

RINGKASAN

MUHAMMAD RAJA **Pertanggungjawaban Hukum Terhadap Pelaku
NIM 220510002** **Tindak Pidana Penyalahgunaan Bahan Bakar
Minyak Bersubsidi (Studi Penelitian di Polres
Lhokseumawe)**
**(Dr. Muhammad Hatta, S.H., LL.M. dan Sofyan
Jafar, S.H., M.H.)**

Sanksi pidana pelaku penyalahgunaan BBM bersubsidi diatur dalam Pasal 55 Undang-Undang Nomor 22 Tahun 2001 tentang Minyak dan Gas Bumi. Namun di Kota Lhokseumawe masih ditemukan penyalahgunaan berupa penimbunan dan pengangkutan BBM ilegal, sehingga menimbulkan kelangkaan dan kerugian masyarakat. Keadaan ini menunjukkan bahwa meskipun dasar hukum dan ancaman pidana telah jelas dan tegas, penerapannya belum optimal akibat lemahnya pengawasan, sehingga penelitian ini bertujuan pada analisis penerapan pertanggungjawaban hukum sekaligus mengkaji kendala dan upaya penegakan hukum agar berjalan lebih efektif.

Penelitian ini menggunakan metode yuridis empiris dengan pendekatan deskriptif analitis. Data primer diperoleh melalui wawancara, sedangkan data dikumpulkan melalui studi kepustakaan dan lapangan, kemudian dianalisis secara sistematis.

pertanggungjawaban hukum terhadap pelaku penyalahgunaan BBM bersubsidi didasarkan pada Pasal 55 Undang-Undang Nomor 22 Tahun 2001 tentang Minyak dan Gas Bumi sebagaimana telah diubah melalui Undang-Undang Nomor 6 Tahun 2023. Penentuan pertanggungjawaban terhadap pihak-pihak yang memiliki peran berbeda dalam tindak pidana juga berkaitan dengan ketentuan penyertaan dan pembantuan dalam KUHP. Data empiris pada perkara di Kecamatan Nisam tahun 2024 yang melibatkan oknum petugas SPBU berinisial MI bersama IW dan MY menunjukkan adanya keterlibatan beberapa pihak dalam penyalahgunaan BBM bersubsidi. Kendala utama meliputi kesulitan pembuktian keterlibatan masing-masing pihak, keterbatasan pengawasan distribusi, faktor ekonomi, serta rendahnya pemahaman hukum masyarakat. Upaya yang dilakukan meliputi penguatan penyelidikan dan penyidikan, peningkatan pengawasan, pengembangan perkara, koordinasi dengan instansi terkait, serta sosialisasi hukum kepada masyarakat.

Kesimpulan dalam penelitian ini adalah penerapan pertanggungjawaban hukum terhadap pelaku penyalahgunaan BBM bersubsidi di wilayah hukum Polres Lhokseumawe belum efektif karena masih terkendala dalam pembuktian dan pengawasan, sehingga disarankan adanya peningkatan kerja sama antara aparat, pemerintah, dan masyarakat agar penegakan hukum dapat berjalan lebih efektif

Kata Kunci : *Pertanggungjawaban Hukum, Pelaku, Tindak Pidana Penyalahgunaan, Bahan Bakar Minyak Bersubsidi.*

SUMMARY

MUHAMMAD RAJA *Legal Liability of Perpetrators of Subsidized Fuel Misuse*
NIM 220510002 *(A Study at Lhokseumawe Police Resort)*
(Dr. Muhammad Hatta, S.H., LL.M. and Sofyan Jafar, S.H., M.H.)

Criminal sanctions for the misuse of subsidized fuel are regulated under Article 55 of Law Number 22 of 2001 concerning Oil and Gas. However, in Lhokseumawe, misuse such as hoarding and illegal transportation still occurs, causing scarcity and public losses. This indicates that although the legal basis and sanctions are clear, their implementation is not yet optimal due to weak supervision and distribution loopholes. This study analyzes the application of legal liability and examines the obstacles and efforts in law enforcement to achieve fair and targeted subsidy distribution.

This study employs an empirical-juridical method with a descriptive-analytical approach. Primary data were obtained through interviews, while data were gathered via literature reviews and fieldwork, and subsequently analyzed systematically.

Legal liability for the misuse of subsidized fuel is grounded in Article 55 of Law Number 22 of 2001 concerning Oil and Natural Gas, as amended by Law Number 6 of 2023. Determining liability for parties playing different roles in the criminal offense also involves the provisions regarding participation and aiding and abetting found in the Criminal Code. Empirical data from a 2024 case in Nisam District—involving a gas station attendant (initials MI) alongside IW and MY—demonstrates the involvement of multiple parties in the misuse of subsidized fuel. Key challenges include the difficulty of proving each party's involvement, limited oversight of distribution, economic factors, and the public's low level of legal awareness. Measures taken to address this include strengthening preliminary inquiries and formal investigations, enhancing oversight, expanding the scope of case development, coordinating with relevant agencies, and conducting public legal awareness campaigns.

of legal liability against perpetrators of subsidized fuel misuse within the jurisdiction of the Lhokseumawe Police has not been effective due to obstacles in evidence and supervision, therefore it is recommended to strengthen cooperation between law enforcement officers, the government, and the community so that law enforcement can operate more effectively.

Keywords: *Legal Liability, Perpetrators, Criminal Offense, Misuse, Subsidized Fuel.*