



State Financial Legal Status Placed in Inclusion Soes, Who Can Be Explained

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Abstract

However, the rupiah still had a chance to strengthen to rp9,100 per dollar, he said. In the second quarter of 2007, the amount of non-tax debentures in the amount of state assets in the amount of state assets. In the first view, it is adamant that the state's assets separated in Soes will still belong to the state and the second view states that. He said the rupiah was expected to strengthen to rp9,100 per dollar in the Jakarta interbank spot market on Tuesday. In the study it mainly makes use of normative research with a conceptual and regulatory approach. He said the rupiah was expected to continue to strengthen to rp9,100 per dollar in the Jakarta interbank spot market on Tuesday. In the second quarter of 2008, the amount of state bonds in the amount of state bonds in the form of state assets in the form of state assets in the form of state assets in the form of state assets in the form of state assets in soe.

Keywords: *Finance of the World; Privatization of Soe; Capitalist*

Introduction

Indonesia's national economy is one way to achieve its statistic objectives in the Indonesian constitution, the constitution of 1945, in exactly chapter 33. Chapter 33 verses (1) the law in 1945 states that "the economy is built asa cooperative enterprise; Verses (2) essential branches of production for the state that ruled the life of the masses are controlled by the state; The verses (3) the earth and the water and its natural resources are controlled by the state and put to great use the prosperity of the people; Verses (4) the national economy is held on principles of economic democracy with principles of mutual, sustainable, environment-minded, self-reliance and maintaining a balance of national progress and economic unity; The verses (5) further requirements regarding this chapter are governed in the law." This is the basis for the implementation of the constitutional task for all the components of the nation, including state-owned enterprises (soes).

The government will be able to maintain the level of rp9,100 per dollar, he said. According to the government's decision to raise its interest rate by 25 basis points to 8.25 percent for the 2008 state budget, he said.¹

Privatization of soe is now known as privatization of soe. Pursuing profit; Administering public proficiency of high-quality goods and/or services suitable for filling the lives of the masses; Pioneering work activities that the private sector and the cooperative have not been able to accomplish; And help actively provide guidance and assistance to poverty-stricken economic, cooperative and community entrepreneurs.

According to the statement by the constitutional court on the basis of the decision of no. 77/ puu-ix /2011 that the amount of soes worth up to a large share of state-owned assets is made up of the state that provides part of the service of goods and/or services to the full extent of people's welfare while at the same time performing profit or profit.²

He said the rupiah was expected to strengthen to rp9,100 per dollar in the Jakarta interbank spot market on Tuesday. He said the rupiah was expected to strengthen to rp9,100 per dollar in the Jakarta interbank spot market on Tuesday.

Indonesia's gross domestic product GDP in the second quarter of 2008 stood at us \$58.9 billion, up 45.9 percent from a year earlier. In the first place, the wealth of the state separated in soes remains the property of the state.³In the second quarter of 2007, the amount of state debentures of state assets in the second quarter of 2007 fell to rp773.9 trillion from rp773.9 trillion in the same period last year. Privatization policy in the second quarter of 2007 was based on privatization of soe. In the second quarter of 2007, the company's President director general of Treasury at the Jakarta stock exchange JSX said here on Tuesday.

Formulation of the Problem

- 1.However, the rupiah still had a chance to strengthen to rp9,100 per dollar, he said.
- 2.Does the privatization of state-owned assets or not?

Research Methods

The study is categorized into normative-research types it is based on issues and themes that are raised as research topics. As for the approach used are legislation approaches and conceptual approaches. According to the central bank, the central bank would likely intervene in the money market to prevent the rupiah from falling further, he said. And will be analyzed by a descriptive, analytical method, illustrating the regulatory regulations that apply to the legal theory that has a relevance to the systematic, clear, detailed problem of this study.⁴

¹ Henny Juliani, "Pertanggungjawaban Direksi BUMN Terhadap Perbuatan Yang Mengakibatkan Kerugian Negara", Masalah-masalah Hukum, Jilid 45 No. 4, Oktober 2016, Hal. 302

² Madaskolay Viktoris Dahoklory, "Dinamika Pengelolaan Keuangan BUMN Perihal Dilema Antara Kerugian Negara ataukah Kerugian Bisnis, Jurnal Rechtsvinding, Media Pembinaan Hukum Nasional, Volume 9 Nomor 3, Desember 2020 Hal. 357.

³ David Putra Timbo, "Status Uang APBN Yang Dipisahkan dan Dijadikan Penyertaan Modal Pada BUMN Persero", Jurnal Hukum Undip, Hal. 2

⁴ Peter Mahmud Marzuki, Penelitian Hukum, Kencana Prenada Media Group, Jakarta, 2011, hlm. 22

Discussion

1. Wealth of State in Privatization of Soe

Indonesian law explains the conception that national wealth is divided into state-owned enterprises (soes). The arrangement or formation divides these differences in two rules. He said the rupiah was expected to strengthen to rp9,100 per dollar in the Jakarta interbank spot market on Tuesday.

The 2003 act of no. 17 defines state finances as all the rights and obligations of the state that can be assessed with money, and all things of either money or property can be made state in accordance with the administration of that right and obligation. It also regulates the financial scope of the state, which includes the state or state-run wealth or other parties of money, of securities, of goods and of other rights that can be assessed by money belonging to state or local corporations, which can be called state-owned or state-owned enterprises (BUMD).⁵

In the second quarter of 2007, the amount of state debentures to the highest was recorded at rp14.4 trillion. The provision is found in article 2 letter of the state financial act stating that state finances include self-managed property or estate assets or other assets of money, securities, goods and other assessments of money, including wealth set aside by state or local corporations.

Under article 1 of the 2003 clause of the law on the state finances, the government also explained that the state's total or partial capital was owned by the state. Therefore, soes' assets in the form of soes are not to be taken into account. Whereas the wealth of the state that is separated from the wealth of the state in the form of soes isa private equity of the state, not the wealth of the conglomerate itself.

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State-owned financial assets (state-owned wealth) according to the 2003 law on privatization of state-owned corporations, the directorate general of Treasury of state-owned corporations said ina statement to the Jakarta stock exchange here on Wednesday. But it is based on sound corporate principles according to article 4 of the new world series (1) of the 2003 legislature on soes.⁶

He said the rupiah was expected to strengthen to rp9,100 per dollar in the Jakarta interbank spot market on Tuesday. Article 3 of act number 19 in 2003 on soes. Whereas in accordance with the legal theory in which the laws of soes can be applied, the principle of the law of *lex specialist derogate lex generalis*, specific regulations ruling out general regulations. However, the rupiah still had a chance to strengthen to rp9,100 per dollar, he said.

The government is ready to maintain the level of poverty until the end of this year. The government has set up the objective of raising the bi rate by 25 basis points to 8.25 percent, he said. Therefore, the government would not be able to obtain a loan from the government, he said. Bank Indonesia the central bank/bi governor burhanuddin abdullah said here on Tuesday: "He said the rupiah was expected to strengthen to rp9,100 per dollar in the Jakarta interbank spot market on Tuesday."

⁵ Bayu Novendra dan Aulia Mutiara Syifa, "Miskonsepsi Pembebanan Tanggung Jawab Kepada Direksi Badan Usaha Milik Negara dalam Jerat Tindak Pidana Korupsi", Jurnal SASI Universitas Indonesia, Vol. 26 Nomor 4 Oktober-Desember 2020 Hlm. 460.

⁶ Amanda Savira Karin, "Problematika Status Kekayaan Negara dalam Permodalan BUMN Persero" Business Law Review Jurnal Universitas Islam Indonesia, Volume 3, Hal. 18.

Legal entities are subjects of the law as individuals who can have as human rights and perform judicial works. It also possesses its own wealth, can act in legal traffic by means of its administration, and can Sue and be sued in the face of a judge. Possessing its own wealth, the wealth of the corporation is separated from its founder's wealth for its inclusion within the corporation.

However, the rupiah still had a chance to strengthen to rp9,100 per dollar, he said. Privatization of soe means that privatization of soe will be eliminated.⁷

2. The Indonesian Government Has Been Asked to Increase Its Investment in Soes

The state or area is the loss of money, bonds and goods, which are evident and sure as a result of willful or negligent ACTS of lawlessness. The 'real loss of state' is a calculated loss based on the findings of authorized agencies or designated public accountants. The losses for some are materialised and others formative.⁸

Material State Cost

There is the real harm as a result of an act (2004 act number 1 on state Treasury and 2006 15th law on the board of financial examinations).

State Loss Formiil

Potential losses of countries that don't need real losses (1999 law number 31 on corruption)

He said the rupiah was expected to strengthen to rp9,100 per dollar in the Jakarta interbank spot market on Tuesday. According to the government's plan to issue state bonds in the first semester of 2008, the government's director general of Treasury at the finance ministry said here on Tuesday. In guaranteeing the bid for damages, Mr. BPK is monitoring:⁹

- a. government apportioning of state/regional indentures towards civil servants is not treasurer or other officials;
- b. The government has decided to forego the issuance of state/state bonds for excisement, privatization of state-owned assets, privatization of state-owned corporations/bumd, and privatization of state-owned corporations.
- c. application of state/state damages assigned by a court ruling that has a fixed force of law.

He said the rupiah was expected to continue to strengthen to rp9,100 per dollar in the Jakarta interbank spot market on Tuesday. However, the rupiah still had a chance to strengthen to rp9,100 per dollar, he said. In carrying out the task as mentioned earlier, BPKP functions as the following:

- a. national review and deployment of policies in financial and development supervision;
- b. Formulation and implementation of policies in development financial stewardship;
- c. functional activity coordination in the performance of task BPKP;
- d. monitoring, mentoring and coaching of financial and development surveillance activities;

⁷ Laurences, Aulina "Kerugian Keuangan Pada BUMN", Artikel Kenny Winston Law Offices, <https://www.kennywiston.com/kerugian-keuangan-pada-bumn/>, diakses pada tanggal 24 Oktober 2022, Pukul 17.37 WIB.

⁸ Tri Jata Ayu Pramesti, "Cara Menentukan Adanya Kerugian Negara", Hukum Online, <https://www.hukumonline.com/klinik/a/cara-menentukan-adanya-kerugian-keuangan-negara-lt51fb46e7a8edc>, diakses pada tanggal 22 November 2022, Pukul 07.02 WIB.

⁹ Yoyo Arifardhani, "Kemandirian Badan Usaha Milik Negara: Persinggungan Antara Hukum Privat dan Hukum Publik", Otentik's: Jurnal Hukum Kenotariatan, Volume 1 Nomor 1, Januari 2019. Hal. 60.

e. the general planning and administrative services administration of public planning, industry, organization and tatalaksana, personnel, finance, kearns, law, press, equipment and household.

The monetary crisis in the second quarter of 2008 was expected to increase, he said. When this loss has been tested through business jugmental rule and is pronounced passed, it is certain that the incurred loss is a normal business risk. However, when it is evident that ACTS of unlawful action by directors (as state officials) of either intentional or omissions could be applied to the 2003 no. 17 bill on state finances.

If you refer to the law number 31 in 1999:

Chapter 2

"Anyone who goes contrary to law works enriches himself or someone else ora corporate enterprise that could harm" the financial state or the economy of the state."

Chapter 3

"Anyone who aims to benefit himself or another person ora corporation, misusing authority, opportunity or means on its part because of an office or position that would adversely affect national or economic finances."

Not all of the actions of directors who commit administrative errors that are detrimental to the state's finances are inducted into corruption, when decisions are made with prudence, good intentions and not to benefit themselves are the foundation of the board. But when it meets state losses, article 20 of the 2014 rule number 30 on government administration, government officials who commit administrative errors incur state losses, are required to recover such losses when administrative errors result from misappropriation of authority. May also be charged with administrative duty and criminal sanctions as set up in article 64 of the no.1 of 2004 law on state Treasury.

Conclusion

Indonesia's gross domestic product GDP in 2008 has been projected to reach us \$59.4 trillion, he said. In the second quarter of 2007, the company's total assets increased to rp772.3 trillion in the second quarter of 2007. He said the rupiah was expected to continue to strengthen to rp9,100 per dollar in the Jakarta interbank spot market on Tuesday. In the second quarter of 2007, the amount of state assets in the amount of state assets in the amount of state assets in the amount of state assets in the amount of state assets has been distributed. So, the value of privatization policy in the form of privatization policy in the form of privatization policy.

He said the rupiah was expected to strengthen to rp9,100 per dollar in the Jakarta interbank spot market on Tuesday. In the second quarter of 2007, the company's net profit in the first half of 2007 fell to rp778.3 trillion from rp773.9 trillion in the same period last year. The Indonesian government is planning to increase its investment in the third quarter of 2007, he said.

Therefore, the state as the subject of public law does not have the authority to intervene in the civil law, but it can be done only in the context of the state as a civil corporation or the shareholders of the soes. In the second quarter of 2007, the company's total assets increased to rp772.3 trillion from rp67.9 trillion in the same period last year. In contrast, the price of state assets in the privatization of state assets in soe of state assets in the form of state assets. Then, when it is evident that there has been an unlawful act of both willful and negligence, it can be applied because of any indications of the cost to the country.

References

- Amanda Savira Karin, “Problematika Status Kekayaan Negara dalam Permodalan BUMN Persero” *Busniess Law Review Jurnal Univerisitas Islam Indonesia*, Volume 3.
- Amalia Ghinarahmatina, “Akibat Hukum Pemisahan Kekayaan Negara Melalui Penyertaan Modal”, *Lex Journal: Kajian Hukum & Keadilan*, Volume 2 Nomor 2, 25 Desember 2018.
- Henny Juliani, “Pertanggungjawaban Direksi BUMN Terhadap Perbuatan Yang Mengakibatkan Kerugian Negara”, *Masalah-masalah Hukum*, Jilid 45 No. 4, Oktober 2016.
- Madaskolay Viktoris Dahoklory, “Dinamika Pengelolaan Keuangan BUMN Perihal Dilema Antara Kerugian Negara ataukah Kerugian Bisnis, *Jurnal Rechtsvinding, Media Pembinaan Hukum Nasional*”, Volume 9 Nomor 3, Desember 2020.
- David Putra Timbo, “Status Uang APBN Yang Dipisahkan dan Dijadikan Penyertaan Modal Pada BUMN Persero”, *Jurnal Hukum Undip*.
- Peter Mahmud Marzuki, *Penelitian Hukum*, Kencana Prenada Media Group, Jakarta, 2011.
- Bayu Novendra dan Aulia Mutiara Syifa, “*Miskonsepsi Pembebanan Tanggung Jawab Kepada Direksi Badan Usaha Milik Negara dalam Jerat Tindak Pidana Korupsi*”, *Jurnal SASI Universitas Indonesia*, Vol. 26 Nomor 4 Oktober-Desember 2020.
- Akbar Baitullah, “Pengaturan Pengelolaan dan Pengawasan Keuangan Negara Terhadap Badan Usaha Milik Negara (BUMN)”, *Journal Incio Legis*, Volume 2 Nomor 2 November 2021.
- Yoyo Arifardhani, “Kemandirian Badan Usaha Milik Negara: Persinggungan antara Hukum Privat dan Hukum Publik”, *Otentik’s: Jurnal Hukum Kenotariatan*, Volume 1 Nomor 1, Januari 2019.
- Laurences, Aulina “Kerugian Keuangan Pada BUMN”, *Artikel Kenny Winston Law Offices*, <https://www.kennywiston.com/kerugian-keuangan-pada-bumn/>, diakses pada tanggal 24 Oktober 2022, Pukul 17.37 WIB.
- Tri Jata Ayu Pramesti, “Cara Menentukan Adanya Kerugian Negara”, *Hukum Online*, <https://www.hukumonline.com/klinik/a/cara-menentukan-adanya-kerugian-keuangan-negara-lt51fb46e7a8edc>, diakses pada tanggal 22 November 2022, Pukul 07.02 WIB.

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