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ABSTRACT

This legal research compares the Asia Pacific Loan Market Association (APLMA) Facilities Agreement and Indonesian notarial deeds in syndicated loan agreements, focusing on enforceability, legal requirements, and the protection of parties' interests. Syndicated loans, vital in corporate financing, require frameworks that balance efficiency and compliance. The APLMA Facilities Agreement, widely utilized in cross-border transactions, provides standardized documentation to streamline processes. In contrast, Indonesian notarial deeds ensure authenticity and adherence to legal norms, particularly where high evidentiary standards are critical in domestic transactions.

Using a normative juridical approach and empirical analysis, this study examines real syndicated loan agreements alongside statutory regulations and scholarly commentaries. It evaluates the strengths and limitations of each framework in ensuring legal protection, operational efficiency, and regulatory compliance.

The findings show that APLMA agreements, with their modular structures and standardized templates, expedite cross-border transactions and provide consistency. Their adaptability to modern business needs, including electronic execution, underscores their utility in international markets. Meanwhile, Indonesian notarial deeds prioritize legal certainty and authenticity in domestic contexts but present logistical challenges for international use. For cross-border syndicated loans, the APLMA Facilities Agreement emerges as a more balanced framework, offering robust lender protections and addressing multi-jurisdictional complexities effectively.

Keywords: Syndicated Loans, APLMA Facilities Agreement, Indonesian Notarial Deeds, Cross-Border Transactions.

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***Analisis Perbandingan Perjanjian Kredit Sindikasi: Studi atas Asia Pacific
Loan Market Association (APLMA) Facilities Agreement dan Akta Notaris
Indonesia dalam Konteks Transaksi Kredit Sindikasi Lintas Batas Negara***

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INTISARI

Penelitian hukum ini membandingkan Perjanjian Fasilitas Asia Pacific Loan Market Association (APLMA) dengan akta notaris Indonesia dalam perjanjian pinjaman sindikasi, dengan fokus pada keberlakuan hukum, persyaratan legal, dan perlindungan kepentingan para pihak. Pinjaman sindikasi, yang penting dalam pembiayaan korporasi, membutuhkan kerangka kerja yang seimbang antara efisiensi dan kepatuhan. Perjanjian Fasilitas APLMA, yang banyak digunakan dalam transaksi lintas negara, menyediakan dokumentasi standar untuk mempercepat proses. Sementara itu, akta notaris Indonesia memastikan autentisitas dan kepatuhan terhadap norma hukum Indonesia, terutama dalam transaksi domestik yang membutuhkan standar pembuktian tinggi.

Dengan pendekatan yuridis normatif dan analisis empiris, penelitian ini mengkaji perjanjian pinjaman sindikasi nyata bersama dengan peraturan perundang-undangan dan komentar ilmiah. Analisis ini mengidentifikasi kekuatan dan keterbatasan masing-masing kerangka dalam menjamin perlindungan hukum, efisiensi operasional, dan kepatuhan terhadap regulasi.

Hasil penelitian menunjukkan bahwa Perjanjian Fasilitas APLMA, dengan struktur modular dan template standar, mempercepat transaksi lintas negara dan memberikan konsistensi. Kemampuan adaptasinya terhadap kebutuhan bisnis modern, seperti eksekusi elektronik, menegaskan relevansinya dalam pasar internasional. Sebaliknya, akta notaris Indonesia mengutamakan kepastian hukum dan autentisitas dalam konteks domestik, tetapi menghadirkan tantangan logistik untuk penggunaan internasional. Dalam pinjaman sindikasi lintas negara, Perjanjian Fasilitas APLMA menawarkan kerangka kerja yang lebih seimbang, dengan perlindungan pemberi pinjaman yang kuat serta mampu menangani kompleksitas multi-yurisdiksi secara efektif.

Kata Kunci: *Pinjaman Sindikasi, Perjanjian Fasilitas APLMA, Akta Notaris Indonesia, Transaksi Lintas Negara.*

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