

Evaluasi implementasi kebijakan perizinan pialang berjangka : analisis persepsi = Evaluation of policy implementation of futures brokers license : perception analysis

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Abstrak

Perkembangan industri perdagangan berjangka dewasa ini menunjukkan perkembangan yang cukup pesat dengan bertambahnya perusahaan pialang berjangka yang sudah terdaftar di Badan Pengawas Perdagangan Berjangka Komoditi (Bappebiti). Begitu pula dengan masih banyaknya perusahaan calon pialang berjangka yang mengajukan permohonan izin pialang berjangkanya kepada Bappebiti. Namun demikian, temyata sampai saat ini pun masih banyak praktik perdagangan berjangka yang dapat merugikan nasabah baik yang dilakukan oleh perusahaan pialang berjangka yang telah mendapat izin dari Bappebiti maupun perusahaan pialang berjangka ilegal.

Bappebiti sebagai Badan Pengawas bertugas melaksanakan pembinaan, pengaturan, dan pengawasan sehari-hari sebagaimana tercatat dalam pasal 4 ayat (1) Undang-undang Nomor 32 tahun 1997 tanggal 5 Desember 1997 tentang Perdagangan Berjangka Komoditi. Undang-undang nomor 32 ini didukung oleh Surat Keputusan Kepala Bappebiti nomor 07/Bappebiti/Kp/X/1999 tentang Perizinan Pialang Berjangka. Surat Keputusan Kepala Bappebiti ini sudah berjalan dalam kurun waktu 5 tahun, dan belum pernah dilakukan evaluasi bagaimana pelaksanaannya di lapangan.

Bertitik tolak dari hal-hal tersebut di atas. peneliti mencoba menggali implementasi kebijakan pemerintah tersebut, untuk kemudian dapat diketahui pula bagaimana persepsi masyarakat khususnya pialang berjangka terhadap Bappebiti, dan bagaimana peran Bappebiti sebagai suatu instansi pemerintah dalam industri perdagangan berjangka komoditi.

Metode yang digunakan dalam penelitian ini yaitu metode survei dengan populasi terhadap perusahaan pialang berjangka yang telah memiliki izin usaha dari Bappebiti. Adapun teknik pengambilan sampel yang digunakan adalah purposive sampling terhadap perusahaan pialang berjangka yang telah mengajukan permohonan izin ke Bappebiti mulai periode 2000 sampai dengan 2005. Untuk mengetahui persepsi perusahaan pialang berjangka terhadap implementasi kebijakan ini, dilakukan evaluasi berdasarkan Kriteria implementasi kebijakan berdasarkan teori William Dunn. Juga evaluasi terhadap prosedur yang telah dirancang, sumber daya manusia pelaksanaanya, komunikasi perdagangan berjangka, kepatuhan pialang berjangka, dan efektivitas kebijakan berdasarkan teori "4 tepat" Dwidjowijoto.

Berdasarkan hasil analisis terhadap kuesioner, hasil wawancara dan telaah dokumen yang dilakukan dikenali bahwa pada dasarnya implementasi kebijakan perizinan pialang berjangka telah dilaksanakan cukup baik, namun belum optimal. Hal tersebut terjadi karena kurangnya sosialisasi terhadap masyarakat, kurangnya kepatuhan pelaku pasar terhadap peraturan yang ditetapkan, serta kurangnya penegakan peraturan perundang-undangan tentang perdagangan berjangka komoditi serta penegakan hukum kepada

para pelanggarnya. Prosedur yang dilerapkan dalam proses perizinan pialang berjangka bukan hal yang menentukan berhasil atau tidaknya implemeniasi kebijakan tersebut.

Selanjutnya, untuk penyempurnaan implementasi kebijakan di masa yang akan datang, perlu peningkatan pengawasan kepatuhan terhadap peraturan yang berlaku dalam hal perdagangan berjangka komoditi.

<hr><i>The development of futures trade industry showed quick progress through the increase in futures trade companies registered in The Supervisory Agency of Commodity Futures Trade (or known as Bappebti). It was also the case for a great number of potential futures trade cooperations that propose futures trade broker licenses to Bappebti_ However, it was found out that there was a great number of practices of both licensed and illegal futures trade brokers that deceived the investors.

Bappebti as the Supervisory Agency that conducts day-to-day supervision, regulating and monitoring as stipulated in article 4 Law Number 32 Year 1997 regarding Commodity Futures Trade. The Law Number 32 is supported by Bappebti Chairman's Decree Number 07/Bappebti/Kp/XH999 concerning Future Brokers License which had been implemented within five (5) years period, and yet it had never been evaluated as to how it was implemented in reality.

Based on the above mentioned facts, the researcher attempted to explore such government policy implementation, which was then able to find out the society perceptions particularly those of futures trade brokers towards Bappebti and what were the roles of Bappebti as a government institution in the commodity futures trade industry. The method used in this research was survey method with the population of futures trade corporations that possessed licenses from Bappebti. As for the technique of sampling data Collection the researcher used purposive sampling towards the futures trade corporations that possessed licenses from Bappebti from years 2000 until 2005. To find out the corporate perceptions towards the implementation of the policy, it was necessary to conduct an evaluation based on the policy implementation criteria of William Dunn theory. The evaluation was also conducted towards the designed procedures, human resource performance, futures trade communication, obedient level of futures trade brokers, and policy effectiveness based on the four accurate theory of Dwidjowijoto.

Based on the results of the analysis of the questionnaires, of the interviews and of documents analysis done by the researcher, it showed that generally the policy implementation of futures trade brokers licensing had been done relatively well but not yet done optimumly. This occurred due to the less intensive socialization program to the society, lack of submission of market actors towards stipulated regulations, and lack of upholding the rules of Laws regarding commodity futures trade as well as lack of law enforcement to the violators. Stipulated procedures applied in the process of licensing the futures trade brokers did not guarantee the success or the unsuccess of the implemented policy.

Next, to improve the policy implementation in the future, it was necessary to increase monitoring towards the submission of the prevailing rules of the commodity futures trade.</i>