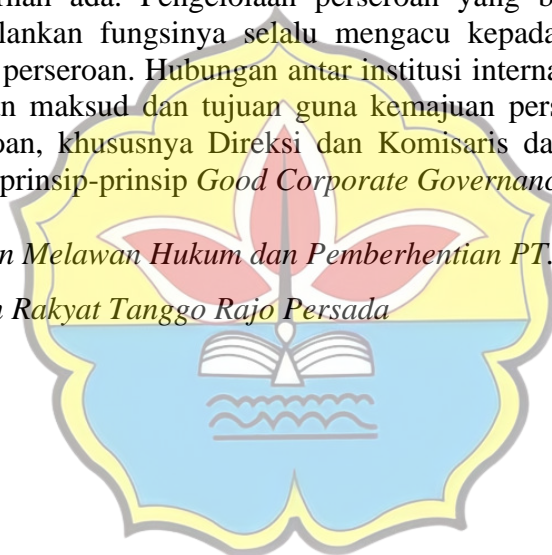


ABSTRAK

Penelitian ini memiliki tujuan untuk mengetahui dan menganalisis tindakan hukum Komisaris PT. Bank Perkreditan Rakyat Tango Rajo Kuala Tungkal terhadap pemberhentian sementara Direksi dikategorikan sebagai perbuatan melawan hukum dan akibat hukum atas tindakan Komisaris PT. Bank Perkreditan Rakyat Tango Rajo Kuala Tungkal yang dikategorikan sebagai perbuatan melawan hukum terhadap pemberhentian sementara Direksi. Hasil penelitiannya yaitu Bupati Tanjung Jabung Barat, Muhammad Safri, S.E., M.Si, Iwan Eka Putra, S.E., M.M dan Muhammad Asri, E.E selaku pemegang saham, komisaris utama, komisaris dan direktur PT. Bank Perkreditan Rakyat Tango Rajo Persada melanggar ketentuan-ketentuan yang mengatur tata cara pemberhentian anggota direksi baik di dalam UUPT maupun anggaran dasar perseroan, dan telah melakukan perbuatan melawan hukum sesuai Pasal 1365 KUHPerdara. Oleh karena mekanisme pemberhentian anggota direksi oleh dewan komisaris tidak sesuai dengan ketentuan UUPT dan anggaran dasar perseroan, maka pemberhentian dimaksud tidak sah dan harus dianggap tidak pernah ada. Sehingga segala hal yang berkaitan dengan akibat dari mekanisme pemberhentian yang melanggar ketentuan peraturan perundang-undangan yang berlaku, maka mempunyai akibat hukum yang tidak sah dan dianggap tidak pernah ada. Pengelolaan perseroan yang baik, apabila organ-organ perseroan dalam menjalankan fungsinya selalu mengacu kepada UUPT, anggaran dasar perseroan dan peraturan perseroan. Hubungan antar institusi internal perusahaan harus selalu bersinergi, sesuai dengan maksud dan tujuan guna kemajuan perseroan. Perselisihan antar institusi internal perseroan, khususnya Direksi dan Komisaris dapat diminimalisir apabila perusahaan menerapkan prinsip-prinsip *Good Corporate Governance (GCG)*.

*Kata Kunci : Perbuatan Melawan Hukum dan Pemberhentian PT. Bank
Perkreditan Rakyat Tango Rajo Persada*



ABSTRACT

This research aims to determine and analyze the legal actions of the Commissioner of PT. Tango Rajo Kuala Tungkal People's Credit Bank's temporary dismissal of the Board of Directors is categorized as an unlawful act and the legal consequences of the actions of the Commissioner of PT. Tango Rajo Kuala Tungkal People's Credit Bank which is categorized as an unlawful act regarding the temporary dismissal of the Board of Directors. The results of the research were the Regent of West Tanjung Jabung, Muhammad Safri, S.E., M.Si, Iwan Eka Putra, S.E., M.M and Muhammad Asri, E.E as shareholders, main commissioner, commissioner and director of PT. Tanggo Rajo Persada People's Credit Bank violated the provisions governing the procedures for dismissing members of the board of directors, both in the Company Law and the company's articles of association, and has committed unlawful acts in accordance with Article 1365 of the Civil Code. Because the mechanism for dismissing members of the board of directors by the board of commissioners is not in accordance with the provisions of the Company Law and the company's articles of association, the dismissal in question is invalid and must be deemed to have never existed. So that all matters related to the consequences of a dismissal mechanism that violates the provisions of applicable laws and regulations, have legal consequences that are invalid and are deemed to have never existed. Good company management, if the company organs in carrying out their functions always refer to the Company Law, the company's articles of association and company regulations. Relations between the company's internal institutions must always be in synergy, in accordance with the aims and objectives for the company's progress. Disputes between internal company institutions, especially Directors and Commissioners, can be minimized if the company applies the principles of Good Corporate Governance (GCG).

Keywords: Acts Against the Law and Termination of PT. Bank Tanggo Rajo Persada People'Credit

