

Implikasi hukum atas pelanggaran pembuatan surat pernyataan status perusahaan dalam negeri oleh notaris dalam tender pengadaan barang dan jasa di bidang minyak dan gas bumi = Legal implication on violation of the making of domestic company statement letter by notary in tender for the procurement of goods and services in the oil and gas field

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Abstrak

[ABSTRAK

Notaris memegang peranan penting dalam aspek keperdataan masyarakat, baik individu kodrati maupun badan hukum. Dewasa ini fungsi dan tugas notaris berkembang tidak hanya pada bidang-bidang yang diketahui secara umum, seperti akta anggaran dasar perusahaan, namun juga telah berkembang sampai ke ranah industri minyak dan gas bumi, khususnya pembuatan surat pernyataan Perusahaan Dalam Negeri pada tender pengadaan barang dan jasa. Fungsi baru notaris tersebut lahir setelah diundangkannya revisi ketiga Pedoman Tata Kerja Nomor 007 tanggal 03 April 2013 oleh Satuan Kerja Khusus Pelaksana Kegiatan Usaha Hulu Minyak dan Gas Bumi (SKKMIGAS). Penelitian ini bertujuan untuk mengetahui implikasi hukum bagi notaris dan kegiatan tender pengadaan barang dan jasa yang mengandung pelanggaran notaris dalam membuat surat pernyataan Perusahaan Dalam Negeri bagi Perusahaan Nasional. Sesuai dengan permasalahan yang diangkat dalam penelitian ini maka bentuk penelitian ini adalah yuridis normatif dengan pendekatan kualitatif yang menggunakan data sekunder dan hasil yang bersifat evaluatif analitis. Dalam praktiknya, absensi peningkatan pengetahuan terkait fungsi baru yang dimiliki notaries tersebut akan mengakibatkan terjadinya suatu bentuk pelanggaran baru oleh notaris.

ABSTRACT

A notary holds an important role in civil aspect of the society, both physical person and juridical person. Nowadays, the functions and duties of a notary evolved from not only being on the fields that are commonly known, such as article of association of a company, but also have evolved to the field of oil and gas industry, especially on the making of Domestic Company Statement Letter for the procurement of goods and services. This new function of a notary emerged after the enactment of the third revision of Work Procedure Guidelines to Supply Chain Management Number 007 dated April 3rd, 2013 by Special Task Force for Upstream Oil and Gas Business Activities (SKKMIGAS). This research aims on finding out the legal implications to notaries and the activities of tender for procurement of goods and services that contain notary violation on the making of Domestic Company Statement Letter for National Company. According to the

issues raised in this research, hence the research method will be juridical normative with a qualitative approach using secondary data and results with the nature of analytical evaluative. In practice, the absence of increased knowledge related to this new function of a notary will caused a new form of violation by a notary; A notary holds an important role in civil aspect of the society, both physical person and juridical person. Nowadays, the functions and duties of a notary evolved from not only being on the fields that are commonly known, such as article of association of a company, but also have evolved to the field of oil and gas industry, especially on the making of Domestic Company Statement Letter for the procurement of goods and services. This new function of a notary emerged after the enactment of the third revision of Work Procedure Guidelines to Supply Chain Management Number 007 dated April 3rd, 2013 by Special Task Force for Upstream Oil and Gas Business Activities (SKKMIGAS). This research aims on finding out the legal implications to notaries and the activities of tender for procurement of goods and services that contain notary violation on the making of Domestic Company Statement Letter for National Company. According to the issues raised in this research, hence the research method will be juridical normative with a qualitative approach using secondary data and results with the nature of analytical evaluative. In practice, the absence of increased knowledge related to this new function of a notary will caused a new form of violation by a notary, A notary holds an important role in civil aspect of the society, both physical person and juridical person. Nowadays, the functions and duties of a notary evolved from not only being on the fields that are commonly known, such as article of association of a company, but also have evolved to the field of oil and gas industry, especially on the making of Domestic Company Statement Letter for the procurement of goods and services. This new function of a notary emerged after the enactment of the third revision of Work Procedure Guidelines to Supply Chain Management Number 007 dated April 3rd, 2013 by Special Task Force for Upstream Oil and Gas Business Activities (SKKMIGAS). This research aims on finding out the legal implications to notaries and the activities of tender for procurement of goods and services that contain notary violation on the making of Domestic Company Statement Letter for National Company. According to the issues raised in this research, hence the research method will be juridical normative with a qualitative approach using secondary data and results with the nature of analytical evaluative. In practice, the absence of increased knowledge related to this new function of a notary will caused a new form of violation by a notary]