

## KERUGIAN KEUANGAN NEGARA PADA PENGELOLAAN PERSERO

### Abstrak :

*It has been a problem for many years that Government is involved in the management activities of the Persero. The recent problem is that the involvement of the Government bases on crime. Through very extensive powers the Government had interrupted the law principles concerning financial affairs of the Perseros under which asserted as State's loss. It rises as consequences of unsynchronized meaning of "State Property" according to State Finances Act and "Separated State Property" according to Indonesian State Own Enterprise Act (Indonesian SOEs Act). Failures in managing the Persero's property may be well presumed as State's loss. This presumption is misconstrue and hazardous due to the ambiguity of the law. As one of the shareholders of the Perseros, the limitation of State's loss is not more than the value of the shares held by the Government. Additionally, the enforcement of criminal liability such as corruption to the Directors of the Persero as managing Directors was erroneous. Therefore, the boundaries of the public law, administration law, criminal law, civil law, and corporation law turns out to be vague.*

### Keyword :

*Persero, Limited Liability, Criminal Liability and State's Loss*