

ABSTRACT

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ROLE AND PROBLEMS OF THE NEGATIVE LIST IN DOMESTIC INVESTORS SHARES OWNERSHIP IN INDONESIA

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Investment is one of the most important elements for the development of a country, including in Indonesia. In Indonesia itself, the investment sector is currently dominated by foreign investors. In order to protect the interests of domestic investors from the interests of foreign investors, the Negative List plays a role to limit the entrance of Foreign Investments in various fields of business. However, despite being limited, in practice, there are still various means that can be conducted by foreign investors to overstep the boundaries regulated within the Negative List. Concerning this, an analysis and understanding which aims to decide whether the role and problems of the Negative List in domestic investors shares ownership has been in accordance to the practice is required. The result of the research shows that the Negative List plays a role in protecting share ownership of domestic investors by balancing the interest between foreign investor and domestic investor, however the said role is not in accordance with the reality in practice since there are still several means that can be utilized by foreign investors to overstep the boundaries regulated within the Negative List. This research is formulated normatively by using the statute approach as well as the qualitative data analysis technique.

Keywords: Investment, Negative List, Legal Protection

References: 48 (1945-2018)