

Aspek aspek yang harus dipertimbangkan dalam akuisisi perusahaan pialang asuransi di Indonesia: studi kasus akuisisi PT. Accette Broker Asuransi oleh Howden Broking Group Limited = Aspects to be considered in acquisition of an insurance broker company in Indonesia: case study on acquisition of PT. Accette Broker Asuransi by Howden Broking Group Limited

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Abstrak

Akuisisi perusahaan asuransi diatur dalam Keputusan Menteri Keuangan Republik Indonesia Nomor 426/KMK.06/2003 yang menyatakan bahwa akuisisi dilakukan dengan mengambil alih seluruh atau sebagian besar saham perusahaan asuransi/reasuransi lain sehingga beralihlah pengendalian. Namun, tidak terdapat pengaturan spesifik mengenai akuisisi terhadap perusahaan penunjang usaha asuransi. Peneliti meneliti akuisisi PT Accette Broker Asuransi oleh Howden Broking Group Limited atas 80% (delapan puluh persen) saham milik Accette Holding Pte (Singapore) Limited. Penelitian ini dilakukan dengan menggunakan metode pendekatan normatif yuridis dengan mengkaji peraturan perasuransian di Indonesia. Teknik pengumpulan data penelitian ini adalah penelitian kepustakaan (library research) dengan pendekatan peraturan perundang-undangan (statute approach). Pengaturan akuisisi perusahaan pialang asuransi juga merujuk pada ketentuan akuisisi perusahaan asuransi. Perlu dipertimbangkan aspek berikut: pembatasan kepemilikan asing, estimasi waktu lamanya akuisisi dan persetujuan Menteri Keuangan, tata kelola perusahaan bagi perusahaan perasuransian dan kewajiban notifikasi kepada Komisi Pengawas Persaingan Usaha.

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Acquisition of an insurance company is governed under the Decree of Minister of Finance Republic of Indonesia Number 426/KMK.06/2003 which stipulates that an acquisition is conducted by acquiring all of or majority of shares in another insurance/reinsurance company, which resulted in a change of control in such insurance/reinsurance company. However, there is no specific regulation for acquiring an insurance broker company. The researcher is interested to further study the acquisition of PT Accette Broker Asuransi by Howden Broking Group Limited of 80% (eighty percent) shares owned by Accette Holding Pte (Singapore) Limited. This research is conducted based on a normative judicial approach method by reviewing the applicable insurance laws regulations in Indonesia. The data collection method used in this research is a library research method with statutory approach. Acquisition on an insurance broker company shall also refer to the regulations concerning acquisition of an insurance company. The following aspects are to be considered in acquiring an insurance broker company: foreign ownership restriction, acquisition timeline and approval from the Minister of Finance, good corporate governance for insurance companies and mandatory notification to the Business Competition Supervisory Commission.