

ABSTRACT

Legal research aims to obtain a systematic explanation of the Deed of Establishment of Cooperative Production Obligations in the form of a notarized deed. To achieve this purpose shall first be analyzed Settings About Making Obligations Deed Cooperative Form notarized deed by using the approach of legislation (statute approach), conceptual approaches (conceptual approach), and historical approaches (Historical approach). After that will analyze the validity of the Deed of Establishment of the Cooperative by using the approach of legislation (statute approach) and conceptual approaches (conceptual approach).

Based on primary and secondary legal materials collected in this legal research can be concluded that (1) Setting obligation deed making cooperative in the form of a notarized deed has been around since the year 1915 up to 1949. After the 1949 deed of cooperatives can be created by the founders of the cooperative in the form of deed under hand. This arrangement is also adopted by Law Number 25 of 1992 concerning Cooperatives. Especially for the area or areas that already have a Notary Public, State Minister of Cooperatives and SMEs of the Republic of Indonesia Number 98/KEP/M.KUKM/IX/2004 requires cooperative deed made in the form of a notarized deed by a Notary Deed Makers Cooperative. As for the area or areas that do not have a Notary Deed Makers Cooperative, deed of establishment can be made in a deed under hand. (2) The deed of establishment of cooperatives created under hand made by the founders is valid if its content in accordance with legal conditions of the agreement as provided in Article 1320 BW. Cooperative Authority Notary Deed maker in terms of making the deed of establishment of cooperatives based on Act 25 of 1992 and the Decree of the Minister of Cooperatives and Small and Medium Enterprises of the Republic of Indonesia Number 98/KEP/M.KUKM/IX/2004 even if the Minister is contrary to the Act Act Number 30 of 2004. While the deed of establishment of cooperatives which are not made by Notary Public Notary Deed Makers Cooperative remain valid, because its authority is based on Law Number 25 of 1992 jo Act Number 30 of 2004.

Keywords: Cooperative Deed, a notarized deed, and the validity of the Deed Establishment of the Cooperatives.