LEGAL REVIEW ABOUT WEBSITE OF STATE AGENCY DESTRUCTION RELATED WITH LAW NUMBER 11/2008 ABOUT INFORMATION AND ELECTRONIC TRANSACTION

ABSTRACT

Wildan Sholihan

Nowadays, information technology has rapidly grown. It can be proven by the growth of every life aspects, such as economic, culture, law, religion and politic, so a requirement of adjustment is needed to conform the condition of recent globalization era. Internet has presented a new reality of human life. It eases people's activities, especially in public service area, where people who needs the goverment's service does not have to come to where the agency office is. People can access the agency's website to get the service by using internet. In the other hand, the utilization of information technology done by the society gives opportunities for the criminals to make website destruction or hacking. This condition, of course, can cause various law problems like the destruction case happened to the Election Commission (KPU). This condition causes the problem emersion of how the law protection about the ownership of website is and how the law enforcement to handle the constraints is. The ability of investigators and computer forensics has not fully been obtained yet by the related agencies.

This study employs a descriptive analytic method and *yuridis normatif* approach. The writer uses *yuridis kualitatif* to analyze the research data. It means a law regulation may not contradict with other regulations. The writer also regards the hierarchy and the due process of law.

Website of State Agency destruction through internet, in the civil-law, can be subjected by Article 1365 about the breaking law act, whereas it is regulated on Article 32 Paragraph (1) law Number 11/2008 about Information and Electronic Transaction in the criminal law. However, there are still few problems caused by the inability of the investigators and computer forensics in the application, where those fields have not fully been obtained by the related agencies.