

ABSTRAK

Analisis Masalah Akibat Hukum Penanaman Modal Asing dan Penanaman Modal di Indonesia Kategori Perusahaan Start Up dan Proses Hukum Penanaman Modal Asing Pada Perusahaan Startup di Indonesia, Bentuk Perlindungan Hukum Bagi Perusahaan Startup Di Indonesia Dari Pelanggaran Kontrak Disimpulkan oleh investor asing. Mempelajari istilah hukum penanaman modal asing pada perusahaan Start Up di Indonesia.

Penulisan Undang-undang tersebut bertujuan untuk mempelajari tenggat waktu hukum bagi penanaman modal asing di perusahaan start-up Indonesia, serta jenis perlindungan hukum yang diberikan kepada start-up Indonesia jika terjadi pelanggaran kontrak oleh investor asing. Pendekatan yang digunakan dalam hal ini adalah metode hukum normatif, artinya persoalan yang diangkat, dibahas dan diuraikan dalam hal ini diarahkan pada penerapan aturan atau norma dalam hukum positif.

Hasil penelitian hukum ini berupa kesepakatan untuk melakukan investasi, baik dengan investor lokal maupun asing, dan harus jelas secara hukum dan umum dari alur kesepakatan, seperti membuat perjanjian kerjasama. sering disebut sebagai “Joint Venture Agreement”, yang diterjemahkan menjadi kontrak yang disebut “Joint Venture Company” yang merupakan dasar atau awal dari suatu bisnis. Semua nama-nama perjanjian diatas mempunyai kekuatan hukum yang tetap dan dapat dihitung keberadaan dan keabsahannya, maka bentuk perlindungan hukum yang diberikan oleh pemerintah jelas, undang-undang untuk melindungi penanam modal dalam negeri, penanam modal asing, Undang-undang Penanaman Modal 25 tahun 2007 , serta perusahaan publik dan swasta,

Kata Kunci : Proses Hukum Investasi Asing,Perusahaan Start up , Pelanggaran Kontrak , Perlindungan Hukum

ABSTRACT

Analysis of the problem of a legal consequence of the entry of foreign investment and investment in Indonesia in the category of Start Up companies as well as the legal process for foreign investment in Indonesian start-up companies, a form of legal protection for start-up companies in Indonesia for contract violations committed by foreign investors. To find out the legal process for foreign investment in Indonesian Start Up companies.

This legal writing aims to find out the legal process of foreign investment in Indonesian start-up companies also has the aim of knowing what forms of legal protection are given to Indonesian start-up companies if a breach of contract is found by foreign investors. The approach method used in this research is the normative juridical method, meaning that the issues raised, discussed and described in this study are focused on applying the rules or norms in positive law.

The results of this study are in the form of arrangements for making an investment, whether it is domestic or together with foreign investors, it must be clear from the legal aspect and the flow of the agreement to be made such as making a cooperation agreement which is usually often called a "Joint Venture Agreement" and this is formed into a contract which became the basis or the beginning of the cooperation, namely the name "Joint Venture Company". All the names of the agreements above are subject to permanent legal force and can be accounted for for their existence and validity. Then the form of legal protection provided by the government is clear, laws to protect domestic investors, both foreign investors, Investment Law Number 25 of 2007 and also on public and private companies, other Presidential Regulations, and the Civil Code regarding the agreement chapter.

Keywords: *Foreign Investment Legal Process, Start-up Company, Contract Violation, Legal Protection*