

## ABSTRACT

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***CONFISCATION OF THIRD-PARTY EVIDENCE IN CORRUPTION CRIMINAL PROCEEDINGS (STUDY OF PRE-COURT DECISION NO. 93/PID.PRA/2020/PN.JKT.CELL)***

***(xii + 95 pages)***

*Confiscation is a series sel of investigative acts to seize or retain under its possession movable or immovable objects, tangible, or intangible for the purposes of proof in investigation, prosecution, and justice. If there is no connection or involvement with criminal acts, a such objects cannot be placed in a sentence. Thus, the seizure of an object that has no connection with the criminal event under investigation is unlawful and invalid. As to the problem in this script is: (a) how is the regulation of seizure in cases of corruption; (b) how can the seizures of management fee belonging to a third party, PT.Corfina Cafital carried out by the chief prosecutor's investigator be qualified as seizable as in the provisions of Article 39 of the Constitution. The method of research used in this research is a library method, which is of a juridic normative nature and emphasizes the use of secondary data in the form of written legal norms, because in the research that will be carried out only used sequential data such as legislative regulations, books, journals, articles, and dictionaries. The results of the research were obtained that: (a) the management fee is the right of the investment manager to the result of the management of the account in the form of a collective investment contract, so it is not justified if the management fees are said to be other things that have a direct connection to the criminal act as in Article 39 (1) letter e of the Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 on the Eradication of Corruption Crimest. (b) If the legal protection for the interested third party or a third party of good faith in connection with the application of the provisions of the Criminal Code of Corruption simultaneously in the attempt to reimburse the loss of the state cannot guarantee legal protection to the third party injured to the maximum, then the seizure of assets is not included to deprive the property of an innocent person or a goodwilled person.*

*References: 66 (1945-2023)*

***Keywords: Confiscation, Evidence, Goodwill, Third Party, Management Fee.***