

LAW ENFORCEMENT AGAINST THE CRIME OF MISUSE OF SUBSIDIZED FUEL (STUDY OF DECISION NO. 158/PID. SUS/2023/PN MDN)

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ABSTRACT

This research is entitled Law Enforcement Against Criminal Acts of Abuse of Subsidized Fuel (Medan Police Department Study). The formulation of the problem is (1) How is the legal regulation of fuel oil according to statutory regulations? (2) What are the factors causing the occurrence of criminal acts of abuse of subsidized fuel oil? (3) How is the law enforcement process carried out by the police in handling criminal acts of abuse of subsidized fuel oil? The research method used is normative juridical legal research, with a descriptive analysis research type. To approach the problem using a normative juridical approach. The data used are primary and secondary data. The results of the study show that (1) Legal regulations of fuel oil according to statutory regulations, namely Law No. 22 of 2001 concerning Oil and Natural Gas, Presidential Regulation No. 191 of 2014 concerning the Provision, Distribution, and Retail Selling Prices of Fuel Oil, and Regulation of the Minister of Energy and Mineral Resources No. 20 of 2021 Concerning the Calculation of Retail Selling Prices of Fuel Oil (2) The factors causing the occurrence of criminal acts of misuse of subsidized fuel are human factors, psychological factors, and economic factors. (3) The law enforcement process carried out by the Police in handling criminal acts of misuse of subsidized fuel is to transfer case files to the Public Prosecutor for further development at the Prosecutor's Office level along with evidence and the suspects.

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INTRODUCTIONS

Oil and Gas (Migas) is a strategic and non-renewable natural resource is an important commodity that affects the lives of many people and plays an important role in national economic activities, oil and gas management must be carried out professionally and sustainably in order to provide maximum benefits in the form of welfare for all people. Based on the provisions of Article 1 paragraph 1 of Law No. 22 of 2001 concerning oil and gas, petroleum is the result of a natural process in the form of hydrocarbons that are under atmospheric pressure and temperature conditions in the form of liquid or solid phases, including asphalt, mineral wax or ozokerite, and bitumen obtained from the mining

process, but does not include coal or other hydrocarbon deposits in solid form obtained from activities unrelated to the activity Oil and Gas business". (Afriyeni & Perdana, 2025)

Meanwhile, in Article 1 number (4) of Law Number 22 of 2001 concerning Oil and Gas, it is explained that the definition of Fuel Oil is a fuel derived from and/or processed from petroleum. The need for the public to fuel oil continues to soar, and there is an increase in the number of motor vehicles, of course it can be filled through Public Fuel Filling Stations (SPBU). In order to meet the community's need for fuel oil, the government has made a policy through the means of providing fuel oil subsidies. The government made a regulation contained in the Minister of Energy and Mineral Resources Regulation Number 1 of 2013 concerning Fuel Use Control which explains the area and amount of fuel given by the government to the State Oil Mining Company (Pertamina) to determine fuel prices carried out by the government. Of course, it is known that Pertamina guarantees the availability and service of fuel oil (BBM) for domestic purposes as ordered by Law Number 8 of 1971 concerning State Oil and Gas Mining Companies as a Community Service Duty. (Muarif et al., 2025; Muhadi & Karya, 2019)

Fuel Oil is a vital need that is very necessary for the general public both in poor, developing countries, and in developed countries. The benefits of Fuel Oil (BBM), currently have no implications for foreign policies that have an intense influence on the country's own economic level, of course there is an impact globally that results in human suffering. The need for fuel oil continues to skyrocket, with the increase in the intensity of motor vehicles, of course, people can get it at Public Fuel Filling Stations (SPBU). In order to help the community's needs for fuel oil, the government carries out a policy by providing fuel oil subsidies. The provision of subsidies related to this is that the government sells oil to the general public at prices below world oil. This is made because Fuel Oil (BBM) is a necessary means and can cause an increase in prices for other means. Fuel subsidies are given by the Government to people in low economic groups with the aim of getting them easily. The need for Fuel Oil (BBM) can be obtained by the community through petrol stations, in order to help the needs of the community, the government carries out policies by means of Fuel Oil (BBM) subsidies. (Muhadi & Karya, 2019; Taufiqurahman & Novarizal, 2026)

Recently, there has been frequent hoarding and misuse of fuel. The activity is in the form of processing, buying, moving and/or accommodating fuel by buying fuel when the fuel is still in a normal state. This fuel is stockpiled and will be resold at a high price, and if a place or area is naturally scarcity of fuel. Fuel hoarding and misuse is a criminal event that must be eradicated, because this can be a fatal cause of harm to the welfare of the community. In connection with the drastic increase in human needs for oil production, the crime of subsidized oil smuggling often occurs in large quantities, without permission from the authorities. (Surahma et al., 2025)

Currently, there are a lot of people who abuse government-subsidized Fuel Oil (BBM), one of which is in the city of Medan, North Sumatra Province. Where the case of misuse of subsidized fuel was processed by the Medan Police who received information from the public about the misuse of subsidized fuel transportation. Based on the background of the problem that has been described, the author is interested in conducting research where this thesis research is a requirement that must be carried out in order to complete the study in the Master of Law postgraduate program at the University of Medan Area. Therefore, the author raised the title of the thesis, namely Law Enforcement Against the Crime of Subsidized Fuel Misuse (Study of Decision No. 158/Pid.Sus/2023/PN. Mdn).

This research departs from three main problem formulations. First, how are the legal regulations regarding fuel oil (BBM) according to the provisions of the applicable laws and regulations in Indonesia. Second, what are the factors that cause the crime of misuse of subsidized fuel. Third, how is the law enforcement process carried out by the police in handling the crime of misuse of subsidized fuel. In line with the formulation of the problem, this study aims to examine and analyze in depth the legal regulations that regulate fuel oil from the perspective of laws and regulations. This research also aims to identify and analyze the factors that cause the occurrence of the crime of abuse of subsidized fuel. This study examines the law enforcement process carried out by the police in handling the crime of misuse of subsidized fuel, so as to provide a comprehensive overview of the effectiveness of law enforcement in these cases.

METHOD

This research was carried out at the Medan Police, Medan City, as a relevant location with the focus of the study on the authority of the police in handling the crime of misuse of subsidized fuel. The type of research used is

normative juridical with an analytical descriptive nature. This research is oriented towards the study of legal norms, legal principles, legal systems, synchronization of laws and regulations, and legal doctrines related to the regulation and enforcement of laws in the oil and gas sector. The analysis was carried out to provide a systematic and comprehensive picture of the regulatory framework and law enforcement practices that are the object of the research. (Aksa et al., 2025; Yanova et al., 2023)

Data collection was carried out through a literature study (documentary study) by utilizing secondary data consisting of primary, secondary, and tertiary legal materials. Primary legal materials include relevant laws and regulations, including Law Number 22 of 2001 concerning Oil and Gas and other related legal provisions. Secondary legal materials include literature, books, and scientific works in the field of criminal law and administrative law that provide explanations of primary legal materials, while tertiary legal materials are in the form of legal dictionaries, encyclopedias, and other supporting references. To strengthen the normative analysis, this study is also complemented by interviews with Medan Police personnel who meet certain criteria, namely having competence, experience, and willingness to provide information relevant to the object of research.

The data obtained were then analyzed qualitatively by emphasizing the process of reasoning and interpreting the legal norms and law enforcement practices found. All data collected is edited, classified, and compiled systematically to be analyzed in depth. Conclusions are drawn by deductive methods, namely from legal provisions and general principles to a more specific analysis related to the authority of the police in handling the crime of misuse of subsidized fuel.

RESULT AND DISCUSSIONS

Legal Regulation of Fuel Oil According to Laws and Regulations

The general type of fuel oil (BBM) is fuel processed from petroleum or petroleum processing products that have been mixed with biofuels with certain types, standards, and quality (specifications) and are not subsidized. In the Presidential Regulation that regulates the supply and distribution of fuel, the types of fuel are classified into three categories. First, certain types of fuel which include kerosene and diesel oil. Second, the type of special assignment fuel consisting of gasoline fuel with a minimum RON of 88 distributed in the assignment area. Third, the type of general fuel that includes all types of fuel outside of certain types of fuel and special types of fuel assignments, the implementation of which is carried out by Business Entities through assignments from the Regulatory Agency. (Afriani et al., 2024; Muarif et al., 2025)

The provision and distribution of certain types of fuel in the Presidential Regulation include needs planning, sales plans by business entities, supply and utilization of biofuels, import provisions, and closed distribution systems. The mechanism for planning the volume of needs and annual sales volume of certain types of fuel is carried out through several stages. The Regulatory Agency first proposes to the Minister regarding the planning of the annual demand volume and annual sales volume. Based on this proposal, the Minister determines the planning of the volume of demand and the annual sales volume of certain types of fuel. The determination is then submitted to the Minister of Finance as the basis for the preparation of the subsidy estimate and the process of completing it in accordance with the provisions of laws and regulations.

The assignment of the supply and distribution of certain types of fuel to Business Entities can be carried out through direct appointment and/or through selection. Direct appointments are carried out by fulfilling a number of provisions, including protecting domestic refinery assets including their long-term development, ensuring the availability of certain types of fuel in the country, overcoming fuel scarcity conditions, and meeting needs in remote areas or areas where market mechanisms have not yet been implemented. Direct appointment can also be made if in one commercial distribution area there is only one Business Entity holding a General Commercial Business License (wholesale) of fuel that is able to carry out the supply and distribution of certain types of fuel. (Aryadi et al., 2020; Sanjaya & Akhmaddhian, 2025)

For the sake of the availability of fuel oil, the Minister is obliged to determine the market price and retail selling price of fuel. The base price consists of earned costs, distributing costs, storage costs and margins. The cost obtained is the cost of providing fuel from domestic refineries and imported to the fuel terminal/depot with the calculation at

the market index price. The retail selling price of Fuel Oil is the basic price added to Value Added Tax (VAT) and Motor Vehicle Fuel Tax (PBBKB). The amount of PBBKB is the retail selling price of certain types of fuel and the retail selling price of special types of fuel with a size of 5% (five percent) and the retail selling price of general fuel in accordance with the rules of the region.

The market index price of fuel and the market index price of Biofuel (*Biofuel*) mixed into Certain Types of Fuel and Special Fuel Types of Assignment are determined by the Minister. The market index price of fuel and the market index price of Biofuel (*Biofuel*) mixed into General Fuel Types are determined by the Business Entity and reported to the Minister. Certain Types of Fuel for Kerosene (*Kerosene*) are given a subsidy per liter which is a state expenditure calculated from the sub-difference between the retail selling price per liter of Certain Types of Fuel for Kerosene (*Kerosene*) after deducting taxes, with the basic price per liter of Certain Types of Fuel for Kerosene (*Kerosene*). Certain Types of Fuel for Diesel Oil (*Gas Oil*) are given a fixed subsidy from the difference between the basic price per liter of Certain Types of Fuel for Diesel Oil (*Gas Oil*) after adding taxes in accordance with the provisions of laws and regulations. (Aryadi et al., 2020; A. Rahman, 2025)

The retail selling price of Certain Types of Fuel is only applicable to consumer users at the point of delivery as stated in the Appendix which is an integral part of this Presidential Regulation. Changes in the details of Consumer Users and handover points are determined by the Minister based on the results of a coordination meeting chaired by the Coordinating Minister for Economic Affairs. Business Entities and/or the public are prohibited from hoarding and/or storing and using Certain Types of Fuel that are contrary to the provisions of laws and regulations.

In order to support clean and environmentally friendly energy, the RON 88 type of Gasoline which is 50% (fifty percent) of the volume of RON 90 Gasoline provided and distributed by the Business Entity that is assigned is enforced as a Special Assignment Fuel Type from June 1, 2021 until determined by the Minister as intended in Article 3 paragraph (4). Formula the basic price, market index price, and retail selling price of RON 88 Gasoline as a component of RON 90 Gasoline as intended in paragraph (1) refers to the provisions of the RON 88 type of Gasoline as a Special Assignment Fuel Type. (Erfandi et al., 2025; Sahudi et al., 2023)

The Minister prepares and establishes a clean and environmentally friendly fuel roadmap based on the results of a coordination meeting chaired by the minister who is responsible for coordinating, synchronization, and controlling the affairs of ministries in the implementation of government in the economic sector. The calculation of the retail buying and selling of certain types of fuel in the form of kerosene at the point of submission for each liter is a fixed nominal that already has VAT. Certain Types of Fuel for Kerosene (kerosene) for each liter are subsidized. The subsidy is calculated from the retail selling price per liter of Certain Types of Fuel for Kerosene (kerosene) without VAT minus the basic price per liter of Certain Types of Fuel for Kerosene (kerosene). Meanwhile, the retail selling price of certain types of fuel in the form of Diesel Oil (*Gas Oil*) at the handover point, for each liter is calculated with a formula consisting of the basic price plus Value Added Tax (VAT) minus subsidies, and plus Motor Vehicle Fuel Tax (PBBKB). Retail selling price of special types of fuel assigned at the handover point for each liter, calculated by a formula consisting of the basic price plus additional distribution costs in the assignment area of 2% (two percent) of the basic price, plus Value Added Tax (VAT) and Motor Vehicle Fuel Tax (PBBKB). In this legal regulation, the Minister can determine the retail selling price of Certain Types of Fuel and the retail selling price of Special Assignment Fuel Types. In the event that there is a change in the retail selling price, the Minister determines the retail selling price of the Specific Type of Fuel and the retail selling price of the Special Assignment Fuel Type based on a coordination meeting chaired by the minister who coordinates government affairs in the economic sector. (Sulistiono, 2025; Tarigan, 2020)

Factors Causing the Crime of Misuse of Subsidized Fuel

According to Abdulsyani, the factors behind the occurrence of crime can basically be divided into two main categories, namely internal factors and external factors. Internal factors are factors that originate from within the individual, including special traits such as unstable emotional states and low individual mentality. In addition, there are also general traits that can affect a person's behavior, such as age, gender, and low level of education. These factors can affect an individual's ability to control themselves and to understand and obey the legal norms that apply in society. (Shahnaz, 2025)

External factors are factors that come from the environment outside the individual and have a significant influence on the emergence of criminal behavior. An uncondusive social environment can encourage a person to commit deviant acts. Economic factors are one of the important aspects, especially when basic needs increase while the economic conditions of individuals are in a low state. The environmental factor of residence also influences, especially if the individual is in an environment that is permissive to violations of the law or less supportive of the formation of law-abiding behavior. (Ramadhan et al., 2025)

Based on the results of an interview with Iptu Andik Wiratika, S.Tr.K., M.H., as the Head of the Medan Police Tipidsus, the factors that cause the occurrence of subsidized fuel abuse include human factors, psychiatric factors, and economic factors. Human factors are related to deviant behavior due to low compliance with legal norms and weak self-control in social life. Psychiatric factors become the dominant factor when individuals experience psychological distress due to various life problems, so that the urge to commit crimes arises. Economic factors also have a great influence, especially when the perpetrator does not have a permanent job and has difficulty meeting family needs, so that this condition motivates individuals to commit the crime of abusing subsidized fuel as a shortcut to obtain economic benefits.

Efforts to Overcome the Crime of Misuse of Subsidized Fuel

In conducting an oil business that is seen as orderly and safe, in fact there are many problems such as distribution, smuggling, and fuel oil oplos. A business that of course makes business fighters very tempted to play, and it is strongly suspected that there are powerful people who have influence in it. Therefore, firmness is needed from law enforcement officials, in this case the police, especially in the jurisdiction of the Medan Police. Many people feel lost by the attitude of the perpetrators of fuel abuse. This is due to the scarcity of fuel oil, the supplies that Pertamina declared sufficient are not in accordance with the fact, people are queuing up to get fuel.

The surge of fishermen who cannot go to sea because they cannot get fuel oil. And the price is too high and difficult to reach, and made worse by the issue that the government will increase fuel oil, of course this will make people worried and anxious. There are problems related to the misuse of fuel and the existence of parties who run illegal businesses by abusing the fuel oil. Of course, this must receive special supervision from the government, and law enforcement officials, in this case the Police. The police as the government's implementer in enforcing the law must of course take a firm stance against the perpetrators of fuel oil abuse, the police must be fast, responsive and appropriate in dealing with the perpetrators of fuel abuse. The police are certainly tough in their work, especially investigators, the perpetrators are fuel misuse, namely from Pertamina itself and the security forces. (H. Rahman & Abadi, 2025; Sitompul & Lubis, 2023)

Of course, the community hopes that the perpetrators will be given strict punishments who are proven to have misused fuel. This often happens for small communities who are processed in court, while the big perpetrators take refuge behind the law. Of course, this can be an injustice in society. The process of law enforcement and justice takes a long and long time, and what needs to be remembered is the application of the law regardless of a person's position and social status until the law must be enforced fairly and get the right legal certainty. This goal is to change the law enforcement system in this country to be both based on Pancasila and the 1945 Constitution. So the police must have the authority to overcome the abuse of Fuel Oil (BBM), of course, in the implementation there are obstacles found for which assistance and participation from the community and related parties are very necessary. G.P. Hoefnagels in Barda Nawawi Arief details efforts to combat crime in three ways, namely: "Criminal law application, prevention without punishment, and influencing the views of society on crime and punishment through the mass media". In the concept of the National Police, the process of crime is due to the integration of intentions, and opportunities. In relation to the factors that cause crime, the National Police does three ways to tackle crime. Efforts to overcome the crime of misuse of Fuel Oil (BBM) can be carried out using criminal law policies or countermeasures using penal and non-penal measures. (Abadi & Madjid, 2025; Refdiantoni et al., 2025)

Based on the results of an interview with Mr. Iptu Andik Wiratika S.Tr.K., M.H as the Head of the Medan Police Tipidsus Office, the penal effort and penal law policy is a discipline that has a practical purpose to determine good positive legal rules and has guidance in implementing court decisions. The determination of criminal law or penal measures, the sanctions imposed and the existence of justice by sanctioning the perpetrators and making the

perpetrators feel deterred and the act will not be repeated. Non-penal means are efforts made for prevention or control or deterrence before a crime occurs. Efforts to overcome criminal acts against the abuse of Fuel Oil (BBM) using penal channels have limitations due to the existence of problems and social conditions that are conducive factors to the cause of crime that are not enough with penal efforts alone but must be supported by non-penal efforts through social policy which is basically a policy or rational efforts to achieve justice and community welfare. Non-penal efforts emphasize all efforts to make society a healthy social and living environment from criminogenic factors. This means that the community with all its potential must be used as a factor against crime, therefore non-penal efforts must be continuously explored, utilized and developed to compensate for the shortcomings and limitations of penal facilities. (Mastura et al., 2023)

The Law Enforcement Process Carried Out by the Police in Handling the Crime of Misuse of Subsidized Fuel

In an effort to raise the status of the Medan Police to the Medan Police, Kombes Mardiaz Kusein and his staff sought the highest leadership of the National Police to raise the status of the Medan Police to the Medan Police. And after waiting for a long time, finally on September 23, 2016 the Medan Police changed its name to the Medan Police according to the Decree of the National Police Chief General Drs H. Tito Karnavian, MA, PhD number: ST/2325//IX / 201. In the decree, the National Police Chief Tito Karnavian continued to entrust Kombes Pol H Mardiaz Kusin Dwihananto, SIK, M.Hum as the Medan Police Chief and AKBP Mahedi Surindra, SH, SIK as the Deputy Chief of the Medan Police. In inaugurating the promotion of the status of the Police, who became the Inspector of Ceremonies at that time was the Governor of North Sumatra Ir H T Erry Nuradi, M.Si and was marked by the submission of the Decree of the Chief of Police and the securing of the regional mark of the Medan Police on the left arm of the Medan Police Chief Kombes Pol H Mardiaz Kusin Dwihananto, SIK, M.Hum. The Governor in the inauguration read the written remarks of the North Sumatra Police Chief Inspector General Drs Raden Budi Winarso and congratulated, hopefully the Medan Police will be better in the future.

The ceremony was attended by the North Sumatra Regional Police Deputy Chief Brigadier General Drs Adhi Prawoto, SH, the Main Officials of the North Sumatra Police, the Mayor of Medan Drs T.Dzulmi Eldin MSi, Dandim 0201/BS Colonel Inf Ridwan Maulana, SH, the Chiefs, the Head of Police and the Chief of Police in parallel, and the Head of the Medan City Bhayangkari Branch Mrs. Hj Tasha Mardiaz and the management of the Bhayangkari Branch of the Police in parallel. The Medan Police Chief, when confirmed to be upgraded to the Police Chief, said, first, of course, he expressed his gratitude and gratitude because this status upgrade reflects the trust of the National Police Chief as the highest leader of the National Police and the trust of the people of Medan City. This transfer of status is certainly expected to increase the professionalism of all Medan Police personnel in order to serve the community in their jurisdiction and with this transfer of status is also accompanied by an increase in human resources and infrastructure facilities.

The change in the status of the Medan Police to the Medan Police is not only administrative, but also reflects the increase in the classification of police organizations based on the complexity of the region and workload. The city of Medan as a metropolitan city with high social, economic, and crime dynamics requires a larger and responsive police organizational structure. The increase in status shows the institutional recognition from the National Police Headquarters of the increasing need for security and legal services in the jurisdiction of Medan. From the perspective of institutional governance, the increase in the status of the Police has implications for the expansion of the organizational structure, the addition of personnel, and the increase in operational authority. The structure of the Police generally has a more complex division of functions, including strengthening criminal investigation units, drug investigations, and special crimes. This is relevant in the context of handling special cases, such as the criminal act of misuse of subsidized fuel, which requires a more professional investigation and investigation capacity based on technical competence. (Anisa et al., 2024; Sihaloho et al., 2025)

Sociologically, these changes in status also have a symbolic dimension. The submission of the Decree of the National Police Chief witnessed by the Governor of North Sumatra and regional officials shows the existence of political legitimacy and local government support for strengthening police institutions. This momentum shows the synergy between law enforcement officials and local governments in maintaining security stability and public order. Public trust mentioned in the official speech is an important social capital for police institutions in carrying out service

and law enforcement functions. This increase in status also has consequences for increased accountability. With a larger structure and improved resources, the Medan Police are required to show more professional, transparent, and responsive performance to the needs of the community. Public expectations for the quality of public services, including in handling criminal reports and disclosure of strategic cases, are becoming higher. Improving human resources and infrastructure must be balanced with strengthening integrity and internal supervision. (Surahma et al., 2025; Taufiqurahman & Novarizal, 2026)

In the context of research on law enforcement against the crime of misuse of subsidized fuel, this change in status is relevant because it reflects the institutional readiness of the Medan Police in handling economic crimes that have a wide impact on the country's social and fiscal stability. Stronger organizational capacity provides a foundation for optimizing investigation and investigation functions, cross-sector coordination, and enforcement effectiveness. This condition shows that structural reform in the police body has a direct relationship with the quality of law enforcement at the regional level.

In its deliberations, the Panel of Judges considered that the element of "every person" as a legal subject who is capable of being responsible had been met, as well as the element of abusing subsidized fuel commercial transportation and the element of participating in committing acts. The defendants were declared legally and convincingly proven to have violated Article 55 of Law Number 22 of 2001 concerning Oil and Gas in conjunction with Article 55 paragraph (1) 1 of the Criminal Code. The Panel of Judges applies a cumulative penal system in the form of imprisonment and fines, taking into account aggravating circumstances, namely the defendant's actions detrimental to the state and disturbing the community, as well as mitigating circumstances, such as polite behavior at trial, confession and remorse of the defendant, status as the backbone of the family, and having never been convicted. The final verdict imposed a prison sentence of three years each and a fine of Rp1,000,000,000, with the provision that if the fine is not paid, it will be replaced with a prison sentence of three months. The period of arrest and detention was deducted from the sentence imposed, the defendants remained detained, evidence was confiscated for the state, and each defendant was charged a case fee of Rp5,000. (Sanjaya & Akhmaddhian, 2025)

CONCLUSION

This research shows that legal regulations regarding fuel oil (BBM) in Indonesia have been comprehensively regulated through various laws and regulations. The legal framework includes Law Number 22 of 2001 concerning Oil and Gas as the normative basis for the management of the oil and gas sector, Presidential Regulation Number 191 of 2014 concerning the Supply, Distribution, and Retail Selling Price of Fuel which regulates the distribution and pricing mechanism, and Regulation of the Minister of Energy and Mineral Resources Number 20 of 2021 concerning the Calculation of the Retail Selling Price of Fuel which regulates the technical aspects of pricing. These provisions are the legal basis for supervision, control, and enforcement of the misuse of subsidized fuel.

The findings of the study identified that the crime of misuse of subsidized fuel is influenced by several main factors, namely human factors, psychiatric factors, and economic factors. Human factors are related to low compliance with legal norms and weak individual self-control in social life. Psychiatric factors are related to psychological distress due to various life problems that encourage individuals to take shortcuts through unlawful acts. Economic factors are the dominant factor, especially when the perpetrator does not have a permanent job and has difficulty meeting family needs, so that weak economic conditions motivate the abuse of subsidized fuel as a means of obtaining financial benefits.

This study also found that the law enforcement process for the crime of misuse of subsidized fuel has been carried out through stages in accordance with the provisions of the criminal procedure law. The process starts from the arrest of the perpetrator, examination of suspects and evidence, the transfer of case files to the Public Prosecutor, to the examination of witnesses and evidence at the Medan District Court trial. The Panel of Judges finally sentenced him to imprisonment for three years each and a fine of Rp1,000,000,000 with the provision of a subsidy of three months in prison if the fine is not paid. The decision reflects the application of the cumulative penal system as stipulated in Law Number 22 of 2001 concerning Oil and Gas and is a concrete form of law enforcement against the abuse of subsidized fuel.

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