



Journal Homepage: <https://abnusjournal.com/jemeb>

Journal of Economics, Management, Entrepreneur, and Business



DOI: <https://doi.org/10.52909/jemeb.v3i1.121>

Received: 20 June 2023, Revised: 20 July 2023, Available Online: 9 October 2023

Legal Aspect and Legality in Corporate Companies

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Abstract: The purpose of this article is to discuss the implementation of legal aspects and legality in the company, as well as its implementation in the company. In this article using Techniques that describe, by Analysis by collecting the necessary data from additional sources, and then analysis and clarified properly, scattering additional information, data for investigation is collected, Additional data is collected from books, research papers, articles, lecture notes, and the internet. Legal and legality aspects play an important role in the operation and management of corporate companies. Companies must ensure compliance with applicable laws and regulations in the jurisdictions in which they operate. This includes the process of forming and licensing a company, compliance in relationships with third parties, protection of confidential information and copyright, and adopting best practices in terms of legality. Corporate corporations need to have an in-house legal team or work closely with external law firms to provide legal advice, ensure regulatory compliance, and deal with legal issues that may arise. By maintaining compliance with legal and legal aspects, companies can reduce legal risks, maintain reputation, and create a healthy and sustainable business environment.

Keyword: Legal Aspect, Corporate Company

INTRODUCTION

Legal and legality aspects play a crucial role in the operation and management of corporate companies (Goldman & Sigismund, 2013). In this context, legality refers to a company's compliance with applicable laws and regulations in the jurisdiction in which it operates. Ensuring compliance with legal aspects is the main responsibility of company management (Banks & Banks,

2010), One of the important legal aspects in corporate companies is the formation and licensing of companies. Companies must be registered and legalized in accordance with the applicable laws of certain countries or jurisdictions (Schneeman, 2012), This involves the process of filing documents and fulfilling legal requirements, such as obtaining a business license, drafting a company establishment deed, and following the necessary administrative procedures (Davidson & Forsythe, 2020) . The company must also comply with legal regulations related to its operations. It covers various areas, such as labour regulations, taxation, environment, intellectual property rights, etc., companies must carry out their activities by complying with these regulations and avoid violating laws that can have a negative impact, such as fines, sanctions, or lawsuits.

Self-regulation and proper consideration of group interests can coexist in reflexive laws. Decisions should ideally be made solely on the basis of arguments, regardless of economic or political influence (Dalberg-Larsen, 2004), corporations also need to maintain compliance with legal aspects related to relationships with third parties, such as clients, business partners, or suppliers, valid and enforceable contracts should be carefully drafted and executed to protect the interests of the company and prevent future legal disputes (Clarkson et al., 2014), companies also need to ensure protection of confidential information, customer data, and copyright (B. P. Keller, 2001). Corporate companies also need to maintain compliance with legal aspects related to relationships with third parties, such as clients, business partners, or suppliers (Boundy, 2016), Valid and applicable contracts must be carefully drafted and executed to protect the interests of the company and prevent future legal disputes, Companies also need to ensure protection of confidential information, customer data, and copyright.

To ensure compliance with legal and legal aspects, corporate companies often have an internal legal department or cooperate with external law firms. This legal team is responsible for providing legal advice, ensuring regulatory compliance, and handling legal issues that may arise (Moorhead et al., 2018), In corporate companies, legal and legality aspects can present a number of difficulties and problems, the purpose of this article is to discuss the implementation of legal aspects and legality in the company, as well as its implementation in the company.

METHOD

In this article using Techniques that describe, by Analysis by collecting the necessary data from additional sources, and then analysis and clarified correctly, scattering additional information, data for investigation are collected. Additional data was collected from books, research papers, articles, lecture notes, and the internet.

RESULTS AND DISCUSSION

Legality in the company is needed where this is for the running of an organization in running its business and operations, scientifically there are several articles found regarding the implementation of the variables used in this article the first study from (Tofan et al., 2015) the objective is a theoretical perspective on this process, highlighting improvements that have been made and areas that still need improvement based on some empirical evidence, with the results of the study There are positive and negative influences on corporate governance. The third phase saw significant changes in the legal system in 2011, when a new Civil Code was enacted as a result of pressure from the social environment. In a further study (Kleis, 2015) with the results of research there are still a number of crucial legal questions that have not been answered.

In the case of Kenya, they relate to the investment conditions, skills, processes, and material regulations necessary to ultimately engage in running a business, a subsequent study of

(Majstorovic et al., 2016) In these circumstances, accounting analysis primarily requires adequate monitoring already incorporated in the displayed information found in the financial statements, and in particular, data analysis that is critical to operation any company. The management of agribusiness companies will have a wide range of options to maintain the growth and development of the company in line with the vision and mission created and presented earlier thanks to the knowledge and application of modern accounting analysis.

Studies from (Fuchs, 2017) with results to explain the nature of corporate governance, core principles, and factors contributing to increased interest in it. Special focus is placed on how corporate governance operates in telecommunications companies such as Polsat Group, Orange Polska SA, and ATM SA. In their situation, this key internal document governing corporate governance principles as well as corporate governance principles themselves became the main topics of discussion. These topics are becoming increasingly popular, particularly in the business, political, and scientific worlds.

Further study from (Fitriani, 2017) Forms of Company Legality Various forms of identity, such as company names, company brands, and trade business licenses, make a business entity incorporated, The advantages of a legal company include the ability to protect itself legally, to promote itself, to demonstrate that the law has been obeyed, to facilitate projects, and to help the company grow. For other business actors who carry out their business activities honestly, the number of companies established without company approval is very detrimental.

Subsequent studies from (Demianchuk & Bortsevykh, 2019) with objectives and results explain the legal basis of corporate disputes and how to resolve them in the United States and Ukraine with the results of research on the issue of greenmail in the USA helps to develop recommendations for the prevention of greenmail in Ukraine, as well as to identify problems that require further consideration and research, The concepts of corporate conflict and green letter are defined, The objective and subjective causes of the occurrence of corporate conflicts, the reasons for their occurrence, as well as the subjective components of the parties to the corporate conflict are analysis, The absence of a legal definition of the concept of greenmail and its effective prevention mechanisms is stated, therefore, appropriate recommendations to prevent its occurrence are formulated.

Subsequent studies from (Cherkasova & Sosnovskikh, 2020) with the objectives and results of the study assessing the legal position of the Russian federal government as a participant in corporate governance, the results of the study ascertained the legal and social status of the federal government in supervising large companies by using secondary data analysis and reviewing the laws of Russian companies. This study discusses the conflict of government's legal position in corporate governance and how it affects managerial choices. The next study of (Yakovlev, 2020) examines the legal consequences of corporate governance in agriculture, an important sector of the Russian economy, with the results of the study establishing its own regulations on how businesses should operate, on regulating state enterprises, some regions have specific regional laws, others vote for government resolutions, legal requirements for corporate governance in enterprises State-owned farms and private agricultural business in Russia differ significantly, different types of legal regulations strongly regulate state-owned enterprises.

Discussion: Legal and legality aspects play a crucial role in the operation and management of corporate companies. Legality refers to a company's compliance with applicable laws and regulations in the jurisdiction in which it operates. Ensuring compliance with legal aspects is the main responsibility of the company's management. One of the important legal aspects in a corporate company is the formation and licensing of the company. This process involves filing documents

and fulfilling legal requirements, such as obtaining a business license, drafting a company establishment deed, and following the necessary administrative procedures (Tofan et al., 2015)

Corporate companies also need to maintain compliance with legal aspects related to relationships with third parties, such as clients, business partners, or suppliers. A valid and enforceable contract must be carefully drafted and executed to protect the interests of the company and prevent future legal disputes. In addition, corporate companies need to ensure protection of confidential information, customer data, and copyright. Compliance with data protection and copyright regulations is important to maintain customer trust and prevent violations of intellectual property-related laws.

To ensure compliance with legal and legal aspects, corporate companies often have an internal legal department or cooperate with external law firms. This legal team is responsible for providing legal advice, ensuring regulatory compliance, and dealing with legal issues that may arise. In facing the challenges of legal and legality aspects, corporate companies must have a good understanding of applicable legal regulations, maintain compliance with them, and adopt best practices in terms of legality. It is also important to keep your knowledge and understanding of legal developments relevant to the industry and the company's business environment up.

By ensuring compliance with legal and legal aspects, corporate companies can reduce legal risks, maintain company reputation, and create a healthy and sustainable business environment.

CONCLUSION

Legal and legality aspects play an important role in the operation and management of corporate companies. Companies must ensure compliance with applicable laws and regulations in the jurisdictions in which they operate. This includes the process of forming and licensing a company, compliance in relationships with third parties, protection of confidential information and copyright, and adopting best practices in terms of legality.

Corporate corporations need to have an in-house legal team or work closely with external law firms to provide legal advice, ensure regulatory compliance, and deal with legal issues that may arise. By maintaining compliance with legal and legal aspects, companies can reduce legal risks, maintain reputation, and create a healthy and sustainable business environment. Understanding and following applicable legal regulations, as well as keeping knowledge of relevant legal developments up-to-date, is essential for corporate companies. Thus, companies can maintain customer trust, prevent legal disputes, and achieve business goals successfully.

In a complex and evolving business environment, corporate companies need to pay serious attention to legal and legality aspects as an integral part of their business strategy. By doing this, companies can create a strong foundation for long-term growth and sustainability.

REFERENCE

- Banks, T. L., & Banks, F. Z. (2010). *Corporate legal compliance handbook*. Wolters Kluwer.
- Boundy, C. (2016). *Business contracts handbook*. CRC Press.
- Cherkasova, O., & Sosnovskikh, S. (2020). Legal and social aspects of the state participation in the governance of the large corporations in Russia. *E3S Web of Conferences*, 222. <https://doi.org/10.1051/e3sconf/202022206004>
- Clarkson, K. W., Miller, R. L., & Cross, F. B. (2014). *Business law: Text and cases*. Cengage Learning.
- Dalberg-Larsen, J. (2004). *Hvad udgør rettens kærne? Om Retsprincipper*, Djoef Publishing, Copenhagen.

- Davidson, D. V., & Forsythe, L. M. (2020). *Business law: Principles and cases in the legal environment*. Aspen Publishing.
- Demianchuk, V., & Bortsevych, P. (2019). Comparative Legal Aspects of Ensuring the Economic Security of Companies in Resolving Corporate Conflicts in Ukraine and the United States. *Baltic Journal of Economic Studies*, 5(1), 54. <https://doi.org/10.30525/2256-0742/2019-5-1-54-58>
- Fitriani, R. (2017). Aspek Hukum Legalitas Perusahaan Atau Badan Usaha Dalam Kegiatan Bisnis. *Jurnal Hukum Samudra Keadilan*, 12(1), 136–145. <https://ejurnalunsam.id/index.php/jhsk/article/view/97>
- Fuchs, K. (2017). Corporate Governance in Telecommunication Sector Companies – Selected Economic and Legal Aspects. *Prace Naukowe Uniwersytetu Ekonomicznego We Wrocławiu*, 495, 33–46. <https://doi.org/10.15611/pn.2017.495.03>
- Goldman, A. J., & Sigismund, W. D. (2013). *Cengage Advantage Books: Business Law: Principles and Practices*. Cengage Learning.
- Keller, B. P. (2001). *Copyright law: A practitioner's guide*. Practising Law Inst.
- Keller, K. L., & Kotler, P. (2016). Manajemen Pemasaran, edisi 12 Jilid 1 Alih Bahasa Benyamin Molan. *Jakarta Barat: PT. INDEKS*.
- Kleis, J. (2015). Legal Aspects of Doing Business in Kenya – An Outline for German Companies. *Recht in Afrika*, 18(2), 248–255. <https://doi.org/10.5771/2363-6270-2015-2-248>
- Majstorovic, A., Miloradic, J., Andzic, S., Andzic, R., Divac, G., Anicic, A., & Mirkovic, Z. (2016). Legal aspects of financial analysis in agribusiness companies in Serbia. *Ekonomika Poljoprivrede*, 63(4), 1379–1393. <https://doi.org/10.5937/ekopolj1604379m>
- Mann, R. A., & Roberts, B. S. (2022). *Smith & Roberson's business law*. Cengage Learning.
- Moorhead, R., Vaughan, S., & Godinho, C. (2018). *In-house Lawyers' Ethics: Institutional Logics, Legal Risk and the Tournament of Influence*. Bloomsbury Publishing.
- Putman, W. H., & Albright, J. (2013). *Legal research, analysis, and writing*. Cengage Learning.
- Schneeman, A. (2012). *The law of corporations and other business organizations*. Cengage Learning.
- Tofan, M., Bercu, A.-M., & Cigu, E. (2015). Corporate Governance Framework in Romanian Companies. *Procedia Economics and Finance*, 20(15), 629–636. [https://doi.org/10.1016/s2212-5671\(15\)00117-3](https://doi.org/10.1016/s2212-5671(15)00117-3)
- Yakovlev, A. (2020). Legal regulation of corporate governance in state agricultural companies in Russia. *E3S Web of Conferences*, 222. <https://doi.org/10.1051/e3sconf/202022206003>