

## ABSTRACT

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### **INTERNSHIP REPORT AT DEVELOPER OFFICE OF PT. FAJAR SURYA PERKASA (FASSA) ON BUILD OPERATE TRANSFER AGREEMENT BASED ON THE INDONESIAN CIVIL LAW CODE (KITAB UNDANG-UNDANG HUKUM PERDATA)**

(XIII + 137 pages: 2 pictures, 5 attachment)

This study explores the practice of Build Operate Transfer (BOT) agreements at PT. Fajar Surya Perkasa (FASSA), focusing on their role as an effective mechanism for utilizing land and buildings in compliance with Indonesia's Civil Law, particularly the Indonesia Civil Code (KUHPerdata). BOT agreements are widely used in various sectors as they allow for collaboration between asset owners and investors while ensuring optimal utilization of assets. The study examines the implementation and execution of these agreements, emphasizing the rights and obligations of the involved parties, procedures for drafting the agreements, and the legal implications of breaches or disputes. Under a BOT agreements, PT. Fajar Surya Perkasa, as the landowner grants an investor the right to construct and operate a building on its property for a specific period. After this period expires, the building and its facilities are transferred back to the landowner. This arrangement enables both parties to benefit and landowner can develop their property without bearing construction costs, while investors gain temporary rights to operate the asset and generate profits. The study's findings reveal that the BOT agreements at PT. Fajar Surya Perkasa are generally consistent with the provisions of the Indonesian Civil Code. These agreements are drafted and executed following established legal norms, ensuring the protection of both parties. Issues such as delays in meeting obligations, miscommunication, early termination of operations such as restaurant closures before the agreements ends or unforeseen disputes can occur, necessitating legal resolution mechanisms such as mediation or arbitration. By examining these agreements, the study highlights the importance of clear drafting and mutual understanding between the parties involved. It also underscores the significance of aligning the agreements with applicable laws to minimize risks. This research provides practical recommendations for improving the execution of BOT agreements, making them a valuable tool for asset utilization and collaborative development.

**Keywords:** Build Operate Transfer agreement, BOT, PT. Fajar Surya Perkasa, Indonesian Civil Code, Civil Law

References: 17 books (1986-2020), 8 journals (2009-2022), 2 research (2013-2024), 5 laws and regulations (1995-2024), 8 website/internet