

## **ABSTRAK**

Penelitian ini bertujuan untuk menganalisis kepastian hukum pendirian Perseroan Perorangan sebagai badan hukum bagi Usaha Mikro dan Kecil (UMK) dalam kerangka Undang-Undang Nomor 6 Tahun 2023 tentang Cipta Kerja. Fokus kajian diarahkan pada pengaturan pendirian, status badan hukum, tanggung jawab pemilik, serta implikasi yuridisnya terhadap konsep Perseroan Terbatas sebagai asosiasi modal. Penelitian ini menggunakan pendekatan kualitatif dengan metode penelitian hukum normatif. Data diperoleh melalui studi kepustakaan terhadap bahan hukum primer berupa peraturan perundang-undangan terkait, bahan hukum sekunder berupa literatur hukum dan jurnal ilmiah, serta bahan hukum tersier sebagai pendukung analisis. Analisis dilakukan secara deskriptif-analitis dan preskriptif dengan menafsirkan norma hukum secara sistematis dan konseptual. Hasil penelitian menunjukkan bahwa Undang-Undang Nomor 6 Tahun 2023 telah memberikan kepastian hukum normatif terhadap Perseroan Perorangan sebagai badan hukum melalui pengakuan status badan hukum dan penerapan prinsip tanggung jawab terbatas. Namun demikian, kepastian hukum tersebut bersifat kondisional karena bergantung pada konsistensi penerapan prinsip pemisahan kekayaan dan larangan penyalahgunaan badan hukum. Selain itu, pendirian Perseroan Perorangan menimbulkan pergeseran konseptual terhadap Perseroan Terbatas sebagai asosiasi modal, yang berimplikasi pada melemahnya fungsi perlindungan bagi pihak ketiga. Penelitian ini menyimpulkan bahwa penguatan pengawasan dan disiplin pengelolaan Perseroan Perorangan diperlukan agar tujuan kemudahan berusaha tetap sejalan dengan prinsip kepastian dan keadilan hukum.

***Kata kunci : Kepastian hukum, Perseroan Perorangan, Badan Hukum, Usaha Mikro dan Kecil, Undang-Undang Cipta Kerja.***

## **ABSTRACT**

*This study examines the legal certainty of Single-Member Limited Liability Companies (Perseroan Perorangan) as a legal entity for Micro and Small Enterprises within the framework of Law Number 6 of 2023 on Job Creation. The analysis focuses on the regulatory framework governing their establishment, legal status, the liability of the owner, and the juridical implications for the classical concept of the limited liability company as a capital-based association. This research employs a normative legal research method with a statutory and conceptual approach. The data are derived from primary legal materials in the form of relevant legislation, supported by secondary legal materials*

*consisting of legal doctrines, scholarly articles, and authoritative commentaries. The data are analyzed using a descriptive-analytical and prescriptive method through systematic interpretation of legal norms. The findings indicate that Law Number 6 of 2023 provides normative legal certainty by recognizing the Single-Member Limited Liability Company as an independent legal entity and by applying the principle of limited liability. However, such legal certainty is conditional and depends on the consistent application of the separation of assets and the prohibition against abuse of the legal entity. Furthermore, the establishment of Single-Member Limited Liability Companies signifies a conceptual shift from the traditional understanding of limited liability companies as capital associations, which may weaken the protective function for third parties, particularly creditors. This study concludes that stronger regulatory supervision and compliance mechanisms are essential to ensure that the objective of ease of doing business remains aligned with legal certainty and substantive justice.*

***Keywords: Legal certainty, Sole Proprietorships, Legal Entities, Micro and Small Enterprises, Job Creation Law.***