

Independensi otoritas jasa keuangan (OJK) dalam mengatur dan mengawasi sektor perbankan pasca putusan Mahkamah Konstitusi Nomor 25/PUU-XII/2014 = Independency of Indonesian financial services authority (otoritas jasa keuangan) in regulating and supervising the banking sector post Constitutional Court judgment No. 25/PUU-XII/2014

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Abstrak

ABSTRAK

Skripsi ini membahas mengenai penerapan Independensi Otoritas Jasa Keuangan (OJK) pasca adanya Putusan Mahkamah Konstitusi Nomor 25/PUU-XII/2014 dalam menjalankan fungsi dan tugasnya mengatur dan mengawasi seluruh kegiatan jasa keuangan di Indonesia, khususnya sektor perbankan di Indonesia. Dimana Mahkamah memutuskan untuk dihapusnya frasa "bebas dari campur tangan pihak lain..." yang mengikuti frasa "Independen" dalam Pasal 1 angka 1 UU No.21 Tahun 2011 tentang Otoritas Jasa Keuangan. Dengan menggunakan metode penelitian hukum normatif yang melakukan penelitian terhadap bahan hukum primer, sekunder, dan tersier, dapat disimpulkan bahwa dengan dihapusnya frasa "bebas dari campur tangan pihak lain", membuat Independensi OJK semakin lemah.

ABSTRACT

This thesis elaborates the implementation of the independency of Financial Services Authority (OJK) post Constitutional Court Judgment No. 25/PUU-XII/2014 in conducting its functions and duties as the regulator and supervisor of financial services in Indonesia, especially in banking sector. Within its decision, the Constitutional Court abolished the phrase "free from other parties" intervention, which following the phrase "independent", that was previously stated under Article 1 (1) of Law No. 21 Year 2011 on Financial Services Authority. Based on normative legal research that uses primary, secondary and tertiary legal sources, this research has found that the abolishment of such phrase, the independency of OJK is weaker than before.