

**TINJAUAN YURIDIS RANGKAP JABATAN PEJABAT STRUKTURAL
DAN PEJABAT PUBLIK SEBAGAI PENGURUS KOMITE OLAHRAGA
NASIONAL INDONESIA (KONI)**

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INTISARI

Penelitian ini bertujuan untuk mengetahui, mengkaji, dan menganalisis tentang persoalan rangkap jabatan pejabat struktural dan pejabat publik sebagai pengurus Komite Olahraga Nasional Indonesia (KONI) apakah melanggar asas profesionalitas atau tidak. Penelitian ini juga bertujuan untuk mengetahui dan mengkaji solusi yang perlu dilakukan ke depan untuk mengatasi persoalan rangkap jabatan pejabat struktural dan pejabat publik sebagai pengurus KONI.

Metode penelitian yang digunakan adalah penelitian hukum normatif dengan jenis penelitian adalah penelitian kepustakaan. Penulis menggunakan data sekunder yang terdiri dari bahan hukum primer, bahan hukum sekunder, dan bahan hukum tersier. Data sekunder dalam penelitian yuridis normatif ini diperoleh melalui studi kepustakaan dan studi dokumen. Analisis data yang digunakan dalam penelitian ini adalah deskriptif-kualitatif.

Hasil penelitian menunjukkan bahwa: **Pertama**, Pejabat struktural dan pejabat publik yang merangkap jabatan sebagai pengurus KONI melanggar asas profesionalitas karena: (1) Tidak memiliki pengetahuan (*knowledge*), keterampilan (*skill*), dan kemampuan (*ability*) terhadap profesi yang diemban; (2) Berpotensi timbul konflik kepentingan dalam melaksanakan tugas utama sebagai pejabat struktural dan pejabat publik; (3) Tidak melaksanakan kode etik; dan (4) tidak melaksanakan peraturan perundang-undangan yang berlaku. **Kedua**, Solusi yang perlu dilakukan ke depan untuk mengatasi persoalan rangkap jabatan pejabat struktural dan pejabat publik sebagai pengurus KONI adalah: (1) Penerapan secara tegas Pasal 40 UU SKN; (2) Melakukan *legislative review* terhadap beberapa pasal UU SKN; (3) Penguatan koordinasi antara Menpora dengan berbagai instansi atau lembaga di mana pejabat struktural dan pejabat publik tersebut bertugas; dan (4) Merevisi AD/ART KONI.

Kata Kunci: KONI, UU SKN, Pejabat Struktural dan Pejabat Publik, Asas Profesionalitas

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**LEGAL ANALYSIS OF DOUBLE POSITION BY STRUCTURAL
OFFICIALS AND PUBLIC OFFICIALS AS THE ADMINISTRATORS OF
*KOMITE OLAHRAGA NASIONAL INDONESIA (KONI)***

by

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ABSTRACT

This research was aimed to find out and to analyze the problem of double position by structural officials and public officials as the administrators of *Komite Olahraga Nasional Indonesia (KONI)* whether it's breaking the professionalism principle or not. This research was aimed also to find out the solutions which is needed to resolve the problem related to double position by structural officials and public officials as the administrators of *KONI*.

The type of research was normative legal research with the character of research was descriptive research. We used secondary data which consisted of primary legal materials, secondary legal materials, and tertiary legal materials. We got the secondary data on this normative legal research through the library study. Data analysis which was used on this research was descriptive-qualitative.

The results of the research were: **First**, Structural officials and public officials who doubled position as the administrators of *KONI* might break the professionalism principle because they had potention not to fulfill the criterias of professionalism principle as follows: (1) Structural officials and public officials could not focus and they would lack of time to do their main duties; (2) It was very potential to create conflict of interest when the structural officials and public officials did their duties; (3) Structural officials and public officials could break the code of ethics of their institution; and (4) It contradicted to the rule of law. **Second**, The solutions which are needed to resolve the problem of double position by public officials as the administrators of *KONI* for the future are: (1) The more decisive application of Article 40 Law No.3 of 2005; (2) Do the legislative review for some articles in Law No.3 of 2005 regarding National Sports System; (3) Strengthen the coordination between Ministry of Sport of Indonesia and all institutions where the structural officials and public officials working at; and (4) Do revision of *KONI's AD/ART*.

Keywords: *KONI*, Law No.3 of 2005, Structural Officials and Public Officials, Professionalism Principle

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