

Daya mengikat pertimbangan dewan perwakilan daerah dalam pemilihan anggota badan pemeriksa keuangan terhadap independensi badan pemeriksa keuangan = Binding power of the considerations of the regional representative council in the selection of members of the audit board of the audit board of independence.

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Abstrak

Pertimbangan DPD bersifat tidak mengikat dalam Pemilihan Anggota BPK menimbulkan diskursus independensi kelembagaan BPK. Tesis ini hendak menjawab rumusan masalah tentang sifat daya mengikat pertimbangan DPD dalam pemilihan Anggota BPK terhadap independensi BPK dan mekanisme pemilihan Anggota BPK yang ideal. Metode Penelitian berbentuk penelitian yuridis normatif melalui studi kepustakaan dan dengan perbandingan negara Amerika Serikat, Australia, Kanada, Spanyol, Polandia, Inggris, Belanda, Jepang, Perancis, Afrika Selatan, Kamboja, Yordania, Filipina, India, Irlandia, Pakistan dan Selandia Baru. Hasil penelitian menunjukkan bahwa Pertimbangan DPD dalam pemilihan Anggota BPK bersifat tidak mengikat, di mana DPR masih dapat mengangkat calon Anggota BPK di luar calon Anggota yang telah dicalonkan dalam Pertimbangan DPD. Apabila tetap akan mempertahankan mekanisme pemilihan oleh DPR dengan pertimbangan DPD seperti yang telah ada saat ini dapat dengan memperkuat daya mengikat pertimbangan DPD seperti di Polandia atau penguatan kewenangan DPD dengan metode membentuk komite bersama seperti di Amerika Serikat dan Australia serta metode persetujuan bersama di Kanada dan Jepang, Pemberian kewenangan BPK yang bersifat mandiri, dan Penegasan ketentuan mengenai ketentuan mengenai profesionalisme dan ketentuan mengenai tidak terafiliasi partai politik dalam syarat-syarat calon Anggota BPK. Saran kepada DPR untuk melakukan penyempurnaan sistem dan mekanisme pemilihan anggota BPK dan BPK dapat membuat laporan hasil evaluasi terhadap anggota BPK sebagai bahan pertimbangan terhadap kinerja dan kepatuhan terhadap kode etik untuk pemilihan Anggota berikutnya.

.....The consideration of the DPD as being non-binding in the election of BPK members has created a discourse on BPK's Institutional Independence. This thesis intends to answer the problem formulation regarding the nature of the binding power of the DPD's considerations in the selection of BPK members on the independence of the BPK and the ideal mechanism for selecting BPK members. The research method is in the form of normative juridical research through literature study and with comparisons of the United States, Australia, Canada, Spain, Poland, England, the Netherlands, Japan, France, South Africa, Cambodia, Jordan, the Philippines, India, Ireland, Pakistan and New Zealand. The results showed that the DPD's considerations in the election of BPK members were non-binding, in which the DPR could still appoint candidates for BPK members outside of those who had been nominated in the DPD considerations. If you continue to maintain the election mechanism by the DPR with the consideration of the DPD as currently existing, it can be done by strengthening the binding power of DPD considerations such as in Poland or strengthening the DPD's authority by forming joint committees such as in the United States and Australia as well as methods of mutual consent in Canada and Japan, Granting of independent BPK authority, and Confirming the provisions regarding the provisions regarding professionalism and the provisions regarding

the non-affiliation of political parties in the requirements for candidates for BPK members. Suggestions to the DPR to make improvements to the system and mechanism for selecting members of the BPK and BPK can make a report on the results of evaluation of BPK members as material for consideration of performance and compliance with the code of ethics for the election of the next member.