

Dugaan pelanggaran investasi di bidang pertambangan (Studi Kasus virgin Gold Mining Corporation Berdasarkan Putusan Nomor. 16/Pdt.G/2015/Pn Mpw) = Allegation of investment violations in the mining sector (Case Study Of Virgin Gold Mining Corporation Based On Decision Number 16/Pdt.G /2015/Pn.Mpw)

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Abstrak

Adanya upaya dari masyarakat untuk meningkatkan kualitas hidupnya membuat maraknya kegiatan menanamkan modal/investasi, akan tetapi hal itu berpotensi terjadinya kejahatan di bidang ekonomi yang dilakukan para pelaku usaha dalam bentuk korporasi, seperti pada pemasaran melalui cara *Multi Level Marketing* yang digunakan pada *Virgin Gold Mining Corporation*, yang mengaku sebagai sarana investasi yang focus pada eksplorasi dan industry tambang emas. Akan tetapi di Indonesia *Virgin Gold Mining Corporation* meskipun telah memiliki banyak investor Indonesia, ia tidak memiliki kantor perwakilan dan izin beroperasi di Indonesia.

Sebagaimana permasalahan tersebut maka permasalahan yang diangkat penulis pada penelitian hukum ini mengenai: (i) regulasi penipuan investasi dengan cara *multi level marketing* di Indonesia; (ii) bentuk pertanggungjawaban *leader* *Virgin Gold Mining Corporation*; dan (iii) peran Otoritas Jasa Keuangan dalam kasus *Virgin Gold Mining Corporation* dengan Jenis penelitian yang digunakan adalah penelitian hukum dotriner atau yuridis normatif.

Sehingga dapat disimpulkan bahwa belum adanya regulasi tindak pidana terhadap dugaan pelanggaran investasi dengan cara *multi level marketing*, dan *leader* *Virgin Gold Mining Corporation* dapat dimintakan pertanggungjawaban secara pidana bukan hanya perdata saja, serta peran Otoritas Jasa Keuangan memanglah terbatas karena Otoritas Jasa Keuangan hanya bisa mengawasi sepanjang usaha tersebut mendapatkan izin yang dikeluarkan oleh Otoritas Jasa Keuangan itu sendiri.

.....The effort put by a society to improve their quality of life causes opportunity of potential economic crimes committed by business people in form of corporations such as marketing through the multi level marketing method used by VGMC which claims to be an investment medium that focuses on an exploration of gold mining industry. However, VGMC, despite having many investors from Indonesia, still does not have a representative office and permits to operate in Indonesia.

As with the problems, the problems raised by the author in this legal research are: (i) regulation of investment fraud through the multi level marketing in indonesia; (ii) the form of the responsibility of the leader of Virgin Gold mining Corporation; (iii) the role of the financial services authority in the case Virgin Gold mining Corporation eith the type of research used in this thesis in normative legal or judicial legal research.

So that it can be concluded that there is no regulation of criminal act against alleged investment violation by means of multi level marketing and leader of Virgin Gold mining Corporation can be asked for criminal responsibility, not just civil matters, also the role of the financial services authority is indeed limited because the financial services authority can only overseas as long as the business gets a permit issued by the financial services authority itself.