

ABSTRACT

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LEGAL PROTECTION FOR SHAREHOLDERS ON VIOLATION OF INFORMATION DISCLOSURE IN THE PRESENTATION OF FINANCIAL STATEMENTS OF PT GARUDA INDONESIA TBK.

(ix + 117 pages)

Shareholders are the aggrieved party when a company does not comply with the obligation to disclose information in the presentation of its financial reports. With reference to the case that was experienced by PT Garuda Indonesia Tbk in 2016, this research will examine legal protection for the rights and interests of shareholders when a company did not fulfill the information disclosed when presenting their financial reports.

This research was conducted using normative legal research and library research and examined with a document study which used various secondary data such as laws and regulations, opinions from the previous research, and literature study.

The result of the research shows that PT Garuda Indonesia Tbk has misrepresentation in presenting their 2018's annual financial reports. The preparation of the financial reports by the Directors is considered not in accordance with OJK Regulation Number 1/POJK.04/2020 concerning The Preparation of Securities Company Financial Statements because the provided information is misleading information thus violating the principle of transparency of Good Corporate Governance. Legal consequences for the publicly listed companies because of misrepresentation comply with the Indonesian Company Law Act and Indonesian Capital Market Act (Law Number 40 of 2007 concerning Company Law and Law Number 8 of 1995 concerning Capital Market), namely the imposition of penalty by The Financial Services Authority (OJK) as a financial institution in the capital market sector against company organs in the form of Directors and Board of Commissioners. Shareholders who have the right to obtain information disclosure and accurate information from a company can also file a lawsuit for losses made by the company.

References : 92 (1960-2022)

Keywords : Shareholders, Financial Report, Misrepresentation, Good Corporate Governance