

Tinjauan hukum pelaksanaan backdoor listing melalui penawaran umum terbatas: studi kasus: Backdoor listing PT Permata Prima Energy melalui penawaran umum terbatas dengan penerbitan HMETD I PT Toko Gunung Agung Tbk = Juridical observation of backdoor listing through right issue action: case study: Backdoor listing of PT Permata Prima Energy through Right Issue I of PT Toko Gunung Agung Tbk

Tias Karina Putri, author

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Abstrak

[Skripsi ini membahas mengenai ketentuan pelaksanaan backdoor listing sebagai upaya suatu PT untuk menjadi tercatat di bursa tanpa melakukan penawaran umum perdana melainkan melalui tindakan hukum penawaran umum terbatas oleh PT yang telah tercatat Dengan menggunakan metode penelitian yuridis normatif penelitian ini menunjukkan bahwa walaupun saat ini tidak terdapat peraturan mengenai backdoor listing di Indonesia backdoor listing melalui penawaran umum terbatas terkadang dilakukan dan tidak bertentangan dengan peraturan pasar modal Indonesia Pada prinsipnya backdoor listing melalui penawaran umum terbatas merupakan bentuk perjanjian pembelian saham sehingga dengan mengacu pada Undang Undang Nomor 40 Tahun 2007 tentang Perseroan Terbatas Undang Undang Nomor 8 Tahun 1995 tentang Pasar Modal dan prinsip prinsip hukum perjanjian backdoor listing melalui penawaran umum terbatas adalah sah dan dapat dilakukan di Indonesia Adapun pelaksanaan backdoor listing PT Permata Prima Energi melalui PUT I PT Toko Gunung Agung Tbk telah sesuai dengan peraturan pasar modal yang berlaku di Indonesia karena telah memenuhi antara lain Undang Undang Nomor 40 Tahun 2007 tentang Perseroan Terbatas Undang Undang Nomor 8 Tahun 1995 tentang Pasar Modal dan Peraturan BAPEPAM Nomor IX D 1 tentang HMETD.

.....This study discussed on the regulation of backdoor listing as a way to become a listed company without going through initial public offering but through a right issue action by another listed company By using legal normative method this study concluded even though there is no specific regulation on backdoor listing in Indonesia the backdoor listing through right issue action is not illegal. Principally backdoor listing through right issue action is a form of shares purchase agreement thus by referring to Law No 40 of 2007 on Company Law No 8 of 1995 on Capital Markets and principles of contract law backdoor listing through right issue action is legal in Indonesia In this case the backdoor listing transaction of PT Permata Prima Sakti through Right Issue I of PT Toko Gunung Agung Tbk is accordant with the law and regulation in Indonesia because it has complied Law No 40 of 2007 on Company Law No 8 of 1995 on Capital Markets and BAPEPAM Regulation No IX D 1 on Right Issue., This study discussed on the regulation of backdoor listing as a way to become a listed company without going through initial public offering but through a right issue action by another listed company By using legal normative method this study concluded even though there is no specific regulation on backdoor listing in Indonesia the backdoor listing through right issue action is not illegal Principally backdoor listing through right issue action is a form of shares purchase agreement thus by referring to Law No 40 of 2007 on Company Law No 8 of 1995 on Capital Markets and principles of contract law backdoor listing through right issue action is legal in Indonesia In this case the backdoor listing transaction of PT Permata Prima Sakti through Right Issue I of PT Toko Gunung Agung

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