LEGAL VIEW OF FOREIGN EXCHANGE ON-LINE TRADING RELATED WITH UNDANG-UNDANG NO. 32/1997 ABOUT COMMODITY TERM OF TRADING

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ABSTRACT

This legal written discuss about legal view of foreign exchange on-line trading related with Undang-undang No. 32/1997 about commodity term of trading. Technology development and information of business and trade activity give more influence in national trade or international trade development. The use of technology in foreign exchange, indicated with foreign exchange on-line trading or popular with forex on-line trading. For manage about foreign exchange on-line trading, the government spend an Undang-undang No. 32/1997 about commodity term of trading and Undang-undang No. 11/2008 about information and electronic transaction as guide in trade activity that do by electronic way, but many rules which did not done well. The independent of government institution who supervise the commodity term of trading who called Bappebti did not done well them function. The problem is how the Undang-undang No. 32/1997 about commodity term of trading manage about foreign exchange on-line trading, how the legality of a contract about foreign exchange on-line trading related with article 1320 Kitab Undang-undang Hukum Perdata, and what is legal action can be done by people in relation with many problem in foreign exchange on-line trading.

This research do in descriptive analitycal with approach juridicial normative. The result of data was analyzed by juridicial qualitatif way. Finnaly, hierarchy of legialation attentioned and can be certainty.

Based on research which has done, the conclution is that rule which has spend by government and UNCITRAL has enough to manage about foreign exchange on-line trading, but only low of law inforcement, finally many illegal broker who did not handled by Bappebti make the society has lossed.