

Tinjauan pelaksanaan prinsip business judgment rule bagi PT. Jasa Raharja dalam penyelesaian keterlambatan penyetoran iuran wajib pesawat udara oleh perusahaan penerbangan akibat adanya pandemi covid-19 = Implementation of the business judgment rule for PT. Jasa Raharja in resolving delays in depositing obligatory premium of passenger planes by airline companies due to the covid-19 pandemic.

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Abstrak

Tesis ini membahas tentang pelaksanaan prinsip Business Judgment Rule bagi PT Jasa Raharja dalam penyelesaian keterlambatan penyetoran Iuran Wajib Pesawat Udara oleh Perusahaan Penerbangan akibat adanya Pandemi COVID-19 dengan pokok permasalahan pertama yaitu, bagaimanakah pengaturan Prinsip Business Judgment Rule yang dapat diberlakukan oleh PT Jasa Raharja berdasarkan Undang-Undang Nomor 40 Tahun 2007 tentang Perseroan Terbatas dan Anggaran Dasar Perusahaan? Kedua, bagaimanakah penerapan Prinsip Business Judgment Rule bagi Direksi PT Jasa Raharja dalam pengambilan keputusan atas penyelesaian keterlambatan penyetoran Iuran Wajib Pesawat Udara oleh Perusahaan Penerbangan serta pemberian Biaya Kontribusi pada saat Pandemi COVID-19?, dan yang ketiga, kendala dan permasalahan apa saja yang dapat menghambat penerapan Prinsip Business Judgment Rule bagi Direksi PT Jasa Raharja dalam pengambilan keputusan tersebut, dan upaya-apaya yang perlu dilakukan untuk mengatasinya?. Metode yang digunakan dalam penelitian ini adalah metode penelitian yuridis normatif dengan menggunakan data sekunder. Hasil penelitian ini menunjukkan bahwa pengaturan ketentuan prinsip Business Judgment Rule oleh PT Jasa Raharja berpedoman pada UU No.40/2007 dan Anggaran Dasar Perusahaan. Selanjutnya Direksi PT Jasa Raharja dapat menerapkan prinsip Business Judgment Rule dalam memberi keputusan penyelesaian keterlambatan penyetoran Iuran Wajib Pesawat Udara oleh Perusahaan Penerbangan dengan tetap memberikan Biaya Kontribusi yang didasarkan pada justifikasi dan dasar pertimbangan tertentu. Hasil penelitian ini juga menunjukkan berbagai kendala dan permasalahan yang dihadapi serta uapaya yang dilakukan untuk mengatasi permasalahan dimaksud. Saran dari penelitian ini adalah agar pelaksanaan prinsip Business Judgment Rule dilaksanakan secara konprehensif dan penuh tanggung jawab.

.....This thesis discusses the implementation of the Business Judgment Rule principle for PT Jasa Raharja in resolving the delay in depositing the Aircraft Mandatory Contribution by the Airline Company due to the COVID-19 Pandemic with the first main problem, namely, how to regulate and apply the Business Judgment Rule principle that can be implemented by PT Jasa Raharja based on Act 40/2007 concerning Limited Liability Companies and the Company's Articles of Association? Second, how is the application of the Principles of Business Judgment Rule for the Directors of PT Jasa Raharja in making decisions on the settlement of delays in depositing Obligatory Premium of Passenger Planes by Airline Companies and providing Contribution Fees during the COVID-19 Pandemic? hinder the implementation of the Business Judgment Rule for the Board of Directors of PT Jasa Raharja in making these decisions, and what efforts need to be made to overcome them?. The method used in this study is a normative juridical research method using secondary data. The results of this study indicate that the regulation of the provisions of the Business

Judgment Rule by PT Jasa Raharja is guided by Act 40/2007 and the Company's Articles of Association. Furthermore, the Board of Directors of PT Jasa Raharja may apply the Business Judgment Rule principle in making decisions on the settlement of delays in depositing Obligatory Premium of Passenger Planes by Airline Companies while still providing Contribution Fees based on certain justifications and considerations. The results of this study also show the various obstacles and problems faced and the efforts made to overcome these problems. The suggestion from this research is that the implementation of the Business Judgment Rule is carried out in a comprehensive and responsible manner.