

# Tinjauan Yuridis Pengaturan dan Penerapan Prinsip Anti Pencucian Uang dan Pencegahan Pendanaan Terorisme pada Penyelenggaraan Inovasi Keuangan Digital = Juridical Review on Regulations and Application of Anti-Money Laundering and Counter Financing of Terrorism Principles in the Implementation of Digital Financial Innovations

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## Abstrak

Peningkatan penggunaan Inovasi Keuangan Digital selain memberikan dampak positif bagi pihak penyelenggara dan masyarakat, namun juga memiliki risiko terjadinya penggunaan layanan Inovasi Keuangan Digital sebagai sarana pencucian uang dan pendanaan terorisme. Terkait hal ini, ternyata dalam pelaksanaan rezim APU-PPT di Indonesia, Inovasi Keuangan Digital belum termasuk ke dalam pihak pelapor sebagaimana yang diatur dalam peraturan perundang-undangan. Dengan latar belakang tersebut, Pokok permasalahan yang diangkat pada penelitian ini antara lain bagaimana pengaturan mengenai prinsip Anti Pencucian Uang dan Pencegahan Pendanaan Terorisme (APU-PPT) dalam penyelenggaraan Inovasi Keuangan Digital di Indonesia serta bagaimana penerapan prinsip Anti Pencucian Uang dan Pencegahan Pendanaan Terorisme pada penyelenggaraan Inovasi Keuangan Digital di Indonesia. Metode penelitian yang dilakukan bersifat deskriptif analitis dengan bentuk penelitian yuridis-normatif.

Dari hasil penelitian yang dilakukan diketahui bahwa peraturan mengenai IKD diatur dalam POJK Nomor 13/POJK.02/2018 dan peraturan mengenai APU-PPT secara khusus dalam POJK Nomor 12/POJK.01/2017 sebagaimana diubah dengan POJK Nomor 23/POJK.01/2019. Sedangkan terkait pelaksanaannya, berdasarkan hasil penelitian diketahui fakta bahwa kewajiban penerapan prinsip APU-PPT bagi Penyelenggara IKD akan efektif diberlakukan pada tahun 2022 dan telah dilakukan pembahasan terkait dengan rencana disetaknya Inovasi Keuangan Digital sebagai salah satu pihak pelapor dalam rezim APU-PPT. Saran yang diberikan Penulis yaitu penggolongan klaster IKD berdasarkan tingkat risiko adanya pencucian uang dan penyusunan pedoman teknis tata cara pengisian laporan bagi perusahaan fintech.

.....The increase of Digital Financial Innovations usage in addition to having a positive impact on both the operators and the public, also has the risk of its services being utilized as a means of money laundering and terrorism financing. Pertaining to this, it turns out that in the implementation of the AML/CFT regime in Indonesia, Digital Financial Innovations aren't yet included as a reporting party as stipulated in the legislation. Based on this background, the main issues raised in this research includes how the Anti-Money Laundering and Combating the Financing of Terrorism (AML/CFT) principles are regulated in the operation of Digital Financial Innovations in Indonesia and also how the Anti-Money Laundering and Combating the Financing of Terrorism principles are implemented in Digital Financial Innovations in Indonesia. The research method used is analytical descriptive in the form of normative legal research.

From the results of the achieved research, it was known that the regulations regarding DFI are regulated in POJK Nomor 13/POJK.02/2018 and the regulations regarding AML/CFT are specifically regulated in POJK Nomor 12/POJK.01/2017 as amended by POJK Nomor 23/POJK.01/2019. Meanwhile, on the subject of its implementation, based on the results of the research, it was known that the obligation to implement the

AML/CFT principles for DFI Operators will be effective in 2022 and discussions concerning the plan to include Digital Financial Innovations as a reporting party in the AML/CFT regime has also been held. The recommendations that given by the author are classification of DFI Clusters based on the level of risk of money laundering and preparation of technical guidelines for filling out reports for fintech companies.