

Law Enforcement Against Insurance Agency Workers in Criminal Cases of Signature Forgery

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Abstract

Insurance agents play a vital role in insurance companies and serve as the spearhead of insurance marketing. In practice, during the signing process of insurance product participation forms, signature forgery is often committed by insurance agents. This is typically done to expedite data processing and accelerate the approval of applications in pursuit of sales targets. This research employs a normative juridical and empirical juridical approach. The data is analyzed qualitatively. The research findings indicate that law enforcement against insurance agents in cases of signature forgery is still based on Article 263 of the Indonesian Penal Code (KUHP), rather than the principle of *lex specialis derogat legi generalis*, such as Article 78 of Law Number 40 of 2014 concerning Insurance because insurance agents are not company officials but third parties representing the company. Legal enforcement is hampered by non-compliance with established procedures and regulations across various levels of the criminal justice system, preventing the full realization of legal principles. Moreover, law enforcement officials often lack precision in legal interpretation and application. The study suggests that the government needs to create implementing regulations for Law No. 40 of 2014 concerning insurance.

Keywords: Criminal Act, Insurance Agents, Law Enforcement, Signature Forgery.



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INTRODUCTION

Crime and Offense, which is seen as a social phenomenon, is still influenced by various aspects of life, such as political, economic, social and cultural. Juridically, crime is that all human behavior that is contrary to the law can be punished, which is regulated in criminal law (Nazam et al., 2024). Meanwhile, sociologically crime is a certain act or deed that is not approved by society (Anwar, 2010). In the life of this advanced and orderly society, there is a guarantee of the truth of the proof of the letter, whether it is an individual who has a relationship with the company or vice versa, the company needs the truth of the proof of the letter owned by a person as well as a person's signature as written evidence and a symbol written by the person's own hand as a personal marker (Chawazi, 2011).

The emergence of a crime is motivated by perpetrators who want to get rich quickly instantly by violating morals and the law. One of the crimes that currently often occurs is by forging letters that we often hear in the news in the mass media and electronic media regarding counterfeit money, fake certificates, fake marriage certificates, falsifying heirs' data, fake ID cards, false oaths, providing false information and forging signatures, which ultimately leads to the perpetrator's desire to gain financial benefits in an improper way (Sedyadi et al., 2022).

The insurance agent is the Company's distribution channel in the form of *Personal Selling*, whose main function is to attract new policyholders as well as to take care of existing policyholders. In Indonesia, insurance agents are still a mainstay for insurance companies and

are still needed as partners in generating premium income. Insurance Agents get a payment of rewards in the form of commissions, with the amount determined based on a certain percentage of the first premium or new production produced. In some insurance companies, agents are allowed to provide direct services to policyholders, especially in advanced premium payment services. There are also insurance agents who do not have a specific role in serving policyholders, but personally take the initiative to build long-term relationships with the aim of taking care of policyholders, until their insurance contract ends (Widodo, 2015).

According to Article 1 paragraph 28 of Law number 40 of 2014 concerning Insurance, the meaning of an insurance agent is a person who works alone or in a business entity that acts for and on behalf of an insurance company and meets the requirements to represent an insurance company in marketing insurance products. Insurance Agents have a very vital role in insurance companies. This means that there is no agent, then there is no insurance policy. Insurance agents are the spearhead of insurance marketing. Such is the dominance of insurance agents, so agents can also cause violations in the insurance business. Forms of agent violations that can harm the insurance business such as providing incorrect information, misleading prospective policyholders, not paying premiums that have been paid, and forging documents or signatures (Kusumastuti & Sanusi, 2022).

Agreements are an essential element in all insurance agreements. Insurance agents are required to provide correct and non-misleading information to prospective policyholders, so that there are no agreement defects in the formation of insurance agreements. Law Number 40 of 2014 concerning Insurance, Article 31 states that *Insurance agents are required to apply all expertise, attention and care in serving or transacting with policyholders/insureds. In addition, they must provide correct information regarding the risks, benefits, liabilities and charges associated with the insurance products offered.* In doing their job, agents can use various means including telemarketing, face-to-face in various locations, or through the internet. The Financial Services Authority (OJK) emphasizes the importance of insurance agents to ask for confirmation of consent from customers when making sales digitally (Muttaqin et al., 2021).

Signing the form in insurance is a mandatory administrative procedure for policyholders as proof of submission or application, both in the process of registering insurance products and submitting claims. However, at this stage, there are often acts of forging signatures by insurance agents, either with the customer's consent or without their knowledge, with the excuse of speeding up the completeness of the file so that the application process can be processed immediately. This kind of practice has the potential to cause serious problems when policyholders feel aggrieved and then report the action to the authorities, which can ultimately ensnare the agent in question (Yusianadewi et al., 2020).

This condition is also the context for the birth of the research in this thesis, namely the case of an insurance agent who was reported by the Policyholder/Insured to the Lampung Police for allegedly forging the signature of the policy approval form, as recorded in the Police Report Number: LP/B/427/IX/2024/SPKT/POLDA LAMPUNG dated September 25, 2024. This phenomenon does not appear in isolation, because previously there have been similar studies such as the writings of Ahmad Sofian (2022) which emphasized that insurance companies as corporations can also be held criminally responsible for the actions of agents, as well as research by Rahelia (2022) which highlights the application *of the principle of lex specialis* in relation to the Insurance Law.

Departing from this background, this study then focuses on the reasons why law enforcement officials continue to use the Criminal Code in dealing with forgery of signatures in the insurance sector and analyzes the responsibility of insurance companies in recovering policyholders' losses due to agent actions, so that two main problem formulations are triggered regarding the implications of law enforcement on agents and inhibiting factors in the process.

RESEARCH METHODS

This research uses a type of normative-empirical legal research, which is an approach that combines the study of written legal norms with the reality of their application in people's lives. This approach places positive laws as the basis of analysis, but does not stop at the theoretical level. The research seeks to see how the applicable rules are implemented in concrete events, so as to provide a comprehensive picture of the effectiveness of the law in a factual context. Thus, the research not only examines laws and regulations, but also examines how these norms work, apply, or even face obstacles in daily legal practice (Noor, 2023).

In examining the problem, the research combines a juridical-normative and juridical-empirical approach. The juridical-normative approach is used to examine positive legal texts through doctrinal analysis and legal principles adopted within a *positivist framework legis*. Meanwhile, the juridical-empirical approach is applied through field observation to capture the dynamics of law application as it occurs in the real world. Data analysis is carried out by a qualitative method, collecting various data sources to then be processed through the identification of patterns, themes, and relationships that are relevant to the research issue. This process allows researchers to formulate key findings that can be used as a basis for making recommendations that are useful for policymakers and law enforcement practices.

RESULTS AND DISCUSSION

Law Enforcement of Insurance Agency Workers in Cases of Signature Forgery

Law Enforcement of Insurance Agent Workers in Cases of Signature Forgery is carried out by law enforcement officials who are given duties and authority by the law through the criminal justice system, namely investigators by the Police, Prosecution by the Prosecutor's Office, and Criminal Sentencing by Court Judges, Law enforcement is carried out to ensure the functioning of legal norms and provide a sense of security and order in the life of society and the state (Zaharuddin, 2023).

Insurance activities are regulated in Law Number 40 of 2014 concerning Insurance. The law regulates various insurance-related crimes or can be referred to as insurance crimes. Insurance crimes are regulated in Chapter XVI regarding Criminal Provisions starting from Article 73 to Article 82. In the perspective of the Criminal Code (KUHP), it regulates in Chapter XII regarding Forgery of Letters, as stated in Article 263 paragraph:

- 1) Whoever forges or forges a letter which may give rise to a right, obligation or release of a debt, or which is intended as evidence of a thing with the intention of using or ordering another person to use the letter as if its contents were true and not forged, shall be threatened if such use may cause loss, due to the forgery of the letter, with imprisonment for a maximum of six years.
- 2) Threatened with the same crime, anyone who deliberately uses a fake letter or who is forged as if it is true, if the use of the letter can cause loss.

Forgery of letters in Article 263 consists of two forms of criminal acts, each formulated in paragraph (1) and paragraph (2). Based on the elements of his act, forgery paragraph (1), it is called making a fake letter and forging a letter. Meanwhile, the forgery of letters in paragraph (2) is referred to as using a fake letter or a forged letter. Although the two forms of criminal acts are interrelated, each stands alone, with different tempos and locus of criminal acts and is carried out by the perpetrator who is not the same.

The crime of forgery of insurance documents is specifically regulated in Article 78 of Law Number 40 of 2014 concerning Insurance which reads: "Every person who commits falsification of the documents of an Insurance Company, Sharia Insurance Company, Reinsurance Company, or Sharia Reinsurance Company as referred to in Article 33 shall be sentenced to a maximum of 6 (six) years in prison and a maximum fine of Rp. 5,000,000,000.00 (five billion rupiah)".

The purpose of Article 33 of Law Number 40 of 2014 concerning Insurance reads: "Everyone is prohibited from falsifying documents of Insurance Companies, Sharia Insurance Companies, reinsurance companies, or Sharia reinsurance companies". The meaning of each person in article 33 refers to the general provisions of Article 1 paragraph 34 which means "Every person is an individual or corporation"

To find out whether the act in a legal event is a criminal act, an analysis can be carried out whether the act has met the elements of a criminal act regulated in a certain criminal article. The elements of criminal acts in the two laws and regulations above can be seen in Table 1 as follows:

Table 1: Comparison of the elements of the crime of forgery of letters in the Criminal Code and Law 40/2014 concerning Insurance

Elements of Criminal Acts	
Article 263 of the Criminal Code	Article 78 of Law 40/2014
1. Who Is	1. Everyone
2. Intentionally	2. Committing counterfeiting
3. Creating a fake letter/forging a letter	3. Insurance company documents
4. Use/wear	
5. Cause losses	

Based on table 1 above, it can be seen that the elements of the crime of letter forgery in the Criminal Code are letters made or forged, giving rise to a right, engagement, debt exemption, evidence of something and can cause losses, while in Law Number 40 of 2014 concerning Insurance, the object is only specific to the type of letter in the form of an insurance company document.

It can be known that the act of forging signatures carried out by insurance agents in this study is a Life Insurance Request Letter (SPAJ), so that for the forgery of the signature that is considered genuine, the insurance company issues an insurance policy to the customer. A Life Insurance Request Letter (SPAJ) serves as an initial application document used by prospective customers to apply for life insurance to an insurance company that contains various important

information such as personal data (name, address, occupation, etc.), coverage data (premium amount, benefits, etc.), and health history (Husna & Susila, 2022).

Although SPAJ is not an insurance policy per se, it is an important part of an insurance agreement and can be used as evidence in the case of a claim or dispute. SPAJ has legal force as a *deed of subhandse* in lieu of the policy in the case of evidence after the existence of an insurance agreement and as evidence in the submission of claims in the event of a risk agreed between the insurer and the insured in accordance with article 258 of the Commercial Code.

In addition to the forged SPAJ, there is also an Account Debit Certificate (SKDR) which is an important document in the context of insurance, especially in terms of premium payments. This document is the legal basis for insurance companies to debit the customer's account to pay the policy premium.

Article 1 paragraph 5 of the Regulation of the Financial Services Authority of the Republic of Indonesia Number 8 of 2024 concerning Insurance Products and Marketing Channels of Insurance Products explains that "An insurance policy is an insurance agreement deed or other document that is equivalent to an insurance agreement deed, and other documents that are an integral part of an insurance agreement, and contain an agreement between an insurance company or sharia insurance company and the policyholder, which is made in writing either in print or electronic form", based on the regulation, SPAJ and SKDR are documents of insurance companies and are a unit of documents that are inseparable from the insurance agreement because they are an important basis in the issuance of policies (Susanto, 2024).

Although the elements of the criminal act have been met, in the case of forgery that the author examined, the forgery is carried out by an insurance agent where the state has regulated insurance in Law Number 40 of 2014 concerning Insurance, then in accordance with the principles of the law, namely *Lex Specialis Derogate Legi Generali*, meaning that the law is special to override the general law, and is also regulated in Article 62 Paragraph (2) of the Criminal Code which reads that if an act is included in a general criminal rule also regulated in a special criminal law, then only that special one is applied. Therefore, in the author's opinion, the police would be more appropriate if the case of forgery of signatures and letters carried out by insurance agents was subject to article 78 of Law Number 40 of 2014 concerning Insurance (Setyawan, 2024)

The subjective element in Article 78 above is "Everyone" where each person is an individual and also a corporation. In criminal law, the corporation can be a legal entity and also a non-legal entity. The element of "forgery" is in the form of an insurance company document, namely SPAJ that gives rise to a right to the customer or is intended as evidence of an incident. Forging a letter means that the letter was true but then fake because there is a part that is forged. The purpose is to use or be used by others so that it can cause harm. In this case, the elements in Law Number 40 of 2014 concerning Insurance have also been fulfilled (Wahyuni, 2024).

In reality, Law Enforcement applies the Criminal Code and not the Insurance Law. The author argues that law enforcement officials are not careful in carrying out criminal applications and ignoring the principles in laws and regulations. If we observe several court decisions related to criminal acts by insurance agents, it is evident that the Criminal Code is still the main reference in its application (Amalia et al., 2025).

Some examples of court decisions on criminal acts committed by insurance agents and have been conducted previously can be in-depth material in this study related to the application of the Criminal Code carried out by law enforcement officials in the case of the crime of forgery of signatures by insurance agents and embezzlement of insurance premiums by insurance agents, where both crimes have been regulated in Law Number 40 of 2014, However, the application of criminal punishment still uses the Criminal Code. Details can be seen in table 2 below;

Table 2: Court Ruling on Criminal Acts by Insurance Agents

Item No	Identity of the Defendant	Demands	Judge's Decision
Surabaya District Court 2127/Pid.B/2021/PN. Sby.	Bryan Malvin as an Insurance Agent forged the signature on the policy withdrawal form	Article 263 paragraph (1) with imprisonment for 1 year and 3 months	Legally and convincingly proven to have committed <i>the "crime of forgery of letters"</i> as per article 263 Paragraph (1) of the Criminal Code with a prison sentence of one year.
Denpasar District Court Number 158/Pid.B/2021/PN.Dps.	Ni Wayan Pridayanti, as the Leader of the Insurance Agent, forged the signature of the Autodebit and SPAJ Payment Method form	Article 263 paragraph (1) with a prison sentence of 6 months	Legally and convincingly proven to have committed <i>the "criminal act of forgery of letters"</i> as per article 263 Paragraph (1) of the Criminal Code with a prison sentence of 3 months
Purbalingga District Court Decision Number: 4/Pid.B/2017/P N.Pbg	Dewi Primastiari, as an insurance agent, embezzled insurance premium payments from customers	Article 374 of the Criminal Code jo. Article 64 Paragraph (1) of the Criminal Code with a prison sentence of 3 years	It is proven to be valid and convincing "Committing embezzlement because there is a continuous employment relationship" Article 374 of the Criminal Code jo. Article 64 Paragraph (1) of the Criminal Code with imprisonment for 2 years and 6 months

Data Source: Directory of Matters

Based on table 2, the crime of forgery of signatures by insurance agents in the form of forgery of signatures on the withdrawal of policy funds and forgery of life insurance request letters (SPAJ) which is an insurance company document, but the application is still using the Criminal Code, in addition to the embezzlement of insurance premiums by insurance agents which is explicitly stated in Law Number 40 of 2014 concerning insurance, still law enforcement officials use the Criminal Code (*Purbalingga District Court Decision Number 4/Pid.B/2017/PN.Pbg, 2017*)

According to the author, this shows that law enforcement officials ignore the principles in the laws and regulations, namely *lex specialis derogat legi generali*, and what is regulated in Article 62 of the Criminal Code, the application of criminal acts that are erroneous by ignoring the principles of laws and regulations can cause the law to not achieve its objectives effectively and have a positive impact on its enactment (MUCIKARI & ARRAFI, n.d.).

The author will make a comparison with the application of criminal acts using Law Number 40 of 2014 concerning insurance in several court decisions, in order to provide a hypothesis related to the reason why law enforcement still uses the Criminal Code against insurance crimes committed by insurance agents.

For more information on the application of Law 40/2014 on insurance against the crime of forgery and embezzlement committed by the directors/management of insurance companies, can be seen in table 3 as follows:

Table 3: Court Decision on Criminal Acts by the Directors/Management of Insurance Companies

Case Number	Identity of the Defendant	Demands	Judge's Decision
Batam District Court 596/Pid.Sus/2020/PN.Btm	Agus Priyanto as the Head of the Marketing Office who falsified insurance policy applications and issued cover notes as if they were insurance policies	Article 78 of Law 40/2014 concerning Insurance, imprisonment for 3 years and a fine of Rp.1,000,000,000,- subsidy for 6 (six) months of confinement;	legally and convincingly proven to have committed the crime of " <i>falsifying insurance company documents</i> " imprisonment for 2 (two) years and 6 (six) months and a fine of Rp1,000,000,000 or imprisonment for: 3 (three) months

Sleman District Court 529/Pid.Su s/2016/PN.Smn	Dedi Yuswandi as the Head of the Branch who forged the policy file format and printed it according to the header "Harta General Insurance" and at the same time signed on the seal.	Article 78 of Law 40/2014 concerning Insurance, imprisonment for 1 year and a fine of Rp.10,000,000.- subsidy for 2 (two) months;	legally and convincingly proven to have committed the crime of " <i>falsifying insurance company documents</i> " Imprisonment for 5 (five) months and a fine of Rp. 10,000,000.- or imprisonment for 2 (two) months;
West Jakarta District Court Number 915/Pid.B/2019/ PN. Jkt. Brt	Gevin Louis as the director embezzled insurance premiums	Article 76 of Law 40/2014 concerning Insurance, imprisonment for 3 years and a fine of 100,000,000 subsidies for 6 (six) months of confinement	has been legally and convincingly proven guilty of committing the crime of " <i>Embezzlement of Insurance Premiums</i> " imprisonment for 2 (two) years and 6 (six) months, a fine of Rp. 100,000,000,- or imprisonment for 6 months

Data Source : Directory of Items

Based on table 3, the crime of forgery of signatures by the Board of Directors/Management of Insurance Companies in the form of falsification of insurance policy applications and falsification of signatures in the policy file format, as well as embezzlement of insurance premiums, all of which are documents of insurance companies and their actions constitute crimes in insurance, namely articles 78 and 76 of Law 40/2014 concerning insurance, the application of the criminal law is in accordance with the principles of insurance. *lex specialis derogat legi generali* (West Jakarta District Court Decision Number 915/Pid.B/2019/PN.Jkt.Brt, 2019).

The results of this study show that law enforcement officials have a view of the legal position that is not the same between insurance agents and the management/directors of insurance companies. Law enforcement officials do not view a criminal act committed by an insurance agent as a crime in Law 40/2014 on insurance, because the insurance agent is a representative of the insurance company, and in fact in the field does not have a direct working relationship with the insurance company but with a third party in the form of a business entity that cooperates with the insurance company.

On the other hand, law enforcement officials apply Law 40/2014 concerning insurance to the same type of criminal act, but it is carried out by the management/directors of the insurance company, because it has a working relationship with the insurance company, and has higher

authority than the insurance agent, namely related to the application for policy issuance and the policy data process, another reason that may be acceptable is the absence of an implementing regulation on Law 40/2014 concerning insurance, thus causing confusion in its interpretation and application.

According to the author, the application of the principle of *lex specialis* has nothing to do with direct employment relationships or with third parties, but with the object of a criminal act which is explicitly stated in article 78 of Law 40/2014 concerning insurance, where the object is an insurance company document, and the subject is everyone, thus whoever the person is, whether the management/directors of the insurance company or the insurance agent himself, if the forgery lies in the insurance company's documents, then the most appropriate is the use of *lex specialis* in Law 40/2014 on insurance (Scott, 2021).

In accordance with the description above, the enforcement of criminal acts against insurance workers in the case of the crime of forgery of signatures in accordance with the theory of law enforcement in the framework of crime prevention and control with penal means is a penal policy or penal law enforcement which is carried out with the formula stage, application stage and execution stage, in addition to that it is also in accordance with the theory of law enforcement as a penal policy that is implemented in the enforcement of *in abstracto* and *in concreto* (Siswanto, 2013).

Factors Inhibiting Law Enforcement for Insurance Agent Workers in Criminal Cases of Signature Forgery

Law enforcement efforts in the process have several main problems that lie in the factors that may affect it. These factors have a neutral meaning, so that the positive or negative impact lies in the content of these factors, According to Soerjono Soekanto, law enforcement is not only the implementation of legislation, but there are also other factors that affect it, namely, the substance of the law, officers, facilities and infrastructure, society and culture (Soekanto, 1993). In accordance with this theory, the factors that hinder law enforcement against insurance agent workers in the case of the crime of forging signatures are as follows:

1. Legal Substance Factors

The factor of laws and regulations or legal substance has several principles regarding its enactment whose purpose is to make laws and regulations have a positive impact, meaning that the law achieves its purpose so that it is effective, these principles include "*A law of a special nature sets aside a law of a general nature*" or known *lex specialis derogat legi generali* and "*Laws that apply later, nullify laws that apply earlier*" or known *lex posterior derogat legi priori* (Utami et al., 2024).

Law enforcement against the crime of forgery of letters has gone well, namely using the application of Article 263 of the Criminal Code with a criminal threat of 6 (six) years in prison, although sometimes the verdict cannot satisfy the victim, because from 3 (three) examples of court decisions against forgery of signatures by insurance agents, it is proven that the panel of judges sentenced a maximum of only 1 (one) year in prison (Zamasi, 2024).

Apart from that, it is appropriate that when there is a criminal act of forging signatures by an Insurance Agent, the principles of the enactment of the law must be complied with, as stipulated in Law Number 40 of 2014 concerning insurance which is *lex specialis* regarding criminal acts in the insurance sector, so that with the application of *lex specialis* will make the

product of the law more effective in its enforcement, it can also be possible to increase public trust in the insurance industry, especially for victims who have suffered losses.

It is admitted that the implementation is not running *lex specialis* Law Number 40 of 2014 concerning insurance, because there are no implementing regulations to implement the law and the unclear meaning of words in the law so that it causes confusion in its interpretation and application. Through the implementing regulation of law number 40 of 2014 concerning insurance, law enforcement officials have a clear legal basis in carrying out law enforcement against insurance agent workers in the case of the crime of forging signatures. In this case, the Police Investigator carried out an investigation and investigation, the Public Prosecutor drafted an indictment and prosecution and the judge sentenced the perpetrator of the crime of forging signatures by the insurance agent (Naldo et al., 2022).

2. Law Enforcement Forces Factors

The factor of law enforcement officials that is an obstacle to law enforcement of insurance agent workers in the case of the crime of forging signatures if using the application in the Criminal Code there are no obstacles/obstacles in carrying out the function of investigation and investigation, but if the application uses Law Number 40 of 2014 concerning Insurance, there is an obstacle when conducting account tracing because it must have a PPATK permit (Shiva et al., 2024).

The application of the Criminal Code and Law Number 40 of 2014 depends on the situation of the case being investigated, if the criminal act is committed by the director/management of the company who has a direct working relationship with the Insurance Company, then Law 40/2014 on insurance can be used, but if it is carried out by an insurance agent, then the application uses the Criminal Code, because the Agent is a third party only representing the insurance company, his employment relationship is indirect with the insurance company.

According to the researcher's opinion, if you look at the meaning of each person which means an individual or corporation, then it can be said that it cannot be related to judging from the employment relationship, insurance agents even though they represent the insurance company can be said to be an individual, so it is appropriate for law enforcement officials to be more appropriate if insurance agents can also be subject to article 78 of Law 40 of 2014 concerning Insurance.

3. Facilities and Infrastructure Factors

The facilities and infrastructure that hinder law enforcement against insurance agent workers in the case of the crime of forging signatures are increasingly sophisticated digitalization, so that the signing of insurance documents can be done digitally, as done by the suspect, namely signing a life insurance request letter and e-disclaimer through a tablet. So that the certainty of the document is still questionable because there is no photo or video evidence that confirms the validity of the insurance company's document (AHIMSYA, 2025).

4. Community Factors

The community factor in the law enforcement of insurance agent workers against the crime of forging signatures is not an obstacle in general, but the community does not understand that criminal punishment is a last step (*ultimatum remedium*), in community life should prioritize deliberation or family settlement, as in the case studied, the complainant has been

given two mediation invitations at the police but has never been present, which causes the police with their authority to continue the legal process, even though this case should be resolved familiarly (Purwogandi, 2023).

5. Cultural Factors

Cultural factors do not hinder the enforcement of criminal law against insurance agent workers in the case of the crime of forging signatures, because a set of cultural values and norms embraced by the public in general consider that any form and type of crime of forgery is an act that violates religious, cultural and legal values and norms, so that sanctions or punishments can be applied to the perpetrator for the criminal act he committed (YOPPY ARIANSYAH, 2021)

Based on the description above, it can be seen that the factors that hinder law enforcement against insurance agent workers in the case of the crime of forgery of signatures, the most dominant are the substance of the law or the law itself, which does not have an implementing regulation on Law Number 40 of 2014 concerning insurance, which ultimately causes confusion in its interpretation and application. The factor of law enforcement officials is the lack of meticulousness in conducting legal discoveries and understanding of the principles of laws and regulations.

CONCLUSION

Based on the results of the research and discussion, it can be concluded that law enforcement against insurance agent workers in the case of the crime of forging signatures is basically carried out through the application of Article 263 of the Criminal Code (KUHP) regarding forgery of letters. The application of this provision shows that law enforcement officials do not use the principle *of lex specialis derogat legi generali* against Article 78 of Law Number 40 of 2014 concerning Insurance, because insurance agents are not positioned as company administrators, but as third parties acting on behalf of the company. In *concrete terms*, the law enforcement process still follows the generally accepted criminal justice system mechanism. These findings confirm that agency status has direct implications for the legal construction used in ensnaring document falsification in the insurance sector.

The study also found that a number of factors also hinder the effectiveness of law enforcement in cases of forgery of signatures by insurance agents. These obstacles include legal substance factors, especially non-compliance with procedures and procedures in the criminal justice system, as well as the lack of optimal legal principles such as special legal priority over general law and the applicability of the latest law to previous laws. In addition, law enforcement factors also play a significant role, especially the lack of precision in interpreting and applying the law in the insurance sector. The lack of implementing regulations on Law Number 40 of 2014 causes inconsistency in the interpretation and implementation of the law, so that the normative objectives of the regulations are not achieved effectively.

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