

ABSTRACT

Fanema Anugerah: LEGAL RESPONSIBILITY IN CORRUPTION CRIMES FOR STATE-OWNED ENTERPRISES TO REALIZE LEGAL CERTAINTY, under the guidance of Prof. Dr. Waty Suwarty Haryono, S.H., M.H., as Promoter and Dr. Rineke Sara, SH, MH, as Co-Promoter.

BUMN is one of the perpetrators of economic activity in the national economy and has an important role to realize the welfare of society. However, the implementation of the role of soes to realize people's welfare has not been optimal. Formulation of the problem, what is the legal responsibility of the BUMN Directors for losses to state finances?, what are the consequences of the actions of the Directors of BUMN which result in losses to the State's finances?, and what are the efforts to overcome the actions of the Board of Directors which can be detrimental to state finances?. Research method: The type of research used is normative juridical law research with statutory and conceptual approaches. The results of the study show that the directors of a limited liability company or other business entity cannot be held criminally liable or sued civilly by anyone, including shareholders, if the directors carry out the company's functions in accordance with the company's goals and bylaws/bylaws with care and full responsibility. The Board of Directors has full duties, authority and responsibility for the management and running of the Company they lead for the interests and objectives of the Company and represent and act for and on behalf of, inside and outside the court in accordance with the laws and articles of association of the Company. Directors, Commissioners and other structural officials in BUMN and BUMD are state administrators because they are included in the group of officials who have strategic functions in relation to state administration. The accountability of the Board of Directors can be seen from the conformity in managing the company with laws and regulations and sound corporate principles. If the Board of Directors in managing BUMN causes financial losses to BUMN due to intentional or negligent unlawful acts, it can be interpreted as detrimental to state finances. As a result of the actions of the Directors of BUMN which result in losses to the State's finances, the TPK Law can be imposed and a criminal sentence can be imposed. Efforts to prevent corruption in a SOE, among others, are through prevention efforts and through Corruption Prevention and Eradication Actions whose focus is on the governance of state-owned enterprises (BUMN) and the private sector which is carried out through the establishment of the Indonesian National Standard (SNI) ISO 37001 Anti-Bribery Management System.

Keywords: *BUMN, Corruption, Directors.*