



PENYALAHGUNAAN *MONEY CHANGER* DALAM TINDAK PIDANA PENCUCIAN UANG OLEH KORPORASI

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INTISARI

Penelitian dan penulisan tesis ini berdasarkan pada fenomena keterlibatan *money changer* dalam tindak pidana pencucian uang. Penelitian ini berfokus dan bertujuan untuk mengetahui dan menganalisis pertanggungjawaban pidana perusahaan *money changer* dalam tindak pidana pencucian uang serta langkah-langkah ideal dalam pencegahan tindak pidana pencucian uang melalui *money changer*.

Penelitian ini menggunakan metode penelitian normatif yang didukung dengan data primer yang diperoleh dari wawancara terhadap narasumber. Hasil penelitian dianalisis secara kualitatif dengan menggunakan pendekatan undang-undang dan pendekatan kasus (*case approach*) melalui studi putusan serta dijabarkan dengan deskriptif analitis.

Penelitian ini menunjukkan bahwa berdasarkan analisis terhadap putusan-putusan yang dijabarkan dalam penelitian, ditemukan belum adanya persamaan persepsi antara aparat penegak hukum sehubungan dengan penanggulangan kasus penyalahgunaan *money changer* dalam tindak pidana pencucian uang dan belum adanya dakwaan mengenai kejahatan korporasi dalam putusan-putusan tersebut, sehingga permintaan pertanggungjawaban pidana hanya pada pengurus atau pemilik usaha *money changer* saja. Selanjutnya, berkenaan dengan langkah-langkah ideal dalam pencegahan tindak pidana pencucian uang melalui *money changer* dapat dilakukan dengan cara, *Pertama*, kewajiban menerapkan prinsip mengenali pengguna jasa bagi penyelenggara usaha *money changer*. *Kedua*, kerjasama Bank Indonesia, *money changer*, PPATK, dan aparat penegak hukum yang perlu dioptimalkan. *Ketiga*, *capacity building* bagi aparat penegak hukum. *Keempat*, melakukan sosialisasi dan edukasi kepada pelaku usaha *money changer*.

Kata kunci: *Money Changer*, Tindak Pidana Pencucian Uang, Pertanggungjawaban Pidana Korporasi.

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***MISUSE OF MONEY CHANGERS IN THE CRIME OF MONEY
LAUNDERING BY CORPORATIONS***

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ABSTRACT

The research and this thesis-writing is based on the phenomenon of money changers' involvement in money laundering crimes. This research focuses and aims to determine and analyze the criminal liability of money changer companies in money laundering crimes as well as ideal steps in preventing money laundering crimes through money changers.

This research uses normative research methods which are supported by primary data obtained from interviews with informants. The research results were analyzed qualitatively using a statutory approach and case approach through verdict studies and explained using descriptive analysis.

This research shows that based on the analysis of the decisions outlined in the research, It was found that there was no common perception between law enforcement officials regarding handling cases of money changers' in the crime of money laundering and there are no charges regarding corporate crimes in these decisions, so that the request for criminal liability only applies to the management or owner of the money changer business. Furthermore, with regard to ideal steps in preventing the crime of money laundering through money changers, this can be done by: First, the obligation to apply the principle of recognizing service users for money changer business operators. Second, cooperation between Bank Indonesia, money changers, PPATK and law enforcement officials needs to be optimized. Third, capacity building for law enforcement officers. Fourth, provide outreach and education to money changer businessmen.

Keywords: Money Changer, Money Laundering, Corporate Criminal liability

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