

**PENETAPAN UPAH PERSEPSI PEJABAT LELANG
KELAS II OLEH BALAI LELANG
DI KOTA PEKANBARU**

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PENETAPAN UPAH PERSEPSI PEJABAT LELANG KELAS II OLEH BALAI LELANG DI KOTA PEKANBARU

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ABSTRAK

Upah Persepsi adalah imbalan jasa atas pelaksanaan Lelang yang diberikan oleh Penjual kepada Pejabat Lelang Kelas II. Pokok permasalahan dalam penelitian ini adalah bagaimana penetapan upah persepsi Pejabat Lelang Kelas II oleh Balai Lelang di Pekanbaru, apa kendala-kendala penetapan upah persepsi Pejabat Lelang Kelas II oleh Balai Lelang di Kota Pekanbaru dan bagaimana pengawasan terhadap penetapan upah Pejabat Lelang Kelas II oleh Balai Lelang di Kota Pekanbaru. Penelitian hukum ini menggunakan pendekatan yuridis empiris yaitu suatu penelitian yang menggunakan metode pendekatan terhadap masalah dengan melihat norma-norma hukum yang berlaku kemudian dihubungkan dengan fakta-fakta hukum yang terdapat dilapangan. Dalam penelitian ini sumber data diperoleh dari penelitian kepustakaandan penelitian lapangan. Teknik pengumpulan data dilakukan melalui studi dokumen dan wawancara terstruktur. Hasil Penelitian Penetapan upah persepsi Pejabat Lelang Kelas II oleh Balai Lelang di Pekanbaru banyak yang tidak memenuhi standar, rata-rata memiliki harga yang bervariasi mulai dari harga Rp.2.500.000 s/d Rp.3.500.000 hal ini tidak memenuhi ketentuan Pasal 47 ayat (3) dalam PMK Nomor 189/PMK.06/2017 Tentang Pejabat Lelang Kelas II karena standarnya paling sedikit Rp.2.500.000 dan paling tinggi 1% (satu persen)dari harga Lelang. Kendala-kendala penetapan upah persepsi Pejabat Lelang Kelas II oleh Balai Lelang di Kota Pekanbaru yaitu belum adanya kebijakan dari Kantor Balai Lelang Pusat, karena dari kantor pusat sudah ditetapkan standar upah persepsi Pejabat Lelang dan antara daerah yang ada rata-rata harga sudah ditentukan. Balai Lelang yang ada di Indonesia pada umumnya khususnya di Pekanbaru semuanya mengikuti kebijakan dari kantor pusat dan tidak ada kekompakan dari Pejabat Lelang khususnya Ikatan Pejabat Lelang Kelas II (IPL2I)dalam hal memperjuangkan hak-haknya mengenai upah persepsi. Dan pengawasan terhadap penetapan upah Pejabat Lelang Kelas II oleh Balai Lelang di Kota Pekanbaru yaitu mengenai permasalahan akibat hukum yang tidak sesuai dengan penetapan upah persepsi dalam hal berkas tidak lengkap. Adapun sanksi yang diberikan Kanwil DJKN (Superintenden) terhadap pengawasan Balai Lelang yaitu dalam hal sanksi terberat dibekukan izin usahanya hal ini sesuai dengan ketentuan Pasal 44 dalam Peraturan Menteri Keuangan Republik Indonesia Nomor 113/PMK.06/2019 Tentang Balai Lelang. Dengan adanya pengawasan maka sanksi juga harus diterapkan dalam hal ini terhadap Balai Lelang dalam melaksanakan tugasnya yang melakukan kesalahan dalam menjalankan tugasnya.

Kata Kunci :Penetapan Upah Persepsi, Pejabat Lelang Kelas II, Balai Lelang

DETERMINATION OF WAGE PERCEPTION OF CLASS II AUCTION OFFICERS BY BALAI LELANG IN PEKANBARU CITY

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ABSTRACT

Perception Wage is a service fee for the implementation of the Auction given by the Seller to the Class II Auction Officer. The main problem in this study is how to determine the perceived wages of Class II Auction Officers by the Auction Center in Pekanbaru, what are the obstacles to determining the perceived wages of Class II Auction Officers by the Auction Hall in Pekanbaru City and how to supervise the determination of the wages of Class II Auction Officers by the Auction Hall in Pekanbaru City. This legal research uses an empirical juridical approach, namely a study that uses an approach to the problem by looking at the applicable legal norms and then connecting them with the legal facts found in the field. In this study, the data sources were obtained from library research and field research. Data collection techniques were carried out through document studies and structured interviews. Research Results The determination of the perceived wages of Class II Auction Officers by the Auction Center in Pekanbaru does not meet the standards, the average price varies from Rp. 2,500,000 to Rp. 3,500,000, this does not meet the provisions of Article 47 paragraph (3) in PMK Number 189/PMK.06/2017 concerning Class II Auction Officers because the standard is at least Rp. 2,500,000 and a maximum of 1% (one percent) of the Auction price. The obstacles to determining the perceived wages of Class II Auction Officers by the Auction Center in Pekanbaru City are that there is no policy from the Central Auction Center Office, because the head office has set the perception wage standard for Auction Officers and between regions where the average price has been determined. Auction Halls in Indonesia in general, especially in Pekanbaru, all follow the policies of the head office and there is no cohesiveness from the Auction Officials, especially the Class II Auction Officials Association (IPL2I) in terms of fighting for their rights regarding perceived wages. And supervision of the determination of the wages of Class II Auction Officers by the Auction Center in Pekanbaru City, namely regarding legal consequences that are not in accordance with the perception of wage determination in the case of incomplete files. The sanction given by the DJKN Regional Office (Superintendent) for the need for supervision of the Auction Hall is in the case of the heaviest sanction being frozen for its business license, this is in accordance with the provisions of Article 44 in the Regulation of the Minister of Finance of the Republic of Indonesia Number 113/PMK.06/2019 concerning the Auction Hall. With supervision, sanctions must also be applied in this case to the Auction Hall in carrying out its duties which make mistakes in carrying out their duties.

Keywords: Perception Wage Determination, Class II Auction Officials, Auction Hall

