

Tinjauan hukum terhadap organ yayasan pada Yayasan Lembaga Pengembangan Perbankan Indonesia (YLPPI)

Siti Fati Haren, author

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Abstrak

<i>ABSTRACT</i>

Yayasan adalah suatu pranata sosial yang sangat diperlukan untuk mendukung visi, misi dan tujuan pembentukan negara yaitu Keadilan Sosial bagi Seluruh Rakyat Indonesia. Salah satu karakteristik yayasan adalah bahwa tujuan yayasan sebagai salah satu harta yang tersendiri yang merupakan wadah saluran amal para penyandang dana untuk mencapai tujuan yayasan seperti dimuat dalam Anggaran Dasar. Dalam kaitan dengan penulisan ini, studi kasus mengenai YLPPI merupakan yayasan yang melaksanakan kegiatan pendidikan terutama untuk kalangan bankir dengan tujuan untuk menghasilkan insan perbankan yang berkualitas tinggi dan profesional. Tesis ini akan membahas mengenai kewenangan organ yayasan, dimana terdapat Deputy Gubernur Bank Indonesia ex officio Dewan Pengawas, dalam mengambil keputusan mencampur adukan kedua kepentingan itu sehingga mendatangkan kerugian bagi YLPPI.

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The Foundation is a social institution that is necessary to support the vision, mission and objectives of the state establishment, that is Social Justice for All People of Indonesia. One of the characteristics of the foundation is that the purpose of the foundation as one of the independent treasures for being a charity media for charity donors to achieve the objectives contained in the Domestic Statutes. With the presence of a foundation as one business activity, defined as a legal entity consisting of the separate property and intended to achieve certain goals in the social, religious and humanitarian which does not have members. As background, Decision of Council Meeting of Bank Indonesia Governors as the highest decision making forum in determining the policies of Bank Indonesia that is principled and strategic ordered YLPPI Foundation Board of Trustees for the disbursement of funds to Bank Indonesia. Research conducted using the juridical-normative literature in particular by analyzing the legal materials in the form of primary legislation, rules and regulations regulated or related to the regulation about the position of organ committee particularly the builder foundation towards the Foundation and founder of the foundation of government agencies, especially about RDG legal relationship (Board of Governors? Meeting) in Bank Indonesia and YLPPI Foundation (Indonesian Banking Development Foundation). There?s conflict of Interest, in fact depreciation funds potentially harmful for YLPPI foundation.</i>