

ABSTRACT

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LEGAL ASPECT OF CORPORATE RESPONSIBILITY IN THE CRIME OF FISHERIES (STUDY CASE COURT DECISION NUMBER 794/PID.SUS/2016/PN.DPS)

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Indonesia is one of the largest maritime nations in the world and has a large fishery resources that must be protected for the welfare of the Indonesian people. The development of the era makes corporations take a big role in promoting economic growth and national development, including in the field of fisheries. Corporations as legal subjects may engage in legal acts that may result in legal consequences. The consequences of such law may take the form of a criminal offense, this includes a fishery crime that is specifically regulated in Law No. 31 of 2004 on Fisheries. Analyze corporate liability in a fishery crime using normative legal research using secondary data sources or literature review. Corporations as legal subjects in a fishery crime may be held criminally liable. Based on Article 101 of Law No. 31 of 2004 concerning Fisheries corporate liability through the imposition of criminal charges to the administrators and fines of 1/3 of the fine penalty imposed. In its application, the Decision of the District Court Number 794 / Pid.Sus / 2016 / PN.Dps of criminal penalty is not in accordance with the laws and regulations, punishment of corporations in the form of fines is not implemented.

Keyword: Corporate responsibility, crime, fisheries

References : 25 (1981- 2015)