

Regulatory and supervisory authority of the financial services authority over the rural banks = Kewenangan pengaturan dan pengawasan otoritas jasa keuangan terhadap bank perkreditan rakyat

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Abstrak

Skripsi ini membahas kewenangan pengaturan dan pengawasan Otoritas Jasa Keuangan terhadap Bank Perkreditan Rakyat. Pembentukan Otoritas Jasa Keuangan pada tahun 2011 melalui diterbitkannya Undang-Undang No. 21 Tahun 2011 tentang Otoritas Jasa Keuangan menyebabkan pindahnya kewenangan pengaturan dan pengawasan atas industri perbankan, termasuk Bank Perkreditan Rakyat konvensional, dari Bank Indonesia kepada Otoritas Jasa Keuangan. Pemindahan kewenangan ini sendiri terjadi secara bertahap, dimana Otoritas Jasa Keuangan baru memegang kewenangan pengawasan pada tahun 2013, setelah sebelumnya hanya memegang kewenangan pengaturan atas industri perbankan.

Skripsi ini membahas penerapan kewenangan pengaturan dan pengawasan atas Bank Perkreditan Rakyat oleh Otoritas Jasa Keuangan, memaparkan kemungkinan adanya celah hukum ataupun overlap kewenangan, dan memberikan rekomendasi terkait dari perspektif hukum, untuk perkembangan Otoritas Jasa Keuangan dan Bank Perkreditan Rakyat, serta industri perbankan dan hukum perbankan di Indonesia secara umum yang lebih baik.

.....This undergraduate thesis discusses the Financial Services Authority's regulatory and supervisory authority over the Rural Banks. Since the establishment of the Financial Services Authority in 2011 through the promulgation of Law No. 21 Year 2011 on Financial Services Authority, the supervision and regulation over the banking industry, including the conventional rural banks, is transferred from the Bank of Indonesia to the Financial Services Authority. The transfer of authorities itself is gradual, as the Financial Services Authority had only gain the supervisory authority effectively in 2013, previously only having the regulatory authority.

This undergraduate thesis dwelves into the regulatory and supervisory authority over the rural banks as implemented by the Financial Services Authority through Regulations and Circular Letters, exposing possible legal gaps or overlaps and providing related recommendations from the legal perspective, for the better development of the Financial Services Authority and the rural banks, as well as the Indonesian banking industry and banking law in general.