Law Analysis About Unconformability Between Electrical Price Lables (Barcode) With The Price Of Promotion In Transaction of Sells-Buys Related With Section 378 Criminal Codes Juncto Law Number 11 year 2008 About Information And Electronic Transaction

BACKGROUND

- The development of increasingly advanced technology: Is one form of national development in terms of promoting economy in ite.
- Electrical Price Lables (Barcode): is, a collection of optical data or code that can stem read by machine
- The use of electric price:, Is the system used in buying and selling prosses in payment, which is conducted for fast and efficient modern
- Higher technology more trouble: One was the use of electric price tags that cause problems such as uncormability between electric price tag with price promotions in the buy-sell transactions that occurred in northern Sulawesi (Manado) in a famous hypermarket.

PROBLEM IDENTIFICATION

- How to Article 378 the Criminal Penal Code and Law No. 11 Year 2008 About Information And Electronic Transactions criminalize fraud on the price tag mismatch electrically (Barcode) with promotional price of goods at a sale and purchase transaction?
- What legal action can be done against criminal fraud in item 1 above?

RESUME

1. Article 378 of the Criminal Code applicable to the crime of fraud on the discrepancy between the electric price tag (barcode) with price promotions on the sale and purchase transaction because it meets the subjective and objective elements.
2. Legal action that can be done against the perpetrators of fraud cases referred to, among others with a criminal trick them by Article 378 of the Criminal Code with evidence as stipulated in the draft Criminal Procedure Code (KUHAP) in conjunction with Article 5 paragraph (1) and paragraph (2) Law Number 11 Year 2008 About the Information and Electronic Transactions. Legal action is also inseparable from the efforts of the approach, both approaches are technological, socio-cultural approach to ethical and legal approaches.

RECOMENDATION

1. In order to combat criminal misuse of information technology with the mode as in the case above, required adequate legal provisions that Article 378 the Criminal Penal Code should be corrected because it no longer appropriate to the needs within the framework of implementation of laws against crimes with the mode of technology misuse of such information, according Theory of Legal Development. Prof. Mochtar Kusumaatmadja.
2. The need for socialization on the legal provisions applicable to the crimes with modes misuse of information technology to the public through various media information.