

ABSTRACT

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LEGAL CERTAINTY FOR INDONESIAN E-SPORT ATHLETES IN QUALIFICATIONS AND AWARDS

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The purpose of this thesis is to know the qualification of e-Sports athlete in Indonesia and to know whether there is any form of legal certainty that our government regulate regarding appreciation toward athlete, especially e-Sports athlete in the future. Author chose this topic because as a new field of sports in Indonesia, it is very important to make sure that our government can develop e-Sport in the right way from the very beginning, considering the unpleasing experience that other field of sports have.

During this research, author will use normative research type because there aren't any available legal journal or research about the legal aspect regarding the topic of this thesis and the best approach is by reviewing and analyzing the available constitution regarding e-sports and sports. However, author will use the Three legal basics value theory and the principle of legal certainty as a way to breakdown all the legal material that are used here to solve the formulation of problem. The specifically available constitution and regulation about sports and e-Sports right now is UU Number 3 of 2005 Regarding National Sports System and PBESI Regulation 2021

The result of this thesis shows that there are qualification processes that are needed to be legally fulfilled by e-Sports athlete in PBESI Regulation of 2021 and it does give a form legal certainty, but it is too shallow and very basic which are not regulate anything about quality and capability of an athlete. The regulation available regarding qualification is only as far as a formality to achieve a title as n "athlete" by Indonesian Constitution. Until now, there aren't any way or regulation that made by Ministry of Youth and Sports itself that give legal certainty towards Indonesian athlete or e-Sports athlete to make sure that e-Sports athlete receive their appreciation if they helps the development of sports or e-Sports. The only way to assure legal certainty in this matter is by making an agreement by following the regulation in the Code of Civil Law (KUHPER)

Keywords: Legal, Certainty, Professional, Athlete, e-Sports, Qualification, Awards, Appreciation

References: 39 (1982 – 2021)