

## Application of Criminal Sanctions for The Criminal Act of Forgery of Letter in Disbursement of Death Insurance Claims at BPJS Employment (Study of Decision Number 2441/Pid.Sus/2022/Pn Sby)

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**Abstract.** *The rise in criminal acts of document forgery with the aim of illegally obtaining cash benefits from the BPJS Employment is currently rampant. Benefits provided by BPJS Employment include cash compensation for the heirs of workers registered with BPJS Employment. This has resulted in, among other things, the provision of benefits to those who are not entitled to them, which is detrimental to BPJS Employment. The primary objective of establishing BPJS Employment is to provide socioeconomic protection to Indonesian workers through various social security programs. This includes protection against the risks of work accidents, death, old age, and retirement, as well as job loss insurance. Participants in the BPJS Employment program pay regular monthly contributions to continue receiving benefits from the BPJS Employment program. With BPJS Employment, it is hoped that workers and their families are protected from the financial impacts that may arise from these risks, thereby improving worker welfare and productivity. This study aims to determine the legal structure and application of criminal sanctions against perpetrators of document forgery, which is rampant within the BPJS Ketenagakerjaan (Employment Social Security Agency) to obtain cash benefits. The research method used is normative juridical, an approach to legal research that focuses on applicable norms, rules, and regulations. Based on the research results, the application of criminal sanctions against the perpetrators has fulfilled the principle of legal certainty and is expected to provide a deterrent effect on the perpetrators, as well as provide a criminal threat to anyone who intends to commit a similar crime. The verdict handed down by the judge also*

*fulfilled the legal principles in making decisions. Consistency in the imposition of criminal sanctions against perpetrators of document forgery is needed to reduce the frequency of criminal acts of document forgery, especially in BPJS Employment. The ability to identify the authenticity of documents is also needed to prevent the risk of criminal acts of document forgery.*

**Keywords:** BPJS Employment; Forgery of Letters; Law.

## 1. Introduction

Indonesia is a country based on law as stated in Article 1 paragraph 3 of the 1945 Constitution, so that law should be used as a reference in various aspects of life in society. The legal state in question is a country that upholds the supremacy of law to uphold truth and justice. There are 3 (three) basic principles in a country that adheres to the concept of a legal state, namely the supremacy of law, equality before the law, and law enforcement in a manner that does not conflict with the law (due process of law). In order to realize Indonesia as a good legal state, the participation of society is needed in supporting the applicable law, to regulate the social life of society so that people can behave in harmony and well. The State of Indonesia in achieving its legal ideals, in accordance with Article 27 paragraph (1) of the 1945 Constitution of the Republic of Indonesia which states, "All citizens have equal status before the law and government and are obliged to uphold the law and government without exception." On this basis, every attitude, policy, and behavior of state apparatus and citizens must be based on and in accordance with the law. The goal of law enforcement is to create a sense of justice, legal certainty, and benefit within society. This aligns with the Islamic teachings that require humans to be committed to carrying out mandates and justice, as outlined in verse 58 of the Quran, An-Nisa:

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ  
سَمِيعًا بَصِيرًا ﴿٥٨﴾

"Indeed, Allah commands you to convey the mandate to those who are entitled to receive it, and (orders you) when you establish a law between people, that you determine it fairly."<sup>1</sup>

To realize just law enforcement, there needs to be consistent political will and good will from the leaders of this nation. The 1945 Constitution is the constitution of the Indonesian state, the result of an agreement among all Indonesian people. The fourth paragraph of the Preamble to the 1945

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<sup>1</sup>QS An-Nisa Verse 58

Constitution explicitly states the purpose of the Indonesian state, namely "to protect the entire Indonesian nation and all Indonesian territory." Through this purpose, the Indonesian state is committed to protecting all components of Indonesia, namely the people, cultural wealth, natural resources, and noble values of the nation. In line with this, the state has an obligation to guarantee the safety and security of all its citizens from all forms of crime in an effort to realize the goal of protecting the nation. Law enforcement in the context of crime refers to a series of actions taken by law enforcement officials to ensure that criminal law is upheld and violations are handled according to established procedures. The goal is to create security, order, and justice in society, as well as prevent crime.

Phenomena occurring in Indonesia in recent years, such as high poverty rates, unemployment, and income inequality, have led to an increase in crime rates. Both the number of crimes and the crime risk level in Indonesia are expected to increase in 2023., namely an increase of 35.7% and 36% respectively. One type of crime is related to fraud. Crimes of fraud or fraudulent acts were recorded at 48,609 incidents in 2023, an increase from 34,578 incidents in 2022. Crimes of fraud or fraudulent acts include forgery. Forgery of documents is included in the crime of forgery of documents regulated in Articles 263 to 276 of the Criminal Code, and Article 391 of Law Number 1 of 2023 concerning the Criminal Code. According to Adam Chazawi, the crime of forgery is defined as a crime that contains a system of untruth or falsehood regarding something (an object) that appears from the outside as if it were true, even though in fact it is contrary to the truth.<sup>2</sup>

The criminal act of forgery of documents that occurred included forgery of documents in the process of disbursing benefits from the Social Security Administration Agency (BPJS) Employment program, namely the Death Benefit program. BPJS Employment is a legal entity established based on Law Number 24 of 2011 concerning the Social Security Administration Agency (BPJS) to provide Employment Insurance and social protection programs to all workers in Indonesia. In accordance with Article 6 paragraph (2) of Law Number 24 of 2011 concerning the Social Security Administration Agency (BPJS), BPJS Employment organizes 4 (four) programs, namely Work Accident Insurance, Old Age Insurance, Pension Insurance, and Death Insurance. Benefits from the BPJS Employment program can be obtained if you have the status of an active participant in the BPJS Employment program according to the program you are participating in, by fulfilling and completing the required documents. The participants in question are everyone, including foreigners who have worked for at least 6 (six) months in Indonesia, who have paid contributions. The contribution paid by companies to BPJS Ketenagakerjaan for the Death Benefit

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<sup>2</sup>Adam Chazawi, 2003, Crimes against Property, Bayu Media, Malang, pp. 2-3

program is 0.3% of workers' wages. The benefits of the Death Benefit program include cash compensation of Rp 42,000,000 to the heirs of Death Benefit program participants, provided they complete several documents, including a certificate of heirship, a death certificate, and a BPJS Ketenagakerjaan participant card.

Forgery of documents by certain individuals used to obtain cash benefits from the BPJS Ketenagakerjaan Death Benefit program has occurred several times, which has caused losses to BPJS Ketenagakerjaan and also the potential for reduced public trust in the security of the BPJS Ketenagakerjaan benefit claim process. One case of criminal forgery of documents in fictitious claims for BPJS Ketenagakerjaan Death Benefit program occurred in the jurisdiction of the Surabaya District Court which has received a final decision with Decision Number 2441 / Pid.Sus / 2022 / PN Sby. In this case, the defendant falsified the letter to issue a death certificate, which will be used to claim benefits from the BPJS Ketenagakerjaan Death Benefit program. The defendant falsified the death status of his own biological child, so that the defendant, as a family member who has the position of heir, received cash benefits from the BPJS Ketenagakerjaan Death Benefit program. The rampant practice of forging letters used to claim benefits from the BPJS Employment program should be minimized or even eliminated so as not to harm any party. The application of criminal sanctions is expected to provide a deterrent effect on perpetrators of forgery crimes, especially in claiming benefits from the BPJS Employment program. This case is the background for the author's interest in researching in the form of a thesis entitled "APPLICATION OF CRIMINAL SANCTIONS ON THE CRIMINAL ACT OF FORGERY OF LETTER IN DISBURSEMENT OF DEATH INSURANCE CLAIMS AT THE EMPLOYMENT SOCIAL SECURITY ADMINISTERING AGENCY (CASE STUDY OF DECISION NUMBER 2441/PID.SUS/2022/PN SBY)".

## **2. Research Methods**

The type of research used in writing this thesis is normative juridical legal research. Juridical research is by looking at legal aspects based on statutory regulations, while normative research is research in the legal field to find legal rules and legal doctrines to answer existing legal issues.<sup>3</sup>

## **3. Results and Discussion**

### **3.1. Legal Construction of the Criminal Act of Forgery of Documents in the Disbursement of Benefits from the BPJS Employment Program**

Living our daily social life cannot be separated from rules. Law is generally defined as regulations that regulate human behavior in society. Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia states that

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<sup>3</sup>Peter Mahmud Marzuki, 2005, *Legal Research*, Kencana Prenada Media Group, Jakarta, p. 35

"The State of Indonesia is a state of law" which means that all aspects of society, nationality, and statehood, including government, must always be based on applicable law. Law has the highest position so that the implementation of state power does not deviate from the law. A state of law is defined as a state carrying out actions through, based on, and in accordance with the law. This law functions to maintain order, prevent chaos, and ensure justice. Perpetrators of criminal acts are appropriate and should be given criminal sanctions in accordance with the applicable Criminal Code (KUHP) and Criminal Procedure Code (KUHP).

The crime of forgery of documents is regulated in the Criminal Code (KUHP) Chapter XII Book II of the Criminal Code, articles 263 to 276. Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration, and Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia.

Based on the Criminal Code (KUHP) Chapter XII Book II KUHP articles 263 to 276, crimes related to document forgery consist of 7 (seven) types, namely:

1. Forgery of letters in standard or principal form (eenvoudige valsheid in geschriften);
2. Aggravated letter forgery (gequalificeerde valsheid in geschriften);
3. Ordering to insert false information into an authentic deed;
4. Forgery of doctor's certificate;
5. Forgery of certain letters;
6. Falsification of official certificates regarding property rights;
7. Storing materials or objects for forgery of letters.

The crime of forgery of documents is regulated in the Criminal Code, Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia, and The Criminal Provisions of Article 94 of Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration are explained as follows:

1. Criminal Code:

Article 263:

(1)Article 1: Anyone who makes a false letter or falsifies a letter that can give rise to a right, obligation or release from debt, or who intends to use it as evidence of something with the intention of using the letter as if its contents were true and

not false, is threatened if the use can give rise to a loss due to the falsification of the letter, with a maximum prison sentence of six years.

(2)Article 2: Anyone who intentionally uses a fake or falsified letter as if it were real, if the use of the letter can cause loss, shall be subject to the same penalty.

Article 264:

(1)Article 1: Forgery of documents is punishable by a maximum of 8 years imprisonment, if committed against:

1. Authentic deeds;
2. A debt letter or debt certificate from a country or part thereof or from a public institution;
3. Letter of ownership or debt letter or certificate of ownership or debt from an association, foundation, company or airline;
4. Talo, proof of dividends or interest from one of the letters described in 2 and 3, or proof issued as a substitute for these letters;
5. Letter of credit or trade letter intended for circulation.

(2)Article 2: Anyone who intentionally uses the letter referred to in the first article, the contents of which are not genuine or are falsified as if they were true and not fake, shall be punished with the same penalty if the use of the letter can cause harm.

Article 268:

(1)Article 1: Anyone who makes or falsifies a false certificate regarding the presence or absence of illness, weakness or disability, shall be subject to a maximum prison sentence of four years.

(2)Article 2: Anyone who, with the same intent, uses a false or falsified certificate as if the certificate were true and not false shall be subject to the same penalty.

The crime of forgery of documents is also regulated in Law Number 1 of 2023 concerning the new Criminal Code which will come into effect in 2026. The comparison between the two regarding forgery of documents is as follows:

2. Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration.

Article 93:

Any Resident who intentionally falsifies letters and/or documents to the Implementing Agency in reporting Population Events and Important Events shall

be punished with imprisonment of up to 6 (six) years and/or a maximum fine of IDR 50,000,000 (fifty million rupiah).

3. Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia.

Article 37:

(1)Article (1): Any person who intentionally provides false information, including information under oath, makes false letters or documents, falsifies letters or documents with the intention of using or ordering the use of the falsified information or letters or documents to obtain Indonesian citizenship or to regain Indonesian citizenship shall be punished with imprisonment for a minimum of 1 (one) year and a maximum of 4 (four) years and a fine of at least Rp. 250,000,000.00 (two hundred and fifty million rupiah) and a maximum of Rp. 1,000,000,000.00 (one billion rupiah).

The criminal threats stated in several laws and regulations are a firm legal basis for the application of sanctions for all perpetrators of letter forgery, as a form of strong legal protection for the integrity of letters/documents. The existence of regulations governing the crime of letter forgery is one proof of the existence of legal certainty, namely the existence of clarity, must not give rise to multiple interpretations in the law, must not be contradictory between one regulation and another and the regulation can be implemented.

In the case of forgery of letters that occurred in the BPJS Employment environment, especially criminal incidents according to Decision Number 2441/Pid.Sus/2022/PNSby, the elements inLaw Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population AdministrationArticle 93, namely "Any Resident who intentionally falsifies letters and/or documents to the Implementing Agency in reporting Population Events and Important Events shall be punished with imprisonment of a maximum of 6 (six) years and/or a maximum fine of Rp. 50,000,000 (fifty million rupiah)". The details of the elements in this article are as follows:

**3.2. Implementation of Criminal Sanctions for Forgery of Documents in Disbursement of BPJS Employment Death Benefit Claims**

One of the goals of implementing criminal sanctions is to punish perpetrators and to serve as a means of prevention, rehabilitation, and protection for the community from crime. No criminal act can be punished unless there are regulations governing it. One such crime regulated by law is the crime of document forgery. Document forgery is one of several types of crimes that can be detrimental and disrupt the security and order of community life. Along with technological advances and changes in national economic conditions, the crime of document forgery is becoming more frequent. As technology advances, criminals are becoming increasingly sophisticated in manipulating documents or

letters, whether using modern printing equipment or digital information, which is exploited by individuals to manipulate official documents, such as personal identity documents, business documents, banking documents, and legal documents. Some motives that drive the crime of document forgery include financial motives, the aim of fraud, avoiding legal proceedings, or personal gain. Financial motives are often the main factor in cases of document forgery. Therefore, an understanding of these motives is necessary to assess policies that can reduce the crime rate in the field of document forgery. Legal awareness is also a factor causing the occurrence of criminal acts of document forgery, where there is still a lack of understanding regarding the legal consequences of document forgery. Cases of document forgery have serious impacts not only on individuals, but also on security, social stability, and trust in the legal and government systems. Crimes related to document forgery must be carried out intentionally by the perpetrator in modifying, imitating, and or creating fake documents from scratch, and must have a detrimental impact on other parties or the general public. The losses incurred can include financial losses, reputation, public order and or security. The crime of forgery is a crime that contains a system of untruth or falsity of something (object), which something that appears from the outside as if it were true, but in fact is contrary to the truth. The act of forgery (*vervalsen*) of a letter is an act of changing in any way by a person who is not entitled to a letter that results in part or all of its contents being different or different from the contents of the original letter.<sup>4</sup>

One example of document forgery to obtain cash benefits from the BPJS Ketenagakerjaan death benefit occurred in Surabaya, according to Decision Number 2441/Pid.Sus/2022/PNSby. The defendant was found guilty of falsifying documents to obtain cash benefits from BPJS Ketenagakerjaan. The requirements for disbursement of BPJS Ketenagakerjaan death benefit are as follows:

1. BPJS Employment Participant Card;
2. Identity Card, passport, or other proof of identity of the Prospective Indonesian Migrant Worker or Indonesian Migrant Worker;
3. Resident Identity Card or other proof of identity of the heir;
4. Family Cards for Workers and Heirs;
5. Death certificate from a doctor or authorized official, death certificate issued by the Representative of the Republic of Indonesia or KDEI, or a certificate of loss from the Representative of the Republic of Indonesia or KDEI;
6. Certificate of heirs from the authorized official;

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<sup>4</sup>Adam Chazawi, 2002, *Crimes Concerning Counterfeiting*, Raja Grafindo Persada, Jakarta, p. 100

7. Savings account in the name of the legal heir.

A death certificate is legal evidence in the form of an authentic deed prepared and issued by the Population and Civil Registration Service (Disdukcapil) as written evidence regarding the registration of a person's death. The procedure for issuing a death certificate is regulated in the Minister of Home Affairs Regulation (Permendagri) Number 108 of 2019 concerning the Implementing Regulations of Presidential Regulation (Perpres) Number 96 of 2018 concerning the Requirements and Procedures for Population Registration and Civil Registration.

Article 45:

(1)Registration of deaths in the territory of the Unitary State of the Republic of Indonesia must meet the following requirements:

- a. death certificate; and
- b. Republic of Indonesia Travel Document for non-resident Indonesian citizens or Travel Document for foreigners.

(2)The death certificate as referred to in paragraph (1) letter a, namely:

- a. death certificate from a doctor or village head or someone else;
- b. police certificate for the death of a person whose identity is unclear;
- c. a copy of a court decision for a person whose whereabouts are unknown because he is missing or dead but whose body has not been found;
- d. a death certificate from an airline for a person whose whereabouts are unknown due to being missing or dead but whose body has not been found in accordance with the provisions of statutory regulations; or
- e. death certificate from the Representative of the Republic of Indonesia for residents whose death occurred outside the territory of the Unitary State of the Republic of Indonesia.

Documents required as a condition for recording a death certificate as listed on the website[plavon.sidoarjokab.go.id](http://plavon.sidoarjokab.go.id)are as follows:

1. The deceased was a resident of Sidoarjo;
2. RT/RW cover letter (if he dies at home);
3. Death certificate expert from Doctor/Paramedic;
4. Original death certificate from the village/sub-district;

5. Scan the legalized marriage certificate/letter;
6. Scan the deceased's KTP and KK, if the deceased Head of the Family has to break the KK;
7. Scan of the deceased's husband/wife's ID card and family card;
8. Scan of the deceased's birth certificate;
9. Scan the reporter's KTP and KK;
10. Scan the ID cards of 2 witnesses.

In the case of letter forgery that occurred in the Surabaya area, the chronology of the letter forgery as stated in Decision Number 2441/Pid.Sus/2022/PNSby is as follows:

1. The defendant, DH, was in a poor financial condition and was unable to pay bank loan installments and cover living expenses, so he had the intention to obtain cash benefits from the BPJS Employment Death Benefit;
2. The defendant processed the death certificate in the name of his biological child, Sister NA;
3. The defendant falsified the Death Examination Certificate (Form A) document for NA's body issued by Dr Soetomo Regional Hospital;
4. The Death Examination Certificate (Form A) for NA's body issued by Dr Soetomo Regional Hospital was used by the defendant to obtain a Death Certificate from Ngingas Village, Waru District, Sidoarjo Regency;
5. The Death Certificate issued from Ngingas Village, Waru District, Sidoarjo Regency, was used by the defendant as a requirement for submitting an application for the issuance of a Death Certificate Extract in the name of NA at the Sidoarjo Regency Population and Civil Registry Office;
6. The defendant used the Death Certificate in the name of NA to claim BPJS Employment Death Insurance benefits amounting to IDR 42,000,000.

The defendant knowingly falsified letters/documents to the implementing agency in reporting important events. As regulated in Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration, that is:

Article 1:

Article 7: The Implementing Agency is a district/city government apparatus that is responsible and authorized to carry out services in Population Administration matters.

Article 11: Population Events are events experienced by Residents which must be reported because they result in the issuance or change of Family Cards, Resident Identity Cards and/or other population certificates including change of residence, change of address, and change of limited residence status to permanent residence.

Paragraph 17: Important events are events experienced by a person including birth, death, stillbirth, marriage, divorce, recognition of children, validation of children, adoption of children, change of name and change of citizenship status.

The defendant intentionally falsified the Death Examination Certificate (Form A) for NA's body which appeared to be issued by Dr. Soetomo Regional Hospital, and submitted it to the implementing agency in this case the Ngingas Village apparatus to obtain a death certificate. The proof of the falsification of the letter is that the statement issued by Dr. Soetomo Regional Hospital never issued a Death Examination Certificate (FORM: A) in the name of NA, as evidenced by the different layout, different hospital stamps, no doctor's name as written on the certificate in question, and incorrect specialist title.

The defendant DH has been declared legally and convincingly guilty of committing the crime of "Intentionally falsifying letters and/or documents to the Implementing Agency in reporting Population Events and Important Events", as regulated and threatened with criminal penalties in Article 93 of Law Number 23 of 2006 concerning Population Administration with the following elements:

1. Every Resident;
2. Intentionally falsifying letters and/or documents to implementing agencies in reporting population events and important events.

This is what caused the defendant to violate the provisions Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration, Article 93 with the imposition of a prison sentence of 1 (one) year and 6 (six) months by the Surabaya District Court, which was previously sentenced to 2 (two) years in prison by the Public Prosecutor.

According to the author, the sentence given by the judge has fulfilled the elements of justice, namely the judge's decision was based on clear legal facts. Legal facts can be obtained from valid evidence as has been limitedly determined in Article 184 paragraph 1 of the Criminal Code. This means that evidence outside of Article 184 paragraph 1 of the Criminal Code is not permitted to be used to prove the defendant's guilt. What is meant by evidence is everything that is related to an act, where with the evidence, it can be used as

proof to create the judge's belief in the truth of a crime that has been committed by the defendant.<sup>5</sup>.

Valid evidence in Article 184 paragraph 1 of the Criminal Code, namely:

- a. Witness testimony;
- b. Expert testimony;
- c. Letter;
- d. Instructions;
- e. Defendant's statement.

In this case, there were 7 (seven) people who gave testimony, and written evidence, namely the Death Certificate Form A, which was used as a reference by the judge in determining the verdict against the defendant, so according to the author, the judge gave a fair verdict against the defendant.

The law is coercive for anyone who commits an act or deed that contradicts or violates established provisions. Perpetrators of criminal acts must be subject to legal consequences. These legal consequences generally consist of criminal penalties or sanctions. Article 10 of the Criminal Code explains that there are two types of criminal penalties:

1. Principal Criminal Code

- a. Death penalty;
- b. Imprisonment;
- c. Imprisonment;
- d. Criminal fines; and
- e. Cover up crime.

2. Additional Penalties

- a. Revocation of certain rights;
- b. Confiscation of certain goods; and
- c. Announcement of the judge's decision.

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<sup>5</sup> Hari Sasangka and Lily Rosita, *Law of Evidence in Criminal Cases*, Mandar Maju, Bandung, 2003, p. 11.

The imposition of criminal sanctions on perpetrators of crimes, especially the crime of forgery of documents, has the objectives as regulated in Chapter III Part One of Law Number 1 of 2023 concerning the Criminal Code, namely:

1. Preventing criminal acts by enforcing legal norms for the protection and care of society;
2. Require convicts to be provided with guidance and mentoring to become good and useful people;
3. Resolving conflicts arising from criminal acts, restoring balance, and bringing a sense of security and peace to society; and
4. Cultivate a sense of remorse and free the convict from guilt.

Imposing criminal sanctions on perpetrators will deter perpetrators and provide justice for victims. Strict law enforcement will provide a sense of security for the public from the threat of crime, particularly document forgery, and provide an understanding of the legal consequences of violating the law.

#### **4. Conclusion**

1. Legal Construction of the Criminal Act of Forgery of Documents in the Disbursement of Benefits from the BPJS Employment Program: In relation to the criminal act of forgery of documents according to Decision Number 2441/Pid.Sus/2022/PN Sby, the defendant was found guilty and proven to have fulfilled the elements in Article 93 of Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration. The objective and subjective elements of this article are as follows: Subjective element: intentionally Objective elements: a. His actions: Forgery b. The object: 1) Letter; 2) Document 3) Reporting regarding Population Events and Important Events to the Implementing Agency The form of letter forgery is carried out in the following ways: a. Making fake letters, making the contents not what they should be; b. Forging a letter: changing it in such a way that the contents are different from the original contents; c. Forging a signature; and d. Attaching photos of other people than the rightful holder. This article stipulates criminal penalties, namely a maximum prison sentence of 6 (six) years and a maximum fine of IDR 50,000,000. 2. Implementation of Criminal Sanctions for Forgery of Documents in Disbursement of BPJS Employment Death Benefit Claims The forgery of letters that occurred in the Surabaya area fulfills the elements of Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration, Article 93, which reads: Any Resident who deliberately falsifies letters and/or documents to the Implementing Agency in reporting the Incident Population and Important Events are subject to criminal penalties longest prison sentence a 6 (six) years and/or a maximum fine Lots Rp. 50,000,000,- (fifty million rupiah). That the defendant was proven to have

falsified the Death Examination Certificate (Form A) which appeared to be issued by the hospital, which was then submitted or reported to the village apparatus, with the aim of obtaining a death certificate, which is a requirement for carrying out the process of disbursing benefits from the BPJS Employment Death Insurance program. The defendant was sentenced to 1 year and 6 months in prison for the crime of falsifying documents. The judge's verdict has fulfilled the principles of a judge's decision, namely containing clear and detailed reasons, being obliged to try all parts of the lawsuit, not granting more than the demands, and being pronounced in public. The high cost of living in today's society is one of the factors causing the rise in the crime of document forgery in society, intended to meet daily needs. Consistent law enforcement is needed for perpetrators of document forgery crimes to provide a deterrent effect for the perpetrators and also a fear effect for those who intend to commit similar acts as a goal of law enforcement. Furthermore, provision of competency in distinguishing genuine from fake documents is needed to minimize the occurrence of document forgery crimes in the future.

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