

ABSTRACT

ANALYSIS OF THE ENFORCMENT OF CRIMINAL LAW AGAINST PREPETRATORS OF CORRUPTION IN THE TENDER PROJECT IN LAMPUNG.

(CASE STUDY PLTU TARAHAH)

By :

Muhammad Riefkho Okfian Hosa

Corruption is an act of any person with the intention of enriching himself or another person or a corporation, abuse of authority, opportunity or advice available to him because of the position or positions that cause financial losses to the state or state economy. Law enforcement against criminals should be implemented sevcara firm, straightforward and precise berdasarakan the value of truth and justice, not according to some interests. It is very important in realizing the order, the rule of law and peace in society. Based on this background that the problem in this research is how the enforcement of the criminal law against perpetrators of corruption in business activities tender of goods and services existing project in Lampung in a case study on the plant PLTU Tarahan..

The method used in this study adalah normative juridical approach and empirical jurisdiction. Normative juridical approach done by studying and examining legislation related to this research. While the juridical empirical approach carried out to study the law in reality by conducting field research in the form of interviews with the respondents. This approach aims to obtain concrete data on the problem to be investigated. The data obtained will then be selected, clarified and disitematiskan which will then be analyzed by the inductive method.

Results of research and discussion in this paper show that: the enforcement of the criminal law against perpetrators of corruption in the project tender dilampung (EVAL power plant case study), ie actors proven to have violated Article 3 in conjunction with Article 18 of Law No. 31 of 1999 on pembrantasan corruption as amended by Law No. 20 of 2001 on the eradication of corruption and when actors perform actions in a healthy state actors and aware and therefore disturbed by the judges impose imprisonment for 3 years in prison and a fine of Rp 150,000,000 (one hundred fifty million dollars) a subsidiary of 3 months in prison. Things that are the basis for consideration of the judge in a criminal verdict against the defendant yitu berdasarakan consideration; witnesses, expert

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witness testimony, the indictment, clues and evidence as well as testimony from the accused. Besides, it is the judge hearing the judge also must consider aggravating circumstances and mitigating circumstances for the defendant. It aims to achieve legal certainty and a sense of justice that does not cause negative view of society.

Advice can be given in this study are expected in law enforcement, especially the handling of corruption cases, that the panel of judges as the giver of the decision must be able to fairly and correctly in providing criminal penalties against the accused. Because of the ability of judges to explore legal events must be sharpened, the judge must be active and creative to find it, because it will become a reference judge in imposing a decision other than the provisions of the law, resulting in dropping a decision to reflect the sense of justice and poses no negative view of society.

Key World: Analysis, Law Enforcment, Criminal Offenders, Corruption.