

Pelanggaran Prinsip Good Corporate Governance oleh Direksi = Violation of the Good Corporate Governance Principle by the Board Of Directors

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Abstrak

Direksi sebagai organ perseroan memiliki peran penting dalam menjalankan pengurusan perseroan dan mempunyai wewenang dalam pengambilan keputusan bisnis. Sering kali direksi dihadapkan pada suatu kondisi dimana harus mengambil suatu keputusan dan tindakan yang cepat agar perusahaan yang dikelolanya tetap bisa memperoleh peluang bisnis. Begitu pula pada Badan Usaha Milik Negara khususnya Perusahaan Perseroan yang tujuan utamanya mengejar keuntungan, mungkin saja seorang direksi yang memiliki wewenang dalam mengambil keputusan untuk peluang tersebut mengabaikan dan melanggar prinsip-prinsip good corporate governance yang memungkinkan terjadinya tindakan benturan kepentingan. Situasi demikian bilamana terdapat kepentingan yang berbenturan antara pribadi direksi dengan perseroan, maka akan dapat mempengaruhi pengambilan suatu keputusan yang pada akhirnya merugikan perseroan. Oleh karena itu kelima prinsip good corporate governance yakni prinsip transparansi, akuntabilitas, pertanggungjawaban, kemandirian, dan kewajiban wajib untuk diterapkan oleh Badan Usaha Milik Negara guna mencegah terjadinya tindakan benturan kepentingan yang dilakukan oleh direksi.

.....The Board of Directors as an organ of the company has an important role in carrying out the management of the company and has the authority to make business decisions. Often the directors are faced with a condition where they have to take a decision and take quick action so that the company they manage can still get business opportunities. Likewise, in State-Owned Enterprises, especially corporate companies whose main goal is to pursue profit, it is possible that a director who has the authority to make decisions for these opportunities ignores and violates the principles of good corporate governance which allows conflicts of interest to occur. Such a situation if there is a conflict of interest between the directors and the company, it will be able to influence the making of a decision that will ultimately harm the company. Therefore, the five principles of good corporate governance, namely the principles of transparency, accountability, responsibility, independency, and fairness, must be implemented by State-Owned Enterprises in order to prevent conflicts of interest by the directors.