ABSTRACT

In Order to increase the implementation of Good Corporate Governance, the Financial Service Authority improves some legal provisions in capital market, and one of them is General Meeting of Shareholders, Board of Directors, and Board of Commissioners by enacting the Financial Service Authority Regulation No. 32/POPJK.04/2014 on the Planning and Organizing Open General Shareholders’ Meeting and the Financial Service Authority Regulation No. 33/POJK.04/2014 on Board of Directors, and Board of Commisioners of issuer or Public Corporation. The two regulations can be asserted as the completion of BAPEPAM-LK Regulation No. IX.J.1 because they have accommodated various regulations concerning detailed and technical General Meeting of Shareholders, Board of Directors, and Board of Commissioners. By enacting both regulations, it is certain that there is the amendment in both regulations on Law No. 40/2007; its legal consequence is that a public corporation must adjust its Article of Association both Financial Service Authority regulations. The research problem was about the amendment of Organizing Open General Shareholders’ Meeting of public corporation after the Financial Service Authority Regulation No. 32/POPJK.04/2014 was enacted, the amendment of the regulation on Board of Directors, and Board of Commisioners of public corporation after the Financial Service Authority Regulation No. 33/POJK.04/2014, and legal consequence of both regulations on the Article of Association of a public corporation.

The method used in this research is judicial normative and descriptive analysis. Sources of data obtained by collecting secondary data including data sourced from library materials that comprise a primary law, secondary law, and tertiary legal materials.

It can be concluded that there are some changes in the the Financial Service Authority Regulation No. 32/POPJK.04/2014 and the Financial Service Authority Regulation No. 33/POJK.04/2014 when they are compared with Law No. 40/2007. The changes are made to adjust them to the current needs in order to increase the level of good corporate governance of issuer or public corporation, to maximize the role of board of directors and board of commissioners of issuer or public corporation so that corporation can run positively. The legal consequence of enacting both regulations is that public corporation must readjust it Article of Association within 1 (one) year after both regulations are enacted.

Keywords: Financial Service Authority Regulation, Public Corporation