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Legal Terms in Translation of Regulation Number 40 Year 2007 Regarding Limited Liability Company in Indonesia

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Abstract--This research focused on the language being used in Regulation Number 40 year 2007 regarding limited liability company in Indonesia and the data is taken from Regulation Number 40 year 2007 regarding limited liability company in Indonesia that is collected randomly so the technique that will be used in this research is the sampling technique, because the data was chosen randomly and the method that will be used to analyze the data is descriptive method because the data will be described descriptively. It will describe the reason why the translator use that kind of equivalence to translate Indonesian into the English language.

Keywords--English language, Indonesian language, language, regulation, translation, translator.

Introduction

Translation is not a very good job so when a translator would like to translate one language into the other language he or she must find the equivalence meaning in the target language. It is not a very challenging job because a lot of things need to consider before the translation product can be produced. One of the key aspect that must be focusing on by the translator is the context in which the translation we will be focusing on. For example when we would like to translate a document

or official documents from the government, then it will be very different when we translate the text from a movie or text from a novel, in which the language probably more casual. Especially the informal text or the novel normally use the daily life language as well as the movie in use the daily language but the documents or official document from the lawyer or law firm or the government, they will not use the common language but they will use their own language that is the official language and a lot of terms and jargon that will appear in the source language that must be translated into the target language with the equivalence meaning (Chaplin & Kartono, 2011).

That is why the Translation job is a very challenging job because to translate the meaning itself, it is not a very easy job especially we cannot translate words my words but we have to translate the phrase itself (Kim & Kim, 2000; Calis & Dikilitas, 2012). The full sentence that can have exactly the same meaning as the source language into the target language speaker or the reader will understand the message that had been conveyed especially this is very important when the regulation from the Government is translated because it is official documents that will be read by a lot of people and must be translated carefully with the precise meaning so there's will be no misunderstanding of that document then it is very essential or important to the translator when he or she translate this kind of text (Devito, 2011). One of the important document that had been translated is the translation of regulation number 40 year 2007 regarding Limited Liability Company.

Regulation Number 40 year 2007 regarding limited liability company in Indonesia is very important because this regulation regulate a lot of terms and condition that must be complied by the companies which one to conduct the business here in Indonesia. Therefore, the existence of this law is very important especially for The business people. Actually, this regulation is originally written in international language as the source language but the government provide the English translation of this regulation because it will help a lot of friends in five stars who are interested in conducting business in Indonesia. Because of that the translation itself must be precise and correct to avoid misunderstandings between the foreign investors and the law itself (Djamarah, 2014).

The foreign investors will read the regulation in English and they will see the terms especially the legal terms translated by the translator from the source language in this case is Indonesian language into English language (Paradis et al., 2010; Hashemi, 2011). That's why this research is very important to be conducted to see whether the translation of the legal terms from the Indonesian language into the target language in this case is the English language is correct (Hidayat, 2012). This research will also provide the analysis for the legal terms that had been translated by the translator from the source language into the target language.

The legal terms that will be analyzed in this research is chosen from the Regulation Number 40 year 2007 regarding limited liability company. The research will be conducted qualitatively so it will be describe the terms and regulation from the Indonesian language into the Indonesian language (Wongso et al., 2017; Gunawan et al., 2018). It will be provided as well the reason why the

translator choose the terms, especially the specific terms regarding limited liability company in Indonesia (Indah, 2011). And this research also describes the meaning of the terms in Indonesian law. Therefore the research will be conducted with descriptive technique. In which the research itself is describing the terms, especially the legal terms found in Regulation Number 40 year 2007 regarding limited liability company.

This research will help the future research especially the research in the translation field. Hopefully in the future this research can be one of the source or can be used as are you friends in conducting the research especially for the translation field as well as the research in the law especially research in Indonesian law (Mahsun, 2005). Therefore the problems of this research that can be stipulated based on the background above is what are the the legal terms found in the Regulation Number 40 year 2007 regarding limited liability company? And what are the meanings of the translation of those terms?

Method

Methodology is one of the most essential part in the research. So to determine what kind of method that will be used in the research is very important because it will determine the result of this research in the future. In this research the methodology will be determined thoroughly and selectively. The data is selected carefully by the researchers to get a better result of this research. As well as the conclusion will be depended on the methodology used in the research. That is why the methodology is one of the key aspect in which the researcher must focus on.

There are actually many methodology used by researchers out there, but for this research because it is research specific for the regulation and its translation, so descriptive research is the most suitable one to be used (Schunk, 2005; Bintu et al., 2005). Because it explain the phenomena what happened, and why it can happen. The description of it is the most important aspect since it is very different with the other type of methodology that is the quantitative method in which the data will be collected and the numbers will determine the results of the research (Markhamah, 2009; Moleong, 2021). It is normally used in the scientific fields for the field in accounting or numbers for physic and science. The kind of methodology which is suitable for law and also the literature, its methodology that is normally used is the qualitative method.

The method that will be used in this research is qualitative method because this research will choose some samples from the Regulation Number 40 year 2007 regarding limited liability company. The legal terms will be chosen randomly to find out the translation of its terms from international language to English language. After the sample collected randomly, then this research will be conducted by providing the analysis of its terms that had been chosen in the Regulation Number 40 year 2007 regarding limited liability company. Those germs especially its translation in English will be described thoroughly as well as its source in Indonesian language will be described thoroughly (Setyawati & Rohmadi, 2010). The reason why the choice of the terms will be described quantitatively. Therefore, this research use the quantitative technique in doing

the research. After it is described in the analysis section then it can be concluded what the result and what are the terms that have been found as well as its translation in English language.

Discussion

When we would like to use the Indonesian language or the language of translation, it is important to use the language based on the context when or in which case that the language is being used (Soleh et al., 2011). Because the context is very essential and it is one of the most important aspect that the translator should focusing on. That is why when we would like to translate documents from Indonesia language into English language, we need to know the context what kind of language that we would like to translate (Van Kraalingen et al., 2003). Because when we would like to translate documents for example a regulation, or official documents from the government then it will be different with the languages that is being used in the daily life (Hidayatullah 2011).

Larson (1984) in Simatupang (2000), according to the theory proposed by Larson the activity of translation is actually an activity in which we must focuses the language from the source language to the target language and the target language must be understood by the reader or the native speaker so basically it is just the convert from one language to the other language in which the main message is actually the same. So basically we do not translate word by word or in the other word, it means the literal translation. Meanwhile, according to Larson a good translation product is a translation which can convey the message from one language to the other language and as long as the speaker of both languages understood what had being said then the problem is solved.

The legal terms found in the regulation number 40 year 2007 regarding limited liability company and the meanings of the translation of those terms

The first legal terms that will be analyzed in this research is the terms article in which it is translated to the Indonesian language *Pasal*. This words appears a lot in the regulation made by the Indonesian government. The terms article will divide each topic in the regulation. For example we can see that in the article number 7 discussed about The establishment of the company. We can see in the explanation how the company supposed to be established (Subroto, 1992). And even in the article itself they devided it again into each paragraph. We can see in the article number seven paragraph one that the establishment of the company in Indonesia must be established by two people at least and it must be made with the notary deed in Indonesian language. Therefore we can concluded that it is impossible to establish a company in Indonesia just with one person and also the establishment itself must be drawn up in notarial deed. This is the law in Indonesia that must be followed by all of the citizenship in Indonesian when they want to establish a company. It is an applied to foreigners who would like to establish their own company in Indonesia.

Another terms that appear a lot in the regulation is the terms Paragraph. In Indonesian language these terms translated into ayat. The word ayat is actually a specific terms in Indonesian language that is only used in the regulation it's self

(Sudaryanto, 1993). It is very different with the translation of the English language in which the English speaker use the word paragraph to express the specific topic in the article of the regulation. Because in English language the word paragraph also means the paragraph in the text. Meanwhile in Indonesian language we define this words into two categories. The paragraph in the text we call it as pargrap and the paragraph in the regulation in which the specific topic in the regulation and we call it as ayat.

It might cause confusion for the new Interpreter or translate or when they would like to translate both languages because it is to difference between Indonesian language and English language (Sugono, 1989). For example in this case that we can see the word paragraph will not be used as the same way as in the English language because the Indonesian language has a specific word for it when we talk about the program in the regulation. Meanwhile the English speaker just use one word that is the word paragraph to describe the paragraph in the text as well as the paragraph in the article appeared in the regulation.

Therefore the translator must be used to these words because at the beginning they will feel awkward when they want to use the word paragraph in the regulation because it is so different in Indonesian language because we divided it this word in Indonesian language (Sutopo, 2002). Therefore practice makes perfect that is the slogan for The translator when they would like to make a perfect product of translation because they need practice they need to be get used to the words or legal terms in the regulation which probably very different in Indonesian language. It means that we cannot translate it directly because the equivalence is very different between these two languages (Suryasa et al., 2019).

Another legal terms that appeal a lot in the documents specifically in the notary documents that is the word legal entity. Legal entity is actually a company or a person which is entitled to the legal regulation. In Indonesian word we have the word *badan hukum* to describe the legal entity. But this word is very different with the English word legal entity because if we separate it into their own words these words means very different. The word *badan* is actually means body. Meanwhile the word *Hukum* means law. So if we combine it together it will become *the body of the law*. In English language it probably makes no sense because there is no such word exists. That is why the translator prefer to choose the terms legal entity to describe the word *badah Hukum* itself in Indonesian language (Baker, 2006).

From this we can learn that the translator cannot rely only on the Literal meaning of each word because it probably makes no sense in the target language. For the example, the word *badan hukum* if we translate it directly to the word *the body of the law* in English language it's probably makes no sense because that such word is actually not existed in English language. That is why we need to get used to the terms in the target language to produce a good product of translation because the translation itself is the combination between the knowledge of the translator for the both languages (Wijana & Rohmadi, 2006). For example the translator who have to translate the text from Indonesian language to English language then he/she must proficient in both languages and familiar with the terms used in those languages because it is very beneficial for the translator to know the

specific terms in both languages to produce a very good product of translation (Xiu, & Xeauyin, 2018).

Another terms that appear a lot in the regulation or a contract made in Indonesian language is the word *perbuatan melawan hukum*. These terms appear a lot in the regulation as well as the contract or the report made by the police because the police use the terms when they would like to make a report for the case and also the documents presented in the court. They have these terms a lot because these terms used in the legal field many times by the people who work on it. To find the equivalence or the specific meaning for these terms in English language it is not a very easy job because if we separate this word it means completely a different thing so the literal meaning makes no sense for the English speaker. Therefore the translator cannot use this literal meaning because the foreigner will not understand what does this word mean.

The word *perbuatan* means action. So for example if we would like to describe an action that we will do is we can use the word *perbuatan* in Indonesian language and another word *melawan* means to fight for example if you want to go to the war then we will fight with the enemies so the word *melawan* will be used here when we would like to express the sentence to fight the enemy. Another word in these terms is the word *Hukum* in which this word means the law so if we translate all of these phrases *perbuatan melawan hukum* literally it is the action against the law or the action which is fighting the law. But in the product of the translation, the translation did not use these terms and use another terms which make more sense in the target language because the word or the terms *to fight against the law* is not a good translation product in the English language it is just a literal translation in which the English speaker will get confused when they see these terms (Suryasa, 2016).

In the other hand, the translator use the word *Illegal actions committed by* in this case it is by the company so the full translation is *illegal actions committed by the company* from the perspective of translation it is a very good translation product because these terms or this translation makes much more sense in the target language instead of the literal Translation of each word that is translated to the target language that we are confusing the English speaker (Suryasa, 2015). That is why the importance of the knowledge of the translator specifically when they would like to translate the legal terms and they must be familiar with the legal terms used in the English language because it is very difficult to translate the terms it is the jargon that not all of the people knows even the native speaker do not really familiar with this word. So this is the challenge for each of the translator when they would like to translate the source language to the target language, to make a very good product of translation, it is not easy and it takes time it takes actually a very long time to really get used to the words specifically the jargon used in the In the specific field (Grant et al., 2017).

Another legal terms that is used a lot in Indonesian language is the word *tempat kedudukan hukum*. In Indonesian language this word used many times because they need to put this information in every document. In English language this word is translated by *domicile*. The Indonesian law compel the people of Indonesia

and all of the foreigners who conduct your business or have a legal problems in Indonesia to put the other domicile in the document because domicile is very important according to the Indonesian law and has been regulated in the civil code of Indonesian government as well as the criminal code of the Indonesian government so every time the police would like to make a report regarding the case but the international case involving the foreigners as well as the local case which just involves the local people they must put the domicile in the document because it is a very substantial thing that the police cannot forget and during the trial that the missile will determine whether the case Can we proceed or not because the missiles is very important it is necessary for the notary or the lawyer or the police to put the domicile of each person mentioned in the documents when they would like to present the documents in the court. Because of the importance of the domicile itself the people who work in the legal field will not forget to put the domicile or if they put the wrong domicile the case can be Cancel or remove from the court date for the correct domiciled in Indonesian document is very important many people ignore this importance many times when they write a contract or when they would like to make a report and it will become a problem in the court when they would like to proceed the case because the judge will consider the correct domicile for each person.

The next legal term appeared in the text is the term *District Court*. This term is used by the translator to express the word *Pengadilan Negeri* in Indonesian language. As we know if we directly translated or give the literal translation for the word of *State Court*, then it will not match with the word in the Indonesian language which is *Pengadilan Negeri*. If we translate it word by word, it will become the *state court* in English language. Since the language choice of the translator in this case is *the District Court* then it will be acceptable as well. This is related to the court system in Indonesia itself because Indonesia has the Supreme Court which is the highest court system in Indonesia and below that we have another core in the provincial court that is one step below the supreme court. And below that is provincial court, that is a court in every regency or every city in Indonesia so that is why the translator use the word state for it because *Pengadilan Negeri* itself is available in the regency in Indonesia.

In every city or regency in Indonesia we have the district court. All of the cases in the local area must go to the district court first, before the case will be proceeding to a higher court system. That is why domicile is really important to determine which District Court did the case will be executed. Because the domicile for the person will determine which court the case will be resolved. Therefore in every contract and documents especially the legal documents, the domicile itself is very important. Besides, every parties can also determine their own court to resolve the problems in the future if there is a problems arises from the contract that they drawn up. The parties can choose in which court they would like to go for example for the two companies which is located in different areas, when they drawn up a contract they can choose one of the District Court from one of those companies to resolve the problems in the future. For example in the city of Denpasar we have our own District Court which is Denpasar District Court which is located in the city center.

The next word mentioned by the translator in the target language is the word *provision*. The word *provision* is actually a specific word in the English language use for the legal terms. Meanwhile in Indonesian in it is translated into the word *Ketentuan*. The word *ketentuan* is actually means terms and condition in this case is the terms and condition, for example in the requirement for the things or when someone or a company want to give merchandise to the customer, they will write the word terms and condition. This word *ketentuan* is exactly similar to the word terms and condition, but this word is also used in the documents or a contract or in the regulation made by the government to mention the things that had been previously mentioned. Or it is also used to describe the terms and requirements needed. So there is difference between the English language and the source language as the source language is the Indonesian language. We can see that the word *provision* itself is a specific word for the legal terms, meanwhile the word *ketentuan* is actually just a common word to describe things, the description and something like that. So it is basically not a legal terms which is only used in the regulation or contract, but actually the contract and regulation use this word a lot just like the word *provision* in English language.

So from this point of view, we can see that the motive of the translator is that the translator would like to convey the message from the source language in this case is the Indonesian language to the target language in this case is the English language. The translator would like to convey the message itself even though there is difference between these two languages. Because for the translator it is not very easy to find an exact word to describe this word in English language. Accidentally, the English language has more specific words to translate the word *ketentuan* which is actually a good thing because this word is more specific for the legal terms only.

That is what the translator job actually because what they need to do is to convey the language from the source language to the target language instead of just literally translated word by word without looking at the context, or does it makes any sense for the target speaker or the target reader. So in this case the translator would like to convey the message and the message hopefully can be understood by the target reader in which, in this case the translator have done a very good job in translating the word *ketentuan* into its translation in English language that is *provision*.

The next sentence that will be an analyzed in this research is the phrase *tidak berlaku bagi*. It is translated into the English phrase *do not apply to*. We can see this phrase in the article 7 of this regulation. Actually, if we analyze the word by word or translated the source language word by word then we can get a different meaning of them. The word *berlaku* is actually means valid. This word is actually use to confirm whether the regulation is valid or not.

Or whether something is valid or not. In this case the translator actually didn't translate this word directly into the word valid. Instead the translator translate into the word *do not apply to*. The translator might have the decision or consider these terms is the most equivalent terms for the word *berlaku*.

This is just a matter of the language choice to the translator when she or he translate this document because the English word choice will determine the product of the translation in which in this case the translator prefer to choose the word *apply* instead of the word *valid*. The word *apply* is a better product of translation because it represents the legality of the documents as well as the formality because the word *valid* is actually for the voucher or something like that.

Since this is a very formal document and official documents from the government, the word *apply* will be better or it is much more applicable for this context. Actually, as long as the translator convey the message and the message can be received, then it is still acceptable according to the theory of translation because the main focus or the main purpose of the translation is to convey the message. As long as the translator have convey the message, in this case is the word *berlaku* which can be translated into the word *apply* or the word *valid* in English language then it doesn't matter what the right choices that the translator owned as long as she or he has conveyed the meaning, then translation job is actually done.

There are so many cases in which the translator actually don't have to translate the word with just one specific word because there are a lot of what is choice that the translator can choose from one language to the other language because when we translate the documents from international language to the English language we just need to confirm the message so the word choice is not a big deal actually in this case because it is just the preference from the translator itself but the thing that the translator I need to consider is that the word choices sometimes different between the formal and informal situation because the formal situation have a very different word choice with the informal situation so it's depends on the context in which context the text is about. If it is known for my contacts so the translator need to use the informal language in the product of the translator so it is a challenge for the translator actually to choose the non-formal word choices in the situation in which the Contacts actually is not a farmer but for this case for example in the formal situation or for the official document the translator must use the form of words which is used in the document or in the form of speech for example when the translator would like to translate the speech of the president and the word choice will be different when she or he translated for the casual situation for a chitchat conversation so.

The next phrase that will be discussed in this research is the phrase The deed of the establishment. The deed of the establishment it's actually a form now or office your documents written by the notary in Indonesia so every time a person would like to make a coin tray especially when they would like to rent a house or a building they need to drawn up the contract for the deed in the notary so the existence of the deal is very important in Indonesian law system because when there is a default in the future or someone else would like to claim the building that had been rented then The tenant can go to the court and file a case against the landlord so the existence of the deed is very important that is why our contract for purchasing of the house must have the deed written in the notary but beside of that it is also necessary or a compulsory to drown out the establishment of the company did in the not right because the government compelled the owner

of the company or the one who establish the company to make the deed in the notary so the notary will give this deed to the director of the company in which the director have a proof in the court letter that the company is his or hers. This paper will prove the ownership of the company so in the cord if the judge would like to know who is the owner of one company then we can see it in the deed of the establishment of the company which is drawn up in the notary when the company was established.

It might be different in another country with a different law system but in Indonesia the law system is like this so it is regulated in the regulation number 40 year 2007 regarding these matters so The business owner must comply or I'll be all of the rules mentioned in the regulation. In this case the translator use the word akta pendirian to translate the phrase Deed of establishment In this context the translator have a fairly good job in which language choice or the word choice is very accurate because the deed establishment is actually the real translator of the phrase mention in the in the nation tax so the deed of establishment really represent the word akta pendirian. This is because the word akta it's a very special word just use in the notary documents because this word cannot be seen a lot in the daily life or it just for several documents for example The documents that we made in the notary or the document that we get when someone's born but in English it is translated into birth certificate but in Indonesian word it is translated into akta kelahiran. So akta it's actually a certificate a document with represent the ownership of the land or a building and also specific document which mention someone birth.

So the decision of the translator to translate this akta word into the word deed Is correct because the word Dean is actually not a common word as well which is spoken in the daily life language so it is a challenge for the translator actually because in this case the translator must master destroys it is a very office your terms in which not all of the people say in their daily life so the challenge for the translator to remember the equivalence of these times it's very essentials especially when they would like to translate specific documents that in this case is the documents from the government which is this case is translating the official regulation from the government of Republic of Indonesia so the word choice will be very specific in which the language itself which is used in this document is not a daily life language that we can find anywhere or any time in our life so we don't really say these words in our daily life just when we get into a special contact or situation we will discuss or use this kind of words or example for the people who get involved in the law field and then they use these words a lot or the people who have a company or something like that but apart from that these words is not really use in our daily life.

Conclusion

From this research it can be concluded that The translator has successfully translated the source language to the target language in the context in which the article is about. In this case it is about the regulation in which the language supposed to be chosen by the translator is the official language and the terms had been successfully translated into official terms in Indonesian language. It is suggested for all of the translator to translate the text base on the context in what

kind of situation the language is being used. If it is a regulation, then the translator definitely must choose the official language or the formal language. Meanwhile, if the translator have to translate the documents for the unofficial conversation then it must be translated based on the context of the situation which will determine the language itself. As long as the language being used in the text is acceptable then, the product of the translation is considered correct.

Besides, the translator of this regulation has successfully transferred the message from the source language to the target language in which all of the terms had been successfully transferred by transferring its meaning not literally translated words by words which makes the product of the translation much better and it is suggested for all of the translator to do the same in which the translators translate the terms not word by word or just the literal translation but they must use the contexts. They must use more acceptable language in the language choice so the challenge here is that the translator must understand the equivalence meaning of the words in both languages.

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