

ABSTRACT

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JURIDICAL REVIEW OF INSIDER TRADING THROUGH OUTSIDER RAJIV LOUIS CASE STUDY OF THE ACQUISITION OF BANK DBS GROUP HOLDING LTD WITH PT BANK DANAMON TBK

(xiii + 103 Pages)

Insider trading is one of the crimes in the capital market that has a systemic impact, namely the proof is classified as difficult to prove. The impact of this insider trading crime has a very dangerous influence on capital market transactions on the stock exchange, with capital markets that have no legal certainty can be dangerous because it can eliminate the sense of trust for investors who invest in the capital market, it can have an impact on economic growth country. In writing and in this research the author takes a normative juridical approach, which is a study used to study legal norms or norms that are enforced in positive law or law that are still in force and have provisions for binding legal subjects. As the era of insider trading has become increasingly sophisticated, insider trading through outsider is through other people who do not have a relationship or position with insiders, so the level of proof will be classified as increasingly difficult to prove, because these conditions make the insider trading elements not based on Law No.8 of 1995 concerning the Capital Market, namely three (3) elements, insider, insider information and transactions based on inside information. Unlike Singapore, which can punish insider trading if it comes from non-insiders. That only requires if you have inside information and make transactions on the basis of inside information, thus fulfilling the insider trading element in Singapore. This research shows that the case of insider trading through outsider will be more complicated in its proof, because based on Law No.8 of 1995 concerning the Capital Market does not regulate if the crime is committed by another party who is not from an insider (outsider). In eradicating insider trading crimes, a sharper regulation must be added so that the Indonesia Stock Exchange can be free from insider trading crimes.

References: 57 (1988-2019)

Key Words: Insider Trading, Capital Market, Outsider.