

Dampak Hukum Terbitnya POJK No. 41/POJK.04/2020 terhadap Praktik Penawaran Umum di Indonesia = The Legal Impact of the Issuance of POJK No. 41/POJK.04/2020 on Public Offering Practices in Indonesia

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Abstrak

Perkembangan ekonomi dan hukum harus seimbang dengan perkembangan teknologi. OJK melalui POJK No. 41/POJK.04/2020 menerbitkan sistem penawaran umum baru berdasar elektronik yang diharapkan akan mempermudah akses dan memberikan kesempatan bagi masyarakat umum untuk berpartisipasi pada penawaran umum. Penerbitan sistem Electronic Indonesia Offering ini harus dikawal perlindungan hukumnya, tidak hanya dari sisi perlindungan pasar modal tetapi juga perlindungan data pribadi, karena penggunaan sistem elektronik yang rawan akan peretasan dan penjualan data. Penyedia sistem Electronic Indonesia Public Offering dapat merefleksi praktik penawaran umum dan bursa efek elektronik di luar negeri seperti Nasdaq di Amerika Serikat untuk. Penelitian yuridis-normatif ini akan membahas mengenai dampak hukum POJK No. 41/POJK.04/2020 terhadap praktik penawaran umum di Indonesia, perlindungan hukum Electronic Indonesia Public Offering, dan perbandingan dengan Nasdaq di Amerika Serikat. Electronic Indonesia Public Offering dapat mengembangkan identitas dan reputasi seperti Nasdaq yang dikenal sebagai rumah penawaran umum perusahaan teknologi dan harus memperhatikan perlindungan data pribadi Emiten dan Investor pada sistemnya.

.....Economic and legal developments must go hand in hand with technological developments. OJK through POJK No. 41/POJK.04/2020 issued a new electronic-based public offering system which is expected to facilitate access and provide opportunities for the general public to participate in public offerings. The issuance of the Electronic Indonesia Public Offering system must be protected by legal protection, not only in terms of capital market protection but also personal data protection, due to the use of electronic systems that are prone to hacking and selling data. Electronic Indonesia Public Offering system providers can reflect on the practice of electronic public offerings and stock exchanges abroad such as Nasdaq in the United States to see their effectiveness. This juridical-normative study will discuss the legal impact of POJK No. 41/POJK.04/2020 on public offering practices in Indonesia, legal protection for Electronic Indonesia Public Offering, and comparisons with Nasdaq in the United States. Electronic Indonesia Public Offering can develop an identity and reputation like Nasdaq, which is known as a place for technology companies to conduct their IPO and must pay attention to the protection of personal data of issuers and investors in its system.