International Journal of Social Science Research and Review

http://ijssrr.com
editor@ijssrr.com
Volume 8, Issue 2
February, 2025
Pages: 125-135

Money Laundering in the Perspective of Banking Law Case Study of Money Laundering at Bank BJB Semarang in 2024

Tritinta Palupi Febiwati; Siti Malikhatun Badriyah

Universitas Diponegoro, Indonesia

E-mail: tritinta0602@gmail.com

http://dx.doi.org/10.47814/ijssrr.v8i2.2522

Abstract

Money laundering is a serious crime that has a significant impact on the economic, social and security aspects of a country. This crime is usually committed in financial institutions such as banking with three stages: placement, layering, integration. This research uses a juridical- normative approach to examine the applicable regulations and identify weaknesses in their implementation. The results show that the crime of money laundering in banking is a serious matter and there must be a reconstruction of banking law and strict supervision. In addition, in the case study at Bank BJB Semarang, it was found that there were weaknesses in banking supervision so that supervision needed to be further improved and strengthened money laundering laws.

Keywords: *Banking; Money Laundering; Banking Law*

Introduction

Money laundering is a serious crime that has a significant impact on the economic, social and security aspects of a country [1]. This crime involves the process of laundering the origin of funds obtained from illegal activities, such as corruption, narcotics trafficking, terrorism, or other organized crimes, so that the funds appear legal and can be used in legitimate economic activities. In practice, money laundering often utilizes loopholes in the financial system, especially banking institutions, to obscure the financial traces of the proceeds of crime.

As an institution that plays a central role in the economy, banking institutions are one of the main means for actors to hide sources of funds. This is due to the diverse and flexible banking services, such as

[1] Fenty Nur Hidayah et al., "Analisis Yuridis Terhadap Kasus Pencucian Uang (Money Laundering): Perspektif Hukum Perbankan Indonesia," *Jurnal Sains Student Research* 3, no. 1 (2025).

account opening, fund transfer, cash deposit and currency conversion. According to [2] the money laundering process generally consists of three main stages:

1.Placement (Placement)

In the first stage, individuals insert illicit funds into the official financial system. For example, by transferring money into a bank account. This type of placement is often done for a limited time to assess the security of the bank.

2.Layering

Once money is in the financial system, traders will conduct various complex transactions to change the value of that money. One example would be the movement of funds between bank accounts, both at home and abroad, or the purchase of assets such as stocks and real estate.

3.Integration

The next step is to integrate the data into the economy so that it can be clearly seen. The funds that have been prepared can be used for real estate purchases, business investments, or other project financing.

Although banking institutions have supervisory systems in place, perpetrators often exploit weaknesses in internal controls or lack of awareness of the money laundering modus operandi among bank employees. In some cases, there is collusion between criminals and bank employees who facilitate this process. Therefore, banks and their employees are at the forefront of efforts to combat illegal practices by identifying, mitigating and managing any risks arising from illicit money that threaten individual banks and the banking industry.

In the realm of banking law, money laundering is a criminal act that not only harms certain people or entities, but also damages the stability of the financial system and the national economy. This behavior can undermine public confidence in the integrity of banking institutions. Therefore, the detection and eradication of money laundering is an important concern in Indonesia's financial legislative framework.

As a poor country, Indonesia has significant hurdles in tackling money laundering. One notable advance has been the implementation of Law No. 8/2010 on the Prevention and Eradication of Money Laundering, which establishes a strong legal framework to identify, stop and prosecute perpetrators. The government established the Financial Transaction Reports and Analysis Center (PPATK) to monitor and evaluate suspicious transaction reports from financial institutions[3].

However, despite the implementation of regulations, many money laundering cases continue to occur. Cases of misuse of bank accounts to facilitate corruption proceeds or narcotics trafficking show that the supervisory system is still weak. This research seeks to analyze the function of banking laws in the prevention and eradication of money laundering, emphasizing on the barriers to the implementation of regulations and proposing solutions for the improvement of the system.

[2] Disemadi & Delvi (2021)
[3] Linda Suci Rahayu, Dyah Ayu Riska Musa, and Dararida Fandra Mahira, "Tindak Pidana Pencucian Uang (Money Laundering) Sebagai Transnational Crime Di Era Globalisasi Dengan Indonesia, Singapura, Dan Philipina," *Jurnal Hukum POSITUM* 6, no. 1 (2021): 18–40.

Research Methods

This paper uses a juridical-normative approach to examine the applicable regulations and identify weaknesses in their implementation. This study also analyzes a number of real cases of money laundering involving banking institutions as a medium of crime. The results show that although regulations such as the obligation to report suspicious transactions have been implemented, the implementation in the field still encounters various obstacles. Gaps in supervision, lack of coordination between authorities, and limitations in detecting suspicious transactions are the main obstacles that are often utilized by perpetrators to avoid supervision.

The study provides many recommendations, including improving supervision of the financial system, enhancing cooperation between supervisory bodies such as PPATK and OJK, and using modern information technology to proactively identify and prevent suspicious activities. In addition, comprehensive training is essential for bank personnel to identify money laundering practices. These changes are expected to strengthen the banking legal framework in mitigating money laundering risks in Indonesia and maintaining public confidence in the national financial system.

Discussion

Money laundering is the process of disguising money obtained from illegal activities such as gambling, casinos and others[4] . The term is derived from a term first used in the United States in the 1930s. At that time, criminal groups such as the mafia bought laundry businesses, also known as laundry, to disguise how they illegally obtained money[5]. As financial crime techniques became more complex, they evolved and became widely used in various countries around the world.

Money laundering, also known as money laundering offenses, is defined as the transfer, use, or other action of criminal proceeds for the purpose of concealing or obscuring their origin. The purpose of these actions is to give the impression that funds derived from violations of the law, such as corruption, drug trafficking, and other offenses, can be used safely. Money laundering is usually carried out in an organized or individual manner by utilizing various sectors or even funding further crimes[6].

Placement, layering and integration are three processes typically involved in money laundering behavior [7]. Typically placing or depositing the proceeds of money laundering activities in a bank or other financial institution is known as first installation. One example is the physical movement of cash or securities. This can be the transfer of cash or securities such as government securities or bonds, the transfer of funds from criminal activities to legitimate funds, or small fractions of cash or securities in the form of ownership of a company by purchasing shares in a stock exchange. Furthermore, these can be exchanged for foreign currency or exchanged for foreign currency.

[4] Engeli Yuliana Lumaing et al., "Tinjauan Yuridis Tindak Pidana Pencucian Uang Pada Transaksi Digitalcryptocurrenncy,"Jurnal *Social Science* *12*,no.2(2024):155–61, https://doi.org/10.53682/jss.v12i2.10838.

[5] Ridwan Arifin and Shafa Amalia Choirinnisa, "Pertanggungjawaban Korporasi Dalam Tindak Pidana Pencucian Uang Dalam Prinsip Hukum Pidana Indonesia (Corporate Responsibility on Money Laundering Crimes on Indonesian Criminal Law Principle)," *Jurnal Mercatoria* 12, no. 1 (2019): 43, https://doi.org/10.31289/mercatoria.v12i1.2349.

[6] Sitorus D.C, Bismar Nasution, and Windha, "PRINSIP AKUNTABILITAS DAN TRANSPARANSI YAYASAN DALAM RANGKA MENCEGAH PRAKTIK PENCUCIAN UANG (MONEY LAUNDERING) Dwi CesariaSitorus *) Bismar Nasution **) Windha ***)," *Jurnal Hukum Ekonomi* I (2013): 1–7.

[7] Filep Wamafma, Enni Martha Sasea, and Andi Marlina, "Upaya Bank Indonesia Menanggulangi Money Laundering Dalam Perbankan Online," *Jurnal USM Law Review* 5, no. 1 (2022): 357–76, https://doi.org/10.1057/jdg.2015.10.

The transfer of illegal products from one location to another with the aim of concealing their source and owner is known as second layering. This scenario involves the transfer of funds from another account or location after their placement through a series of elaborate procedures designed to hide or deceive the source of the illegal funds. Additionally, this can be done by creating an unlimited number of fake corporate accounts through the use of bank secrecy clauses, especially in countries that do not cooperate in the fight against money laundering. These suspicion reports (STRs) are undoubtedly more challenging than CTRs, as they require the judgment of the authorities, as stipulated in Article 13 of the "Law on Prevention and Eradication of Money Laundering No. 10 of 2008." Consumer characteristics and behavior are not consistent with suspicious financial transactions. This includes transactions that are suspected to be conducted with the intent to evade financial services transaction reporting obligations, as outlined in Article 1 of the "Law on Prevention and Eradication of Money Laundering No. 8 Year 2010" at 7.

In the third stage of integration, the money obtained from money laundering is invested in a new business that is not related to the previous criminal offense that caused the money laundering. Usually, this money obtained from money laundering is returned for distribution in accordance with the law. This integration process is referred to as CTR or STR.

Implementation of Money Laundering Law in the Banking System

Penal policy is a discipline and art that aims to improve the formulation of good law and advise everyone, including politicians. However, it also applies to the courts that apply, administer, and implement court decisions [8]. the crime of money laundering, hereafter known as TPPU, is a new crime in Indonesia as Indonesia only recently criminalized it, first becoming a law in 2002. Although TPPU has existed since 1930, it only became a crime in Indonesia when the TPPU Law was enacted in 2002[9].

To begin with, money laundering is not a criminal act. Rather, it is the result of shifting norms and principles within a group of people. However[10], states that "Indonesia criminalized money laundering due to encouragement and threats from international parties, one of which is FTF, so Indonesia criminalized ML in Indonesia." As ML can cut off the blood flow in a criminal organization, ML is intended to eradicate criminal acts by following the money. Experts also say that ML eradicates the crime behind it. There are at least three reasons to criminalize money laundering. First, money laundering should be criminalized because it is a major international problem. Second, anti-money laundering rules are considered the most efficient method to find the leaders of economic crime organizations. The third is that catching people who commit money laundering is more difficult than catching people who commit other crimes.

Law No. 8/2010 on the Prevention and Eradication of Money Laundering describes two categories of money laundering: active money laundering and passive money laundering. Articles 3 and 4 of the law describe the concept of active money laundering, which succinctly involves proactive measures to reveal the origin of assets obtained through illegal activities, while the article on passive money laundering deals with behavior[11].

In accordance with Article 65 paragraph (1) of Law No. 8/2010 on the prevention and eradication of money laundering, "The Financial Transaction Reports and Analysis Center (PPATK) may request

[8]Iskandar Wibawa, "CYBER MONEY LAUNDERING (Salah Satu Bentuk White Collar Crime Abad 21)," *YUDISIA: Jurnal Pemikiran Hukum Dan Hukum Islam* 8, no. 2 (2018): 240, https://doi.org/10.21043/yudisia.v8i2.3238.
[9] Mhd Syukri, "Upaya Bank, Pencucian Uang, Undang-Undang Perbankan.," *Jurnal Hukum Dan Kewarganegaraan* 4, no. 1 (2024).
[10] Garnasih (2003)
[11] (Iriansyah et al., 2021) .

financial service providers to temporarily stop all or part of the transactions as referred to in Article 44 paragraph (1) letter 'I'." This article also discusses the legal rights of the parties involved in a business transaction. Therefore, this article can be unlawfully used to force institutions to implement certain actions. Therefore, PPATK is obliged to request a district court order after conducting a thorough examination of the evidence necessary to facilitate the temporary transaction. By maintaining the interests of the state treasury and not violating the freedom of citizens to operate[12].

PPATK is not an executive agency responsible for executing court orders; its regulations may cause injustice by subjecting courts, investigators, and prosecutors to PPATK, as PPATK only supports those law enforcement agencies[13]. Nevertheless, PPATK plays an important role in the collection and analysis of relevant financial data to uncover money laundering and terrorism financing crimes in the framework of its responsibilities as a financial intelligence agency. Therefore, it is imperative for PPATK and other law enforcement agencies to establish clear boundaries of authority and collaborate to ensure that the law enforcement process is conducted in accordance with the principles of fairness, without overlapping authority that could result in bias or abuse. This is important to ensure that PPATK's function as a supporting institution can be effective without compromising the independence of law enforcement agencies that have the authority to participate in the judicial process.

Money Laundering in the Banking Legal System and its Impacts

As banks have a strategic position in the collection and distribution of funds, money laundering is a very important issue in the banking legal system. On March 29, 2012, Bank Indonesia (BI) issued Bank Indonesia Regulation (PBI) No.14/3/PBI/2012 on Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) Program for Payment System Service Providers Other than Banks. This regulation is a follow-up to the mandate of Law No.8/2010 on the Prevention and Eradication of Money Laundering. In order to mitigate the risk of financial system abuse, the provision mandates that all payment system service providers, both banks and non-banks, implement AML and CFT programs[14]

The methods used in money laundering operations are diverse, especially in the financial industry. Money launderers often use banking discretion to collect and transfer cash through the stages of placement, layering and integration. Placement involves criminals hiding illicitly obtained funds through cash deposits, acquisition of financial instruments or other activities. The layering phase involves separating the funds from their origin through a series of complicated operations, including account transfers, the use of fictitious companies, or real estate investments. Finally, integration involves reinvesting the "cleaned" funds into legitimate economic activities, such as asset acquisitions or investments[15]

Banks have become particularly vulnerable to money laundering practices, particularly through the misuse of electronic funds transfers that allow for the quick, cheap and secure transfer of funds. Organized criminals often hide their actions behind front companies or *nominees* engaged in large-scale counterfeit international trade, allowing the illegal transfer of money from one country to another while disguising the origin of the funds. These companies often seek credit or financing from banks to hide their financial footprint, utilizing loopholes in the banking system to create layers of complex transactions, making it difficult for authorities to trace the origins of illicit money. Therefore, the implementation of

[12] Erma Denniagi, "Analisis Ke-Ekonomian Pemidanaan Tindak Pidana Pencucian Uang Dalam Undang-Undang Nomor 8 Tahun 2010 Tentang Pencegahan Dan Pemberantasan Tindak Pidana Pencucian Uang," *Jurnal Lex Renaissance* 6, no. 2 (2021): 246–64, https://doi.org/10.20885/jlr.vol6.iss2.art3.
[13] Syukri, "Upaya Bank, Pencucian Uang, Undang-Undang Perbankan."
[14] Edi Waluyo, "Upaya Memerangi Tindakan Pencucian Uang (Money Laundring) Di Indonesia," *Jurnal Dinamika Hukum* 9, no. 3 (2009): 237–46, https://doi.org/10.20884/1.jdh.2009.9.3.235.
[15] Adrian Sutedi, *Hukum Perbankan: Suatu Tinjauan Pencucian Uang, Merger, Dan Kepailitan*, *Sinar Grafika* (Jakarta, 2008).

strict regulations and intensive supervision of banking activities are important steps to prevent and eradicate money laundering practices in the financial system.

Money laundering stems from dirty money that comes from illegal or unlawful sources. One of these is tax evasion, where funds are obtained from legal businesses but deliberately reduced by the amount reported to the government for tax purposes. The purpose of this practice is to avoid paying tax obligations that should be made, which is a violation of the law. In addition, dirty money can also come from unlawful activities, such as illicit drug trafficking, the sale of illegal drugs, or any other activity that can generate illicit profits. This is the beginning of the money laundering process, where the perpetrator tries to hide the source of the money so that it looks reasonable and can be used independently in the economic system.

According to Sjahdeini (2003) the impact of money laundering is as follows:

1. Expanding Money Laundering Crime Operations allows criminals to do more. As a result, law enforcement costs increase and drug treatment and medication costs increase.
2. Threatening Financial System Stability, large amounts of unauthorized money flows can threaten public confidence in the financial community. In addition, large amounts of illicit money increase the likelihood of corruption at various levels of society and institutions.
3. Reduced Activity Tax Revenue as illicit money is not counted as official income. This reduces the allocation of government funds for public welfare and disadvantages honest taxpayers. In addition, money laundering reduces employment opportunities in the legal sector as funds are diverted to illegal businesses.
4. The easy entry of illegal money into a country, such as Canada, can lower quality of life and national security. It can bring unwanted elements inside. This lowers people's quality of life and raises concerns about national stability and security.

Banking Law Efforts to Address Money Laundering in Indonesia

The term "money laundering" is very complex in law enforcement, making it difficult to formulate the criminal offense accurately and objectively. The variety of current definitions demonstrates this complexity. Even countries that have anti-money laundering laws differ in understanding the term[16]. Corruption is also a crime that is rampant in Indonesia and affects various aspects of people's lives. Meanwhile, money laundering is the process of hiding the source of assets obtained through illegal actions and making them look like legitimate funds. However, money laundering is a form of corruption.

Money laundering (ML) cases have a negative impact on the country's economy. To address this issue, the Indonesian government established the Financial Transaction Reports and Analysis Center (PPATK) in 2003. Presidential Decree Number 82 of 2003 regulated the establishment of the institution. However, Presidential Regulation of the Republic of Indonesia Number 50 of 2011, which regulated the procedures for the implementation of PPATK's authority, was later revoked and replaced by the Anti-Money Laundering Law[17]. Improve regulation and supervision of financial institutions. include the principle of Customer Due Diligence (CDD) in accordance with the Anti-Money Laundering Law, which includes the process of identification, verification, and monitoring of transaction assurance based on the profile of prospective customers, customers, or Walk-In Customers (WIC). The Know Your Customer (KYC) system is essential to ascertain the identity of customers and their source of funds. The "Enhanced

[16] Rahayu, Musa, and Mahira, "Tindak Pidana Pencucian Uang (Money Laundering) Sebagai Transnational Crime Di Era Globalisasi Dengan Indonesia, Singapura, Dan Philipina."

[17] Muhammad Rosikhu, "Peran Pusat Pelaporan Dan Analisis Transaksi Keuangan Dalam Pencegahan Dan Pemberantasan Tindak Pidana Pencucian Uang," *Jurnal Fundamental JUSTICE* 1, no. 2 (2020): 51–60.

Due Diligence (EDD)" step, also known as advanced screening, is required for clients with high risk levels. This is a more in-depth type of CDD surveillance in business relationships[18].

In addition, it is vital that financial sector employees are regularly trained on how to detect and report suspicious activity. This will help in discovering and preventing money laundering offenses. In addition, as a conduit for information exchange, governments should strengthen international cooperation. This includes the role of law enforcement in apprehending criminals involved in cross-border activities related to the exchange of financial information, as well as those involved in transnational criminal operations.

The main institution responsible for identifying and analyzing suspicious financial transactions is PPATK. In addition, they monitor, analyze, and report suspicious transactions to law enforcement officials. In addition, PPATK makes regulations governing international cooperation. In contrast, the DPR performs legislative duties by drafting and passing laws, as well as enabling the revision of laws to strengthen the law, tighten supervision of financial transactions, and improve inter-agency cooperation. In addition, Parliament is also responsible for overseeing the operations of agencies and ensuring that they operate properly. Furthermore, regulation and coordination with relevant authorities can be improved with the cooperation of PPATK and DPR.

On the other hand, international cooperation is essential to prevent money laundering. Cooperation between countries is essential to identify and prosecute perpetrators operating in different places as money laundering crimes are often transnational in nature. In international organizations such as the Financial Action Task Force (FATF), Indonesia cooperates with other countries to implement policies to prevent money laundering and terrorist funds. In addition, through ASEAN, Indonesia cooperates with countries in Southeast Asia in the framework of bilateral and multilateral work to improve the exchange of financial information and law enforcement. In this cooperation, they share financial information and intelligence relating to suspicious activities, as well as joint training for law enforcement agencies and financial institutions.

Indonesia and several other countries have signed extradition and mutual legal assistance (MLAT) agreements to assist in the disclosure and prosecution of money laundering cases involving offenders from abroad in bilateral relationships. By cooperating with other countries, Indonesia can obtain the necessary information and evidence and ensure that people who commit crimes abroad can be extradited and punished in accordance with Indonesian law[19]. Through this mechanism, Indonesia seeks to reduce legal gaps that criminals can exploit to commit money laundering related to international transactions. To enhance Indonesia's ability to stop money laundering, this international cooperation also includes cooperation with international agencies such as the United Nations Office on Drugs and Crime (UNODC) and the Asia Pacific Group on Money Laundering (APG). These facts show that international cooperation is essential to combat money laundering.

The Forty Recommendations cover measures to prevent money laundering, with some specifically addressing the responsibilities of supervisory bodies overseeing financial institutions, particularly banks. Included in these proposals are:

[18] Fransiscus X Watkat, Muhammad Toha Ingratubun, and Muhammad Hafiz Ingsaputro, "Pencegahan Tindak Pidana Pencucian Uang Melalui Penerapan Prinsip Customers Due Diligence Oleh Lembaga Perbankan Di Indonesia," *Jurnal Hukum Ius Publicum* 4, no. 2 (2023): 134–62, https://doi.org/10.55551/jip.v4i2.76.

[19] Hidayah et al., "Analisis Yuridis Terhadap Kasus Pencucian Uang (Money Laundering): Perspektif Hukum Perbankan Indonesia."

1. Banks and non-bank financial companies should abstain from creating accounts that clearly use fake or anonymous identities. This restriction should be enforced by law.

2. Financial institutions must obtain information on the authenticity of the individual whose name is used to open an account.

3. Financial institutions are required to keep records of transactions made with consumers for a minimum of five years, both domestic and international transactions.

4. It is requested that each country, including its financial institutions, remain vigilant to the risk of money laundering in light of technological advances that facilitate the process.

5. All unusual transactions and significant transactions should be given special attention by each country.

Case Study of Money Laundering at Bank BJB Semarang in 2024

The money laundering (ML) case at Bank BJB Semarang reflects the vulnerability of the banking sector to financial crime. With state losses reaching Rp17.8 billion, the economic and reputational impact is significant. The modus operandi employed by suspect Agus Hartono involved the use of fictitious documents to obtain working capital loans, after which the funds were diverted to various accounts to disguise their origin. This case emphasizes the importance of strict supervision in granting credit facilities and the implementation of the know your customer (KYC) principle by banking institutions.

Agus Hartono was sentenced to 8 years imprisonment by the prosecutor of the Central Java Prosecutor's Office. In addition, the prosecutor also demanded that the defendant pay a fine of Rp200 million, which if not paid will be replaced by imprisonment for 6 months. The trial of this case is a follow-up to the alleged corruption of Bank BJB Semarang's credit facility that cost the state up to Rp25 billion. At the Semarang Corruption Court level, Agus was sentenced to 10.5 years in prison, a fine of Rp400 million, and was obliged to return compensation amounting to Rp14.7 billion. However, the Central Java High Court reduced his sentence to 9.5 years in prison, a fine of Rp500 million, and continued to pay Rp14.7 billion in restitution.

The modus operandi used includes several stages. First, the suspect applied for credit using fictitious documents through PT Seruni Prima Perkasa. After the funds were disbursed amounting to Rp17.8 billion, the suspect segregated the funds by transferring them to several accounts in the name of allegedly fictitious third parties. Furthermore, some of the funds were used to purchase shares of PT SB Con Pratama, a move designed to further conceal the origin of the proceeds of crime. This demonstrates a gap in the bank's internal controls over the validity of credit documents and customer account activity.

This case also dragged another Bank BJB Semarang party, Meidina Indriyati, who was sentenced to 4.5 years in prison and a fine of Rp400 million by the Semarang Corruption Court. This case occurred in the 2017-2018 period, where Agus Hartono sought capital to complete work from PT TJB Power Service and PT Kompo Pembangkit Jawa Bali. He brought a Purchase Order (PO) as an attachment and a land certificate as collateral to Bank BJB Semarang. However, the PO turned out to be fictitious, and the collateral land submitted was still in the name of another person. As a result, the loan went bad, causing Bank BJB Semarang, as a local government- owned bank, to suffer losses.

From a banking law perspective, this case reflects a violation of the prudential principles stipulated in Law No. 10 of 1998 on Banking. Banks are obliged to apply prudential principles, including document verification and suspicious transaction monitoring in accordance with Law No. 8 of 2010 on

Prevention and Eradication of Money Laundering. However, in this case there are indications of weak implementation of KYC and transaction monitoring systems, so that suspicious activities were not detected.

Legally, ML offenders can be charged with Law No. 8/2010 which regulates criminal penalties for those who hide or disguise the proceeds of criminal acts. Article 3 of the law states that any person who places, transfers, or uses assets known to have originated from a crime is subject to a maximum imprisonment of 20 years and a maximum fine of Rp10 billion. Agus Hartono also violated Article 2 paragraph (1) letter a of the Anti-Corruption Law, which states that every act of enriching oneself by unlawful means that can harm state finances is a corruption crime.

To prevent similar cases in the future, strategic measures are needed such as strengthening the implementation of KYC and AML (Anti-Money Laundering), periodic internal audits, and training for employees on counterfeit document detection and money laundering mode recognition. In addition, cooperation with PPATK and law enforcement agencies needs to be enhanced to ensure effective reporting and investigation of suspicious transactions. With these measures, the integrity of the banking sector can be maintained[20].

Conclusion

Money laundering in the banking legal framework is an important concern due to its function in collecting and directing funds. A variety of methodologies are used in money laundering activities, particularly in the financial industry. Money launderers often take advantage of banks' adaptability in collecting and distributing money throughout the placement, layering and integration phases. The banking sector has become increasingly vulnerable to these activities, particularly due to the use of electronic funds transfers, which facilitate the rapid, cost- effective and secure movement of funds. Money laundering has a negative impact on society; however, it is undeniable that it also has the potential to have a positive impact on the economy, especially in poor developing countries.

The case of money laundering that occurred at Bank BJB Semarang highlights weaknesses in the supervision and implementation of prudential principles by the banking sector. The modus operandi of the perpetrators demonstrates the complexity of financial crimes that involve not only document manipulation but also the diversion of funds to disguise the proceeds of crime. From a legal standpoint, this case involves violations of the Banking Act, the Corruption Act, and the Prevention and Eradication of Money Laundering Act.

To address these vulnerabilities, it is necessary to strengthen regulations and policy implementation in the banking sector, including more effective implementation of KYC and AML. In addition, banking institutions must improve internal supervision and strengthen cooperation with law enforcement authorities. Thus, the risk of financial crime can be minimized, and public confidence in the banking sector can be maintained.

References

Arifin, Ridwan, and Shafa Amalia Choirinnisa. “Pertanggungjawaban Korporasi Dalam Tindak Pidana Pencucian Uang Dalam Prinsip Hukum Pidana Indonesia (Corporate Responsibility on Money

[20] Patrislis Akbar Lessy, Ruslan Renggong, and Almusawir, “TINDAK PIDANA PENCUCIAN UANG PADA BANK SULAWESI SELATAN DAN BARAT Money,” *Journal of Law* 22, no. 2 (2024): 201–10.

Laundering Crimes on Indonesian Criminal Law Principle).” *Jurnal Mercatoria* 12, no. 1 (2019): 43. https://doi.org/10.31289/mercatoria.v12i1.2349.

Denniagi, Erma. “Analisis Ke-Ekonomian Pemidanaan Tindak Pidana Pencucian Uang Dalam Undang-Undang Nomor 8 Tahun 2010 Tentang Pencegahan Dan Pemberantasan Tindak Pidana Pencucian Uang.” *Jurnal Lex Renaissance* 6, no. 2 (2021): 246–64. https://doi.org/10.20885/jlr.vol6.iss2.art3.

Disemadi, Hari Sutra, and Delvi. “Kajian Praktik Money Laundering Dan Tax Avoidance Dalam.” *NUSANTARA: Jurnal Ilmu Pengetahuan* 8, no. 3 (2021): 326–40.

Garnasih, Yenti. *Kriminalisasi Pencucian Uang (Money Laundering). Universitas Indonesia, Fakultas Hukum, Pascasarjana*. Jakarta, 2003.

Hidayah, Fenty Nur, Marchanida Firly Nabila, Magdalena Maharani, and Anggra Prayundhika Herani. “Analisis Yuridis Terhadap Kasus Pencucian Uang (Money Laundering): Perspektif Hukum Perbankan Indonesia.” Jurnal Sains Student Research 3, no. 1 (2025).

Iriansyah, Irfansyah, and Rezmia Febrina. “Kewenangan Pusat Penelitian Dan Analisis Transaksi Keuangan (PPATK) Dalam Menerobos Rahasia Bank Berdasarkan Undang- Undang Nomor 8 Tahun 2010 Tentang Tindak Pidana Pencucian Uang.” *Jurnal Hukum Respublica* 20, no. 2 (2021): 1–24. https://doi.org/10.31849/respublica.v20i2.7226.

Lessy, Patrislis Akbar, Ruslan Renggong, and Almusawir. “TINDAK PIDANA PENCUCIAN UANG PADA BANK SULAWESI SELATAN DAN BARAT Money.” *Journal of Law* 22, no. 2 (2024): 201–10.

Lumaing, Engeli Yuliana, Chastro Purba, Julian Valentino Moga, Wanli Metusalach, RIzky Legi, and Robin Dakhi. “TINJAUAN YURIDIS TINDAK PIDANA PENCUCIAN UANG PADA TRANSAKSI DIGITAL CRYPTOCURRENNCY.” *Jurnal Social Science* 12, no. 2 (2024): 155–61. https://doi.org/10.53682/jss.v12i2.10838.

Rahayu, Linda Suci, Dyah Ayu Riska Musa, and Dararida Fandra Mahira. “Tindak Pidana Pencucian Uang (Money Laundering) Sebagai Transnational Crime Di Era Globalisasi Dengan Indonesia, Singapura, Dan Philipina.” *Jurnal Hukum POSITUM* 6, no. 1 (2021): 18–40.

Rosikhu, Muhammad. “Peran Pusat Pelaporan Dan Analisis Transaksi Keuangan Dalam Pencegahan Dan Pemberantasan Tindak Pidana Pencucian Uang.” *Jurnal Fundamental JUSTICE* 1, no. 2 (2020): 51–60.

Sitorus D.C, Bismar Nasution, and Windha. “PRINSIP AKUNTABILITAS DAN TRANSPARANSI YAYASAN DALAM RANGKA MENCEGAH PRAKTIK PENCUCIAN UANG (MONEY LAUNDERING) Dwi Cesaria Sitorus *) Bismar Nasution **) Windha ***).” *Jurnal Hukum Ekonomi* I (2013): 1–7.

Sutedi, Adrian. *Hukum Perbankan: Suatu Tinjauan Pencucian Uang, Merger, Dan Kepailitan. Sinar Grafika*. Jakarta, 2008.

Syukri, Mhd. “Upaya Bank, Pencucian Uang, Undang-Undang Perbankan.” *Jurnal Hukum Dan Kewarganegaraan* 4, no. 1 (2024).

Waluyo, Edi. "Upaya Memerangi Tindakan Pencucian Uang (Money Laundring) Di Indonesia." *Jurnal Dinamika Hukum* 9, no. 3 (2009): 237–46. https://doi.org/10.20884/1.jdh.2009.9.3.235.

Wamafma, Filep, Enni Martha Sasea, and Andi Marlina. "Upaya Bank Indonesia

Menanggulangi Money Laundering Dalam Perbankan Online." *Jurnal USM Law Review* 5, no. 1 (2022): 357–76. https://doi.org/10.1057/jdg.2015.10.

Watkat, Fransiscus X, Muhammad Toha Ingratubun, and Muhammad Hafiz Ingsaputro."Pencegahan Tindak Pidana Pencucian Uang Melalui Penerapan Prinsip Customers Due Diligence Oleh Lembaga Perbankan Di Indonesia." *Jurnal Hukum Ius Publicum* 4, no. 2 (2023): 134–62. https://doi.org/10.55551/jip.v4i2.76.

Wibawa, Iskandar. "CYBER MONEY LAUNDERING (Salah Satu Bentuk White Collar Crime Abad 21)." *YUDISIA: Jurnal Pemikiran Hukum Dan Hukum Islam* 8, no. 2 (2018): 240. https://doi.org/10.21043/yudisia.v8i2.3238.

Copyrights