

## **ABSTRAK**

### **FATTIYA AZAHRA PUTRI**

Tindak pidana mengoplos gas diatur dalam Pasal 55 Undang-Undang RI Nomor 22 Tahun 2001 Tentang Minyak dan Gas Bumi sebagaimana telah diubah dengan Pasal 40 angka 9 UU Nomor 6 Tahun 2023 Tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 tentang Cipta Kerja menjadi Undang-Undang Jo Pasal 55 ayat (1) ke-1 KUHPidana. Dari keadaan di atas melahirkan permasalahan, bagaimana pengaturan hukum terhadap pelaku pengoplos tabung gas LPG, bagaimana pertanggungjawaban pidana pengoplosan LPG, bagaimana pertimbangan hukum oleh hakim terhadap sanksi pidana pelaku pengoplosan LPG.

Penelitian ini bersifat deskriptif yang dilakukan untuk memberikan gambaran yang lebih detail mengenai suatu gejala atau fenomena sosial dan penelitian ini menggunakan pendekatan yuridis normatif yang dilakukan berdasarkan bahan hukum utama dengan cara menelaah teori-teori, konsep-konsep, asas-asas hukum serta peraturan perundang-undangan.

Berdasarkan Putusan Pengadilan Negeri Medan Nomor 2356/Pid.Sus/2023/ PN Mdn diperoleh pengaturan hukum terhadap pelaku pengoplos tabung gas LPG 3 kg ke 12 kg menurut hukum positif Indonesia. Undang-Undang RI Nomor 22 Tahun 2001 Tentang Minyak dan Gas Bumi. Pertanggungjawaban pidana pengoplosan LPG, Terdakwa bekerja untuk memindahkan gas elpiji dari tabung 3 kg kedalam tabung gas isi 12 kg dan terdakwa telah mengakui bahwa telah disuruh melakukan pengoplosan LPG. Pertimbangan hukum oleh hakim terhadap sanksi pidana pelaku pengoplosan LPG semua unsur yang didakwakan oleh Jaksa Penuntut Umum dalam dakwaan Tunggal tersebut telah terbukti. Terdakwa terbukti bersalah melakukan tindak pidana "Turut serta melakukan perbuatan menyalahgunakan niaga bahan bakar gas yang di subsidi pemerintah.

Kesimpulan dari Putusan Pengadilan Negeri Medan Nomor 2356/Pid.Sus/2023/PN.Mdn telah melanggar UU No. 22 Tahun 2001 tentang Minyak dan Gas Bumi, terdakwa mengakui bahwa telah disuruh melakukan kegiatan pengoplosan gas oleh pemilik pangkalan gas LPG dan terbukti bersalah melakukan tindak pidana "Turut serta melakukan perbuatan menyalahgunakan niaga bahan bakar gas yang di subsidi pemerintah.

**Kata Kunci : Pertanggungjawaban Pidana, Mengoplos, LPG**

**ABSTRACT**  
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*The criminal act of pumping gas is regulated in Article 55 of Republic of Indonesia Law Number 22 of 2001 concerning Oil and Natural Gas as amended by Article 40 number 9 of Law Number 6 of 2023 concerning Stipulation of Government Regulations in Lieu of Law Number 2 of 2022 concerning Job Creation. Law in conjunction with Article 55 paragraph (1) 1 of the Criminal Code. The above situation gives rise to problems, what are the legal regulations for perpetrators of mixing LPG gas cylinders, what is the criminal responsibility for mixing LPG, what is the legal consideration by judges regarding criminal sanctions for perpetrators of LPG mixing.*

*This research is descriptive in nature, carried out to provide a more detailed picture of a social phenomenon or phenomenon and this research uses a normative jurisprudential approach which is carried out based on primary legal materials by examining theories, concepts, legal principles and statutory regulations. invitation.*

*Based on the Medan District Court Decision Number 2356/Pid.Sus/2023/ PN Mdn, legal regulations were obtained for the perpetrators of mixing 3 kg LPG gas cylinders to 12 kg according to Indonesian positive law. Republic of Indonesia Law Number 22 of 2001 concerning Oil and Natural Gas. Criminal responsibility for mixing LPG, the defendant worked to transfer LPG gas from a 3 kg cylinder into a 12 kg gas cylinder and the defendant admitted that he had been ordered to mix LPG. The legal consideration by the judge regarding criminal sanctions for perpetrators of LPG mixing has all the elements charged by the Public Prosecutor in this single indictment been proven. The defendant was proven guilty of committing the crime of "taking part in abusing the government-subsidized gas fuel trade.*

*The conclusion of the Medan District Court Decision Number 2356/Pid.Sus/2023/PN.Mdn is that it violates Law no. 22 of 2001 concerning Oil and Natural Gas, the defendant admitted that he had been ordered to carry out gas mixing activities by the owner of the LPG gas base and was proven guilty of committing the crime of "taking part in the act of abusing the trade in gas fuel which is subsidized by the government."*

**Keywords: Criminal Liability, Mixing, LPG**