

**Corruption In Construction Work Contract Between The User and  
The Provider of Construction Service**

**ABSTRACT**

Formulation of the problem or the legal issues of this research are: Civil Law instrument in the scope of government construction work contract and implementation of construction work which has corruption as the legal effect. The purpose of this study are: First, to find legal arguments that civil law instruments are more suitable to settle the dispute that gives financial loss to the state in the implementation of the Employment Contracts Construction and second, to find a legal argument that the implementation of Construction Work Contract will lead into corruption. The expected benefits of this research are: giving any suggestion in order to do reconceptualization of criminal act which can be categorized as corruption through law and regulation, in order to prevent over-criminalization and its legal enforcement through the judicial process, in order to avoid an excessive thing and develop the thought in the field of the theory of criminal law and civil law theory (contract). This study which is conducted in this research is legal research that uses conceptual approach, legislation approach, and case approach. Based on the analysis, the conclusion that has been found in this research are: a. The construction work contract under the Law Jakon, in case of breach of contract then it should be settled in accordance with the stipulated in the contract except in the process there is a tort. b. Corruption levied against Jakon Act contravenes Article 14 of Corruption Act and c. Potential corruption in the construction work contract when it is in the process of formation, implementation and transfer of the contract when it is in the process of formation, implementation and transfer of the contract occurred bribes, gratuities, mark up and falsification of documents.

Keywords: corruption, construction, work contract, government, construction implementation services.