

IMPLEMENTATION OF PRUDENTIAL PRINCIPLES AND KNOW YOUR CUSTOMER PRINCIPLE AND BANK ACTION ON CUSTOMER OWNER CUSTOMERS USING ACCOUNTS AS A MEANS OF ILLEGAL FUNDING

ABSTRACT

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The use of banks as a means of collecting illegal funds is now very common. In an effort to avoid the risk of being used as a means of collecting illegal funds, banks are required to apply the prudential principles and the principle of knowing customers properly to each customer and prospective customers to avoid various kinds of suspicious transactions, and actions taken by banks when obtaining reports that customers use bank accounts as a means of committing criminal acts which in this case are used as a place to collect illegal funds, one of which is money laundering using a gambling mode.

This study uses normative juridical research methods by basing on secondary data sources consisting of primary, secondary and tertiary legal materials. The nature of the research used is analytical descriptive. The approach used in this paper is the statutory approach and conceptual approach.

The results of this study conclude that the form of applying the principle of prudence and the principle of getting to know customers is that the bank implements *customer due diligence* and *enhanced due diligence* in order to avoid the risk of being used as a place to hold illegal funds, and to this action the bank conducts reporting actions to PPATK and if it is true the bank used as a means of collecting illegal funds, the bank can make a permanent blocking. The government as the authority requires clear cooperation between institutions in order to eradicate money laundering by gambling mode, including the public is expected to use bank facilities, especially for bank account users to be wiser in using and utilizing banks as banking institutions towards a more positive and avoidable direction. from various criminal acts involving banks in it. It is expected that the bank can be more thorough and careful in carrying out various principle procedures to get to know customers, both identifying verification teams, etc. for each prospective customer so that banks avoid using banks as a means of committing criminal acts, as well as conducting routine monitoring of each customer transaction patterns to avoid suspicious transactions that deviate from the profile and characteristics of customer transactions.

Keywords: Illegal Funds, Gambling, Prudential Principles, Know Your Customer Principles

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