



REVIEW OF SOME ASPECTS OF BUSINESS LAW IN BUSINESS FEASIBILITY STUDY

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ABSTRACT

A factor that affects business effectiveness is related to the ability of business institutions to adapt to factors or the prevailing business law system, such as regarding aspects of licensing, legality of business objects, industrial relations, and others. The stages of research carried out in this study are: Data Collection, Data Analysis, Data Development, Data Implementation and Report Generation. The results of this study are Business Law means *Business Law* and Business Law is a *Rule of Game*

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1. INTRODUCTION

The survival of a business is influenced by many factors including the economic situation, for example the small 1997 monetary crisis marked by the weakening of the rupiah exchange rate with the US dollar resulted in many companies going out of business and not only producers but also consumers in the form of increases in raw materials that set product prices. higher, resulting in a shortage of goods. Changes in economic conditions on the one hand result in the death of an old business, but on the other hand it can be used as a business opportunity for the emergence of new businesses. Other factors that affect business continuity are business competition, a country's regulations, politics, social/cultural conditions, trends, technology and so on. Success and failure is a reality, the business world contains competition, opportunities, challenges, excitement and fatigue that cause the ups and downs of a business. In the era of globalization, competition is not only limited to local (certain areas) and national but has increased towards regional and global.

Business is an exchange of goods and services or money that is mutually beneficial or provides benefits and a business company is an organization that is involved in the exchange of goods, services or money to make a profit. As quoted by **Pandji Anoraga**, to understand further, business needs to understand Economics is a study of the behavior of people and society in choosing how to use scarce resources and have several alternative uses, in order to produce various commodities (goods and services) and then distribute them well. present and future to various individuals and groups in a society. If it is drawn that the economy is related to resources (Natural, Capital and Labor), Goods and Services, and Resource and Commodity Allocation. According to **Dr. Dadjin Sinaga, MM** that every capital investment made by the company or the owner of the capital aims to produce goods and services (*tangible and intangible products*) to be sold in the market with profitable results. A factor that affects business effectiveness is related to the ability of business institutions to adapt to the prevailing factors or business legal system, such as regarding aspects of licensing, legality of business objects, industrial relations, and others. According to **Moekijat**, that the organization is a management tool, and a tool through which people unite their skills and efforts to achieve common goals. In fact, the organization focuses on remuneration in the form of salary incentives or money in exchange for services or achievements of positions and work that he does.

Therefore, it is necessary for business law as a feasibility in managing business projects by managing labor and labor relations so that

by doing management means carrying out 5 (five) responsibilities in the form of planning, organizing, majoring, coordinating, and supervising. The problems in this research are:

1. What can be known about the existence of business law
2. How is Business Law in relation to the existence of a Business Feasibility Study

2. RESEARCH METHOD

The stages of research carried out in this research are:

- Stage 1: Data Collection
- Stage 2: Data Analysis
- Stage 3: Data Development
- Stage 4: Data Implementation
- Stage 5: Reporting

3. RESULTS AND DISCUSSION

The meaning of Business

Law Business law is two separate words, where there is law and there is a saying business. Law as a Legal System that specifically describes Legal Science where there is a legal structure, legal substance, and legal culture. According to Abdul Rasyid Salim explained that:

- a. Legal structure is (*legal structure*) is the institutionalization of legal entities. For example, the court's power structure (in Indonesia) consists of the Cassation Level, the number of judges and the *Integrated justice system*. In addition, there are also known general courts, religious courts, military courts, state administrative courts, and tax courts.
- b. Legal substance is a rule or norm which is a pattern of human behavior in a society that is in the legal system, for example:
 1. Drivers who exceed the speed limit will be subject to a fine
 2. A person who buys goods must submit a certain amount of money to the seller of the goods.

In Indonesia, there are Material Laws (Civil Law, Constitutional Law, Criminal Law, State Administrative Law) and Formal Law (Civil Procedure Law, Criminal Procedure Law, and others). When viewed according to **Janus Sidabalok**, Economic Law is classified as Public Law and Private Law, because Economic Law contains Public Norms and Private Law at the same time. Therefore, the government also determines the role and direction of national economic development.

- c. Legal culture (*legal structure*) is attitudes and values related to shared behavior and related to law and its institutions.

Effective management of business organization activities by an applicable legal system, one of the factors that affect business effectiveness is related to the ability of business institutions to adapt to prevailing business legal factors or systems such as regarding licensing issues, the validity of business objects, industrial relations, and so on. .

According to Abdul R Saliman, SH, MM, Business Law Business Law (in English), Bestuur Recht (Dutch) is the entirety of legal regulations, both written and unwritten that regulate rights and obligations arising from agreements or engagements. that occurs in business practice. The Business Law Function is a useful source of information for business practitioners, to understand the rights and obligations in business practice, so that the character and behavior of activities in the business field are fair, reasonable, healthy and dynamic (legal certainty). While the practice of business law, the principles of business law include 2 (two) aspects, namely:

1. The aspect of the contract (agreement) which is the main source of law where each related party is subject to the agreed contract
2. The aspect of freedom of contract, the parties are free to make and determine the content of their agreed contract.

According to **Dr. Dadjim Sinaga, MM**, the understanding of business is not in the sense of a company (*enterprise*) but in the sense of a business carried out for profit. So business is defined as any activity or activity that uses capital resources both in small, medium and large amounts of capital with a view to producing and or providing goods and services that consumers need and want to meet their needs, and from these activities it is expected profit will be obtained.

According to **K. Berten**, there are several business points of view:

1. Economic point of view, business activities are seeking activities, profit seeking is not one-sided but is held in interaction. Business does not have the nature of helping people without expecting something in return. Efficiency is a key verb in modern economics. To achieve this goal, economists must be able to develop various techniques and tips
2. Moral point of view, some banks make strict regulations on bank secrecy, from small countries they can withdraw a lot of funds out of their country regardless of the origin or legality of the funds. As a result, a lot of money comes



from criminal sources looking for a safe place in these banks, such as the proceeds of corruption and drug trafficking. Of course, they do things that are less immoral, such as stealing, robbing, cheating and so on. Morally good business and good deeds have

3 Legal Ethical standards. Legal point of view, can not be doubted, like commercial law and business law which are important branches of Modern Legal Studies. In legal practice many problems arise from relationships in business relations. In terms of legal norms, it is even clearer and more certain than ethics, because legal regulations have sanctions and violations. In the Roman Empire, it was known as *Quid Legis Since Moribus*, which means what the law means if it is not accompanied by morality

. So it can be concluded that business law is a set of legal rules governing the procedures for carrying out affairs, rights and obligations that arise in agreements and engagements in trade, industrial activities, or finance associated with the production or exchange of goods and services by placing the money of the entrepreneur at a certain risk with the motive of the entrepreneur is to get a certain profit.

Meaning of Business Feasibility

Study Business Feasibility Study is known in a society as a business that is engaged in business. According to Ibrahim, various kinds of opportunities and opportunities in the business world demand the need for an assessment of the extent to which the business benefits (benefits) and the activity of assessing the benefits obtained in a business or project is called a Business Feasibility Study. For example

, electricity development projects for the community are assessed as having a positive impact, whether it is an increase in income, employment, changing people's mindsets, improving education and others. The situation above can be calculated as a trend that is feasible to be developed by investing a fund, spending costs, how to produce, how to carry out marketing from production, how to determine the number of workers and leaders needed.

Based on the role of feasibility studies and project analysis in development, it is quite large to conduct an assessment of business activities or projects implemented. In particular, entrepreneurs are quite weak due to limited capital and resources through new problems, therefore it is necessary to increase resources through upgrading in business feasibility studies. Therefore, in terms of benefit assessment, projects/businesses used by the government focus on assessing *social benefits*, while in terms of assessing projects/businesses developed by the private sector, emphasize *financial benefits*.

Meaning of a Management

Management is particularly concerned with policies, practices and managerial issues. In essence, every managerial practice is intended to solve a problem, but problems arise because the management practice cannot achieve its goals.

The problems raised here represent situations where we fail to achieve our self-determined goals. Seeing such a situation as a problem because everyday reality does not match the ideas and goals that are sought to achieve it.

According to **Dr. SPSiagian, MPA**, management can be defined as the ability or skill to obtain a result in order to achieve goals through the activities of other people. Management requires a combination of 4 M, namely men (people), materials (materials), *machine* (machinery) and *money* (money).

According to **Moekijat**, there are several details of working relations practices which are explained in the big points, namely:

1. General administration of the labor relations department
2. Search for prospective employees (Recruitment), Employment (Employment), Placement (Placement)
3. Training and development
4. Labor Relations
5. Wages and Salary Administration
6. Administration of employee welfare and service programs, including occupational health and safety
7. Research

Business Issues Business

as a project is defined as explained by **Moekijat** under which business needs to plan activities, organize, major, organize, coordinate and also carry out supervision.

Some things that need to be considered in business projects in terms of investment are: 1. Production

Aspects Production aspects are aspects that can produce something, with the availability of materials, it can improve quality in terms of both equipment and human resources.

The unavailability of raw materials and auxiliary materials needed both in terms of quantity and/or quality required for a process, such as the procurement of Laptops, Printers, Computer Networks (Internet) and others, while the assistants are tables, chairs, lab rooms and others that may be made even more permanent. It is possible that the

institution does not have Human Resources (HR) who have the *skills*. For institutions or for human resource companies, they are required to have work experience by receiving a Certificate of Expertise or Certificate of Competence from an Accredited Institution or having this ISO value makes the institution so that it does not support the performance, enthusiasm and motivation of the institution or company. Institutions or companies no longer carry out basic training but develop the capabilities of the human resources themselves. It is also necessary in the production aspect, namely the lack of *development* ultimately the institution cannot compete.

2. Marketing Aspect.

In marketing a product that has competitiveness, the inability of the demands of the national and global markets that are competitive and competent is evidenced by several prestigious local, national and international achievements and events.

3. Legal Aspects The

institution is categorized as a legal defect, because the criteria for an institution are established from the rules that apply in a country, an entrepreneur/*owner* observantly *Rule of Game* in that country.

4. Business Aspects

Institutions are not careful in estimating/taking into account macro business problems, such as *Country Risk*, namely the problem of Political instability in a country where investments are made.

5. Aspects of Inflation The

institution in this case must be able to estimate the flow of *benefits* and costs without paying attention to the development of inflation that affects the economic stability of a country. High inflation and fluctuations from time to time result in an increase in costs to be able to become an institution that exists in the community.

4. CONCLUSION

1. Business Law means *Business Law* (in English), *Bestuur Recht* (Dutch) is the entirety of legal regulations, both written and unwritten, which regulates the rights and obligations arising from agreements and engagements that occur in business practice. In the context of a business organization, organizational effectiveness can be influenced by the ability as well as environmental variables such as technological advances, social conditions, ethics, including political and legal factors that affect management functions, namely planning, organizing, leading and controlling. The context of business law is also regarding labor management arrangements where there is a clear and precise organizational system, matters relating to workforce management
2. Business Law is a *Rule of Game* in a Business where the rules are in the form of Ethics both written and unwritten which are then based on the principles of Management as proposed by several scholars including Moekijat, Dr. SP Siagian, MPP and others by heeding the rules of the regulations both regarding business establishment and business operations by linking business law with other laws such as Civil Law, Criminal Law, Commercial Law, and other laws that apply in Indonesia both in theory and practice. In the context of the Feasibility Study, this business is a description of assessing the feasibility of the business or project being accepted or rejected, therefore the role of business law is to support business activities, for example understanding a business must issue an investment in the form of capital, permits in the form of SIUP, personal and corporate NPWP, HO , also requires a notary, legal consultant (advocate or lawyer) of each company.

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