

Analisis yuridis terhadap gugatan wanprestasi perjanjian build operate and transfer bot antara PT. Bank Rakyat Indonesia PT. BRI dan dana pensiun BRI dengan PT. Mulia Persada Pacific PT. MPPC = Juridicial analysis of breach of contract claims for build operate and transfer bot agreement between PT. Bank Rakyat Indonesia PT. BRI and dana pensiun BRI with PT. Mulia Persada Pacific PT. MPPC

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Abstrak

Perjanjian Build, Operate and Transfer sering ditemukan dalam praktek pembangunan proyek berskala besar. Perjanjian BOT antara PT. Bank Rakyat Indonesia dan Dana Pensiun BRI dengan PT. Mulia Persada Pacific terjadi selama 30 tahun. Dikarenakan terbukti wanprestasi hakim memutuskan perjanjian berakhir padahal hak pengelolaan Investor masih sampai 10 tahun lagi. Berdasarkan hal-hal tersebut maka permasalahan yang akan diteliti dalam skripsi ini adalah perlindungan hukum terhadap PT. Mulia Persada Pacific selaku Investor yang terbukti wanprestasi terhadap putusan hakim yang menyatakan perjanjian berakhir (pembatalan perjanjian) dan restorasi (pengembalian prestasi) terhadap PT. Mulia Persada Pacific selaku pihak yang terbukti wanprestasi.

*Build Operate And Transfer (BOT) Agreement mostly found in some major development project. Build, Operate And Transfer (BOT) Agreement between PT. Bank Rakyat Indonesia and Dana Pensiun BRI with PT. Mulia Persada Pasific has been ocured for thirty years. It because has been proven there is a default, The Judge had annuled that the agreement ended even though the invest management is still running for the next ten years. Based from the things above, this thesis will discuss the issues about the legal protection of PT. Mulia Persada Pasific as the investor who already been proven default of The Judge Annualment which stated about the end of agreement (agreement cancelation) and the restoration (returning pledge) of PT. Mulia Persada Pasific as the party who has been prove defaulted.*