

Tinjauan hukum devisa di Indonesia dikaitkan dengan kewajiban penerimaan devisa hasil ekspor SDA melalui Bank = Legal review on foreign exchange in Indonesia related with obligation of reception of export resources of natural resources through Bank

Tarore, Felicia Angelini, author

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Abstrak

Skripsi ini membahas mengenai pengaturan devisa di Indonesia, khususnya terkait kewajiban penerimaan Devisa Hasil Ekspor SDA melalui Bank yang diatur dalam Peraturan Pemerintah No. 1 tahun 2019, Peraturan Menteri Keuangan RI No. 98/PMK.04/2019, dan PBI No. 21/3/2019. Terdapat permasalahan terkait dengan adanya kewajiban penerimaan Devisa Hasil Ekspor melalui Bank yang diatur dalam peraturan perundang-undangan. Berdasarkan hal tersebut, Penulis mengajukan pokok permasalahan yaitu bagaimana pengaturan devisa di Indonesia dan bagaimana kesesuaian antara kewajiban penerimaan Devisa Hasil Ekspor SDA melalui bank sebagaimana ketentuan Bank Indonesia mengenai Devisa Hasil Ekspor SDA. Bentuk penelitian ini bersifat yuridis normatif dan tipologi penelitian deskriptif. Kesimpulan yang didapatkan adalah 1) pengaturan devisa di Indonesia pada tahun 1964 menganut sistem devisa terbatas yang mana di atur dalam UU Peraturan Lalu Lintas Devisa dan pada tahun 1999 pemerintah mengubah sistem devisa menjadi sistem devisa bebas dengan menerbitkan UU Lalu Lintas Devisa dan Sistem Nilai Tukar; 2) terdapat pembatasan-pembatasan yang dibuat oleh pemerintah dan Bank Indonesia dalam peraturan perundang-undangan terkait Devisa Hasil Ekspor SDA. Saran yang diberikan adalah: 1) Pemerintah harus mengatur Devisa Hasil Ekspor dalam Undang-Undang; 2) Bank Indonesia, Otoritas Jasa Keuangan dan Kementerian Keuangan harus melakukan monitoring secara langsung.

This thesis discusses the regulation of foreign exchange in Indonesia, specifically related to the obligation to receive Foreign Exchange Derived from Natural Resource Exports through banks as stipulated in Government Regulation No. 1 Year 2019, Minister of Finance of the Republic of Indonesia's Regulation No. 98/PMK.04/2019, and Regulation of Bank Indonesia No. 3/21/2019. There is a problem related to the mandatory deposit of Foreign Exchange Exports Proceeds through Banks which is stipulated in the legislation. Based on this, the author proposes the main problem, namely how to regulate foreign exchange in Indonesia and how is the compliance between the mandatory deposit Foreign Exchange Derived from Natural Resource Exports through banks as stipulated by Bank Indonesia regarding Foreign Exchange Derived from Natural Resource Exports. The method of this research is normative juridical and descriptive research typology. The conclusions obtained are 1) foreign exchange arrangements in Indonesia in 1964 adopted a limited foreign exchange system which is regulated in the Act of Foreign Exchange Traffic and in 1999 the government changed the foreign exchange system into a free foreign exchange system by issuing the Act of Foreign Exchange Traffic and the Exchange Rate System; 2) there are restrictions made by the government and Bank Indonesia in the legislation related to Foreign Exchange Derived from Natural Resource Exports. Moreover, suggestions given are: 1) The government must regulate the export proceeds in the Act; 2) Bank of Indonesia, Financial Service Authority, and Ministry of Finance have to conduct direct monitoring.