

PERBANDINGAN HUKUM KEWENANGAN OTORITAS JASA KEUANGAN INDONESIA DAN JERMAN

Lu Sudirman
Deddy Santoso

Abstract

The financial system is substantial for a country, this is because the financial system will affect the stability of the economy in a country. Thus, it takes a special agency to work in the sector supervision of the financial system, namely financial services authority. However, there are still many cases faced by the financial services authority. The government has set up and run the laws and regulations regarding financial services authority which authorizes the financial services authority in maintaining economic stability with overseeing financial services. In this study, described in detail the similarities, differences, and the authority of the service, and to investigate the conditions which country is better in the authority possessed by the financial services authority.

Methodology used in this research is the normative legal research -based comparative law. The data used in this study is a secondary data obtained from literature (library research). Once all the data is collected, then processed and analyzed to find the legal issues that are the object of study and conclude, then described descriptively.

The results of this study indicate that Indonesia and Germany have had a pretty good authority. Indonesia and Germany have similarities and differences within its authority, the supervisory agency model of the financial services sector, the background of the establishment of the authority, scope of authority, the source of funds in carrying out its authority, and the nature of independency in the process of running the authority.

Keywords :Financial Services Authority, Indonesia, Germany.

A. Latar Belakang

Dewasa ini dimana dunia dipenuhi dengan kemajuan teknologi karena globalisasi yang berpengaruh terhadap seluruh sektor dalam kehidupan. Salah satunya pada kompleksitas sistem keuangan. Kemajuan teknologi secara otomatis akan mempengaruhi pertumbuhan ekonomi yang merupakan syarat untuk terciptanya sesuatu di dunia ini. Seperti dua sisi mata uang yang tak dapat terpisahkan pertumbuhan ekonomi tidak akan terlepas dari perkembangan sistem, yaitu sistem keuangan yang semakin canggih.

Sistem keuangan adalah hal yang substansial bagi suatu negara, hal ini dikarenakan sistem keuangan akan mempengaruhi stabilitas perekonomian dalam suatu negara. Di negara berkembang seperti Indonesia sektor keuangan sangat penting untuk