

ABSTRAK

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PERAN DAN TANGGUNG JAWAB NOTARIS DALAM MEMBERIKAN KEPASTIAN HUKUM BAGI PIHAK TERKAIT ATAS PROSES AKUISISI PERUSAHAAN JASA KEUANGAN

(v + 114 halaman; 2 gambar; 3 lampiran)

Akuisisi perusahaan di sektor jasa keuangan merupakan strategi korporasi yang berkembang pesat untuk memperluas usaha, meningkatkan efisiensi, dan memperkuat daya saing. Namun, kompleksitas regulasi di sektor ini menuntut keterlibatan profesional hukum, khususnya notaris, yang memiliki peran strategis dalam menjamin legalitas dan kepastian hukum. Penelitian ini bertujuan menganalisis peran dan tanggung jawab notaris dalam proses akuisisi perusahaan di Indonesia, dengan fokus pada sektor jasa keuangan. Pendekatan yang digunakan adalah yuridis normatif dan empiris, melalui studi pustaka serta wawancara dengan notaris dan praktisi hukum. Hasil penelitian menunjukkan bahwa peran notaris tidak terbatas pada penyusunan akta, tetapi juga mencakup verifikasi dokumen, pendampingan hukum, serta penyampaian informasi risiko kepada para pihak. Dalam sektor jasa keuangan, notaris juga diwajibkan untuk memahami ketentuan dari Otoritas Jasa Keuangan (OJK), termasuk mekanisme perintah tertulis dan persetujuan perubahan kepemilikan. Peran ini penting untuk melindungi kepentingan semua pihak, termasuk pemegang saham minoritas, kreditor, dan mitra usaha. Oleh karena itu, penguatan pemahaman hukum dan etika profesi bagi notaris sangat diperlukan guna memastikan pelaksanaan akuisisi yang transparan, adil, dan sesuai dengan peraturan perundang-undangan.

Referensi: 113 (1945-2024)

Kata kunci: Notaris, Akuisisi Perusahaan, Kepastian Hukum, Jasa Keuangan, Perlindungan Hukum.

ABSTRACT

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THE ROLE AND RESPONSIBILITIES OF A NOTARY IN PROVIDING LEGAL CERTAINTY FOR RELATED PARTIES IN THE ACQUISITION PROCESS OF FINANCIAL SERVICES COMPANIES

(vi + 114 pages; 2 images; 3 attachments)

The acquisition of companies in the financial services sector is a rapidly growing corporate strategy aimed at expanding business operations, enhancing efficiency, and strengthening competitiveness. However, the regulatory complexity of this sector necessitates the involvement of legal professionals, particularly notaries, who play a strategic role in ensuring legality and legal certainty. This research aims to analyze the role and responsibilities of notaries in the acquisition process of companies in Indonesia, with a specific focus on the financial services sector. The study adopts both normative juridical and empirical approaches, utilizing literature review and interviews with notaries and legal practitioners. The findings indicate that the role of a notary extends beyond drafting acquisition deeds; it also includes document verification, legal assistance, and communicating legal risks to the involved parties. In the financial services sector, notaries are also required to understand the specific provisions issued by the Financial Services Authority (OJK), including the mechanisms of written orders and approval of ownership changes. This role is crucial in safeguarding the interests of all stakeholders, including minority shareholders, creditors, and business partners. Therefore, strengthening notaries' legal knowledge and professional ethics is essential to ensure acquisition processes are carried out transparently, fairly, and in compliance with applicable laws and regulations.

Reference: 113 (1945-2024)

Keywords: Notary, Corporate Acquisition, Legal Certainty, Financial Services, Legal Protection.