

ABSTRAK

Nama : MOHAMAD AMZAD
Program Studi : Magister Kenotariatan
Judul : AKIBAT HUKUM PENYALAHGUNAAN PERJANJIAN KONTRAK KERJA YANG DILAKUKAN OLEH EVA BUN WEDDING GALLERY DENGAN CONTOH MANAGEMENT ARTIS.

Maraknya industri entertainment & musik di tanah air, menjadikan bisnis artis management menjadi sesuatu yang fenomenal dan luar biasa besar tingkat pertumbuhannya. Dasar hukum mengenai keagenan (Manajemen Artis), Talent dan Rumah Produksi di Indonesia masih sangat kurang memadai karena belum diaturnya secara special mengenai keagenan dan pengiklanan di Indonesia akan tetapi hanya berdasarkan asas kebebasan berkontrak dimana para pihak memang dapat membuat perjanjian apa saja, termasuk perjanjian kontrak keagenan Sepanjang tidak bertentangan dengan Undang-undang, ketertiban Umum dan kesusilaan. Hukum positif yang mengatur mengenai hubungan hukum antara Management artis dan talent ataupun hubungan Management artis dengan pihak ketiga diatur dalam buku ketiga Kitab Undang-Undang Hukum Perdata, dan Undang-Undang Hak Cipta Nomor 19 Tahun 2002. Metode penelitian yang digunakan adalah kepustakaan bersifat Yuridis Normatif dengan cara mempelajari berbagai literatur dan peraturan perundangan yang berkaitan dengan penelitian ini. Hasil penelitian dituangkan dalam simpulan berbentuk evaluatif analitis dengan tujuan untuk memberikan data yang seteliti mungkin tentang sifat-sifat hubungan hukum, keadaan atau gejala-gejala tertentu dalam melakukan suatu perjanjian. Dalam penelitian ini, dianalisa suatu kasus mengenai penyalahgunaan perjanjian kontrak kerja antara Eva Bun Wedding Gallery (Tergugat) dengan Management Artis (Penggugat) yang bertujuan untuk kepentingan Komersial pribadi Tergugat yang sangat merugikan Pihak Para Penggugat.

Kata Kunci:

Perjanjian Kontrak Kerja, Wanprestasi, Ganti Rugi

ABSTRACT

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Program Study : Master of Notary Programme
Title : Manipulation of Agreement Terms By EVA BUN Wedding
Gallery with Contoh Management Artist.
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The Incredibly Busy entertainment and music Industry in this country has created unlimited work opportunities for artist management which is a work area that has experienced phenomenal growth, however the basic laws associated with agents working together with talent and production house and the third parties in Indonesia is still seen as insufficient due to the fact that the Indonesian legal system doesn't provide adequate protection regarding the agency and advertising with in Indonesia. The facts is anyone party can make a contract that does not provide concrete legal binding as long as this contract do not have conflict with the Indonesian legal system. The legal binding between artist and agent and the third parties is arrange in accordance with Indonesian law stated in the third Indonesian law stated in the third Indonesian law book and Patent law no.19/2002. The method of research is facilitated through various literature including regulations and its character is *yuridis normatif*, the result of research indicate analytical evaluation with the purpose of providing very detail data regarding specific legal elements of the law situation with an agreement. In this research a specific case involving manipulation of the agreement terms by the third party which caused significant lost to the second party has been analysed thoroughly.

Keyword: Terms of Agreement, Misused the Terms of Agreement, Pay for the Lost.