

Penerapan prinsip customer due diligence oleh Bank Umum di Indonesia sebagai upaya pencegahan dan pemberantasan pencucian uang: analisis terhadap putusan pengadilan No. 588/Pid.B/2018/PN.Srg = The implementation of the customer due diligence principle by Commercial Banks in Indonesia as a measure of prevention and eradication of money laundering: an analysis on court decision No. 588/Pid.B/2018/PN.Srg / Dhimas Haris Anggara Mukti

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Abstrak

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Tindak Pidana Pencucian Uang merupakan salah satu ancaman yang serius terhadap keberlangsungan serta perkembangan perekonomian suatu negara. Dengan subjek utama yang berupa hal yang memiliki nilai ekonomis, Tindak Pidana Pencucian Uang sangat mengancam sektor Jasa Keuangan, terutama Bank Umum yang memiliki fungsi utama sebagai penghimpun dana masyarakat. Indonesia diharuskan mencegah terjadinya Tindak Pidana Pencucian Uang sebaik mungkin untuk mengurangi potensi kerusakan pertumbuhan ekonomi negara. Adapun dengan demikian mengenai rumusan masalah dari penelitian ini adalah sejauh manakah penerapan prinsip Customer Due Diligence berdasarkan Undang-Undang No. 8 Tahun 2010 tentang Pencegahan dan Pemberantasan Tindak Pidana Pencucian Uang dan Program Anti-Pencucian Uang berdasarkan Peraturan Otoritas Jasa Keuangan No. 12/POJK.01/2017 tentang Penerapan Program Anti-Pencucian Uang dan Pencegahan Pendanaan Terorisme di Sektor Jasa Keuangan dapat mencegah dan memberantas Tindak Pidana Pencucian Uang serta sejauh manakah Putusan Pengadilan No. 588/Pid.B/2018/PN.Srg telah mencerminkan dan membuktikan peranan Bank Umum di Indonesia terhadap pencegahan dan pemberantasan Tindak Pidana Pencucian Uang. Metode Penelitian yang digunakan adalah pendekatan yuridis-normatif. Alat pengumpulan data adalah data sekunder berupa studi kepustakaan dengan didukung oleh wawancara. Hasil penelitian yang dilakukan adalah mengenai penerapan prinsip Customer Due Diligence yang memiliki pengaruh yang besar terhadap pencegahan dan pemberantasan Tindak Pidana Pencucian Uang serta mengenai bagaimana Bank Umum bertindak terhadap indikasi Transaksi Keuangan Mencurigakan atau Tindak Pidana Pencucian Uang.

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**ABSTRACT**

Money Laundering is considered as a serious threat towards the economic sustainability and development of a state. With the main subject of things with economical value, Money Laundering is highly threatening to the Financial Services sector, especially Commercial Banks which hold the main function to gather funds from the society. Indonesia shall prevent the practices of Money Laundering as best as possible to reduce the potential damage towards the economic growth of the state. As for the research questions of this research are on to what extent does the implementation of the Customer Due Diligence principle based on Law No. 8 Year 2010 on the Prevention and Eradication of Money Laundering alongside with the Anti-Money Laundering in Commercial Banks based on Financial Services Regulation no. 12/POJK.01/2017 on the Implementation of the Anti-Money

Laundering Program and the Prevention of Terrorism Financing in the Financial Services Sector could prevent and mitigate risks to Money Laundering practices and to what extent does the Court Decision No. 588/Pid.B/2018/PN.Srg has reflected and proved the role of Commercial Banks in Indonesia towards the prevention and eradication of Money Laundering. The research method used is a juridical-normative approach. The data collection tool is with secondary data in the form of literature studies supported by an interview. The results of the research conducted are about how the implementation of the Customer Due Diligence holds a high influence towards the prevention and eradication of Money Laundering and how Commercial Banks would act towards the possibility of a Suspicious Financial Transaction or a practice of Money Laundering.