

COMPARATIVE ANALYSIS OF CRIMINAL FINE SANCTIONS FOR ILLEGAL ACCESS TO PIRATED FILMS IN INDONESIA AND GERMANY

ABSTRACT

This thesis aims to examine the regulation of criminal sanctions in the form of fines for the illegal act of accessing pirated films in Indonesia and Germany. The research questions addressed in this thesis are: 1. How are criminal sanctions in the form of fines for the illegal act of accessing pirated films regulated in Indonesia and Germany?, 2. What are the similarities and differences in these regulations between the two countries? The research method used in this thesis is normative juridical, employing statutory, conceptual, comparative, and case approaches. The legal materials used consist of primary, secondary, and tertiary sources. The collected legal materials are analyzed by identifying, systematizing, and interpreting them in accordance with the topic under study. The findings of this thesis show that: 1. Criminal sanctions in the form of fines for accessing pirated films in Indonesia are regulated under Law Number 28 of 2014 on Copyright, with the specific amount of the fine clearly stipulated. In contrast, in Germany, such sanctions are regulated under the Urheberrechtsgesetz (German Copyright Law). However, the exact amount of the fines is not specified within that law, but rather governed under the Strafgesetzbuch (German Criminal Code) through a system of daily fines. 2. The regulation of criminal fines in Germany includes a more detailed mechanism, such as allowing installment payments of daily fines and avoiding immediate imprisonment as a substitute penalty. This differs from Indonesia, where imprisonment may be directly imposed as an alternative punishment.

Keywords: *Criminal fines, copyright, comparative law in Indonesia and Germany*