

ABSTRAK

Investasi ilegal di era saat ini sangat marak terjadi di kalangan masyarakat terutama pada masa pandemi Covid 19 dikarenakan investasi diklaim dapat menghasilkan uang secara mudah dengan hanya menyetorkan uangnya kepada salah satu platform investasi tanpa mengukur bagaimana investasi itu dilakukan serta apa yang menjadi bahan investasi. Masyarakat banyak yang belum mengetahui mana saja investasi yang legal dan ilegal sesuai dengan izin OJK. Pelarangan investasi tersebut dikarenakan tidak memiliki izin dan diduga investasi tersebut menggunakan suatu skema penipuan investasi yang dimana skema penipuan tersebut adalah skema piramida. Penindakan hukum terhadap investasi ilegal menggunakan skema piramida dapat dikenakan sanksi menurut pasal 378 KUHP tentang penipuan. Nalam hukum positif di Indonesia penindakannya belum diterapkan secara luas karena wilayah dilanggarnya adalah di dunia maya sehingga saat masih banyak platform investasi lain yang beredar dengan leluasa dan terus menipu masyarakat. Tulisan ini akan membahas mengenai bagaimana aturan hukum di Indonesia tentang investasi ilegal dan keterkaitan investasi tersebut dengan suatu skema penipuan investasi. Penelitian ini menggunakan metode penelitian yuridis normatif berdasarkan pemetaan berita-berita juga peraturan perundang-undangan yang ada. Hasil penelitian ini untuk memberikan pemahaman kepada masyarakat agar tidak mudah tertipu dengan investasi ilegal karena diperlukannya edukasi kepada masyarakat mengenai pentingnya mengetahui sebelum berinvestasi.

Kata Kunci : Penipuan, Skema Piramida, Investasi ilegal

ABSTRACT

Illegal investment in the current era is very prevalent among the community, especially during the Covid 19 pandemic because investment is claimed to be able to make money easily by simply depositing the money on one of the investment platforms without measuring how the investment was made and what the investment material was. Many people do not know which investments are legal and illegal in accordance with the OJK permit. The investment prohibition is due to not having a permit and it is suspected that the investment uses an investment fraud scheme where the fraudulent scheme is a pyramid scheme. Legal action against illegal investments using a pyramid scheme can be subject to sanctions under Article 378 of the Criminal Code on fraud. However, positive law enforcement in Indonesia has not been widely implemented because the area being violated is in cyberspace, so there are still many other investment platforms circulating freely and continuing to deceive the public. This paper will discuss how the legal rules in Indonesia regarding illegal investments and the relationship between these investments and an investment fraud scheme. This study uses a normative juridical research method based on mapping the news as well as the existing laws and regulations. The results of this study are to provide understanding to the public so that they are not easily fooled by illegal investments because of the need for education to the public about the importance of knowing before investing.

Keynote : Scams, Pyramid Schemes, Illegal Investments