

## Pelaksanaan penghentian sementara transaksi oleh pusat pelaporan dan analisis transaksi keuangan = The implementation of suspend of transaction by the Indonesian financial transaction reports and analysis center

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Abstrak

**ABSTRAK**

Dalam konsep anti-pencucian uang, penghentian sementara transaksi oleh PPATK merupakan hal penting dalam upaya penyitaan dan perampasan aset hasil tindak pidana untuk diserahkan kepada negara atau dikembalikan kepada yang berhak. Dengan menggunakan metode penelitian yuridis normatif, penelitian ini bertujuan untuk menjawab permasalahan, yakni bagaimanakah pelaksanaan penghentian sementara transaksi oleh PPATK berdasarkan UU No. 8 Tahun 2010 tentang Pencegahan dan Pemberantasan Tindak Pidana Pencucian Uang? Apakah kewenangan penghentian sementara transaksi oleh PPATK dapat melindungi kepentingan nasabah PJK? Dan apakah kewenangan penghentian sementara oleh PPATK sejalan dengan prinsip due of process of law. PPATK melakukan penghentian sementara atas seluruh atau sebagian transaksi apabila terdapat informasi yang dapat dipertanggungjawabkan dan/atau melalui suatu proses analisis/ pemeriksaan diketahui atau diduga terkait dengan tindak pidana. Dalam hal terdapat keberatan oleh pengguna jasa, maka terdapat hak pengguna jasa dalam pengajuan keberatan, hak tindak-lanjut penanganan keberatan, hak pencabutan atas penghentian sementara transaksi, serta hak tindak-lanjut penundaan transaksi. Proses penghentian sementara transaksi dilakukan berdasarkan standar prosedur operasi yang komprehensif dan detail dan sesuai hukum acara yang berlaku. Secara umum penghentian sementara transaksi telah mencapai tujuannya untuk mencegah berpindahannya harta kekayaan yang tidak sah, dalam pelaksanaannya menghadapi beberapa kendala yang dapat diselesaikan dengan kerjasama dan koordinasi antara PPATK, Penyedia Jasa Keuangan, Penegak Hukum, serta Lembaga Pengawas dan Pengatur dengan tetap memperhatikan kepentingan nasabah atau pengguna jasa.

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**Abstract**

The concept of anti-money laundering, suspension of transactions by INTRAC is essential in order to conduct assets seizure and forfeiture of criminal proceeds to be submitted to the state or to be returned to their owners. By using a normative juridical research methods, this study aims to answer the problems, namely how is the implementation of the temporary suspension of transaction by INTRAC based on Law no. 8 of 2010 concerning the Prevention and Eradication

of Money Laundering? Whether the temporary suspension of transactions authorized by the PPATK can protect the interests of customers of Financial Service Provider? And whether the authority to conduct temporary suspension by INTRAC is in line with the principles of due process of law. PPATK can perform temporary suspension against the entire or partial transaction if there is information that can be accounted for and / or through a process of analysis / examination to be known or suspected to be associated with crime. In the event of any objection by the customer, the customer has the right to file an objection, the right of follow-up for their objection, the right of revocation of the suspension of transaction, and the right of follow-up for the postponement the transaction. The process of suspension of transactions carried out according to a comprehensive and detailed standard operating procedures and based on appropriate procedural law. In general, suspension of the transaction has reached its goal to prevent the transfer of property that is not valid, its implementation deals with several obstacles that can be solved by cooperation and coordination between the PPATK, Financial Services Providers, Law Enforcement, and Regulatory and Supervisory Board with due regard to the interests of customers or service users.