frekuensi radio mempunyai peran strategis bagi pertumbuhan ekonomi suatu bangsa sehingga harus diatur sehingga tidak menyebabkan gangguan yang dapat merugikan. Indonesia menjadi pasar industri telekomunikasi yang menjanjikan bagi pelaku usahanya. Dalam hal adanya merger antar perusahaan penyelenggara telekomunikasi, perlu dilakukan pengalihan IPSFR ke perusahaan hasil merger. Namun perbedaan jenis izin yang diatur oleh Peraturan Pemerintah dengan Peraturan Menteri menimbulkan ketidakpastian bagi para pelaku usahanya. Rumusan masalah yang akan dibahas adalah bagaimana pengaturan mengenai IPSFR dan merger perusahaan penyelenggaraan telekomunikasi di Indonesia, dan apakah pengalihan IPSFR ke perusahaan hasil merger dapat dilakukan berdasarkan peraturan di Indonesia. Metode penelitian yang digunakan dalam penelitian ini adalah yuridis normatif.

.....Radio spectrum frequency has becoming strategic role upon state economic growth and therefore has to be regulated to prevent harmful interference. Indonesia has a promising telecommunication industry market for businesses. When merger between telecommunication operator companies takes place, it is deemed necessary to be followed by transfer of radio spectrum frequency license to the absorbing company. However, the distinction of the radio spectrum frequency license regulation between Government Regulation with Minister Regulation raises legal uncertainty. Two main issues which will be discussed are: how the radio spectrum frequency license and telecommunication operator companies are regulated in Indonesia; and the possibility of radio spectrum frequency license being transferred to absorbing company based on Indonesian Law. This research is a normative legal research which is conducted by using literature study and interview.