

Analysis of Procedure for Establishing a Commanditaire Vennotschap (CV) Company at CV Triyunda Surya

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ABSTRACT

This research is motivated by observational data that shows that there are rules for building a business in the form of a commander vennotschap, or in other words, a limited partnership. The aim of this research is to find out how to regulate the behavior of entrepreneurs and consumers within certain limits. The method used is qualitative, obtaining primary data by going directly to the company location. The research was carried out on Thursday, May 4, 2023. The results of this research show that there are still many entrepreneurs who do not really understand the rules of doing business. One of the causes is a lack of knowledge or acquired knowledge, which often results in performance that is not optimal.

INTRODUCTION

Business regulations are very important in maintaining stability and balance in the business world. Without proper regulation, businesses can become liars and harm society. Therefore, in this document we will discuss business regulation and its importance in strengthening the economy and social welfare.

The definition of business law is a set of legal rules which includes all regulations, procedures, norms, principles, and written procedures based on civil law and commercial law made by the government in order to regulate, protect, and supervise all business activities, both trading activities, industry or finance in a fair manner which includes trade or industrial activities or services or other activities related to finance and business sectors related to the production or exchange of goods and services with the aim of obtaining profit

Government regulations are a natural extension of the law, defining and controlling some of the ways in which businesses or individuals can follow the law. Meanwhile, business regulations are rules issued to control behavior in business, whether rules in the form of legal restrictions by the central or regional government, trade association regulations, industry regulations, and other rules.

Regulations are binding rules, both in government and business. The function of regulation is to regulate the behavior of people involved in a community within certain limits. These regulations are designed through certain processes, where the community or an institution agrees to be bound and follow the rules that have been made in order to achieve common goals. Usually, if someone violates these regulations, they will be subject to sanctions.

The meaning of regulations according to experts. According to Abdul R. Saliman et al, Business Law or Business Law/Bestuur Rechts is the totality of legal regulations, both written and unwritten, which regulate the rights and obligations that arise. Meanwhile, according to Dr. Johannes Ibrahim, S.H., M.Hum Business Law is a set of legal regulations established to regulate and solve problems occurring especially during human-to-human activities in the area of trade.

The commanderite vennotschap business regulations contained in Article 19 of the Criminal Code state that it is a partnership by means of borrowing money (geldscheiter) or also called a limited partnership which is entered into between one or more partners who are personally responsible for the whole and one or more partners who lend money. The KUHD law which discusses CV is only contained in 3 articles, namely articles 19, 20 and 21 of the KUHD.

There are several stages in the establishment of a CV, namely:

- Determine the founder of CV
- Prepare founder data
- Submit the name of the CV to Kemenkumham
- Make deed of establishment of CV
- Signing of deed of establishment of CV
- SKDP management
- NPWP management

- Registration of CV to PN
- Management of business license numbers
- Official overview announcement

A limited partner is the same as someone who has invested in a company that only expects the results of profits in the form of money, goods, or otherwise. In the law that has been mentioned there is the word *geldscheite* (lending money), or we can mean entrusting our money to the company's business, where we as the owner of the capital will get profit profits and no interest as happens on the debt that is charged.

The requirements for making a CV are:

1. Must be founded by at least 2 people, active allies and passive allies
2. Must have a notarial deed in Indonesian
3. As the founder of the CV, you must be an Indonesian citizen

LITERATURE REVIEW

Here are some definitions of CV according to experts:

- a. Purnamasari (2010:22). According to Purnamasari, the definition of CV is a form of business entity that can be chosen by entrepreneurs who want to do business with limited capital.
- b. Wijayanta & Widyaningsih (2007:69). According to Wijayanta & Widyaningsih, the definition of CV is an alliance to run a business and be established by one or more partners who are active with one or more limited partners.
- c. Wijatno (2009:69). The definition of Comanditaire Venootschap or CV according to Wijatno, is a form of cooperation agreement to manage the company and is fully responsible for his personal wealth and those who provide loans and are not willing to lead the company and are only responsible for the wealth that is included in the company.

METHODOLOGY

This research is included in the type of descriptive research using qualitative methods. Descriptive research is research conducted to determine the value of one or more variables without making comparisons and connecting them with other variables. According to Indriantoro and Supono (2012:26), descriptive research is research on problems in the form of current facts from a popularization.

According to Moleong (2017:6) qualitative research is research that aims to understand phenomena about what is experienced by research subjects such as behavior, perceptions, motivations, actions and so on holistically and by means of descriptions in the form of words and language, on a special natural context by utilizing various natural methods. Qualitative research according to Hendryadi, et. al, (2019:218) is a naturalistic investigation process that seeks a deep understanding of natural social phenomena.

This research focuses on activities to analyze CV establishment procedures. The focus of the research is to make a conclusion

what the establishment of a CV company looks like in an effort to support the effectiveness of the company and workforce. Therefore, this research aims to analyze the procedures for establishing a CV company at CV. Triyunda Surya, Medan.

RESEARCH RESULTS AND DISCUSSION

On May 4, 2023, located on Jl. Marelan Pasar 3 Barat Our team visited 1 Triyunda Surya Commanditaire Vennotschap (CV) Company led by Mr. Yudi Based on the analysis that we have obtained, the company led by Mr. Yudi is a company which makes goods made from lathes and welding machines, For example, propellers on ships.

Mr. Yudi (Owner) said that, to build the Triyunda Surya Company, you need funds of IDR 50,000,000 - IDR. 500,000,000.

Mr. Yudi, as the owner, said that establishing a Commanditaire Vennotschap (CV) company requires several documents, namely:

1. KTP (Resident Identification Card)
2. KK (Household Card)
3. SKDP (Company Domicile Certificate)
4. NPWP (Taxpayer Identification Number)
5. Required machine data
6. And also the Company Name

Mr. Yudi (Owner) said that he needed funds of IDR 5,000,000 - IDR. 8,000,000 and it will take 3-5 months for the Triyunda Surya company to officially become a Commanditaire Vennotschap (CV) Company

Mr. Yudi (Owner) said that apart from being constrained by funds, he was also having difficulties or problems during the time of making a CV, one of which was document approval and submitting the wrong documents.

CONCLUSIONS AND RECOMMENDATIONS

Based on the analysis above, it can be concluded that the management of the Commanditaire Vennotschap (CV) Company requires several documents that have been presented as a result of the discussion above. And in creating a Commanditaire Vennotschap (CV) Company there are funding and time constraints.

ADVANCED RESEARCH

In the research above, we realize that we only have one sample. In order to compare CV establishment procedures, we will conduct further research at several other CV locations.

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With the completion of this journal, it is not an end, but a new beginning to start a new life adventure. The author is well aware that there are people who contribute to the completion of this journal. There is no better offering that the author can give other than gratitude to colleagues and parties who have helped the author a lot.

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Finally, the author hopes that this journal can be useful for all parties and that the good deeds that have been given will be rewarded by God Almighty, Amen.

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