Arrangements for Reporting Suspicious Financial Transactions by Notaries to the Financial Transaction Analysis Reporting Center

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Abstract. Notaries are independent public servants who can do their jobs without supervision. The powers granted to a notary by Law No. 2 of 2014 on Amendments to Law No. 30 of 2004 Regarding the Position of Notary are in addition to those granted to a notary by existing laws. As part of their standard procedures, notaries must notify the Financial Transaction Reports and Analysis Center of any suspicious financial dealings. It is absurd that as these obligations increase, there is not corresponding rise in authority to ensure their proper and efficient performance. The purpose of this research is to analyze how Law No. 8 of 2010 on the Prevention and Eradication of the Crime of Money Laundering Act is being put into practice with regards to the notary's responsibility to report suspicious transactions involving the use of notary services. Minister of Law and Human Rights Regulation No. 9 of 2017 Concerning the Application of the Principles of Recognizing Service Users for Notaries and Analyzing the Authority of a Notary to Carry Out These Obligations, and Government Regulation No. 43 of 2015 Regarding Reporting Parties in the Prevention and Eradication of the Crime of Money Laundering. Despite the fact that the study's findings show that appointing a notary as the reporting party does not jeopardize the notary's impartiality, the notary is often not given the ability to perform the reporting obligation because it is seen as too onerous. A change to the Notary Position Act and the delegation of explicit authority is required in order to name a notary as the reporting party.

Keywords: Notary · Reporting · Suspicious Financial Transactions

1 Introduction

Statute No. 8 of 2010 pertaining to the Prevention and Eradication of the Crime of Money Laundering repealed Law No. 25 of 2003, which had altered the original money laundering law in Indonesia, Law No. 15 of 2002. Since money laundering is a growing and evolving crime, anti-money-laundering laws have either been updated or replaced to keep up. Various authorities have different definitions for what constitutes money laundering. Through the use of ingenious, intricate, and unlawful means, "money laundering" transforms a large sum of illegal currency obtained through criminal activity into funds that are in compliance with the law.

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Money laundering is also defined as a process or behavior that conceals or disguises the source of money or assets obtained through the proceeds of illegal operations and then converts them to appear to be generated from legitimate activity. Multiple definitions of the crime of money laundering demonstrate that it consists of multiple elements, including assets and the act of disguising the source of assets gained from other unlawful acts by using legal channels. Money laundering criminals exploit the services of a Notary as one of their strategies. Notary officials have a lengthy history in Indonesia, dating back to the Dutch colonial era, much before Indonesia's independence. Initially, Europeans in Indonesia required the presence of a Notary in order to create a legitimate deed. The demand for a Notary to provide authentic written documentation of a legal act undertaken by the community is expanding. Certain laws and regulations stipulate that certain legal actions must be documented by an authentic deed. Notaries and their deed products might be seen as official endeavors to provide the public with legal certainty and legal protection. (Syamsudin 2009: 27).

Notaries are public authorities with the authority to authenticate legal documents. In performing his duties, the Notary has a moral obligation to his position. Furthermore, if a Notary breaches the Criminal Code while carrying out his responsibilities and positions, he can be held legally liable. Accountability is the condition of being responsible for everything (if there is something that can be blamed and so on). Notaries play a crucial role in the movement of legal relations, particularly in the area of civil law. The Notary is a public official authorized to authenticate deeds and other papers in accordance with Law No. 2 of 2014 Concerning Amendments to Law No. 30 of 2004 Concerning Notary Positions (Notary Position Law). It is the responsibility of the Notary to ensure that the deed is executed in conformity with the law and the parties' wishes, as set forth in Article 16 paragraph (1) of Law No. 30 of 2004 on the Position of a Notary.

Listed below are the specific duties of a Notary. Those who retain a Notary's services may be able to conceal the performance of criminal acts due to the Notary's obligation to keep the contents of the deed and all other information linked to the deed confidential. Besides preventing and eliminating money laundering crimes, the reporting rules aim to protect Notaries who become aware of questionable financial transactions from legal repercussions. According to the Money Laundering Law (UU TPPU), the Financial Transaction Reports and Analysis Center (PPATK) is tasked with the responsibility of identifying, investigating, and prosecuting instances of financial crime. In theory, PPATK might help reduce money laundering on a global scale. To fulfill its mandate to prevent and eradicate money laundering, PPATK collaborates with a wide range of public and private entities, including those that provide financial services and goods in their capacity as "reporting parties," who are obligated to submit suspicious financial transaction notifications to PPATK in accordance with Article 39 of the TTPU Law.

PPATK is a government agency established to combat the growing problem of money laundering. To effectively connect Indonesian agencies and organizations combating money laundering, PPATK exists. PPATK, also known as the Financial Transaction Reports and Analysis Center, is responsible for analyzing and assessing the data and information related to financial transactions that have been reported by the reporting party or financial service provider. The primary product is the results of the analysis and examination, which law enforcement officials should use as a foundation for carrying

out law enforcement processes in preventing and eradicating money laundering offenses in accordance with their responsibilities, authorities, and applicable laws. According to Article 39 of the Law on the Eradication and Prevention of Money Laundering, PPATK is responsible for conducting investigations into financial transactions that raise suspicions of money laundering or other criminal activity (UU PPTPPU). In accordance with Article 40 of the PPTPPU Law, questions not addressed elsewhere (d). The PPATK has the competence to disseminate the findings of analyses or investigations into allegations of suspicious financial transactions thanks to Article 44 paragraph (1) letter (I) of the PPTPPU Law.

A Notary public has a dual duty: to report suspicious financial transactions related to the performed deed in accordance with the language of Government Regulation Number 43 of 2015, Article 3 letter b, and to fulfill the duties of the Notary public. A Notary's duty includes protecting the document's confidentiality. The obligation of secrecy of the deed is governed by various provisions of Law No. 30 of 2004 on Notary Positions, including Articles 4, 16, and 54. Article 54 of the Notary Position Act states that, unless otherwise specified by law or regulation, notaries may only distribute, show, or notify the contents of a deed, Grosse Deed, copy of a deed, or quotation of a deed to those with a direct interest in the deed, heirs, or those who receive rights. In order to confirm the existence of money laundering, financial institutions are obligated to undertake an examination of the reports submitted. The identification of indicators of potentially fraudulent financial dealings is also essential.

Given the foregoing, the study's author is interested in analyzing and evaluating a variety of laws and regulations that govern notaries' reporting obligations to PPATK regarding their clients' use of notarial services, particularly as it relates to the elimination of money laundering via the implementation of prudential standards. Since a notary's job requires him to create legally binding documents, he is in a unique position to help combat money laundering by reporting suspicious dealings.

2 Method

The methodology utilized in empirical legal research. Legal study based on empirical data is utilized to investigate the most pressing issues pertaining to features of prevailing societal values. In this instance, legal research is employed to develop arguments, hypotheses, or novel notions that serve as prescriptions for resolving the issues at hand. Because the predicted response in descriptive science is either true or false. In legal research, the expected answers may be correct, appropriate, improper, or incorrect. Consequently, it can be stated that the outcomes of legal study are already valuable.

3 Result and Discussion

3.1 Arrangements Notary Obligations to Report Suspicious Financial Transactions to PPATK

Typically, money laundering consists of "washing" the proceeds of criminal activity, sometimes known as "illegal money" or "dirty money." Drug trafficking (drug sales),

gambling (gambling), bribery (bribery), prostitution (prostitution), terrorism (terrorism), and white-collar crime (white color crime) and tax evasion (tax invasion) and other crimes are common sources of illegal funds. Because this makes it simpler for law enforcement officers to monitor and trace the origin of the proceeds of the crime, the proceeds of the crime are not directly utilized by the criminals. The perpetrators of these crimes typically use the financial system to "park" the proceeds of the crime, making it appear as though the monies are lawful and clean. As alluded to and better known as money laundering, the proceeds of a crime are processed by hiding or disguising the cash so that they appear clean and distinct from the assets originating from the crime. Money laundering requires action to combat it. This cannot be divorced from the political sphere of criminal law, particularly in terms of whether or not this act should be criminalized/criminalized.

In accordance with the criminalization policy, a previously non-criminal act (one that was not criminalized) becomes a criminal one (a criminal act). Thus, the criminalization policy is fundamentally a component of the criminal policy (criminal policy) because it employs the tools of criminal law (penal), and thus is a component of the criminal law policy (penal policy). As a result, in the framework of combating crime, a variety of criminal and non-criminal sanctions that are compatible with one another are required as responses to criminals. If criminal punishment is seen as an effective tool in fighting crime, then a political conception of criminal law is called for, in which elections are used to shape criminal laws that are appropriate for the times. In 2002, Indonesia passed Law No. 15 on the Prevention and Eradication of Money Laundering; in 2003, it was revised by Law No. 25. Law Number 8 of 2010 about the Prevention and Eradication of the Crime of Money Laundering, which simultaneously eliminated the two preceding laws, was enacted at the same time as the advancement of the money laundering method (Law Number 15 of 2002 and Law Number 25 of 2003), (Supriadi, 2012).

The Notary Act does not clearly govern the principles or actions of a notary to work more carefully in the process of making a deed, thus a notary does not have effective instructions to prevent a crime in a notary-made authentic deed. Article 16 paragraph (1) letter an of the Law on Notary Positions illustrates the law's ambiguity by stating that a notary must behave in a trustworthy, honest, thorough, independent, unbiased, and protective manner.

The requirement of a notary to act cautiously is neither specified nor illustrated in the explanation of Article 16 paragraph (1) letter an of the Law on the Position of a Notary. Norm ambiguity, often known as "vague van normen," describes this situation. That "interpretation has been understood as a matter of language" or that interpretation is caused by linguistic elements. In legal science, there is a proverb that states, "in claris non fit interpretation," which says that if the law is plain, no interpretation is necessary. If you believe the adage acontrario, then this proverb is the primary basis for the importance of interpretation when the law is unclear. The current Law on Notary Positions does not regulate the obligation of a Notary to apply the precautionary principle in the process of creating an authentic deed. As a result, if the Notary is not careful and thorough in examining each subject and object document to be included in the document, the Notary may face legal consequences. In the course of doing his or her duties, the notary encounters a client who offers dishonest information and misleading information regarding financial sources in order to launder money.

The legal profession, including the Notary profession, is a noble career similar to those in the domains of health services, education, and clerical services. The specialty of this profession is that it is fundamentally a service to humans or society, meaning that although the person who runs the profession makes a living from it, the nature of the profession requires that the primary motivation be a desire to serve others rather than a desire to make money. An institution with its servants confirmed by the general power (Openbaargezag) for where and if the law so requires or is desired by the community, producing written evidence with authentic force, is known as a Notary, or officium nobile. This is because the institution of a Notary is a social one, arising from a need in the association of fellow human beings who require evidence for him regarding the existence and/or existence of a civil law relationship between them. Keep in mind that the notary's job is one that serves the public at large, and that the law isn't trying to give the notary undue power. This is so because the main goal of the notary institution is to better protect the public's interests. Nonetheless, for the good of society as a whole. Although the law invests the Notary with special authority and trust, it does so solely to ensure that the Notary is able to carry out his duties as efficiently and effectively as possible for the benefit of the public.

Along with the evolution of the law's dynamics in Indonesia, a law regulating the emergence of new categories of crime was enacted. The new offense also employs a notary to ensure legal certainty. In recent years, there has been an uptick in a number of criminal activities in Indonesia, and money laundering is one of them. White-collar crimes, or "tie crimes," include money laundering. Unlike other types of criminals, those who commit white-collar crimes tend to be upstanding members of society who have done well for themselves academically.

"Money laundering" refers to treating illegally obtained money (such as drug sales) as lawful. The worldwide community has sought to remove and prevent money laundering, creating the Financial Action Task Force (FATF) to collect international obligations and ideas. In addition, the convention that was passed by the United Nations (UN) in 1988 and is commonly referred to as the Vienna Convention went into effect that same year. Law No. 15 of 2002, which was reformed by Law No. 25 of 2003, and Law No. 8 of 2010, which was passed by the Indonesian government in 2010, are the two laws that demonstrate the country's commitment to preventing the laundering of illicit funds. The Indonesian government has established a separate entity known as the PPATK (Financial Transaction Reports and Analysis Center) with the mission of monitoring any potentially questionable financial dealings. This institution not only performs the function of an investigative body (a financial intelligence unit), but it also receives a large number of reports on all transactions that raise eyebrows.

Those who are engaged in the illegal practice of money laundering frequently employ the help of a notary public in order to cover their tracks along the route. The use of notary services is meant to provide legal confidence that their actions are legal in the eyes of the law, hiding their illicit deeds and allowing them to avoid legal repercussions as a result. It is usual practice for the Notary to act as a witness to the activities of the client while money is being laundered, also known as money laundering. Article 44 of Law Number 8 of 2010 on the Prevention of the Crime of Money Laundering states that in order for the Financial Transaction Reports and Analysis Center (PPATK) 7 to carry out its duties, it

may request information from third parties regarding indicators of the Crime of Money Laundering. This provision was added to the law in order to ensure the accuracy of the information. Because criminals who launder money use the services of notaries to give their activities the appearance of legitimacy, one of the individuals who could be asked for this information is a notary. The individuals who commit the act of money laundering do so with the intention of concealing, separating, or combining legitimate assets. This is accomplished by the actions of placing, paying, spending, depositing, exchanging, hiding, disguising, investing, saving, donating, inheriting, or transferring money.

The criminals made a number of property and building purchases, in addition to targeting financial institutions. The notary system is commonly used by the perpetrator of money laundering originating from illegal acts to facilitate the sale and purchase of real estate and buildings. Real estate is considered an investment when its value is expected to increase over time. A deed relating to the transaction should be drafted by the notary. A notary can face criminal responsibility in the context of money laundering allegations in three different capacities: as a witness, an expert, or a suspect.

In actuality, it is indeed challenging for a notary to determine the origin of funds utilized in land/building sale and buy transactions including the notary who executes the original deed. Obviously, the notary does not know for certain where the monies came from. Nonetheless, if the notary knows or at least suspects the source of the funds, the notary might disclose it to the PPATK as part of adopting the notary prudence principle in drafting a deed in order to prevent money laundering. The fact that a notary's deed is a legally enforceable contract between the parties means that the notary should be included as a reporting party in the prevention and eradication of money laundering offenses against a notary's deed. The conditions for the legitimacy of the agreement are set forth in Article 1320 of the Civil Code.

Since it was first enacted, the Law on Notary Positions has made it obligatory for all notaries to be truthful and obedient to the law whenever they are serving in an official capacity. Following the implementation of the new Notary Positions Law, a significant number of notaries have been questioned both as witnesses and as potential suspects. A public official who is permitted to make an authentic deed and who has other rights as set forth in this Law or based on other laws is called a Notary, as stated in the first paragraph of Article 1 of the Law on Notary Positions. This definition may be found in the Law on Notary Positions. In addition to this, the Notary is responsible for adhering to the Notary code of ethics, as well as the articles of incorporation and bylaws of the Notary Association, in addition to any and all other pertinent rules. The contents of the deed that was made and any information that was gained in the course of making the deed are confidential, and Notaries are obligated to abide by the provisions of these regulations, unless the law requires them to be disclosed in a different manner.

In order to comply with the requirements of Permenkumham 9 of 2017 on the Application of the Concept of Recognizing Services for Notaries, which was passed to combat money laundering, the party that reports suspicious activity is required to employ the principle of identifying service users. When red flags should be raised about a monetary transaction 1. Financial Transactions that do not fit the profile, features, or habits of the Service User's transaction pattern; 2. Any monetary dealings on the part of Service Users that are reasonably suspected to have been conducted with the intent to

avoid reporting of the relevant transactions that must be carried out by the Reporting Party in accordance with the provisions of the laws and regulations governing the prevention and eradication of the crime of money launderi 1. Financial Transactions that do not fit the profile, features, or habits of the Service User's transaction 4. The PPATK makes a request to a Notary Public to report a financial transaction that involves assets that may have been obtained with funds that were obtained illegally.

A Beneficiary Owner is defined as an individual who satisfies the qualifications outlined below, as stated in the provisions of Permenkumham No. 9 of 2017 on the Application of the Principle of Recognizing Services for Notaries. Whether it's indirect or direct: 1. be entitled to and/or receive particular advantages that are associated with Service User Transactions; 2. be the actual owner of assets that are associated with Service User Transactions. The party that: 3. Manages Service User Transactions; 4. Gives power to do Transactions; 5. Controls the Corporation; and/or 6. Controls the Corporation is the ultimate controller of Transactions that are carried out through a legal entity or based on an agreement.

Notaries are the ones who are supposed to put into practice the idea of recognizing the people who use their services. The concept of recognizing Service Users necessitates, at the very least, identifying Service Users, verifying Service Users, and keeping a record of Service User Transactions. This is essential in order for the idea to even begin to make sense. Notaries who provide services in the form of preparing and conducting transactions for the benefit of or on behalf of Service Users, regarding the purchase and sale of property, management of money, securities, and/or other financial service products, management of checking accounts, savings accounts, time deposit accounts, and securities accounts, operation and management of the company, and the like, are subject to the application of the Principles of Recognizing Service Users. When doing business with Service Users, the obligation to apply the principle of recognizing Service Users is met when there are Financial Transactions in rupiah and/or foreign currencies with a value of at least or equal to Rp. 100,000,000.00 (one hundred million), when there are Financial Transactions Suspicious related to the crime of Money Laundering and the crime of financing terrorism, or when the Notary has doubts about the veracity of the information reported.

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3.2 Criteria of Suspicious Financial Transactions to be Reported by Notaries to PPATK

The action is broken down into three main phases: placement, layering, and integration. First, an attempt to place illegally obtained funds is considered a placement. In this example, cash is physically transferred from one country to another, either through

smuggling or by combining cash from criminal operations with money from lawful ones, or by making demand deposits into the banking system, such as bank deposits, cheques, real estate, or stocks. 2) "Layering" describes the practice of using many transactions to insulate the profits of crime from the activities that generated them. Specifically, this refers to the practice of moving illegally obtained funds from one account or location to another through a complex series of financial transactions designed to mask or mislead investigators. Layering can also be performed by using bank secrecy provisions to open as many accounts of bogus corporations as possible. 3. Incorporation, or the making of a "acceptable justification" for illegal gains. In this case, the white money that was obtained through placement or layering was channeled into legitimate enterprises to make it appear as though it had nothing to do with the criminal activity from which it was originally obtained. At this stage, the purified money is put back into circulation in a lawful way.

Money laundering is defined in Articles 3 and 4 of Law Number 8 of 2010 as the following types of conduct: a) entrusting financial service providers with one's own or another person's assets if one knows or has reasonable grounds to suspect that the assets were obtained via illegal means. b) Moving money from one financial institution to another, either for one's personal benefit or on behalf of another person, when that institution knows or has reasonable suspicion that the funds came through a criminal act of money laundering. c) Use or spend money that you know or have reason to suspect was obtained dishonestly. Either alone or on someone else's behalf. d) Donate, either on their own behalf or on behalf of others, property that is known or suspect to have been acquired via criminal activity. a) Entrusting, for one's own or another's advantage, assets that are known or reasonably believed to have been obtained via unlawful action. f) Sending items out of the country that you know or suspect were obtained dishonestly. g) Attempting to conceal or disguise the illegal origin of funds by exchanging them for cash or other securities, or taking any other action against assets that are known or reasonably suspected to be proceeds of criminal conduct.

These violations carry a maximum sentence of 20 years in prison and a fine of Rp 10,000,000,000.00. (ten billion rupiah). Anyone who intentionally or recklessly conceals or disguises the origin, source, location, designation, transfer of rights, or actual ownership of Assets that are the product of money laundering is subject to a maximum sentence of twenty years in jail and a maximum fine of Rp. 5 billion (five billion rupiah). Laundering money is distinct from other types of criminal activity because it involves not one but two distinct violations of the law. Others characterize it as a crime that is a follow-up crime or a follow-up crime, with the initial crime being referred to as a predicate offense or core crime. While some nations characterize money laundering as an illegal activity, specifically an original crime that generates money that is then laundered, others characterize it as a crime that is a follow-up crime or a follow-up crime.

It is feasible to launder money without making significant life changes, such as leaving the country. As a result of advancements in internet technology, banks are now able to accept electronic payments, which is necessary to accomplish this objective (cyberpayments). In the same manner, a money launderer can deposit his "dirty" (or "hot") money into a bank without anyone being able to identify him as the source of the funds. The criminal nature of money laundering is linked to the origin of a sum of

money that is dark, illicit, or dirty; this sum of money is then managed through certain activities, such as establishing a business, transferring it, or converting it to a bank or other non-banking financial service provider, such as an insurance company, in order to remove the trail of these illicit funds. These activities are carried out with the intention of removing the trail of these illicit funds. Whitewashing is the technique of disguising the illicit origin of money by routing it through a succession of legitimate financial transactions in order to give the appearance that the money came from a legal source. Whitewashing is also commonly referred to as money laundering.

Despite their complexity and the potential influence they could have in a variety of legal countries, derivative transactions are generally considered to be the best alternative. Players involved in money laundering take advantage of this complexity in order to carry out each stage of the criminal activity. The definition of the legal subjects in Law Number 8 of 2010 regarding the Crime of Money Laundering, which is the law that replaced Law Number 15 of 2002 regarding the Crime of Money Laundering, states that "persons as Naturlijk Persons and corporations as Recht Personnel as legal entities or non-legal entities" are considered to be legal subjects. It is abundantly evident that legal subjects are considered to be persons because Article 19 states that "every person is either an individual or a corporation" and that "Corporation is an organized collection of individuals and/or assets, regardless of whether or not it is a legal organization."

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The criminal nature of money laundering is linked to the origin of a sum of money that is dark, illicit, or dirty. This sum of money is then managed through activities such as starting a business, transferring it to a bank or other non-banking financial service provider, like an insurance company, and so on in order to remove the origin of these illegal funds. These activities are carried out in order to remove the criminal nature of money laundering. Whitewashing is the technique of disguising the illicit origin of money by routing it through a succession of legitimate financial transactions in order to give the appearance that the money came from a legal source. Whitewashing is also commonly referred to as money laundering.

Because of their inherent complexity and their power to influence legal systems in a variety of nations, many individuals are under the impression that derivative transactions provide the optimal solution. This level of intricacy is what sets the crime of money laundering apart from other financial crimes. Actors that engage in money laundering take use of this complexity in order to carry out the many stages of the money laundering

process. Laundering money is distinct from other types of criminal activity because it involves not one but two distinct violations of the law. Others characterize it as a crime that is a follow-up crime or a follow-up crime, with the initial crime being referred to as a predicate offense or core crime. While some nations characterize money laundering as an illegal activity, specifically an original crime that generates money that is then laundered, others characterize it as a crime that is a follow-up crime or a follow-up crime.

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Whitewashing is the technique of disguising the illicit origin of money by routing it through a succession of legitimate financial transactions in order to give the appearance that the money came from a legal source. Whitewashing is also commonly referred to as money laundering. Despite their complexity and the potential influence they could have in a variety of legal countries, derivative transactions are generally considered to be the best alternative. Players involved in money laundering take advantage of this complexity in order to carry out each stage of the criminal activity.

The Anti-Money Laundering Act No. 8 of 2010 applies to both private individuals and commercial enterprises. While the legal subjects under Law Number 8 of 2010 on the Crime of Money Laundering are Persons as Naturlijk Persons and Corporations as Recht Persons as Business Entities with legal entities and non-incorporated Business Entities, the law applies to Persons as Naturlijk Persons and to Corporations as Recht Persons as Business Entities with legal entities. It is abundantly evident that legal subjects are considered to be persons because Article 19 states that "every person is either an individual or a corporation" and that "Corporation is an organized collection of individuals and/or assets, regardless of whether or not it is a legal organization." In principle, a legal issue is anything that could possibly support rights and obligations under the law. In the context of the legal system, "those" who are responsible for upholding rights and obligations are referred to as "legal subjects." People are regarded as subjects of the law, which means they have the ability to engage in activities that are compliant with the law.

In accordance with the provisions of Article 41 paragraph 1 letter b of the Money Laundering Law, the PPATK is authorized to issue guidelines with the purpose of assisting the PJK in the detection of financial transactions that may contribute to the financing of terrorism or the laundering of illicit funds. In order to accomplish this goal, it has approved the Regulation of the Head of the Center for Financial Transaction Reports and Analysis No. PERII/1.02/PPATK/06/2013 Concerning Identification of Suspicious Financial Transactions for Financial Services Providers, as amended by the Regulation

of the Head of the Center for Financial Transaction Reports and Analysis No. PER-04/1.02/PPATK/03/2014 Concerning Amendment to Regulation of the Head of the Center for Financial Transaction Reports and Analyses. Therefore, in order to assist in the implementation of the Regulation, the PPATK is required to write a Circular Letter to Financial Service Providers concerning Suspicious Financial Transaction Indicators.

The PPATK has issued circular SE-03/1.02/PPATK/05/15 to give financial service providers with information on indicators of suspicious financial activities. This circular letter has been written with the intention of assisting PJK in complying with the provisions of the Regulation of the Head of the Center for Financial Transaction Reports and Analysis No. PER-ll/l.02/PPATK/06/20l3 on the Identification of Suspicious Financial Transactions for Financial Service Providers, as amended by the Regulation of the Head of the Center for Financial Transaction Reports and Analysis No. PER-04/1.02/PPATK/03/20l4 on the Amendment to Regulation of Re This Circular Letter offers guidelines on how to identify TKM in order to ensure that the report that PJK delivers to PPATK is comprehensive and helpful in the fight against money laundering and the financing of terrorism. In the interest of maximizing and putting into practice the usefulness of this circular letter, PJKs are strongly encouraged to collect, determine, and keep up to date on the parameters of illegal financial transactions related to the sponsorship of terrorism and the laundering of illicit funds.

4 Conclusion

These violations carry a maximum sentence of 20 years in prison and a fine of Rp 10,000,000,000.00. (ten billion rupiah). Anyone who intentionally or recklessly conceals or disguises the origin, source, location, designation, transfer of rights, or actual ownership of Assets that are the product of money laundering is subject to a maximum sentence of twenty years in jail and a maximum fine of Rp. 5 billion (five billion rupiah). Laundering money is distinct from other types of criminal activity because it involves not one but two distinct violations of the law. Others characterize it as a crime that is a follow-up crime or a follow-up crime, with the initial crime being referred to as a predicate offense or core crime. While some nations characterize money laundering as an illegal activity, specifically an original crime that generates money that is then laundered, others characterize it as a crime that is a follow-up crime or a follow-up crime.

It is feasible to launder money without making significant life changes, such as leaving the country. As a result of advancements in internet technology, banks are now able to accept electronic payments, which is necessary to accomplish this objective (cyberpayments). In the same manner, a money launderer can deposit his “dirty” (or “hot”) money into a bank without anyone being able to identify him as the source of the funds. The criminal nature of money laundering is linked to the origin of a sum of money that is dark, illicit, or dirty; this sum of money is then managed through certain activities, such as establishing a business, transferring it, or converting it to a bank or other non-banking financial service provider, such as an insurance company, in order to remove the trail of these illicit funds. These activities are carried out with the intention of removing the trail of these illicit funds. Whitewashing is the technique of disguising the illicit origin of money by routing it through a succession of legitimate financial

transactions in order to give the appearance that the money came from a legal source. Whitewashing is also commonly referred to as money laundering.

Despite their complexity and the potential influence they could have in a variety of legal countries, derivative transactions are generally considered to be the best alternative. Players involved in money laundering take advantage of this complexity in order to carry out each stage of the criminal activity. The definition of the legal subjects in Law Number 8 of 2010 regarding the Crime of Money Laundering, which is the law that replaced Law Number 15 of 2002 regarding the Crime of Money Laundering, states that "persons as Naturlijk Persons and corporations as Recht Personnel as legal entities or non-legal entities" are considered to be legal subjects. It is abundantly evident that legal subjects are considered to be persons because Article 19 states that "every person is either an individual or a corporation" and that "Corporation is an organized collection of individuals and/or assets, regardless of whether or not it is a legal organization."

Laundering money is distinct from other types of criminal activity because it involves not one but two distinct violations of the law. Others characterize it as a crime that is a follow-up crime or a follow-up crime, with the initial crime being referred to as a predicate offense or core crime. While some nations characterize money laundering as an illegal activity, specifically an original crime that generates money that is then laundered, others characterize it as a crime that is a follow-up crime or a follow-up crime. It is feasible to launder money without making significant life changes, such as leaving the country. As a result of advancements in internet technology, banks are now able to accept electronic payments, which is necessary to accomplish this objective (cyberpayments). In the same manner, a money launderer can deposit his "dirty" (or "hot") money into a bank without anyone being able to identify him as the source of the funds.

The criminal nature of money laundering is linked to the origin of a sum of money that is dark, illicit, or dirty. This sum of money is then managed through activities such as starting a business, transferring it to a bank or other non-banking financial service provider, like an insurance company, and so on in order to remove the origin of these illegal funds. These activities are carried out in order to remove the criminal nature of money laundering. Whitewashing is the technique of disguising the illicit origin of money by routing it through a succession of legitimate financial transactions in order to give the appearance that the money came from a legal source. Whitewashing is also commonly referred to as money laundering.

Because of their inherent complexity and their power to influence legal systems in a variety of nations, many individuals are under the impression that derivative transactions provide the optimal solution. This level of intricacy is what sets the crime of money laundering apart from other financial crimes. Actors that engage in money laundering take use of this complexity in order to carry out the many stages of the money laundering process. Laundering money is distinct from other types of criminal activity because it involves not one but two distinct violations of the law. Others characterize it as a crime that is a follow-up crime or a follow-up crime, with the initial crime being referred to as a predicate offense or core crime. While some nations characterize money laundering as an illegal activity, specifically an original crime that generates money that is then

laundered, others characterize it as a crime that is a follow-up crime or a follow-up crime.

It is feasible to launder money without making significant life changes, such as leaving the country. As a result of advancements in internet technology, banks are now able to accept electronic payments, which is necessary to accomplish this objective (cyberpayments). In the same manner, a money launderer can deposit his "dirty" (or "hot") money into a bank without anyone being able to identify him as the source of the funds. The criminal nature of money laundering is linked to the origin of a sum of money that is dark, illicit, or dirty; this sum of money is then managed through certain activities, such as establishing a business, transferring it, or converting it to a bank or other non-banking financial service provider, such as an insurance company, in order to remove the trail of these illicit funds. These activities are carried out with the intention of removing the trail of these illicit funds.

Whitewashing is the technique of disguising the illicit origin of money by routing it through a succession of legitimate financial transactions in order to give the appearance that the money came from a legal source. Whitewashing is also commonly referred to as money laundering. Despite their complexity and the potential influence they could have in a variety of legal countries, derivative transactions are generally considered to be the best alternative. Players involved in money laundering take advantage of this complexity in order to carry out each stage of the criminal activity.

The Anti-Money Laundering Act No. 8 of 2010 applies to both private individuals and commercial enterprises. While the legal subjects under Law Number 8 of 2010 on the Crime of Money Laundering are Persons as Naturlijk Persons and Corporations as Recht Persons as Business Entities with legal entities and non-incorporated Business Entities, the law applies to Persons as Naturlijk Persons and to Corporations as Recht Persons as Business Entities with legal entities. It is abundantly evident that legal subjects are considered to be persons because Article 19 states that "every person is either an individual or a corporation" and that "Corporation is an organized collection of individuals and/or assets, regardless of whether or not it is a legal organization." In principle, a legal issue is anything that could possibly support rights and obligations under the law. In the context of the legal system, "those" who are responsible for upholding rights and obligations are referred to as "legal subjects." People are regarded as subjects of the law, which means they have the ability to engage in activities that are compliant with the law.

In accordance with the provisions of Article 41 paragraph 1 letter b of the Money Laundering Law, the PPATK is authorized to issue guidelines with the purpose of assisting the PJK in the detection of financial transactions that may contribute to the financing of terrorism or the laundering of illicit funds. In order to accomplish this goal, it has approved the Regulation of the Head of the Center for Financial Transaction Reports and Analysis No. PERII/1.02/PPATK/06/2013 Concerning Identification of Suspicious Financial Transactions for Financial Services Providers, as amended by the Regulation of the Head of the Center for Financial Transaction Reports and Analysis No. PER-04/1.02/PPATK/03/2014 Concerning Amendment to Regulation of the Head of the Center for Financial Transaction Reports and Analyses. Therefore, in order to assist in the implementation of the Regulation, the PPATK is required to write a Circular Letter to Financial Service Providers concerning Suspicious Financial Transaction Indicators.

The PPATK has issued circular SE-03/1.02/PPATK/05/15 to give financial service providers with information on indicators of suspicious financial activities. This circular letter has been written with the intention of assisting PJK in complying with the provisions of the Regulation of the Head of the Center for Financial Transaction Reports and Analysis No. PER-ll/l.02/PPATK/06/20l3 on the Identification of Suspicious Financial Transactions for Financial Service Providers, as amended by the Regulation of the Head of the Center for Financial Transaction Reports and Analysis No. PER-04/1.02/PPATK/03/20l4 on the Amendment to Regulation of Re This Circular Letter offers guidelines on how to identify TKM in order to ensure that the report that PJK delivers to PPATK is comprehensive and helpful in the fight against money laundering and the financing of terrorism. In the interest of maximizing and putting into practice the usefulness of this circular letter, PJKs are strongly encouraged to collect, determine, and keep up to date on the parameters of illegal financial transactions related to the sponsorship of terrorism and the laundering of illicit funds.

Legislation

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Undang-Undang Nomor 2 Tahun 2014 tentang Perubahan Atas Undang-Undang Nomor 30 Tahun 2004 tentang Jabatan Notaris tanggal 15 Januari 2014 (Lembaran Negara Republik Indonesia) Tahun 2014 Nomor 3.
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