EXECUTION OF THE VERDICT ABOUT CORRUPTION CASE THAT CONTAINS DICTUM CRIMINAL COMPENSATION FOR THE LOSS OF NATION (STUDY CASE OF CORRUPTION COURT IN DISTRICT COURT OF PADANG)

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ABSTRACT

Corruption is one of the extraordinary crime, so that the necessary legal instruments are also extraordinary. One of the laws is a criminal offense in the form of additional compensation set forth in Law No. 31 Year 1999 on Eradication of Corruption act. The purpose of the criminal compensation was to restore the state losses caused by corruption. Article 18 of Law Number 31 Year 1999 on Eradication of Corruption act describes the implementation of the payment of the compensation that the compensation be paid within 1 (one) month from the decision legally binding. If within the convict can not afford a replacement then prosecutors may seize and auction off property belonging to prisoners and the prosecutor in the case did not find any property belonging to convicted then sentenced to undergo imprisonment for a replacement for the time specified in the decision. Issues raised in this thesis are: (1) How does the execution of the decision of corruption cases, (2) Is the Criminal Substitute entirely run prison remains the property if the defendant could pay a portion of the amount of money substitutes that have been shut down, and (3) What obstacles were encountered by the Prosecutor in the implementation of the execution of the payment of money in lieu of corruption crimes. This research is a socio legal research. Files are used include primary data in the form of the informen interviews and secondary data judgment of Corruption Case Decision No. 18/Pid.B/TPK/2011/PN.PDG and judgment of Corruption Case Decision No. 16/Pid.B/TPK/2011/PN.PDG ass well as several related documents. Files were collected by interview by judges of corruption against and prosecutors to execute the verdict. Files that has been collected analyzed qualitatively. From the research conducted it can be concluded that the prosecutor in execution refers to the provisions of this law. However, due to the lack of rules on compensation this, it appears the actions of law enforcement Progesive in terms of execution of criminal restitution money is like cutting the deposit money to pay for a replacement. In the execution of criminal compensation, prosecutors found many obstacles including the circumstances in which prosecutors only afford a replacement part or convict dies. In the case of the convict only afford a replacement part, prosecutors refused compensation and prosecutors immediately asked inmates to choose the subsidiary imprisonment.

Key words: corruption, execution, compensation