

Application of Customer Due Diligence in Bank Mandiri to Prevent and Combat Money Laundering = Penerapan Customer Due Diligence Di Bank Mandiri Untuk Mencegah Dan Memberantas Pencucian Uang

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Abstrak

Lembaga keuangan khususnya perbankan sangat rentan terhadap kemungkinan digunakan sebagai media pencucian uang dan pendanaan terorisme. Hal ini disebabkan oleh berbagai faktor seperti arus transaksi keuangan di perbankan yang sangat cepat dan terjadi dalam jumlah yang banyak, serta berbagai pilihan transaksi keuangan. Mengingat fungsi dan peran perbankan yang rentan, maka perlu diterapkan prinsip Customer Due Diligence (CDD). Penerapan prinsip Customer Due Diligence merupakan salah satu cara untuk memberantas dan mencegah bentuk-bentuk kejahatan yang berkaitan dengan uang dalam perbankan di Indonesia. Sumber data dalam penelitian ini adalah data sekunder yang terdiri dari bahan hukum primer dan bahan hukum sekunder. Permasalahan yang dibahas dalam penelitian ini adalah penerapan prinsip Customer Due Diligence (CDD), pencucian uang di perbankan, dan penerapan prinsip Customer Due Diligence (CDD) pada PT. Bank Mandiri Tbk dalam mencegah pencucian uang. Hasil penelitian menunjukkan bahwa CDD diatur dalam Pasal 11 Peraturan Otoritas Jasa Keuangan Nomor 23/POJK.01/2019 tentang Perubahan Atas Peraturan Otoritas Jasa Keuangan Nomor 12/POJK.01/2017 Tentang Penerapan Anti- Program Pencucian Uang dan Pencegahan Pendanaan Terorisme di Sektor Jasa Keuangan yang merupakan implementasi standar rekomendasi dari FATF (Financial Action Task Force). Ada tiga tahapan dalam proses pencucian uang di perbankan, yaitu Placement, Layering, dan Integration. Penerapan CDD di PT. Bank Mandiri Tbk tertuang dalam “Kebijakan Penerapan Program Anti Pencucian Uang (APU) dan Pencegahan Pendanaan Terorisme (PPT) PT Bank Mandiri (Persero) Tbk”, yang dilakukan dengan melakukan identifikasi nasabah, permintaan informasi & verifikasi data, pemantauan nasabah, EDD (Enhanced Due Diligence), hingga pengkinian data nasabah. Penerapan prinsip Customer Due Diligence (CDD) harus lebih ditingkatkan. Bank harus dapat mengenali nasabahnya dan juga mengetahui transaksi yang dilakukan nasabahnya, sehingga dapat mencegah terjadinya tindak pidana pencucian uang dengan memanfaatkan bank.

.....Financial institutions, especially banks, are very vulnerable to the possibility of being used as a medium for money laundering and terrorism financing. This is due to various factors such as the flow of financial transactions in banking which is very fast and occurs in large numbers, as well as the various choices of financial transactions. Due to the vulnerable banking functions and roles, it is necessary to apply the Customer Due Diligence (CDD) principle. The application of the principle of Customer Due Diligence is one way to eradicate and prevent forms of crime related to money in banking in Indonesia. The source of data in this research is secondary data consisting of primary legal materials and secondary legal materials. The problems discussed in this study are the application of the principle of Customer Due Diligence (CDD), money laundering in banking, and the application of the principle of Customer Due Diligence (CDD) at PT. Bank Mandiri Tbk in preventing money laundering. The research results indicate that CDD is regulated in Article 11 of Financial Service Authority Regulation No. 23 /POJK.01/2019 concerning Amendment to Financial Services Authority Regulation No. 12/POJK.01/2017 concerning the Implementation of the Anti-

Money Laundering Program and the Prevention of the Financing of Terrorism in the Financial Services Sector which is the implementation of standard recommendations from the FATF (Financial Action Task Force). There are three stages in the money laundering process in banking, namely Placement, Layering, and Integration. Application of CDD at PT. Bank Mandiri Tbk is contained in the "Policy for the Implementation of the Anti-Money Laundering (APU) and Prevention of Terrorism Financing (PPT) Programs of PT Bank Mandiri (Persero) Tbk", which is carried out by customer identification, information request & data verification, customer monitoring, EDD (Enhanced Due Diligence), to customer data updates. The application of the principle of Customer Due Diligence (CDD) must be further improved. Banks must be able to recognize their customers and also know the transactions made by their customers, so as to prevent the occurrence of money laundering crimes by using banks.