



Criminal Responsibility of Work Officers/ Committee for Checking the Results of Work (PjPHP/PPHP) in Criminal Action Cases of Corruption in Procurement of Government Goods/Services (Case Study of the Corruption Court Decision at the Padang District Court Number 15/Pid.Sus-TPK/2019/PN. Pdg)

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Abstract

Development is one of the government's efforts to achieve people's welfare so that in order to carry out efficient, effective development, and support healthy business competition, the Government Procurement of Goods/Services is carried out on the basis of Presidential Regulation Number 54 of 2010 as amended several times recently by Presidential Regulation Number 4 of 2015 concerning Government Procurement of Goods/Services. Even though the government's procurement of goods/services has been regulated through a clear mechanism, there are still legal loopholes that are often used against the law for certain purposes as stated in Decision Number 15/Pid.Sus-TPK/2019/PN. Pdg where the Commitment Making Officer in the procurement activities for the continued development of RSUD Tapan Kab. Pesisir Selatan for Fiscal Year 2015 was found guilty of committing a Corruption Crime. In the decision, it can be seen that there was participation made by the Employment Recipient Officer but was not held accountable. To examine this problem, a normative research type is carried out based on library research through qualitative analysis of existing primary and secondary legal materials. The results of the study found that the Committee for Receiving the Results of the Work did not carry out the inspection properly in accordance with the procedure in which the inspection was only carried out by team representatives and the physical examination was only carried out visually because the Committee for the Receiving of the Results of the Work did not have expertise in the field of construction and received the results of the work even though it is not completely complete. The motive for this action is the desire of the Work Result Recipient Committee to immediately complete the work before the end of the fiscal year so that it has implications for the modus operandi of the act in the form of accepting work that is not according to specifications and has not been fully completed. For his actions, the Employment Recipients Committee fulfills the element of criminal responsibility where the form of the Employment Receiving Committee error is intentional with the possibility and can be applied to Article 2 Paragraph (1) or Article 3 of Law Number 31 of 1999 Jo. Law Number 20 of 2001 concerning the Eradication of Corruption Crimes. This study recommends that the role of the Committee for the Receiving of Work Results in the rules regarding the Procurement of Government Goods/Services be held again because it can create checks and balances, besides that it is hoped that Law Enforcement Officials can explore the facts in depth and thoroughly so that every party involved can be held criminally responsible which has implications for increasing the recovery rate of state financial losses.

Keywords: *Government Procurement of Goods/Services; PjPHP/PPHP; Corruption Crime*

Introduction

In essence, government procurement of goods/services is an attempt by the user to obtain or realize the goods/services he wants by using certain methods and processes in order to reach an agreement on price, time and other agreements. In order for the essence of the procurement of goods/services to be carried out as well as possible, various parties, both users and providers, must always adhere to the philosophy of government procurement of goods/services which is carried out on the basis of logical and systematic thinking (the system of thought), subject to the ethics and norms of government procurement of goods/services that apply, follow the principles, methods and processes of the procurement of goods/services that are standard.

Procurement of government goods/services according to article 1 point 1 of Presidential Regulation Number 54 of 2010 as amended several times, most recently by Presidential Regulation Number 4 of 2015 concerning Government Procurement of Goods/Services is an activity of procurement of goods/services by Ministries/Institutions/Regional Apparatuses financed by the APBN/APBD, the process of which starts from the identification of needs, to the handover of the work. When viewed from the definition of government procurement of goods/services according to article 1 point 1 of Presidential Regulation Number 54 of 2010 as amended several times, most recently by Presidential Regulation Number 4 of 2015 concerning Government Procurement of Goods/Services, it can be seen that from an institutional perspective, those who can carry out procurement of government goods/services are Ministries, Institutions, and Regional Apparatuses.

However, when viewed from the perspective of criminal law, Ministries, Institutions and Regional Apparatuses are not legal subjects that can take legal action and can be held accountable for their actions. So that in order to provide legal certainty in the implementation of goods/services procurement, Article 7 paragraph (1) of Presidential Regulation Number 54 of 2010 as amended several times, the latest by Presidential Regulation Number 4 of 2015 concerning Government Procurement of Goods/Services specifically mentions the perpetrators of the procurement of goods/services. Services, namely Budget User (PA), Budget User Authority (KPA), Commitment Making Officer (PPK), Procurement Service Unit (ULP) or Procurement Officer, and Job Recipient (PPHP). Every actor of government procurement of goods/services, has duties, functions and responsibilities that are interrelated in carrying out government procurement of goods/services as regulated explicitly in laws and regulations. However, not a few actors in the Government Procurement of Goods/Services as well as winners of tenders for the Government Procurement of Goods/Services commit deviations from the implementation of Goods/Services that aim to provide benefits for a group of people or for themselves.

In the process of government procurement of goods/services, especially with the type of government procurement of goods/services in the field of construction, it has the potential to be very prone to the occurrence of irregularities that lead to criminal acts of corruption. Considering that the procurement of government goods/services with this type of construction is carried out using state finances. Irregularities in the process of procurement of government goods/services in the field of construction which are detrimental to state finances are a form of criminal act of corruption.

The number of criminal acts of corruption in Indonesia according to the Indonesian Corruption Watch (ICW) in 2018 totaled 717 cases with details of the investigation stage as many as 164 cases, the investigation stage as many as 199 cases, the prosecution stage as many as 151 cases, and cases that have been inkracht 106 cases and cases that have been executed as many as 113 cases. Corruption that often occurs is in the goods/services procurement sector, considering the large number of state spending in the procurement of goods/services makes it vulnerable to criminal acts of corruption. According to Soegiharto, 80% of criminal acts of corruption occurred in the procurement of goods/services. In addition, when viewed from a sector that is prone to criminal acts of corruption, public works or construction projects show the figure of 46%.

In terms of accountability, in practice accountability for deviations from a process of government procurement of goods/services with the type of construction work procurement is delegated to officials in the organizational structure of government procurement of goods/services such as budget users (PA), budget user authorities (KPA), Commitment Making Officer (PPK), and Procurement Services Unit (ULP). This is inseparable from the position and position of officials in the structure of the procurement of goods/services in the government which has very large duties, functions and authorities, as well as responsibilities.

One example is the case of corruption in the Implementation of Advanced Construction Procurement for the Development of the Tapan Selatan Regional General Hospital (RSUD) from the State Budget of the Ministry of Health of the Republic of Indonesia for Fiscal Year 2015. The Corruption Court at the Padang District Court imposed sanctions on several perpetrators of the procurement of goods/ Tapan Hospital Services through the Tipikor Court Decision at the Padang District Court Number 15/Pid.Sus/TPK/2019/PN.PDG imposing criminal sanctions on Commitment Making Officials, Tipikor Court Decision at Padang District Court Number 14/Pid.Sus/TPK/ 2019/PN.PDG which imposes sanctions on the Supervisory Consultant as a Construction Management Consultant used in the procurement of construction work, as well as the Decision of the Corruption Court at Padang District Court Number 16/Pid.Sus/TPK/2019/PN.PDG which imposes sanctions on Service Providers Construction as Executor of Work. The central position of a job is indeed in the hands of the Commitment Making Officer (PPK) and Partners/Contractors.

Remember, Partners/Contractors who carry out construction and act as Goods/Services Providers, and Commitment Making Officials (PPK) who have the duty to carry out inspections of the results of work carried out by goods/services providers. However, the Committee for Recipients of Work Results (PPHP), which is one of the actors in the Government Procurement of Goods/Services, also has a strategic role in the Procurement of Government Goods/Services in the construction sector so that an oddity arises in corruption cases in the Construction Procurement of Tapan Hospital which does not ask for criminal responsibility. to the Work Recipient Committee (PPHP) in the Tapan Hospital construction procurement project.

The stages of goods/services procurement do not only come to the auction, but a goods/services procurement activity will be considered complete if the Commitment Making Officer (PPK) has carried out the handover of the results of the work with the Budget User (PA) or the Budget User Authority (KPA) based on the results of the inspection Work Results Recipient Committee (PPHP). Before the Minutes of Handover of Work (BAST) were made, based on Article 95 of Presidential Regulation Number 54 of 2010 as amended several times, the latest by Presidential Regulation Number 4 of 2015

concerning Government Procurement of Goods/Services, Budget User (PA) or Budget User Authority (KPA) issues a letter of appointment for the Work Recipient Committee (PPHP) and instructs the Work Recipient Committee (PPHP) to examine the results of the work and accept the results of the work that has been submitted by the Commitment Making Officer (PPK) to the Budget User (PA) or User Authority Budget (KPA).

In the process of procuring goods/services in government development projects, the budget for government procurement of goods/services will not be fully paid to the Goods/Services Provider, if the Committee for Recipients of Work Results (PPHP) has not carried out its duties to carry out inspections of work administration based on Presidential Regulation Number 54 of 2010 as amended several times, most recently by Presidential Regulation Number 4 of 2015 concerning Government Procurement of Goods/Services so that when viewed from the theory of the inclusion of criminal law, it can be said that the Committee for Recipients of Work Results (PPHP) has a high probability of causing a criminal act corruption, because the Work Recipient Committee (PPHP) is one of the complementary elements in the disbursement of the budget in the process of government procurement of goods/services which allows entry into the cycle of acts of corruption in the process of government procurement of goods/services.

In the case of corruption in the implementation of the Procurement of Advanced Construction Development of the Tapan Selatan Regional General Hospital (RSUD) sourced from the APBN of the Ministry of Health of the Republic of Indonesia for the 2015 Fiscal Year, Commitment Making Officers (PPK), Contractors as Providers, and Supervisory Consultants who are holders of consulting services, was found guilty of committing a criminal act of corruption in government procurement of goods/services with the type of procurement of construction work at the implementation stage by the Judge of the Tipikor Court at the Padang District Court. Meanwhile, the Committee for Recipients of Work Results (PPHP) is not held criminally responsible at all. In fact, if the Work Recipient Committee (PPHP) carries out its duties in accordance with the ethics of Government Procurement of Goods/Services, then the criminal act of corruption in the Construction Procurement project at the Tapan Hospital will be detected early and the Work Recipient Committee (PPHP) can provide recommendations to the Proxy Budget User (KPA) for not receiving the results of the work and not paying the full cost of the work to the provider. This has clearly harmed legal justice which is the goal of the law itself which upholds the values of justice, certainty and the benefit of law, bearing in mind that without errors and irregularities on the part of the Job Recipient Committee (PPHP), acts of corruption would not have occurred.

In the Tipikor Court Decision at Padang District Court Number 15/Pid.Sus/TPK/2019/PN.PDG which imposed criminal sanctions on the Commitment Making Officer (PPK), it was found that the legal fact was that the Commitment Making Officer (PPK) requested that all funds be disbursed even though there is still a shortage of work. This action was considered by the Panel of Judges of the Padang District Court as a form of mistake committed by the Commitment Making Officer (PPK) and for this action resulted in state losses, as well as the Commitment Making Officer (PPK) in the Tapan Hospital work project were found guilty of committing a crime as regulated and subject to criminal penalties in Article 3 of Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 concerning the Eradication of Corruption Crimes.

In addition, in the Padang District Court decision No. 15/Pid.Sus/TPK/2019/PN.PDG it was also found a legal fact that the Work Recipient Committee (PPHP) as an official who has the duty to carry out inspections of work results did not carry out their duties to carry out inspection of the results of the work

and the Committee for Recipients of Work (PPHP) and only issues the Minutes of Handover of Work Results by stating that the work is in accordance with applicable regulations. The Work Recipient Committee (PPHP) makes an official report stating that the work has been completed 100% at the request of the Consultant Management. But in reality, the work has not been completed and there are still some items that are not done.

Supposedly, if the Committee for Accepting Work Results (PPHP) checks work results in accordance with standard operating procedures, then the Committee for Accepting Work Results (PPHP) will not be able to state that the work has been 100% carried out and it is impossible for the funds to be disbursed. The actions of the Work Recipient Committee (PPHP) have causality with the criminal act of corruption committed by the commitment-making official (PPK) in the construction work of the Tapan Hospital building.

In the construction work of the Tapan Hospital, the Work Recipient Committee (PPHP) did not carry out proper inspections. The Committee for Recipients of Work Results (PPHP) did not carry out testing of building structures, did not carry out checks and tests on medical gas installations, smoke detectors, fire alarms, nurse calls, and patient billing. However, the Work Recipient Committee (PPHP) makes the Work Handover Event Report so that 100% of the funds can be disbursed. Actions carried out by the Committee for Receiving Results of Work (PPHP) should also be accounted for and can also be categorized as acts of participating in committing corruption crimes as stipulated and punishable by crime in Article 2 Paragraph (1) or Article 3 of Law Number 31 Year 1999 in conjunction with Law Number 20 of 2001 Concerning the Eradication of Corruption, because as a result of his actions, the state suffered losses. However, in reality, the Committee for Recipients of Work Results (PPHP) is not held criminally responsible.

If the Employment Recipient Committee (PPHP) commits a form of intent in a criminal act and causes losses to the state, then it is appropriate that the Employment Receiving Committee (PPHP) be held criminally responsible and found guilty of violating Article 2 or Article 3 of Law Number 31 of 1999 jo Law Number 20 of 2001 Concerning the Eradication of Corruption Crimes. However, even though the Committee for Receiving Results of Work (PPHP) carried out the construction work at the Tapan Hospital as a legal fact in the Padang District Court Decision Number 15/Pid.Sus-TPK/2019/PN. Pdg, the Committee for Recipients of Work Results (PPHP) was not held accountable.

From the description of the background, the author will put it completely and carefully in a thesis entitled *Criminal Responsibility of Officials/Committees for Examining the Results of Work (Committee for Receiving Results of Work (PPHP)) in Cases of Crime of Corruption in the Procurement of Government Goods/Services (Case Study of Decisions Corruption Crime Court at Padang District Court Number 15/Pid.Sus-TPK/2019/PN.Pdg)*.

Research Methods

The type of research used in writing this thesis is adjusted to the issues raised in it. To obtain the necessary data according to the problem under study, in this case the author uses a research method which, when viewed from its type, can be classified into normative legal research (normative juridical). That is research conducted by examining various written laws and regulations and various literature

related to the issues raised in the thesis. This normative juridical research is also called doctrinal legal research.

Research Result

In foreign languages criminal responsibility is referred to as *toerekenbaarheid* in Dutch while in English it is known as Criminal Liability or Criminal Responsibility. The existence of criminal liability is intended to determine whether a suspect or defendant can be held accountable for a crime or not, which in other words determines whether a person can be convicted or acquitted.

Criminal liability is the responsibility of a person for the crime he has committed. The occurrence of criminal liability arises because there is someone who commits a crime. Criminal responsibility is basically a system that is formed in criminal law as a reaction to an unlawful act based on an "agreement to refuse" a certain act.

In determining this matter, it must be understood that whether the actions taken by the suspect or defendant are against the law and the suspect or defendant is able to account for them or not. This ability shows the mistake of the suspect or defendant in the form of intentional or negligence, this later proves that the act is reprehensible and the suspect or defendant is aware of the actions taken.

In the *a quo* case, it is necessary to further examine the relationship between the Committee for Recipients of Work Results (PPHP) and its actions in the Procurement of Government Goods/Services in the Continuation of the Construction of Pratama Hospital at Pratama Tapan Hospital with the indicators previously described. The indicators used in determining the form of criminal responsibility in a comprehensive manner are Moeljatno's opinions.

In terms of the actions of the Committee for Recipients of Work Results in the Procurement of Government Goods/Services in the Continuation of the Construction of Pratama Hospital at Pratama Tapan Hospital. There are 2 (two) acts that become important concerns in assessing criminal responsibility, namely:

1. Whereas the Committee for Receiving Work Results at the Directorate of Referral Health Efforts for the 2015 Fiscal Year is a team consisting of dr. Ira Melati as Chair of the Work Recipient Committee (Chairman of PPHP), dr. Kenedi Sembiring as Secretary of the Work Recipient Committee (PPHP Secretary), and dr. H. Dovi Hakiki, dr. Ady Iswadi Thomas, M.A.R.S., dr. I.B. Anom Suryadiputra, Citra Nuraini Mursa, S.Kom., and Dr. dr. Each of Yout Savithri is a member of the Work Recipient Committee (PPHP Member) so that the inspection should be carried out jointly within the framework of a work team. However, in practice, inspections on the continuation of the construction of the Pratama Hospital at the Tapan Pratama Hospital are carried out by representatives only, where inspections by representatives are considered the result of an examination of the entire team on the basis of the principle of mutual trust.
2. Whereas in the results of the examination on 21 December 2015, representatives of the Work Acceptance Committee (PPHP) team represented by Citra Nuraini Mursa, S.Kom. and Dr. dr. Yout Savithri as referred to in the Minutes of Field Inspection/Field Examination of the

Continuation of the Pratama Tapan General Hospital in the Context of Installment Payments (Fourth Term) Number: BA.21.4/DD/MK/RSP/XII/2015 dated 21 December 2015 stated that the results of the work inspection were 88.326% (eighty eight point three hundred and twenty six percent) so that the handover cannot be carried out. However, on December 31, 2015 based on the results of an examination by dr. H. Dovi Hakiki and dr. I.B. Anom Suryadiputra as referred to in the Minutes of Event Number BA.31.2/DD/MK/RSP/ XII/2015 dated 31 December 2015 stated that the work had been completed 100% (one hundred percent) even though there were still notes of improvement indicating that the work had not actually been completed.

Based on the actions of the Committee for Recipients of Work Results (PPHP) in the Procurement of Government Goods/Services in the Continuation of the Construction of Pratama Hospital, one of which is the Tapan Pratama Hospital and its accompanying circumstances, it can be classified as an error in the form of intent. The degree of intentionality that can be applied is intentionality as a possibility or *dolus eventualis*. To strengthen this argument, Moeljatno stated that in determining the pattern of intentionality as a possibility, the theory of *in kauf nehmen* or what is permissible theory can be applied which provides 2 (two) conditions for the application of intentionality as a possibility, namely:

1. Someone knows the possibility of a consequence/circumstances constituting an offense;
2. His attitude towards the possibility should it really arise is what can be done, can be agreed upon, and is willing to take the risk;

In the first inspection based on a request from the Commitment Making Officer (PPK) as outlined in the Minutes of Field Inspection/Field Examination of the Advanced Development Hospital Pratama Tapan Number: BA.21.4/DD/MK/RSP/XII/2015 dated 21 December 2015 stated the results of the work inspection amounted to 88.326% (eighty-eight point three hundred twenty-six percent) so that the conclusion is that handover cannot be carried out. However, the Minutes of Field Inspection/Field Inspection of the Continuing Development of Pratama Tapan Hospital Number BA.31.2/DD/MK/RSP/ XII/2015 dated 31 December 2015 stated that the work had been completed 100% (one hundred percent).

Based on the facts revealed at the trial, the two inspections were carried out only visually in which the technical inspection was entrusted to the Construction Management which in this case was the winner of the tender as the supervisory consultant. The Committee for Receiving Results of Work (PPHP) in the *a quo* case realizes that they do not have expertise or technical skills in the field of construction whereas according to Article 18 Paragraph (5) Presidential Regulation Number 54 of 2010 as amended several times, most recently by Presidential Regulation Number 4 of 2015 regarding Government Procurement of Goods/Services, in essence, the task of the Committee for Recipients of Work Results (PPHP) is to inspect and accept work results.

In this condition, the Committee for Recipients of Work Results (PPHP) realizes that carelessness and carelessness in examining the results of work can result in losses for the Directorate of Referral Health Efforts of the Ministry of Health of the Republic of Indonesia as the owner of the tender. In a broader perspective, carelessness and carelessness in examining work results can result in losses to the state's finances or the country's economy. When realizing that there was a possibility of loss as explained earlier, the Work Acceptance Committee (PPHP) made an omission thinking what could be done because the Work Acceptance Committee (PPHP) did not have technical expertise regarding construction and because of job demands where the Directorate of Referral Health Efforts of the Ministry of Health The Republic of Indonesia still has 3 (three) tenders for the Continuation of the Pratama Hospital

Development in other areas as well as the Continuation of the Pratama Hospital Development at the Tapan Pratama Hospital which is a continuation tender since 2012.

It is clear that the actions of the Committee for Receiving Results of Work (PPHP) are not negligence, this is because according to 18 Paragraph (5) letter a Presidential Regulation Number 54 of 2010 as amended several times, most recently by Presidential Regulation Number 4 of 2015 concerning Government Procurement of Goods/Services explained that the Committee for Recipients of Work Results (PPHP) has the authority to examine the results of the work of the Procurement of Goods/Services in accordance with the provisions contained in the Contract. This authority is used to carry out orders from the Budget User (PA) or the Budget User Authority (KPA) to evaluate the work results as referred to in Article 95 Paragraph (2) of Presidential Regulation Number 54 of 2010 as amended several times, most recently by Presidential Regulation Number 4 of 2015 concerning Government Procurement of Goods/Services.

As a reinforcement of the argument that the Job Recipient Committee has fulfilled the element of error in criminal liability in the form of intentionality as a possibility or *dolus eventualis*. The Supreme Court (MA) through decision number: 179 PK/Pid.Sus/2019 dated 29 July 2019 stated that the element of 'deliberateness' could be declared unfulfilled if the Defendant from the outset had expressed objections and was unable to carry out certain tasks which were beyond his expertise, show no help, and receive no cash flow. This decision is a review (PK) of the decision of the Supreme Court (MA) at the cassation level which annulled the decision of the Corruption Court at the Surabaya District Court which acquitted the defendant from all charges. In its decision at the cassation level, the Supreme Court (MA) considered that the Defendant had been proven to have committed a crime as formulated in Article 3 of Law Number 31 of 1999 as amended and supplemented by Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Corruption Crimes. Against this decision, the convict filed for judicial review and then the Supreme Court (MA) granted and annulled the cassation decision, and acquitted the convict from all charges.

Based on the facts revealed at the trial, due to fraud in the Procurement of Government Goods/Services in the Continuation of the Construction of the Pratama Hospital Building at the Tapan Pratama Hospital resulted in a loss of state finances in the amount of IDR 1,660,396,797.80 (one billion six hundred sixty million three hundred ninety six thousand seven hundred and seventy rupiahs eighty cents) as the results of the inspection of BPKP West Sumatra Province Representative Number SR-2998/PW03/5/218 dated December 31 2018. However, the Panel of Judges is of the opinion that the loss of state finances in construction services for the construction of Pratama Tapan Hospital, Pesisir Regency South for the 2015 fiscal year amounting to IDR 979,764,941,- (Nine hundred seventy nine million seven hundred fifty four thousand nine hundred and forty one rupiah) which is part of the project fund amounting to IDR 13,545,023,000,- (thirteen billion five hundred and forty five million twenty three thousand rupiah) sourced from the 2015 APBN, den bro details:

1. Overpayment for 1/2 brick masonry in the amount of IDR 347,965,084.07 (Three hundred forty seven million nine hundred sixty five thousand eighty four rupiah and seven cents);
2. Overpayment for brushstone work in the amount of Rp. 16,116,993.00 (sixteen million one hundred sixteen thousand nine hundred ninety three thousand rupiah);

3. Maintenance money received by PT. Tatayan Raya Abadi in the amount of Rp. 615,682,864.00 (six hundred fifteen million six hundred eighty-two thousand eight hundred and sixty-four rupiah);

The concept of intentionality with the possibility or *dolus eventualis* in the assistance of criminal offenses by the Job Recipient Committee (PPHP) can be seen because the actions carried out by the Work Result Accepting Committee (PPHP) have the possibility to be utilized by the tender winners in taking more profits resulting in losses. state finances or the country's economy. As explained in the previous discussion, the Job Recipient Committee (PPHP) is aware of their actions consciously but cannot predict the consequences. However, these consequences are already in his mind based on general knowledge regarding his duties and functions in the Government Procurement of Goods/Services.

Against this action, the Work Accepting Committee (PPHP) can be held criminally responsible because an element of error has been fulfilled, namely intentional with the possibility or *dolus eventualis* in which the Work Accepting Committee (PPHP) is aware of its actions but cannot ascertain the consequences, but can imagine what could potentially happen. Then the Job Recipient Committee (PPHP) is able to account for its actions and has no justification or excuse reasons. The Committee for Recipients of Work Results (PPHP) is classified as a person who provides assistance for criminal acts and may be subject to Article 2 Paragraph (1) or Article 3 of Law Number 31 of 1999 as amended and supplemented by Law Number 20 of 2001 concerning Amendments to Laws -Law No. 31 of 1999 concerning Eradication of Corruption Jo. Article 56 Paragraph (1) of the Criminal Code. As for the application of Article 3 it is more appropriate to be imposed because there is a specificity that is owned by the Committee for Receiving Results of Work (PPHP) as a civil servant who has certain powers based on law.

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