

Abstrak

Arbitrase *online* sudah dilakukan oleh *Singapore International Arbitration Centre* (SIAC), lalu *SIAC Rules*, *Arbitration Act of Singapore*, dan *UNCITRAL* sebagai landasan hukum SIAC sudah memiliki aturan mengenai arbitrase *online*. Badan Arbitrase Nasional Indonesia (BANI) secara praktik sudah melaksanakan arbitrase *online*, namun dalam Peraturan & Prosedur Arbitrase BANI dan Undang-Undang No.30 Tahun 1999 sebagai landasan hukum BANI belum memiliki aturan yang jelas. Penulisan ini akan membahas tentang perbandingan pelaksanaan arbitrase *online* di SIAC dengan BANI, bagaimana SIAC mengatur pelaksanaan arbitrase *online* dan apakah dapat diadopsi untuk pengaturan pelaksanaan arbitrase *online* di BANI. Penelitian ini dilakukan dengan metode yuridis normatif. Pendekatan yang digunakan adalah perundang-undangan dan perbandingan. Hasil penelitian perbandingan pelaksanaan arbitrase *online* di SIAC dan BANI, bahwa SIAC sudah memiliki aturan yang mengatur pelaksanaan arbitrase *online* secara jelas dari pendaftaran arbitrase, *hearing*, sampai putusan arbitrase *online*. Pada pelaksanaan arbitrase *online* di BANI, pendaftaran arbitrase *online* BANI memungkinkan untuk dilaksanakan karena memiliki aturannya, namun dalam proses selanjutnya sidang pemeriksaan *online*, dan putusan arbitrase *online* belum memiliki aturan yang mengatur secara tegas dan jelas. Pengaturan arbitrase *online* di SIAC, dapat diadopsi menjadi hukum acara arbitrase *online* oleh BANI maupun Undang-Undang Arbitrase Indonesia karena tidak bertentangan dengan Undang-Undang lain yang ada di Indonesia.

Kata Kunci : Arbitrase *online*, *Singapore International Arbitration Centre* (SIAC), Badan Arbitrase Nasional Indonesia (BANI).

Abstract

Online arbitration has been carried out by the Singapore International Arbitration Center (SIAC), then SIAC Rules, Arbitration Act of Singapore, and UNCITRAL as a legal basis SIAC already has rules regarding online arbitration. The Indonesian National Arbitration Board (BANI) has practically carried out online arbitration, but the BANI Arbitration Rules & Procedures and Law No.30 of 1999 as the legal basis for BANI do not have clear rules. This writing will discuss the

comparison of online arbitration enforcement at SIAC with BANI, how SIAC regulates online arbitration execution and whether it can be adopted for online arbitration arrangements at BANI. This research was conducted using a normative juridical method. The approach used is legislation and comparison. The results of the comparative research on the implementation of online arbitration at SIAC and BANI show that SIAC already has rules that clearly regulate the implementation of online arbitration from arbitration registration, hearings, to online arbitration awards. In the implementation of online arbitration at BANI, BANI online arbitration registration is possible because it has the rules, but in the subsequent process of online examination hearings, and online arbitration awards do not yet have rules that regulate explicitly and clearly. Online arbitration arrangements at SIAC can be adopted into online arbitration procedure law by BANI and the Indonesian Arbitration Law because they do not conflict with other laws in Indonesia.

Keywords: *Online Arbitration, Singapore International Arbitration Center (SIAC), Indonesian National Arbitration Agency (BANI).*