ABSTRACT

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"JURIDICAL REVIEW OF THE CRIME OF ELECTRONIC INFORMATION AND DOCUMENT MANIPULATION REVIEWING FROM LAW NUMBER 19 OF 2016 CONCERNING ELECTRONIC INFORMATION AND TRANSACTIONS (Analysis of Decision NO.542/PID.SUS/2019/PN.MLG)"

Along with the times, the development of technology which includes the internet and communication is also increasing. The act of buying and selling does not need to adhere to the traditional standard, but can be done online/via the internet (E-Commerce). The rapid development of information and communication technology also brought about negative impacts. One of the negative impacts that will be studied in this research is related to the act of manipulating information and electronic documents. This writing aims to determine the form of legal protection and the fulfillment of elements against the criminal act of manipulation of information and electronic documents in terms of the ITE Law. The research method in this study uses a normative juridical research type, namely by analyzing the problem. The type of data used in this research is secondary data. The data collection technique uses library research techniques. The type of approach used is the Legal Approach, Case Approach, and Conceptual Approach and the nature of data analysis is in the form of interpretation. The results show that the form of legal protection for victims in criminal acts of the crime of information and electronic documents is regulated in Article 35 in conjunction with Article 51 paragraph (1) of the ITE Law with a maximum imprisonment of 12 (twelve) years and/or a fine a maximum of Rp. 12.000.000.000,00 (twelve billion rupiahs). Regarding the elements of information manipulation and electronic transactions contained in Article 35 in conjunction with Article 51 paragraph (1) of the ITE Law, the evidence is used as a guide for judges. This is because the elements contained in Article 378 of the Criminal Code related to Skulduggery are considered to be inappropriate with the actions that have been carried out by Defendant Sihabudin. After all, the goods sent by Defendant Sihabudin were only in the form of empty envelopes, used vouchers, or vouchers that had been rubbed. From these actions, it can be seen that Defendant Sihabudin had manipulated information and documents where the documents were considered as if they were authentic.

Keywords: Manipulation, Electronic Document and Information, Electronic Transaction