

Penerapan prinsip piercing the corporate veil pada konstruksi hukum holding company dan subsidiary company = Implementation of piercing the corporate veil principal on holding company and subsidiary company legal framework

Abdilla Lahuddin, author

Deskripsi Lengkap: <https://lib.ui.ac.id/detail?id=20402554&lokasi=lokal>

Abstrak

Skripsi ini membahas mengenai penerapan prinsip piercing the corporate veil pada konstruksi hukum holding company dan subsidiary company yang dilihat dari putusan-putusan pengadilan di Indonesia. Dalam hal-hal tertentu, holding company dapat juga ditarik ikut bertanggung jawab melebihi saham yang dimilikinya atas gugatan pihak ketiga terhadap anak perusahaan dengan prinsip piercing the corporate veil. Berdasarkan hal tersebut, penulis mengajukan pokok permasalahan, yaitu: 1. Bagaimana pengaturan mengenai doktrin piercing the corporate veil terhadap holding company dan subsidiary company pada Undang- Undang Perseroan Terbatas?; 2. Bagaimanakah hubungan pertanggung jawaban antara holding company dan subsidiary company? Pada akhirnya, penulis memperoleh kesimpulan bahwa baik dalam gugatan maupun pertimbangan hakim dari kasus-kasus holding company di Indonesia, penerapan prinsip percing the corporate veil masih tidak konsisten.

.....

The focus of this thesis is the implementation of piercing the corporate veil principal on holding company and subsidiary company legal framework as seen from judicial decisions in Indonesia that involve holding company and subsidiary company as the parties to the dispute. In several conditions, holding company can have the liability beyond their shares on their subsidiary from third party's claim with piercing the corporate veil principal. Based on that problems, the writer tried to describe the main issues, which are: 1. How piercing the corporate veil doctrine of holding company and subsidiary company regulated on Indonesian Company Law? 2. How liability between holding company and subsidiary company related?. Eventually, the writer received the conclusion that either in claims or judge considerations of holding company cases in Indonesia, the implementation of piercing the corporate veil principal still inconsistent.