

Kejahatan Transaksi Elektronik Perbankan dalam Ranah Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi dan Transaksi Elektronik: Jangkauan dan Antisipatif

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Abstrak

Banking crime phenomenon recently occurs by breaking the Automatic Teller Machine as conducted by the criminal has created unsafe feeling amongst community specially for bank's customer. There are some typical methods used in the crime operation such as using skimmer, cloning credit card, cloning ATM card and stealing Personal Identification Number by hidden-camera and card reader installing on the machine. This type of electronic transaction crimes (e-banking) has been technically improved along with the highly development of technology in electronic banking transaction. The Act No. 11 year of 2008 regarding Information and Electronic Transaction has been attempted to cover and anticipate the accurrence of electronic crime. In practice, however, there is sort of constraint in implementing the law since such articles have called as grey are or having different meaning in perception of legal institution, so there requirement for another legal remedy in form of legal interpretation. In case the Judge unwilling to search for another legal interpretation but prefers to apply streams of legism then sociologically the law would not catch the highly e-banking crime.