

**JURIDICIAL REVIEW OF GRABCAR DRIVERS AS A PERFORMER OF
CRIMINAL ACTS MANAGULATING ELECTRONIC DATA (A CASE
STUDY ON DECISION NO 853/Pid.Sus/2018/PNMks)**

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Abstract

One form of electronic data manipulation especially happens in the world of online transportation. The subject in this case is the GrabCar driver. Normally a GrabCar driver gets and runs an order given by the GrabCar application system when a customer order enters into the GrabCar driver application account. Every order completed by the GrabCar driver gets points. These points must be collected and pursued by the GrabCar driver to get the incentive bonus target. Because the challenge in obtaining bonus incentives is very heavy, the driver is cheating by manipulating the order system. Thus the act clearly violates the legal provisions and even the regulations of GrabCar itself. In addition to sanctions from Grab companies in the form of breaking up partners, perpetrators may be subject to criminal sanctions as stipulated in the information and electronic transaction law.

Keywords: *Driver, Incentive Bonus, Manipulating*

**TINJAUAN YURIDIS TERHADAP *DRIVER* GRABCAR SEBAGAI
PELAKU TINDAK PIDANA MEMANIPULASI DATA ELEKTRONIK.
(TINJAUAN PUTUSAN NOMOR 853/Pid.Sus/2018/PNMks)**

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Abstrak

Salah satu bentuk manipulasi data elektronik terkhususnya juga terjadi dalam dunia transportasi online. Subjek dalam hal ini adalah *driver* GrabCar. Normalnya seorang *driver* GrabCar mendapatkan dan menjalankan orderan yang diberikan oleh sistem aplikasi GrabCar apabila ada orderan kastamer yang masuk kedalam akun aplikasi si *driver* GrabCar. Setiap orderan yang diselesaikan si *driver* GrabCar mendapatkan poin. Poin inilah yang harus dikumpulkan dan dikejar si *driver* GrabCar untuk memperoleh target bonus insentif. Karena tantangan dalam memperoleh bonus insentif itu sangatlah berat maka si *driver* melakukan kecurangan dengan memanipulasi sistem order. Dengan demikian perbuatan itu jelas melanggar ketentuan hukum bahkan peraturan perusahaan GrabCar itu sendiri. Selain sanksi dari perusahaan Grab berupa putus mitra, pelaku dapat dikenai sanksi pidana sebagaimana diatur dalam undang-undang informasi dan transaksi elektronik.

Kata Kunci: *Driver*, Bonus Insentif, Manipulasi