Understanding And Legal Awareness In The Prevention Of Motorized Vehicle Smuggling

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Abstract

In an effort to prosper, the people are one of the government's efforts to impose a tax on every activity both sending or receiving goods from outside and within the country. However, this provides an opportunity for unscrupulous persons who are not responsible for smuggling motorized vehicles. Based on data obtained from 2016 to 2019, motor vehicle smuggling in Indonesia is increasing, this can be shown by the soaring data diagram. Therefore this discussion aims to provide efforts to reduce the increasing number of motor vehicle smuggling in Indonesia and educate the public about how to send and receive goods from outside and within the country properly and in accordance with government regulations based on a literature study that we have done. In an effort to prevent and reduce smuggling rates, installing RFID tags can be one solution to the problem of smuggling motor vehicles. RFID tags are installed in every motorized vehicle unit and can be identified electronically by officers using the RFID Reader so that the vehicle status can be ascertained.

Keywords: Prevention of Vehicle Smuggling, RFID, Public

1. Introduction

Smuggling can be interpreted as violating the rules stipulated in the Act to conduct transactions secretly and with modes to anchor the government to obtain greater profits and a little capital. (John Pontoh, 2016) The responsibility given to the officer in charge of the taxation section is given some responsibility to pay attention to goods that go from abroad to the country and goods that come out of the country. There is a strong activity of the economy to get more profit, so that it is very easy to have violations in the activities of sending goods abroad and domestically. To follow up on financial misuse that is not related to tax. Given the strategic geographical conditions of the Indonesian canyon, it is very possible to make deviations.

The condition of the relatively close distance becomes the difference with the outside country from the domestic spending center. The price is the difference in goods within and outside the country. the price of goods which is a very striking difference between goods within and outside the country led to the influence of people who are not

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responsible and the lack of inadequate technological tools and weakening finances. This can cause people who are not responsible for utilizing things are getting worse. This is due to the fact that smuggling is increasing in various forms both physically and administratively. This can cause a lot of state financial revenue which is not taken. This can cause friction of predetermined state income. As a result of smuggling the country every year, there is a very increasing loss that occurs a lot in Indonesia both by land and air.

Sending goods out of the country or secretly in this case is certainly in violation of existing legal rules. The case for avoiding the obligation to pay for an import or export is a violation of customs regulations. Smuggling is driven by various reasons. This includes smuggling motorized vehicles. Smuggling of illegal goods into prison prisoners, or smuggling of stolen goods. At least the government has managed to secure a car worth Rp 316 billion and a motorcycle worth Rp 13.7 billion. Finance Minister Sri Mulyani said that smuggling was revealed based on public information. Anomaly between the net weight of the goods and the types of goods that have been notified. In this case calculating potential lost taxes. According to Sri Mulyani there should be a duty of 40% import duty and 125% luxury value added tax (VAT). From this year’s smuggling of vehicles. The state suffered losses of up to hundreds of billions of rupiah.

II. Method

The writing methodology used is Literature Study. Activities undertaken to gather information by conducting studies and examining various materials, such as books, journals, references, magazines and various reports or research in accordance with the problem to be solved.

III. Main Heading of the Analysis or Results

A. The Increasing Smuggling Causes

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Minister of Finance said that the arrest of cars and motorcycles nationwide has increased. From 2018, there were 5 cases of legal action on luxury cars and 8 cases of motorcycles. And this case continues to increase in 2019 to 57 cases for cars and 10 cases for motorcycles. Car smuggling and authorization cases occur because the person smuggling suspects that customs in the position have been carried away during the cabinet transition period. In the estimation, Tanjung Priok Customs has secured as many as 19 high-class cars and secured 35 units of motorcycles and luxurious motorbikes or engines. With a period of 2016 to 2019, the total value of goods can be estimated to reach approximately Rp. 21 billion and the potential loss of the state covers approximately Rp. 48 billion. In the case of smuggling of goods using the mode that the goods do not match the actual contents.

Based on information that has been obtained by the process of unward manifest can be suspected because of an incorrect notification because there is an anomaly between the net weight of the goods with the type of goods that have been notified. Actually to ensure the type of goods hi-co container scan officers do and find images that show imported goods are four-wheeled vehicles. Many modes are carried out for the catch case this time. The importation of the vehicle was notified in the form of documents as bricks, spare parts, accessories, and other tools. This was done by seven different companies. The companies participating in this smuggling import cars and motorcycles from various countries. Varies with the mode used without notice and expenditure without permission. Notification of unloading outside the area without permission and temporary import location change without permission.

Many smuggling cases are carried out for several reasons. One of them is the price of exported and imported goods which are very different because they are influenced by several things, one of them is because the dollar is rising. With the rising dollar of course smugglers do several ways to get more profits. The more dominant reason besides getting the bigger profit they also spend less capital. Because, if smugglers do something that is protected by the state through official or illegal channels, it will take a very long time, even at a very high cost, to administer the administration or other matters. So the person

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continues to carry out illegal smuggling and will continue to do so if it is not immediately followed up. With this case the government will uphold the law and give a deterrent sentence to the suspect who committed this smuggling. So that similar cases can decrease and no person will commit smuggling cases.

Many vehicles are smuggled mainly namely four-wheeled vehicles and two-wheeled vehicles namely motorcycles. It can be seen in the data above, starting in 2016 there were more than a thousand vehicles successfully smuggled, in 2017 and 2018 these crimes were

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Diagram. 1 Number of vehicles being smuggled

slightly reduced and in 2019 motor vehicle smuggling crimes experienced a significant increase that reached almost three thousand smuggling had succeeded done.

Smuggling will continue to be carried out because of the strategic geographical location of the country of Indonesia is also very broad and has a lot of wealth. Even residents around the port or its surroundings also took part in this case. And they do it on the basis of understanding that there is a commensurate penalty for doing so. In this case the citizens are also very less conscious. In addition, our country also does not have many officials who act honestly and fairly in protecting the sources of Indonesia’s wealth. In fact, citizens are also very lacking in their awareness to report the matter to the government authorities relating to this matter. Or it could also be that the residents did indirectly know or report this to the apparatus concerned. But maybe the apparatus is late in responding. Anything can happen and it is possible.

This makes the smugglers not deterred and do it continuously because of the lack of strictness in the legislation and punishment which is still flexible in its application. On the other hand, smuggling often occurs because if it is sold in the international black market that has been said above, things like this still often occur because the perpetrators want more profits. Not only that, Smuggling will continue to occur if the elements are not deterred and are not caught up to do the irresponsible thing.

Broadly speaking, there are several things that cause smuggling.

1. The customs system is still not perfect. It is often heard or reported in the newspaper that many smugglers are thwarted by customs. But this is not true because our customs system is still weak when compared to other countries where the system is very strict.

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2. Many officials are corrupt. In this case it is common knowledge. Officials who have been given responsibilities such as guarding customs can carry out this case. In the sense that they bribed with a certain amount of money to keep them quiet. But also not many of them falsified administrative documents of goods sent. This is very beneficial to both parties.

3. The government is demanding the creation of differences in the prices of domestic and foreign goods.

Prices of domestic goods and prices of goods outside the country are indeed differentiated. With the intention, goods imported from abroad are usually subject to tax fees which are quite expensive. Then the elements must reach deeper into the bag to cover these costs. The consequence is that imported goods are more expensive than domestic goods.

The consequences that can be caused in the case of vehicle smuggling are:

a) Harming the State
b) Reducing the country's foreign exchange
c) Betraying the country
d) Some countries are reluctant to collaborate on

B. The Vehicle Smuggling Harming the State

Smuggling of motor vehicles which is increasing from year to year also causes the State losses to increase, Sri Mulyani said as minister finance. This increase in smuggling cases might be considered because the customs office was careless because the car experienced a change of cabinet. This has caused the State to lose hundreds of billions of rupiah due to acts of opnum who do not carry out procedures for sending and receiving goods from abroad.

The estimated loss of the smuggling case of 91 luxury cars alone has cost the State 315.9 billion rupiahs and for motor vehicles due to the smuggling case the State has lost 13.7 billion rupiahs. While the customs general said state revenues were also reduced due to undue tax duties. While the tax component that should be paid by exporters and importers of goods is the state import duty of 40 to 50 percent, Value Added Tax of 10
percent, Sales Tax on Luxury Goods that is 125 percent and Income Tax of 2.5 to 7.5 percent.

This must be immediately handled by the government so that this case does not occur year after year. This can also have an impact on state finances that continue to suffer losses of up to billions of rupiah due to cases of vehicle smuggling. Not only smuggling of motor vehicles, four-wheeled vehicles also continue to increase in smuggling cases each year. The government can try to punish the smugglers so that no one can do this case. In Kausu the smuggling of motorized vehicles can be known by increasing with the following diagram above data can be seen, typically motor vehicle smuggling is increasing every year, starting from 2016 there is about 5% increase, then in the following year 2017, typical smuggling decreases by about 2% in a year. Moving forward in the next year in 2018 the increase in smuggling numbers has increased by around 10% and the latest data in 2019 has increased even higher at around 50%. Therefore, if calculated the total loss of the state from the smuggling of motorized vehicles in the form of luxury cars and motorcycles reaches Rp659.2 billion. The result of the smuggling of luxury cars in the country was IDR 631.8 billion, while the motorbike was IDR 27.4 billion. So that the State loses about 200%, ‘said Heru.

Most of the smuggled motor vehicles come from neighboring countries such as from Japan and Singapore. Heru also said ‘the ministry of finance will collaborate with the Attorney General’s Office and other Authority institutions to reduce the surge in smuggling of motorized vehicles in the form of cars and motorcycles. is. It is necessary to coordinate not only with the central leadership but also with coordination with regional leaders for the smooth handling of this smuggling. In this case the government has continued to synergize not only in the operational field but to continue in the prosecution process of the guilty opnum that must remain monitored until the final settlement in court.

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C. Radio Frequency Identification (RFID)

Radio Frequency Identification (RFID) is a technology where the method uses AUTO-ID method or it can be interpreted where the data collection is done automatically by identifying objects directly without any human intervention. RFID can also be interpreted as a technology that can be used electronically to identify, store information and track an object by relying on radio waves\textsuperscript{10}.

\textsuperscript{10}Ir.Werman Kasoep M.Kom Febri Zahro Aska, Deni Satria M.Kom. IMPLEMENTASI RADIO FREQUENCY IDENTIFICATION (RFID). 2015.
Modeling RFID modeling in this discussion begins by installing an RFID tag that contains some information about the motorized vehicle, namely information in the form of a vehicle number plate, type vehicle and vehicle engine series. Vehicles that already have an RFID tag then enter the area where an RFID reader is located, an RFID reader system is placed at the entrance and entry point for sending and receiving goods, then the RFID reader will identify the vehicle's data and then send it to the database\textsuperscript{11}. The use of RFID is intended as an effort to reduce the crime of smuggling motorized vehicles, where this RFID tag can be installed in every unit of the motorized vehicle that will be sent outside Indonesia and scanned for vehicles entering the Indonesian region. In this case motor vehicles that will be sent or enter the territory of Indonesia can be detected as legal or illegal. Then the detection results of this RFID reader will display data or information contained in the motorized vehicle so that we know clearly the status of the motorized vehicle.

One effort to reduce the increasing smuggling curve of motor vehicles in addition to the use of RFID, socialization to the general public is also needed. The existence of socialization to the community aims to introduce and educate the process of how to send, and receive goods from outside and within the country which is right as determined by the government through the Constitution. So that people will think again in taking actions that can harm themselves and the country. This is expected to increase public knowledge and certainly can reduce and prevent cases of smuggling of motor vehicles.

IV. Conclusion

A. Conclusion

1. Smuggling is an activity of bringing or sending goods in any form from or or abroad illegally or can be referred to as an unofficial activity in accordance with government regulations. Smuggling can occur due to shipping costs and customs tax fees that are too high, this has become one of the triggers of the smuggling activity. The estimated price of the motor vehicle is worth hundreds of millions of rupiah to billions of rupiah.

2. Tax is the biggest factor that causes smuggling increasingly widespread among the people. The high amount of taxes imposed and the difficulty of redeeming the customs officers is the lot that finally decides to carry out smuggling activities.

3. The increasing percentage of smuggling is increasing by 50% from 2016 to 2019 with the number of cases increasing from 100,000 thousand cases to 280,000 cases, causing the State to lose hundreds of billions of rupiah.

4. The government has succeeded in securing motor vehicles in the form of cars worth up to 316 billion rupiahs while motor vehicles in the form of motorbikes valued at 13.7 billion rupiahs.

B. Suggestion

1. According to our group, the State of Indonesia needs to uphold the fairest laws to deal with cases of motor vehicle smuggling.

2. Apparatus tasked with carrying out administrative books or financial statements and the number of goods exported or imported.

3. It is expected that Prevention by this RFID method can be developed and implemented.

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