

Comply With The Law and Deal With Fake Bank Encounters To Improve Banking Security

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Abstract, *These studies aim to determine which rules apply to the criminal act of currency counterfeiting. According to this perspective, a unique regulation governing the flow and counterfeiting of rupee currency is necessary for the development and strengthening of the financial sector. Standard research methodology based on statutory regulations is the methodology used. To answer legal problems, this approach uses research methods that examine and analyze the law as a basis. This can be in the form of criteria, rules, principles, theories and other literature. The results of the study show that legal regulations are in place to deal with currency counterfeiting, the weaknesses lie in a lack of understanding and tools to detect them and a lack of coordination between society and related institutions as well as a weak understanding of the law in society.*

Keywords: *Law Enforcement, Detecting Counterfeit Rupiah Banknote Crimes, methodology*

1. INTRODUCTION

Money serves as a means of trade, a unit of account, and a store of value, making it one of the primary elements of the economy. Money is a unit of value that establishes a standard pricing for products and services, a store of value that enables people to save purchasing power for later use, and a medium of exchange that makes commerce easier. Apart from that, money also has secondary functions, as legal tender and as a tool to measure the wealth of a country. Among the types of money used in the economic system are commodity money, fiat money, and demand deposits, each of which has its own characteristics and role in the monetary system. The benefits of money in the economy are enormous, including increasing business efficiency, facilitating economic governance and supporting sustainable economic growth. A deep understanding of the role of money is very important for stakeholders to make the best use of money in their daily business activities (Adami Chazawi, 2001).

People aim to have enough money, even if it means breaking the law, because money is so important. These laws typically result in crimes, such as forgery to imitate and counterfeit the cash, which is a legal attack on confidence in the significance of money as legal tender, according to Dinda, Dian, Pratiwi, I Nyoman Gede Sugiartha, & Luh Putu Suryani (2021).

Politicon Zoon People in society are social creatures who constantly want to survive. If individuals can coexist peacefully in communities (homosocialized), where each person depends on the others to meet their needs and benefit from one another, then human sustainability will be attained (Silmi Nurul Utami Kompas.com, 2024).

(Yuvi, 2024): Buying and selling transactions are one instance of human contact that we can observe, while buying and selling serves as a transformation or exchange method by exchanging things for cash or goods for other goods until both parties choose to engage in such activities.

Some contend that money is an essential component of our lives and the lifeblood of the economic system. Because all economic operations in today's society, where the economic system rely on the flow of commodities and services, will require money in order to accomplish their objectives, (Robet Padli, Muhammad Arif Sahlepi, and Marzuki, 2022).

In addition, the usage of money makes everyone aspire to be wealthy. This leads to issues like illegal activity, which can interfere with economic activities and affect other areas. Modern life is significantly impacted by money, and as a result, nations are required to enact stringent financial regulations. To address this issue, Law No. 7 of 2011 regulating "Currency" was developed (P.A.F Lamintang, Theo Lamintang, 2009).

The provisions of Article 250 of the Criminal Code stipulate that "Anyone who makes or provides supplies imitating or counterfeiting state or bank currency or banknotes can be threatened with a maximum prison sentence of six years or or a fine of four thousand five hundred rupiah" (Muhamad Raihan Nugraha Hukum Online.com).

Thanks to advances in science and technology, it is now very easy for anyone to make fake rupiah banknotes that are very similar to the original ones. Not being true or falsifying something is one of the elements of the crime of forgery. To benefit oneself and others, falsification is a violation of the truth (Antara Foto/Arnas Padda, bbc.com, 2024).

In essence, the aim of counterfeiting rupiah banknotes is to protect the general public from reality. In essence, the high probability of delivery is what causes the crime of counterfeiting money. The volume of cash transactions, the timing of transactions, and a general lack of public awareness all impact counterfeit money dealers.

For instance, the Rp 100,000 denomination for the year of circulation (TE) 2022 features a picture of Soekarno-Hatta in the center, a bright image of a moon orchid flower, the red signatures of the BI governor and the finance minister, a map of Indonesia, and a batik image of Bung Hatta at the top. This is an example of fake money. With the phrases Bank Indonesia and 100,000 in red and the box indicating BI in green, the opposite side will display a luminous image of a moon orchid blossom when exposed to UV light (News.com, Marion Antara, 2024).

Article 374, which explains the criminal threat with a potential penalty of fifteen years or more in jail and a maximum fine of category VIII, is in accordance with the rules of the Criminal Code. The number of people committing fraud or using counterfeit money keeps

rising as a result of technological advancements and sophistication. In order to combine the crime of money fraud or impersonation with the establishment of good rules and regulations that can cover all activities that can hurt the country's economy, particularly currency fraud, the author believes that the most recent law described above will soon be put into effect.

However, in certain communities, there is often a lack of public awareness regarding counterfeit money, which is manifested in the form of counterfeit money that is created, produced, or circulated with malicious intent, resulting in fraud. This can have an impact on the circulation of the rupiah currency in the Republic of Indonesia, so that it can cause inflation and devalue the value of the rupiah against other currencies, both of which have an impact on the country's economy. Meneyebabkan kerugian inflasi bagi pemerintah dan Bank Indonesia

- 1) Reducing public confidence in the current currency
- 2) Causes inflation because the amount of money in circulation is not controlled
- 3) Threatening the stability of the financial system
- 4) Harmful to business actors who accept counterfeit money without realizing its authenticity
- 5) Causing harm to consumers who receive counterfeit money as payment.

Seeing the impact that will arise from the problem of counterfeiting banknotes, the government and law enforcement officials must be smart and careful in dealing with forms of economic crime and the modus operandi of crime so that every law enforcer is effective in preventing and dealing with crimes that occur.

According to Smidt (P.A.F Lamintang 1991) "There is a need for laws that provide legal guarantees, especially regarding sanctions for those who violate the law", as explained by Lamintang: "According to the legislators, the act of imitating or counterfeiting currency, state banknotes or bank paper money is an act that can lead to a reduction in public trust in the currency, state banknotes or bank paper money, due to the progress of the economy and people's behavior which prioritizes practicality and efficiency in transactions, fund transfers in Indonesia are currently also showing an increase."

UU no. 3 of 2011 concerning "Fund Transfers" (hereinafter referred to as the "Fund Transfer Law") is a part of the law that offers justice, efficiency and legal certainty, especially with regard to punishment for perpetrators who transfer funds. This is in line with the increase in transactions, developments in funds transfer media and the problems that arise as a result of this, so that the Fund Transfer Law can guarantee that the implementation of fund transfers can run safely, smoothly, and provide certainty for related parties which is expected to create a smooth national payment system.

Case Example: At the UIN Makassar Campus in the South Sulawesi Regional Police Legal Area, police apprehended 17 suspects for creating and distributing counterfeit currency. They discovered that hundreds of trillions of rupiah had been stolen. What effects does cash counterfeiting have on society, and how do those who engage in it behave, according to college library directors? This modus operandi is associated with the head of the artificial intelligence development section of the State Islamic University (UIN) Library, Alauddin Makassar. The South Sulawesi Regional Police claimed that "This strategy is intended to create a money-making platform, such as BI deposit certificates and state securities (SBN) worth hundreds of trillions of rupiah."

Money counterfeiting is a fairly popular practice. The problem with the practice of creating counterfeit currency on the campus of Uin Makasar is that it is impossible to foresee when people will intentionally create counterfeit currency as technology develops and becomes more capable, but people will still abuse it. Money, we know, is the blood of a country's economy, especially Indonesia, which is deliberately faked for the personal interests of self-interested individuals. Thus, the author is interested in conducting a comprehensive discussion as outlined in the title "LAW ENFORCEMENT AND ACTION ON FAKE MONEY CIRCUMSTANCE ACTIVITIES IN IMPROVING NATIONAL BANKING SECURITY".

2. LITERATURE REVIEW

Explain the importance, impact, and strategies to combat counterfeiting. Counterfeit currency created without official approval from the government is known as counterfeit money. Counterfeiting money is a serious crime that can harm the economy of individuals and the country. Counterfeiting money can be committed by individuals or associations to enrich themselves or to obtain something. Counterfeiting money can usually lead to other crimes such as terrorism, money laundering and human trafficking.

Counterfeiting money worsens the economic conditions of society and reduces the credibility of the government. Counterfeiting of money is very detrimental to the stability of domestic security. If you find money of doubtful authenticity, the public can do things such as, protect the money whose authenticity is doubtful, ask the buyer to use other money, double check, ask Bank Indonesia for clarification, report the findings to the bank or the police. Money counterfeiting can be resolved or minimized by providing information to the public about the characteristics of counterfeit money and the government should develop technology for detecting counterfeit money, as can be seen from the rapid development of the times. The

government should develop tools for detection. INTERNATIONAL standard counterfeit money.

3. METHODOLOGY

The author employs a normative legal research methodology. In order to address the legal issues raised, this approach uses research procedures that look at and analyze the law as a foundation, which may take the shape of standards, guidelines, theories, and other works of literature. The goal of standardization research is to include viewpoints as a foundation for judging whether an event is proper or not, or even if a legal perspective is required (Muhaimin, 2020). Research will start by looking for legal norms based on statutory laws, legal principles, and legal doctrines proposed by legal experts in order to uncover legal structure and legal centers (Marzuki, 2005).

4. RESULT AND DISCUSSION

1. Police involvement in the illegal practice of Rupiah money counterfeiting
A person who imitates or counterfeits state or bank money or banknotes with the intention of distributing or directing money or banknotes as if they were genuine and not fake is in violation of Article 244 of the Criminal Code, which outlines the purpose of plagiarizing or counterfeiting counterfeit money or paper. Therefore, this goal is the closest goal in addition to enhancing the intention to mimic or pretend. According to Article 244 of the Criminal Code, it is strictly forbidden for anyone to plagiarize or fabricate money (Osriansyah, Abdul Bari Azed, 2019).

Chance is usually the driving force behind criminal activity, and using counterfeit money offers a high probability of success. The number of cash transactions, the duration of the transactions, and public ignorance all have an impact on sellers of counterfeit money. Inserting counterfeit money among real rupiah bills is a tactic that is easy for counterfeit money dealers to use. In addition, this must be done at night or in a quiet location, such as the outskirts of the city, to make a lot of money by distributing fake money (Fikri Ferdiansyah A. Pakaya, 2024).

In Indonesia, the State Financial Production Company, often known as PERUM PERURI, is an organization in charge of generating revenue. However, it is not covered in this article if someone gets money that is not available, such as 12 or 14 rupiah notes. It turns out that this money counterfeiting has also spawned other modes of operation, including organized and multinational TIP, terrorism, politics, money laundering, and illegal logging. In actuality, the

currency's method of operation is evolving. According to Law Number 7 of 2011 of the Republic of Indonesia:

- 1) "Article 33 paragraph (1) states that people who do not use Rupiah for any purchases intended for payment, must have another solution to pay in money,
- 2) Other payment transactions as specified in paragraph (1) of Article 21 will result in a maximum administrative fine of IDR 200,000,000.00 (two hundred million rupiah) and a maximum jail sentence of one (1) year.
- 3) Rupiah can be accepted by anybody. A maximum administrative penalty of IDR 200,000,000.00 (two hundred million rupiah) and a maximum jail sentence of one (1) year shall be imposed if there is any question regarding the legitimacy of the funds listed in Article 23 (Hilkia H. Longkutoy, 2013).

Experts in criminal law continue to disagree on the crime of counterfeiting currency. Punishment is seen by some as solely a legal issue. For instance, according to J. D. Mabbot, punishment is a reasonable result of breaking the law rather than the law itself, and a person who has broken the law is not regarded as having broken it (Teguh Prasetyodan Abdul Halim Barkatullah, 2005). Put another way, whether a person's actions are good or bad, they must be penalized if they violate the law.

A few of criminal law specialists are aware that crime is more complex than simply condemning someone and locking them up. Even the tiniest comment can easily lead to punishments that involve several types of deprivation or disempowerment, including the court processes themselves. Therefore, before settling on additional forms of public compulsion against people, including in the name of health, education, or general welfare, it is imperative that the punishment be agreed upon. Crimes involving cash and banknotes are considered serious under the Indonesian penal code. At least two factors lend credence to this idea, specifically:

- a) The maximum penalty for these offenses is of medium severity. The Criminal Code's Chapter X, Book II, lists seven different categories of currency and paper money crime compositions. Two of them are sentenced to 15 years in jail, two to 12 years, and one to 1 (one) year in prison (Article 250bis) and 4 months and 2 weeks in prison (Article 249) under Articles 244 and 245.
- b) Cash and paper modes are covered under the universality principle. In other words, anyone who commits this act outside of Indonesia is subject to criminal law (Article 4 sub 2 of the Criminal Code). According to the universality concept, legal infractions endanger the Republic of Indonesia's laws, Indonesian society, and foreign communities. For instance,

under Indonesian criminal law, a foreign national who counterfeits his country's currency and then flees to Indonesia—where the two countries do not have a bilateral agreement—may face consequences.

The illegal act of counterfeiting currency is governed by Law Number 7 of 2011 about Currency, particularly Chapter VII addressing Prohibition of Articles 23–27. The Criminal Code's Articles 244 and 252 govern the following categories of cash counterfeiting crimes:

- 1) Acts of currency counterfeiting;
- 2) Circulation of counterfeit money;
- 3) The act of collecting or importing counterfeit currency into Indonesia;
- 4) The act of destroying money in the form of reducing the value of money for the purpose of distribution;
- 5) Damaged money circulating;
- 6) The act of hoarding or including Indonesian coins whose value has been reduced;
- 7) Circulation of counterfeit or counterfeit money;
- 8) produces or owns equipment for counterfeiting currency;
- 9) The act of hoarding or combining coins or silver sheets into Indonesian territory without permission.

The Indonesian National Police (POLRI) and other law enforcement agencies are responsible for combating unlawful acts of counterfeiting Rupiah currency.

Rule of law:

- 1) Article 36 Paragraph 3 of Law No. 7 of 2011 regulates the circulation and/or spending of fake rupiah.
- 2) Criminal sanctions
- 3) Perpetrators of counterfeiting currency or banknotes are threatened with imprisonment for a maximum of 15 years.
- 4) Perpetrators of distributing counterfeit money are threatened with imprisonment for a maximum of 15 years and a fine of a maximum of IDR 50 billion.

How to eradicate counterfeit money (Hukum online.com):

- 1) Protect physical money and do not circulate money that looks suspicious.
- 2) Notify the police or bank about the discovery of counterfeit money, or ask for an explanation from the nearest Bank Indonesia office.
- 3) Law enforcement cooperation
- 4) Professionalism of law enforcement officers and better cooperation between law enforcers is needed.

- 5) There needs to be involvement of Interpol personnel in the framework of cooperation with law enforcement officials abroad.

There are two kinds of criminal penalties for crimes like cash counterfeiting. The first is incarceration, which is a form of criminal offense; the second is either a fine or incarceration. In addition to fines and incarceration, counterfeiters and money destroyers face a single criminal penalty (1-6).

Those who distribute, stockpile, or mix materials for cash counterfeiting are also subject to alternative criminal sanctions (7-9). Protecting the public interest, especially the country's economy and society, is the aim of laws pertaining to currency. Therefore, in addition to incarceration, fines imposed on currency crime offenders are very helpful in compensating for the harm caused by the crime. The Criminal Code's general minimum and maximum penalties for incarceration range from one day to fifteen years. Chapter: Legal Action Against UIN Alaudin Makasar Campus Counterfeit Money Producers and Distributors.

Marlison Hakim, Head of Bank Indonesia's Money Management Department, stated that "Bank Indonesia has coordinated incentives together with the South Sulawesi Regional Police in disclosing this case." He added, "BI is also ready to support the National Police in the process of investigating this case by clarifying evidence of counterfeit money and is ready to provide expert assistance beforehand." The police have confiscated evidence of printing machines and counterfeit money worth IDR 44 million in connection with the case. Apart from that, 15 people were named as suspects.

Sanctions as well as evidence and evidence found in the investigation into the maker of counterfeit Uin Alaudin money in Makasar

Counterfeiting Rupiah currency is prohibited. They will face fines or criminal consequences if they do. According to Article 374 of Republic of Indonesia Law Number 1 of 2023 concerning the Criminal Code, anyone who counterfeits state-issued currency or banknotes with the intent to circulate or request circulation as real money rather than counterfeit faces a maximum penalty of 10 years in prison or a maximum fine of IDR 5 billion in Category VII. A maximum penalty of 15 years in prison and a maximum fine of IDR 50 billion in category VIII are also imposed on those who distribute and/or spend counterfeit money as defined by Article 374, according to paragraph (2) of Article 375 of the Criminal Code. The results of the investigation showed that these fake money prints were made using sophisticated machines, and X-rays made them difficult to find. The campus stated that the head of the library and his employees were the perpetrators. The suspect has been detained by law enforcement in this alleged case. A Deputy Chancellor III at UIN Alaudin Makassar (Kompas.com).

A total of 17 people suspected of making and distributing counterfeit money on the Alauddin Makassar State Islamic University (UIN) Campus face life imprisonment.

South Sulawesi Regional Police Chief Inspector General Yudhiawan Wibisono revealed this case at the Gowa Police, South Sulawesi. He said that "two of the 17 suspects are state-owned bank employees, with the threat of a maximum sentence of 10 years to life."

AI, NM, KA, IR, NS, JBP, AA, SAR, SU, AK, IL, SM, MS, SR, SW, MN, and RM are the initials of the 17 suspects. There are still three more people on the DPO list. State-owned bank employees with the initials AK (50) and IR (37) were accused of buying and distributing counterfeit money. He buys, sells and uses. The network that distributed the counterfeit money was another suspect, but employees of BUMN and AI banks, the head of the campus library at UIN Campus II, also took part in this transaction, as did one of their staff.

Apart from that, suspect M used counterfeit money that had been circulated by M in Makassar City and Gowa Regency to carry out transactions with other suspects, namely KA, IR, SR, SM and AK. From the results of the investigation and development of the case, it was discovered that the SAR suspect, a person known to M, obtained counterfeit Rp. 100,000 notes from AI. It is known that the SAR suspect printed fake money.

After carrying out a raid on one of the perpetrator's houses on Jalan Sunu, a joint police team carried out an inspection. Evidence was found in the form of raw materials used to make counterfeit Rp. 100,000 notes which were transferred or paid using money with the initials ASS through an intermediary with the initials JBP. The initial R is used to purchase raw materials for counterfeit Rp. 100,000 notes (especially for paper and ink), while SAR is used to purchase additional raw materials from online material suppliers. The results of the investigation by the Gowa Police Criminal Investigation Unit regarding the crime of circulating counterfeit money showed that the suspect AI kept a printing machine and equipment in the UIN Alauddin Makassar Library Building on Jalan Yasin Limpo, Samata District, Gowa.

The results of the investigation show that the individual involved in AI personally has no relationship with the other party (UIN Alauddin). The individual only uses his authority and position in that place and has no relationship with other parties. Evidence: The large GM-247IIMP-25 offset printing machine stored in the UIN Alauddin Makassar Library Building, Gowa, consists of 738 sheets of paper depicting the Rp. 100 thousand denomination which was released in 2016.

397 sheets of graphic paper with total emissions of IDR 100,000 in 2016 have not been deducted. A total of Rp. 800,000 was deducted from eight sheets of paper in the Rp. 100,000 denomination in rupiah currency in 2016. Due to damage, 199 sheets of paper could not be

produced. An empty blank caused 460 sheets of paper to fail to be produced. The production of 957 sheets of graphic paper in the Rp. 100,000 denomination was not successful.

In total, 6,139 sheets of illustrated paper worth IDR 100,000 could not be produced. A total of 19 IDR 100,000 banknotes issued in 2016 worth IDR 1.9 million could not be produced, along with the tools needed to print counterfeit money. Gowa Police secured 4,554 pieces of evidence of IDR 100,000 banknotes issued in 2016.

234 uncut Rp. 100,000 notes were released in 2016, while six Rp. 100,000 notes were released in 1999. Two 1,000 rupiah notes were issued in 1964, 111 Vietnamese 500 dong notes, one 5,000 Korean won note, and 234 Korean 5,000 won notes. IDR 100,000 Rupiah was issued in 2016, one Government Securities (SBN) worth IDR 700 trillion, and one time deposit certificate (BI) worth IDR 45 trillion. One can of red and white ink and one bag of aluminum powder sent from China (M Darwan Fatir, Antara, 2024).

2. How to Know that Rupiah is Fake and How to Detect Fake Rupiah

- 1) How to distinguish real money from fake: Real money has bright colors and designs, while fake money looks dull and unclear. Look at the hero image, ornaments and Bank Indonesia logo carefully; Real money is usually clearer.
- 2) Authentic money feels thicker and more vulgar when touched, while fake money is made of thin and smooth paper. In addition, counterfeit money has a security element that feels rough when touched, as seen in the main image and state symbol.
- 3) When you hold the money up to the light, a watermark such as a hero image and the Bank Indonesia logo will appear. Counterfeit money often lacks security threads or is made not to match the original design, and the security threads attached to the paper on real money can change color when held in the eye.
- 4) Pay attention to different rupiah denominations, such as Rp. 100,000 and Rp. 50,000. It is strongly advised that consumers refrain from spending money that appears to be fraudulent and report it right away to the closest bank, or Bank Indonesia, to be sure. Additionally, it is advised to notify the local police station of any suspected money counterfeiting. It is anticipated that raising public awareness and comprehension of the value of genuine rupiah currency will aid in stopping the spread of counterfeit cash, which poses a threat to the economy (Antara/Ho, 2022).

Tools that can be used to detect counterfeit money (<https://www.warni.co.id>)

- 1) DORS 135
- 2) Huijin ZB-130
- 3) Glory USF-52

4) Glory uw-600

5) Glory usf-100

In the provisions of the Criminal Code and Law Number 7 of 2011 concerning currency as well as Law Number 10 of 1998 concerning amendments to Law Number 7 of 1992 concerning banking and Law No. 4 of 2023 concerning "development and strengthening of the financial sector". There are no regulations regarding tools for detecting counterfeit currency regarding counterfeiting of currency, but the author discovered new discoveries regarding tools that can identify or make it easier for readers to provide knowledge to find out actions that can be taken to carry out early detection in order to carry out preventive measures to minimize the distribution and use of counterfeit money considering the developments in this modern era, the perpetrators of counterfeit money are developing their skills in perfecting counterfeit money to make it look genuine.

To make ends meet, many worked as gardeners, dealers, and some in factories; the objective of these businesses is to make money by buying or selling goods and services. Because persons with impairments, like the blind, utilize money as a means of exchange in transactions, there is also a significant likelihood that money will be sold, stolen, and counterfeit money will be found. Researchers have previously conducted money detection studies in a similar way to overcome the problems mentioned above. The banknote detector used in this investigation was able to distinguish banknotes in denominations of IDR 2,000, IDR 5,000, IDR 10,000, IDR 20,000, IDR 50,000 and IDR 100,000. Reading the nominal value of banknotes has the following levels of accuracy: 0%, 90%, 90%, 100%, 75%, and 60%. However, problems still exist, as shown by researchers' investigations in 2014, including the inability to differentiate between real money and fake money (Herdianto, Silvia Anggraini, 2019).

5. CONCLUSIONS

Today, every Indonesian person needs to be cautious and take money counterfeiting seriously. A clear legal foundation for taking decisive action and punishing offenders and dealers in counterfeit currency is established by laws and regulations like Law No. 7 of 2011 prohibiting money counterfeiting. However, there are still issues with this law's execution, including increased fines for offenses involving counterfeit money and currency detection in preventive prevention using any available media. Therefore, to achieve the interests of more effective punishment, to create a deterrent effect, it is hoped that the Law on Currency will in the future include criminal threats and minimum fines.

ADVANCED RESEARCH

Given the limitations of the researcher's own expertise and skills, the author of this publication acknowledges that there are still several errors in language, writing, and presentation style. Therefore, the author expects that constructive criticism and recommendations from many parties will help make this paper great.

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