

# KAJIAN PERBANDINGAN FORMULASI TINDAK PIDANA JUDI ONLINE ANTARA INDONESIA DAN SINGAPURA

Oleh :

**Muhammad Naufal Ackbarally**

**E1A021216**

## ABSTRAK

Peralihan praktik perjudian ke ranah daring menimbulkan tantangan substantif dan operasional bagi sistem pidana nasional. Penelitian ini melakukan kajian komparatif formulasi tindak pidana judi *online* di Indonesia dan Singapura untuk mengukur kecukupan rumusan pelaku, struktur sanksi, dan implikasi penegakan hukum. Dengan metode yuridis-normatif (*statute approach* dan *comparative approach*) dan analisis kualitatif terhadap peraturan, putusan, dan literatur relevan, ditemukan perbedaan mendasar: regulasi Indonesia bersifat fragmentaris mengandalkan ketentuan KUHP (termasuk KUHP Baru) dan UU ITE sehingga pengaturan pelaku sering terbatas pada penyelenggara/pemain tanpa pengklasifikasian yang rinci terhadap fasilitator, agen, atau penyedia layanan teknis; sementara Singapura menerapkan kerangka yang lebih komprehensif (misalnya pengaturan dalam CGHA/CCA dan ketentuan *presumptive liability*) yang memperluas cakupan subjek hukum dan memudahkan pembuktian. Dari sisi sanksi, Singapura menerapkan diferensiasi ancaman pidana dan denda yang progresif untuk operator, fasilitator, dan penyelenggara terorganisir, sehingga efek *deterrence* dan kemampuan penindakan lebih kuat dibanding Indonesia yang masih mengalami inkonsistensi antara ancaman normatif dan kemampuan forensik digital. Penelitian menyimpulkan bahwa tanpa pembaruan normatif yang mengatur kategori pelaku, pembuktian elektronik, dan skema pemberatan sanksi bagi operator lintas yuridiksi, upaya penanggulangan judi *online* di Indonesia akan terus terhambat. Rekomendasi utama adalah: (1) merumuskan undang-undang khusus judi *online* yang mengklasifikasikan pelaku (operator, fasilitator, agen, pemain), (2) menetapkan diferensiasi sanksi serta instrumen pembuktian elektronik yang adaptif, dan (3) memperkuat kerja sama internasional dan kapasitas forensik digital sebagai pendukung penegakan.

**Kata Kunci :** *Judi Online; Formulasi Tindak Pidana; Perbandingan Hukum.*

***A COMPARATIVE STUDY OF THE FORMULATION OF ONLINE  
GAMBLING OFFENCES BETWEEN INDONESIA AND SINGAPORE***

***by :***

***Muhammad Naufal Ackbarally***

***E1A021216***

***ABSTRACT***

*The migration of gambling activities to online platforms poses both substantive and operational challenges for national criminal law. This comparative study examines the criminalization of online gambling in Indonesia and Singapore, assessing the adequacy of offender definitions, sanction structures, and enforcement implications. Employing a doctrinal (statute) and comparative approach, the research analyzes legislation, case law, and relevant doctrinal literature through qualitative legal analysis. Findings indicate a marked divergence: Indonesian regulation remains fragmented and largely shaped by provisions aimed at conventional gambling and electronic information offenses, resulting in limited and inconsistent classification of actors (e.g., operators, facilitators, agents) and recurring evidentiary difficulties in proving online offenses. In contrast, Singapore's legal framework adopts a more comprehensive stance broadening the scope of liable actors and incorporating presumptions or liability mechanisms that facilitate proof and prosecution while also differentiating penalties according to the role and seriousness of the offence. The study concludes that without targeted legislative reform in Indonesia one that expressly defines categories of actors, calibrates sanctions to actor roles and organizational scale, modernizes rules on electronic evidence, and strengthens international cooperation and digital forensic capacity efforts to curb online gambling will remain substantially hindered. Policy recommendations prioritize a dedicated statutory regime for online gambling, graduated sanctions, clearer evidentiary rules for digital proof, and enhanced cross-border enforcement mechanisms.*

*Keywords : online gambling; criminalization; comparative law.*