

**PENEGAKAN HUKUM TERHADAP PERUSAHAAN PINJOL ILEGAL
BERDASARKAN PUTUSAN KASUS
PT BARRACUDA DAN PT VEGADATA**

ABSTRAK

Fenomena fintech ilegal yang berupa pinjaman online marak terjadi dengan berbagai praktek yang merugikan konsumen karena potongan administrasi diawal terlalu besar, denda keterlambatan juga besar, cara penagihan cukup meresahkan dan juga melakukan pencatutan nama OJK. Putusan hakim pada suatu kasus pun terhitung tidak memberatkan para pelaku usaha yang melanggar aturan padahal sudah banyak yang menjadi pertimbangan hakim. Kurangnya payung hukum yang menaungi permasalahan kasus ini menyebabkan penegakan hukum dan perlindungannya kurang maksimal di Indonesia. Penelitian menggunakan pendekatan yuridis normatif dan spesifikasi penelitian berupa deskriptif analitis. Cara pengumpulan data melalui studi kepustakaan (*library research*) dan media internet (*internet research*), mempelajari bahan-bahan hukum yang merupakan data sekunder. Dengan pendekatan perundang-undangan, konseptual dan pendekatan studi kasus. Teknik analisis data yang digunakan adalah analisis data kualitatif. Hasil pertimbangan hakim dalam suatu putusan dibatasi dengan Peraturan perundang-undangan yang dikaitkan dengan KUHP, UU Perlindungan Konsumen dan UU Perdagangan karena belum adanya Undang-undang spesifik yang dapat memberikan sanksi pidana berdasarkan pelanggaran pelaku sehingga perlindungan hukum secara represif belum terpenuhi secara konkret meski OJK bersama lembaga lainnya telah bekerja sama melakukan upaya preventif yang cukup baik.

Kata Kunci: fintech; ilegal; pinjaman online; penegakan hukum; perlindungan konsumen.

**LAW ENFORCEMENT AGAINST ILLEGAL ONLINE LOAN COMPANIES
BASED ON CASE DECISIONS PT BARRACUDA AND PT VEGADATA**

ABSTRACT

The phenomenon of illegal fintech in the form of online loans is rampant with various practices that harm consumers because the administrative deductions at the beginning are too large, late fees are also large, the collection method is quite troubling and also profiteering the name of the OJK. The judge's decision in a case is not considered burdensome for business actors who violate the rules even though there are many considerations for the judge. The lack of a legal umbrella that overshadows the problem of this case causes law enforcement and protection to be less than optimal in Indonesia. The research uses a normative juridical approach and research specifications in the form of descriptive analytics. How to collect data through library research and internet media, studying legal materials that are secondary data. With a statutory, conceptual and case study approach. The data analysis technique used is qualitative data analysis. The results of the judge's consideration in a decision are limited to laws and regulations related to the Criminal Code, the Consumer Protection Law and the Trade Law because there is no specific law that can provide criminal sanctions based on perpetrators' violations so that repressive legal protection has not been fulfilled concretely even though the OJK and other institutions have cooperated to make sufficiently good preventive efforts.

Keywords: fintech; ilegal; online loans; law enforcement; consumer protection.