

ABSTRAK

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PERAN DAN TANGGUNG JAWAB NOTARIS DALAM TRANSAKSI SAHAM *BACKDOOR LISTING* TERHADAP AKTA PERSEROAN TERBATAS YANG DIBUATNYA

(ix + 109 halaman + 1 gambar)

The capital market involves activities related to the public offering and trading of securities (stocks) of public companies. Companies intending to engage in stock transactions through the capital market (going public), such as initial public offerings (IPOs), are required to fulfill the obligation of preparing the necessary documents for the registration statement, which must be submitted to the Indonesian Financial Services Authority (OJK). These requirements are assisted by supporting institutions in the capital market, including notaries. The lengthy process, significant costs involved, and the absence of a guarantee that every company will pass and receive an effective statement from the OJK constitute the background for the phenomenon of backdoor listing. One example of backdoor listing in Indonesia is the action taken by PT Global Digital Niaga on 51% of the shares owned by PT Supra Boga Lestari. This thesis aims to discuss the legality of backdoor listing in Indonesia in connection with Article 70 paragraph (1) of the Capital Market Law and the role and responsibilities of notary publics in the capital market in drafting the articles of association for companies engaging in backdoor listing. This study employs a normative juridical research method analyzed with a qualitative analysis nature. The legal writing phase involves a literature review using secondary data, including primary, secondary, and tertiary legal materials, as well as the exploration of materials from internet sources related to legal issues in formulating the problem. The approach used includes a legal approach and a case approach. The findings of this research indicate that the backdoor listing scheme violates Article 70 of the Capital Market Law because the registration statement from the OJK, as evidence of meeting all requirements for an IPO, is not fulfilled. Furthermore, the role and responsibility of notaries in backdoor listing include creating a Notarial Deed of Shareholders' Meeting Minutes with the agenda of the planned implementation of backdoor listing. In its creation, the notary must comply with the provisions and obligations stated in the Notary Law, Limited Liability Company Law, and Capital Market Law. If the creation meets the requirements, the notary is entitled to legal protection. However, if not, the notary is liable administratively, civilly, and criminally.

References: 78 (1950-2023)

Keywords: Responsibilities, Notary, *Backdoor Listing*, Company Deed