

ABSTRACT

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LEGAL PROTECTION OF FINANCIAL SERVICES AUTHORITIES AFTER THE ENACTMENT OF LAW NUMBER 4 OF 2023 CONCERNING THE DEVELOPMENT AND STRENGTHENING OF THE FINANCIAL SECTOR

(xi+114 pages)

The formulation of Article 45A paragraphs (1) and (2) and Article 48C paragraphs (1) and (2) of the Law Number 4 of 2023 concerning Development and Strengthening of the Financial Sector (P2SK Law) provides legal protection for every official and employee of the Otoritas Jasa Keuangan (OJK), but it turns out that there is no definition or explanation of the phrase "good faith" which is one of the elements and limits of the absoluteness and absoluteness of the impunity to the OJK, so this needs to be studied and researched further to avoid the ambiguity of the OJK impunity in question, especially the principle of equality before the law in Indonesia as guaranteed in the constitution. The problem in the research, is how the impunity of the Financial Services Authority in Law Number 4 of 2023 concerning Development and Strengthening of the Financial Sector and how the legal consequences of the impunity of the Financial Services Authority on the principle of equality before the law. The legal research method used is normative juridical with data collection techniques through literature study, so that the research data is secondary data. The results show that the concept of limited impunity is contrary to the 1945 Constitution Article 28D paragraph (1), Law No. 31/1999 in conjunction with Law No. 20/2001 Articles 2 and 3, Law No. 30/2014 Article 19, and Law No. 5 of 1986 Article 1 paragraph (3). Limited impunity is contrary to the principle of equality before the law, but it does not close the space to bring OJK to the judicial process, but it becomes very difficult. This is because "carried out based on good faith and in accordance with the provisions of laws and regulations" must be proven to the Court, moreover, the existence of this sentence shows that the P2SK Law prioritizes the principle of presumption of innocence for some officials who implement this law.

Keywords: *Legal Protection, Financial Services Authority, P2SK Law.*

References: 91 (1976-2023)