

# Pungutan otoritas jasa keuangan kepada notaris pasar modal selaku profesi penunjang pasar modal = Indonesia financial services authority levies to capital market notary as a capital market supporting profession

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## Abstrak

[Tesis ini membahas pungutan Otoritas Jasa Keuangan (OJK) kepada Notaris Pasar Modal selaku profesi penunjang Pasar Modal. Hal ini bermula sejak beralihnya kewenangan Bapepam-LK kepada OJK dengan berlakunya Undang-undang No. 21 Tahun 2011 tentang Otoritas Jasa Keuangan beserta peraturan pelaksanaannya dan adanya pengujian atas undang-undang tersebut di Mahkamah Konstitusi dengan Nomor Perkara 25/PUU-XII/2014. Dengan kewenangan OJK untuk mengatur Pasar Modal dan termasuk pihak yang melakukan kegiatan di Pasar Modal, OJK memberlakukan pungutan kepada Notaris Pasar Modal berupa pungutan Biaya Pendaftaran dan Biaya Tahunan. Dengan diberlakukannya pungutan, telah menimbulkan reaksi dari Notaris

Pasar Modal berupa mempertanyakan kewenangan yang dimiliki OJK. Penulisan ini merupakan penelitian yuridis normatif dengan tipe penelitian yang bersifat preskriptif. Simpulan dari penulisan ini adalah OJK berwenang melakukan pungutan namun tidak tepat memberlakukan pungutan tahunan kepada Notaris Pasar Modal selaku profesi penunjang Pasar Modal. Hadirnya tesis ini diharapkan agar dapat membantu menjawab pertanyaan dari Notaris Pasar Modal atas pemberlakuan pungutan, menjawab implikasi yuridis dan atas

pemberlakuan pungutan oleh OJK; This thesis discusses Indonesia Financial Services Authority (IFSA) Levies To Capital Market Notary As a Capital Market Supporting Profession. It began since the transfer of Bapepam-LK authority to IFSA within enforce Laws No. 21 of 2011 on Indonesia Financial Services Authority along its implementing regulation and with the presence of testing of the Laws above in Constitutional Court with Case Number 25/PUUXII/ 2014. With IFSA's authority to control Capital Market which included the parties

who involved in Capital Market, IFSA enforce a levies to Capital Market Notary in a form of Registration Levies and Annualy Levies. Within the enforce of levies, it has causes a reaction from Capital Market Notary that questioning the legal basis of its levies and such other things related the IFSA's levies. This thesis is a juridical research with prespective quality type of reasearch. The knot of this thesis is that IFSA's is have the authority to do levies but considerable that yearly levies to Capital Market Notary as Capital Market supporting proffesion is not correct. The presence of this thesis is expected to be able to answer the question of Capital Market Notary of the IFSA's levies, juridical implication and social/practice implication of its., This thesis discusses Indonesia Financial Services Authority (IFSA) Levies To Capital Market Notary As a Capital Market Supporting Profession. It began since the transfer of Bapepam-LK authority to IFSA within enforce Laws No. 21 of 2011 on Indonesia Financial Services Authority along its implementing regulation and with the presence of testing of the Laws above in Constitutional Court with Case Number 25/PUUXII/ 2014. With IFSA's authority to control Capital Market which included the parties who involved in Capital Market, IFSA enforce a levies to Capital Market Notary in a

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