

Legal Protection Against Victims Of Share Results Application Fraud

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Abstract: *In the rapidly advancing era of digitalization, digital applications have become an integral part of everyday life, revolutionizing how we communicate, transact, and interact. However, along with these advancements come new challenges related to the misuse of technology, such as fraud that occurs through Share Results apps. This research aims to investigate the legal protection available to victims of fraud that occurs through such applications, recognizing the pressing need to address vulnerabilities in digital transactions. The research method employed is normative juridical, which involves analyzing the applicable laws and court decisions related to similar cases. By delving into legal frameworks and judicial precedents, the study seeks to elucidate the avenues of recourse available to victims of Share Results app fraud. The results of this research underscore the imperative for increased legal awareness among digital app users, improved regulation to respond to technological dynamics, and more effective law enforcement in dealing with digital crimes. Addressing these issues is essential for safeguarding the security and trust of users within an increasingly complex and dynamic digital ecosystem. Ultimately, the protection of Share Results app fraud victims emerges as a pivotal focus in broader efforts to fortify legal safeguards and ensure accountability within digital transactions. This endeavor is crucial for fostering resilience against emerging threats and fostering confidence in digital platforms.*

Keywords: *Legal Protection, Victims of Fraud, Share Results Application.*

INTRODUCTION

Currently, the level of technological development is at the fourth level or what is often called the industrial revolution 4.0. This fourth level focuses on digital-based business models. Marked by the very rapid development of technology in the present, in various aspects of daily life many require technology. The development of this technology has also affected people's lives. People who initially lived in simplicity have now lived in modernity, therefore at this time many people choose to use modern methods rather than using traditional methods which are characterized by the number of people who utilize technology and information.

This technological development covers various aspects such as in legal, social, economic, health and education aspects. An example of the use of technology in the legal field is that at this time, it can conduct trials online or even online legal consultations that utilize digital technology. In the aspect of education, many are currently doing online learning. And another aspect is health, which as we also know, at this time many are consulting or just ordering medicines that can take advantage of technological sophistication. Even in the economic aspect, for example in buying and selling transactions, even investments can be made

online by utilizing technology¹. And as is known in pandemic times like now, there is also a lot of need for this digital technology in order to continue carrying out activities such as WFH or online school. This pandemic situation is what makes technology continue to develop.

From the rapid development of technology, this also affects the use of cellphones which are now widely referred to as smartphones. This smartphone also seems to have become a mandatory requirement for humans who live today. This smartphone is very easy in terms of access-access. If there is a smartphone, of course, it is no stranger to using the internet. The existence of this internet is a link to be able to use the smartphone itself. And this is also in line with the development of technology that gave rise to this internet. All circles use the internet at this time to access anything. Seen in many students using the internet to look for assignments or just looking for explanations about school lessons. In its development, this internet also penetrates into business, for example for online stores in this case involving the use of the internet.

At this time, the use of the internet, especially in Indonesia, is increasing, namely in 2021, the existing data on internet users is 202.6 million users². This proves that the internet has become a necessity for almost everyone. This internet will also continue to develop following the needs of humans themselves. Along with the development of technology and the development of the internet, it gave birth to social media. Social media is online media, namely media that can be accessed by the internet, where social media users can make it easier to interact with other people quickly and easily, and also this social media makes it easier to express themselves³. Online media continues to experience development as well, especially during the pandemic which is growing rapidly due to circumstances and needs. Many digital media have emerged, especially in financial digitalization.

This financial digitalization is a form of industrial revolution 4.0 that utilizes technological developments in its operations. The large number of people's needs for the internet and smartphones makes the development of practical financial digitalization a factor that reaches all regions in Indonesia⁴. From the development of financial digitalization, innovations in the form of Financial Technology (Fintech) have emerged that facilitate access to financial services. With this developing technology, it is very easy for people to carry out financial transactions to meet their daily needs. Regulation and supervision in business services that develop technology in financial services is a major factor and at the same time has an impact on the financial system, economy and consumer protection⁵.

During the covid-19 pandemic, there are many applications of fintech itself. The surge occurred at a time like this because of the many economic downturns that occurred. In addition, when viewed from the technological side, many fintechs are developing because there are also more and more internet service users in Indonesia. This fintech application service also provides various conveniences in terms of financial

¹ Wahyu Purnomo, "Perlindungan Hukum Bagi Konsumen Sektor Jasa Keuangan Terhadap Aplikasi Fintech Lending Ilegal", *Disertasi Sains Hukum dan Pembanguna Program Pasca Sarjana Universitas Airlangga*, (2020), h.1

² Pratiwi Agustini, <https://aptika.kominfo.go.id/2021/09/warganet-meningkat-indonesia-perlu-tingkatkan-nilai-budaya-di-internet/>, diakses 6 Desember 2021

³ Anang Sugeng Cahyono. 2016. Pengaruh Media Sosial Terhadap Perubahan Sosial Masyarakat Di Indonesia. *Publiciana*.9: 142

⁴ rfan Nurfalah, etc. 2019. Digitalisasi Keuangan Syariah Menuju Keuangan Inklusif: Kerangka Maqashid Syariah. *Ekonomi, Keuangan, Perbankan dan Akuntans*. 11: 57

⁵ Elvira Fitriyani Pakpahan, etc. 2020. Peran Otoritas Jasa Keuangan (OJK) dalam Mengawasi Maraknya Pelayanan Financial Technology (Fintech) di Indonesia. *Magister Hukum Udayana*. 9: 561

services which certainly help the community a lot. One example of this fintech application is in online loans, which provide funds quickly, easily. This fintech service is expected to provide progress for Indonesia in the economic sector. However, in other places there are many legal problems that occur as a result of this fintech service such as criminal acts of fraud, misuse of personal data and other criminal acts committed by the Financial Technology organizing company. And of course the negative things that cause criminal acts are Fintech provider companies that do not have a license or are often called Illegal Financial Technology.

This illegal financial technology seems to take advantage of this growing technological sophistication to commit crimes. Online-based criminals take advantage of technological developments that create something easy and practical and of course tempting. Such as making it easier to transact and process finances digitally and of course easy to access, making it easier to carry out a financial transaction⁶. One of the applications in illegal Fintech services is the Share Results application. Share Results (SR) is a digital application based on money games and ponzi schemes or it can also be called a money-making application. This Share Results application claims to be a Multi Level Marketing (MLM) system but in reality this SR is a form of money game. In short, this money game is an investment scam that gets big profits. The same thing with this SR application, promising huge profits if investors give money to portfolio managers and are given tasks or jobs to earn money every time they complete their tasks or jobs.

This Share Results (SR) application as said, on behalf of MLM which is to get additional money or additional commissions by taking someone to use this Share Results (SR) application, this does look the same as the Multi Level Marketing (MLM) system, which is a chain marketing strategy. The goal itself is to attract more customers to use this Share Results (SR) application. This application is also intensive in promotion, namely by using mass media such as paying celebrities or famous figures to promote the Share Results (SR) application, this is done so that many people are tempted to join. In fact, this application is not licensed and not registered with the Financial Services Authority (OJK). The obligation to register a license with the OJK is contained in Article 7 of the Financial Services Authority Regulation Number 22 / POJK.01 / 2016 concerning Information Technology-Based Money Lending and Borrowing Services which states that the Organizer must apply for registration and licensing to the OJK⁷.

This Share Results application is also not transparent about the funds in it and this proves that this application uses a ponzi scheme, which is to provide a large offer of the money invested without providing clear transparency. In the Share Results (SR) application, the visible ponzi scheme is to separate investment money from application users. And when the owner of this application service has felt the money earned from application users is enough and enough, then he runs away with the money of the application users. As is known, the Share Results application freezes when the withdrawal date arrives. And it is known that the loss achieved in this Share Results application fraud is Rp. 2 M⁸.

⁶ Shilvia Amanda, etc. 2020. Penegakan Hukum Praktik Money Game Dengan Skema Ponzi Dalam Investasi Illegal Pada Aplikasi Tiktok E-Cash Di Indonesia. *Pemuliaan Hukum*. 3: 96

⁷ Pasal 7 Peraturan Otoritas Jasa Keuangan Nomor 22/PJOK.01/2016 tentang Layanan Pinjam Meminjam Uang Berbasis Teknologi Informasi

⁸ Suci Rahayu Pk, "Cara Kerja Aplikasi *Share Results* (SR) yang Ternyata Palsu, Top Up, Like, Share Dijanjikan Keuntungan", <https://jambi.tribunnews.com/2021/02/15/cara-kerja-aplikasi-shareresult-sr-yang-ternyata-palsu-top-up-like-share-dijanjikan-keuntungan?page=4>, diakses pada 6 Desember 2021

The way this application works is that first application users are required to pay a membership fee and then after that they will be given a task, namely watching videos and liking the video and then sending evidence to the application manager by taking a layer capture and after that they will be given a profit. The amount of profit is determined by the level of the application users, the higher their level, the greater the profit. To increase the level, of course, application users must pay again or top-up to the application manager⁹.

Investment scams have been stealing the attention and hearts of people in Indonesia. And the target of this fraud is usually directed at small areas and ordinary people, especially people who do not understand the difference between legal or illegal money-making applications. Because these people are also able to adapt to the times and always package their business well so that many are easily deceived because they are tempted by the promise of large profits, but in reality instead of getting big profits they become victims of application fraud with ponzi schemes like Share Results.

In the information circulating there are 200 Share Results application users who are victims of fraud. The victims come from all walks of life ranging from lecturers, teachers, housewives, even to students who are victims of this Share Results application fraud. The losses obtained from the victims were different, ranging from millions of rupiah to hundreds of millions¹⁰. The money brought by the Share Results application fraudsters can no longer be returned, because as is known that the Share Results application is not registered with the OJK. The victims are only tempted by momentary profits without seeing the background of the application. And there is also no law that contains a strict prohibition of this application business.

After the many problems arising from the existence of online investment fraud, it has an impact on public trust. Many will feel afraid again to invest because it is often found that online application fraud has no legal handling and resolution. Because there are no specific regulations governing money game applications and ponzi schemes in Indonesia. However, there are several regulations that can be used as a basis or reference in solving the problems of this application fraud such as the Criminal Code (KUHP), Law Number 7 of 2014 concerning trade, Law Number 8 of 1995 concerning Capital Markets, Law Number 11 of 2008 concerning Electronic Information and Transactions which has changed to Law Number 19 of 2016 concerning Electronic Information and Transactions (ITE Law). With these regulatory references, it is hoped that there will be a handling and resolution of this problem so that there will not be many more scams like this and of course also hope that the public will be more careful in investing. And also hopes that there is legal certainty for the community to feel safe and orderly.

This Share Result app scam is a form of economic crime characterized by: First, economic crime uses a different way of working from legal activities. Second, this economic crime involves the community economically. It's a great way to get the most out of your time and money, and it's also a great way to get the most out of your time and money. Therefore, it is necessary to study more deeply related to how legal

⁹ Bagus Hadi Prawibowo, "Waspada Wajah Baru Skema Ponzi", <https://www.djkn.kemenkeu.go.id/kpknlpontianak/baca-artikel/13689/Waspada-Wajah-BaruSkema-Ponzi.html> diakses pada 6 Desember 2021

¹⁰ Jambi Kita, "Investasi Bodong Share Result, Masyarakat Diimbau Hati-hati Berinvestasi", <https://kumparan.com/jambikita/investasi-bodong-share-result-masyarakat-diimbau-hati-hatiberinvestasi-1vBMgj1VzoJ>, diakses pada 6 Desember 2021

protection for victims of Share Results application fraud and legal settlements in Share Results application fraud in Indonesia.

METHOD

Based on the research title above, the type of research used is normative legal research which focuses on existing and applicable statutory provisions. Normative legal research has research objects, namely legal concepts, legal doctrines, legal principles and legal norms. This research seeks to find problem solving in accordance with the law applied or not related to the Share Results application fraud. The method of collecting legal materials that will be used in writing this research is the method of collecting legal literature. This method of collecting legal literature is done by reading, understanding, recording legal literature materials in laws and regulations and searching on the Internet. The method used in analyzing is the normative analysis method, which reveals the laws and regulations relating to the legal theory that is the object of research.

DISCUSSION

Forms of Legal Protection for Victims of the Share Results Application

Legal protection for victims of Share Results application is important considering the phenomenon of rampant technology-based fraud, especially in the financial realm. Share Results application, as one example of illegal fintech, utilizes technological advances to attract victims with promises of large profits. This phenomenon reflects the impact of the penetration of information technology that has not been accompanied by adequate regulation.

One of the main characteristics of the Share Results app is its use of money games and ponzi schemes, which can potentially harm investors. The app claims to be a form of Multi Level Marketing (MLM), but in reality, its operations are more akin to a ponzi scheme, where the promised profits come mostly from new investment funds. This creates a vicious cycle where early investors may benefit, but eventually, the system will collapse and many investors will suffer losses.

The importance of legal protection for Share Results app fraud victims is also reflected in the app's lack of transparency in managing user funds. The lack of an official license from the Financial Services Authority (OJK) and the app's non-registration with a regulated entity, demonstrates non-compliance with existing regulations. The ponzi scheme used also creates uncertainty and high risk for investors, with a high likelihood that their funds will disappear without a trace.

The Share Results app's operational process, which is based on leveling up by paying additional fees, adds a new dimension to this fraudulent practice. Victims are forced to keep investing in order to reach the promised levels with increasing returns, but in the end, the only result is disappointment and huge financial losses. This issue also highlights the weaknesses in Indonesia's regulatory system regarding money game applications and ponzi schemes. Although there are several regulations that can be used as a reference, there is no specific and firm regulation regarding the handling of illegal fintech applications such as Share Results. Therefore, legal protection for victims is becoming increasingly complex and difficult.

As such, concrete steps are needed to improve legal protection for victims of Share Results app scams. This includes increasing public awareness about the risks of online investment, stricter law enforcement against criminals, as well as revision and refinement of existing regulations to accommodate new phenomena in the realm of financial technology. Only with a comprehensive and collaborative approach

between the government, law enforcement agencies, and the public can effective legal protection for Share Results app fraud victims be realized.

Implementation of Providing Legal Protection to Victims of the Share Results Application

The implementation of providing legal protection to victims of Share Results app is an important effort in tackling the negative impact of technology-based financial fraud. In this context, legal protection is crucial to provide justice to the victims and prevent similar scams from occurring in the future.

First of all, legal protection should start with a preventive approach. Relevant authorities, such as the Financial Services Authority (OJK), need to improve supervision of digital financial services, including Share Results apps, by requiring these companies to be properly licensed and registered. In addition, public education is also important to raise awareness of fraud risks and strengthen financial literacy.

Furthermore, in the case of fraud, victims need to be given easy access to file complaints and report the fraudulent practices to the authorities. A transparent and responsive complaint system will give people confidence that their concerns will be taken seriously. The law enforcement aspect should not be overlooked either. Authorities must conduct a thorough investigation of Share Results app fraud perpetrators and take action against them in accordance with the applicable law. The involvement of the police, prosecutors, and judges in handling financial fraud cases is crucial to ensure justice for victims and provide a deterrent effect for perpetrators.

It is also important to strengthen cooperation between law enforcement agencies, technology companies, and financial institutions in tackling app fraud. This cross-sector collaboration can improve efficiency in detecting, preventing, and cracking down on fraudulent practices that harm the public. However, the implementation of legal protection does not end at the law enforcement stage. Recovery for victims is also an important aspect that needs attention. The government, together with financial institutions and non-governmental organizations, needs to provide support and assistance to victims so that they can recover the losses suffered due to fraud. These recovery measures may include financial compensation, psychological counseling, or skills training to help victims restart their lives.

In the legal context, stricter enforcement of rules and regulations against illegal financial apps such as Share Results is important. Clear and strict laws need to be made and enforced to provide better protection for the public. In addition, strengthening the supervision and regulation mechanism by the authorities is also necessary to effectively prevent such fraud cases in the future. Thus, the implementation of providing legal protection to Share Results app victims requires a holistic approach involving various parties, including the government, financial institutions, law enforcement agencies, and society as a whole. Only with a coordinated joint effort can technology-based financial fraud like this be prevented and dealt with effectively, so that public safety and trust in digital transactions can be maintained..

CONCLUSION

Technology-based financial fraud, particularly through Share Results apps, requires a holistic response from the government, financial institutions, law enforcement and the public. Prevention through close supervision and education will increase awareness of the risk of fraud. Effective law enforcement involves a thorough process of investigation and prosecution from various relevant parties. In addition, recovery for victims is an important aspect, which requires financial and psychological support. Only with a coordinated approach, including cross-sector collaboration and concerted efforts to provide compensation and support to victims, can such

scams be prevented and effectively addressed. Thus, public safety and trust in digital transactions can be maintained, and the risk of fraud can be minimized.

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