

Tanggung Jawab Direksi Dalam Proyek Pengadaan Barang Dan Jasa Di Pemerintahan Berdasarkan Undang-Undang Perseroan Terbatas (Studi Terhadap Putusan MA RI Nomor 1760 K/Pid.Sus/2016 jo. Putusan Pengadilan Tinggi DKI Jakarta Nomor 10/Pid/TPK/2016/PTDKI jo. Putusan Pengadilan Negeri Jakarta Pusat Nomor 74/Pid.Sus/TPK/PN.JKT.PST) = Responsibilities of Directors in Procurement Projects And Services In The Government Based On The Law Of Limited Liability Companies

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Abstrak

Direksi merupakan pihak yang bertindak mewakili perusahaan suatu perseroan terbatas, termasuk mewakili perseroan dalam proyek pengadaan barang dan jasa di Pemerintahan. Tanggung jawab direksi tentu secara tegas diatur dalam Undang-Undang Perseroan Terbatas, termasuk juga tanggung jawab direksi dalam proyek pengadaan barang dan jasa dipemerintahan. Pada penelitian ini penulis melakukan Penelitian hukum normatif melalui pendekatan undang-undang dan pendekatan kasus disampaikan secara deksriptif analitis. Hasil penelitian ini didapatkan bahwa Direksi dapat dimintai pertanggungjawaban selaku pihak yang mewakili perseroan terbatas, dapat dimintai pertanggungjawaban secara perdata, pidana dan administrasi, serta adanya kepastian hukum dalam pertimbangan hakim dalam memutus perkara dalam proyek pengadaan barang dan jasa di Pemerintahan.

.....The Board of Directors is the party acting on behalf of the company of a limited liability company, including representing the company in the procurement of goods and services in the Government. The responsibilities of the board of directors are of course strictly regulated in the Limited Liability Company Law, including the responsibility of the board of directors in government procurement projects. In this study, the authors conducted normative legal research through a statutory approach and a descriptive analytical case approach. The results of this study found that the Board of Directors can be held accountable as a party representing a limited liability company, can be held accountable for civil, criminal and administrative matters, as well as legal certainty in the judge's consideration in deciding cases in the procurement of goods and services projects in the Government.