

Abstract

A business entity is referred to as a state-owned enterprise due to the State's position as the majority shareholder and as the holder of control over such business entity. Various government efforts in terms of maintaining their position in State-Owned Enterprises (BUMN) are carried out through restructuring or by forming new concepts in the form of holding companies. The concept of holding companies is a new concept that has not yet been regulated in Indonesian positive law. One of them is the government's efforts in developing the business of State-Owned Enterprises (BUMN) in the oil and gas sector. In the formation of oil and gas BUMN holding, this is done through several methods or stages that follow the provisions of positive Indonesian law on limited liability companies. However, not only that, the establishment of the holding of the Oil and Gas State-Owned Enterprises also needs to be reviewed from several other arrangements relating to the fact that there is no specific provision governing the position or process of forming the holding itself. So, in the formation of holding it still follows the provisions of the regulations regarding Limited Liability Companies, State-Owned Enterprises (BUMN) Law, Government Regulations related to the merger, consolidation, acquisition, and change of legal entity form of State Owned Enterprises, and related Government Regulations regarding the procedures for capital participation and administration state to state-owned companies and limited liability companies. The formation of the holding of State-Owned Enterprises (BUMN) Migas has resulted in the participation of state capital as the acquisition of state shares which has become a transformation of shares to PT Pertamina (Persero) by changing the ownership structure of the shares therein. Thus, the holding product is in the form of the birth of a new position in the form of a holding company, namely PT Pertamina (Persero) by supervising the sub-holding of PT Perusahaan Gas Negara (Persero).

Keywords: Holding, BUMN, Oil and Gas, Participation, Transfer, Transformation

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