

Identification of Predicate Crimes Related to Binary Options Affiliates Money Laundering Crime

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Abstract

Binary options are increasingly familiar to the public with online promotions on various social media by Indra Kenz. The link between binary options affiliation and money laundering crimes is that the money generated from promoting binary options is illegal because regulations stipulate that binary options are illegal investments. The research aims to identify predicate crimes related to binary options affiliates in action money laundering crimes. The research is normative juridical with a statute approach. The data used were primary, tertiary secondary. At the same time, data processing was obtained through data selection, classification, and systematization. The data processed was analyzed qualitatively, and conclusions were drawn using inductive methods. Based on the research and discussion results, binary options affiliation could be charged with the predicate crime of fraud as stipulated in Article 378 of the Criminal Code and Article 45A Paragraph (1) Juncto. Article 28 Paragraph (1) Law Number 19 of 2016 concerning ITE. Likewise, with gambling Article 303 Paragraph (1) of the Criminal Code. The results of playing binary options include criminal acts of money laundering due to gambling and fraud, so the origin of money or assets must be hidden first to look legal. The authors suggest that more detailed arrangements are needed to ensnare binary options affiliates. The arrangements can be learned from the modus operandi and approaches regarding affiliates and binary options.

Keywords: affiliators; binary options; money laundering

1. Introduction

In the current era of globalization, many Indonesians are vying to invest capital in the form of money to get a profit or so-called investment. Investments can be made if someone has income exceeds their needs, especially their basic needs.

Investors can sell it at a higher price or earn money because of the assets already owned. The time one has is essential to consider when making a financial investment. The more time you have, the more risks you can take. The more risks you take, the more chances you have of earning more money.

One of the negative impacts of investment progress is investment illegal. Investment crimes are detrimental to the community and injure the foundations of the law. However, the community wants to find a shortcut to gain profits easily and briefly (Mantulangi, 2017). Appearance binary option seems to be the answer for people who want to get rich instantly. Lack of knowledge regarding investment makes it so easy for an individual to invest in the wrong instrument (Pamungkas & Zulfikar, 2021).

Speculating on the financial markets offers excellent returns and stocks Investors with instant returns on gains and losses (Cox, Kamolsareeratana, & Kouwenberg, 2020).

Binary options are an online trading vehicle that lets traders predict or predict that the price of an asset will rise or fall over a specified period (Lestari & Arifin, 2022). Binary options should not be a real market because investors do not own or buy anything, so we do nothing to see (Lestari & Arifin, 2022). Binary options trading attracts enthusiastic investors with higher risk for potentially high returns (Kiiskinen, 2016). In binary options, affiliates are used to attract the public's attention. Affiliate is a way of building a business through a directional socialization method done by an individual. This affiliate is similar to sales, or it can also be interpreted as someone who accepts an offer of approval to influence others to use what he has to offer and profit from trading.

Usually, affiliates run promotions that profit from trading results to attract the audience's attention. An affiliate also shows winnings by spending on luxury items such as branded goods. Affiliates also do not escape buying luxury cars such as supercars. The Super Car is likened to a symbol of success. It is attributed that owning a supercar is a major achievement of success because, with a tag of billions to tens of billions of rupiah, only certain circles can buy it. Affiliates want to show they have succeeded because they can buy the supercar and take advantage of the power of their social media to introduce themselves by packaging marketing in the form of experiences as people who are successful and enjoys their life as a result of their hard work so far. Not it is undeniable that content showing wealth and luxurious life is in demand in Indonesia due to the low average education in Indonesia, so many people are still happy to dream of themselves getting rich.

Binary options are becoming increasingly familiar to the public with online promotions on the YouTube site. Binary options have been popular among the general public since the emergence of the binary options platform, namely Binomo, which appears in various online media advertisements. Lately, the talk of the site Binomo is getting busier. An example is the case that happened to Indra Kesuma, or known as Indra Kenz. Indra Kenz is an in-app affiliate of Binomo. This case is interesting to be discussed by the public in 2022 because Indra Kenz is famous. There are many other things other parties have participated in promoting Binomo as an online investment platform so that Binomo is well known in Indonesia.

Binary options are a relatively new type of trading. An option is usually a special coupon that requires a specific expiration date, after which it is decided whether it is profitable. It does not sound easy, but everything is much easier. Binary options trading is said to be illegal due to several factors. First, brokers who sell binary options do not have a license to engage in brokerage or brokerage activities in Indonesia because a license must be obtained to offer futures investment products. Catch up with Bappebti first. The second factor is that the brokers or brokers who sell binary options products also do not have a license or are called illegal brokers, so the products they offer are also illegal (Fathurrachman & Setiawan, 2022).

Binary options are bets on the positive or negative outcome of an event. For traders, it is the increase or decrease in the exchange rate of two currencies or pairs of securities. A trader's profit depends on the expected outcome of the option. Some people

liken it to winning at roulette. Black or red, if you win, the rate of return is 50-80%. These differences depend on the trading pair's popularity and market position. For example, if the trend is clear, returns will be lower because there are no unprofitable brokers. As a result, competition between sites is fierce (Novruzova, Pronina, & Vorobeva, 2020).

Money laundering is an underlying crime of a crime origin (predicate crime). The predicate crime will determine whether a transaction can be prosecuted under anti-money laundering laws. If the action is categorized as a crime, then the proceeds of the activity will be categorized as a money laundering crime. Law Number 8 of 2010 limits what can be considered predicate crimes before the occurrence of money laundering crimes. Article 2 states that assets are assets obtained from criminal acts. As an example of the case that befell Indra Kenz, a criminal act's origin is fraud and gambling.

Regarding money laundering, there is no money laundering without a core crime, and there is a theory that money laundering law and the source of crime (predicate crime) are closely related. The disclosure of Money Laundering Crimes also means disclosing the original crime. Based on the theory, proof that these two evils are mutually exclusive and related to one another. Problems appeared in the prosecution process, which turned out to be not simple, about whether it should be proven both or are enough evidence of the crime of money laundering without first proving the act original crime because in setting up money laundering cases specifically contained in Law No. 8 of 2010 on the Prevention and Elimination of Money Laundering Crimes, Article 69, the investigation, prosecution, and interrogation of criminals in court hearings. It is because conditions are stipulated. Cases related to money laundering are prosecuted without first needing to prove the original crime. The article is believed to contradict pollsters who argue that criminal law states that money laundering is a double crime.

The predicate crime, gambling on binary options affiliates, does not exist in buying and selling activities in transactions, so the asset is not used as the basis for a transaction (underlying) and transfer of ownership. These activities differ from stock, forex, or contract product futures on stock indexes. When owning stocks or forex, the owner trades. The losses experienced were limited to the difference between the purchase and selling prices. In terms of transactions, this instrument can be equated with activities and regular purchases.

The predicate crime, namely fraud on binary options affiliates, is fraud by recognizing the Binomo platform as a profitable investment platform that tempts many people. For example, in this case, Indra Kenz, as a Binomo affiliate, has acknowledged that by inviting people to play Binomo and using his referral code, Kenz's senses will profit 70% of the total losses of the members' investors. In comparison, 30% goes to platform profits.

In Law no. 8/2010, assets allegedly derived from criminal acts, it is not necessary to prove the predicate crime to commence an examination of money laundering crime so that if there are indications, there is any suspicion of money laundering. An investigation can be carried out immediately after the perpetrator rose in the understanding of investigation and investigation. It is pretty much the same as proving the crime of extortion. Withholding contained in Article 480 of the Criminal Code contains elements "that are known or should be suspected obtained from crime", which

is indeed mentioned in some jurisprudence examination of criminal acts of the collection does not need to wait for a decision regarding a criminal act that results in the proceeds of the crime. Regarding the indictment relating to the predicate crime of laundering money, Yenti Garnasih believed that the crime of money laundering must be considered a separate crime. However, it depends on the original crime. Therefore, money laundering is a must included in the cumulative indictment with the consideration that if taken together, it is feared that efforts to trace money resulting from crime will be even more difficult. Applying the Crime of Money Laundering in predicate crime cases is so that the application of confiscation or replacement money can be more optimal (Garnasih, 2017).

Novruzova et al. (2020) wrote, "Binary Options as New Financial Instruments and Their Integration into the Financial Sector." They discuss the types of existing binary options, as well as those operating in the Russian Federation's territory, to analyze the main problems and prospects, to consider the main examples and the prospects and problems of using binary options in a rapidly developing digital economy. Then the next research is by Kiiskinen (2016), entitled "Risks vs. Returns with Binary Options Trading," discussing binary trading can be profitable. However, it is an extremely risky way of investing. Compared to more traditional ways of investing, binary trading is often regarded more as gambling than a reasonable means of investment. Despite the associated risks, the binary options remain attractive for traders as the payouts are often high.

Then the next research is Fathurrachman and Setiawan (2022), entitled "Pertanggungjawaban Pidana Bagi Pelaku Affiliator terhadap Korban Trading Binary Option Ditinjau dari UU Nomor 19 Tahun 2016 tentang Perubahan Atas UU Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik", discussing the criminal responsibility of an affiliate and the causal factors the affiliate commits a criminal act of fraud against the victim the imposition of sanctions on perpetrators apart from being a means of achieving justice and law enforcement, has the ultimate goal of achieving prosperity public. Then the next research is Pujiani, Putri, and Aksan (2023), entitled "Binary Option: Legality in the Perspective of National and Islamic Law as a Manifestation of Continuous Legal Reform," discussing national law Binary Options as an illegal act which is part of an unlawful act, one of which is the result of not getting permission from the OJK (Financial Services Authority) so that it can be sentenced to criminal sanctions, while in the perspective of the Islamic law that Binary Options Judging from the way the game is played, it can be said that gambling is more precisely modern gambling, where gambling itself in Islam is strictly prohibited based on the verses of the Qur'an. Then, Ferdiansyah and Simangunsong (2022) wrote "Pertanggung Jawaban Pelaku Binary Option Terhadap Hukum Positif Di Indonesia," discussing binary options activities that occur in the State of Indonesia arguably something that is considered illegal because it contains elements of online gambling where this does not have official permission from BAPPEBTI at all and is the perpetrator responsible for binary options under the guise of online investment.

Based on the description above, the things that want to be studied further are identifying predicate crimes related to binary options affiliates in action money

laundering crimes. Therefore, the authors are interested in conducting research in this journal with the title.

2. Research Method

The research is normative juridical with a statute approach, namely the Law of the Republic of Indonesia Number 1 of 1946 concerning Regulations concerning Criminal Law, especially article 378 and the Law of the Republic of Indonesia Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions, especially article 45A paragraph 1 Juncto. Article 28(1) and the Law of the Republic of Indonesia Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes. The data used were primary data with the law as the main reference, secondary data library research consisting of scientific books and journals which include official documents, regulations Number 1240/Pid.Sus/2022/PN.Tng, decision Number 576/Pid.Sus/2022/PN.Blb. and Number 117/Pid.Sus/2022/PT.Btn., and tertiary data obtained from theories or opinions of experts listed in the various references and documents related to the research problem. Data processing was accomplished through selection, classification, and organization. The processed data were qualitatively analyzed, and conclusions were drawn using induction.

3. Results and Discussions

3.1. Overview of the Crime of Money Laundering and the methods of affiliates committing money laundering

Money laundering is a crime or criminal proceeds. There is no universal definition of money laundering, as neither developed nor developed countries have different definitions, nor do they have definitions based on different perspectives and priorities. However, to Indonesian legal experts, money laundering is known as money laundering (Sutedi, 2008). Money laundering researchers and political decision-makers agree. The ultimate goal of money laundering control is to drain and fight the underlying crime (Imanpour, Rosenkranz, Westbrook, Unger, & Ferwerda, 2019). Money laundering is the deliberate concealment of the source of funds received from tax authorities. Money laundering consists of three stages. Investing illegally obtained money into the financial system by layering it with money invested in it, disguising its origin, and consolidating clean money into legitimate financial assets (Tertychnyi, Godgildieva, Dumas, & Ollikainen, 2022).

The definition of money laundering under Section 3 of the Law on Prevention and Elimination of Money Laundering, Section 8 of 2010 is as follows: invest, transfer, assign, issue, pay, gift, deposit, issue, convert, exchange into foreign exchange or securities, or otherwise act on property that you know or reasonably suspects to be the proceeds of the crimes referred to; imprisonment for a maximum of twenty years and a fine not exceeding IDR 10,000,000,000.00 (ten billion rupiah) (Undang-Undang Republik Indonesia Nomor 8 Tahun 2010 tentang Pencegahan dan Pemberantasan Tindak Pidana Pencucian Uang).

Money laundering can involve multiple transactions, possibly by different people, on multiple accounts with different one's owners of several banks or financial institutions. Money laundering involves three phases: placement, stratification, and integration. The money can be deposited into different bank accounts (investments). Transactions can be structured to avoid detection by tagging Rules. Multiple transmission levels can hide the origin and final destination (overlay). Money can be transferred between accounts, entry, and exit (Singh & Best, 2019).

The crime of money laundering cannot be separated from the proceeds of the crime done by someone. Performed by someone in a business managed by and managed illegal monetary crimes. With progress and development, the convenience of technology is increasingly getting the attention of all humanity. Technological developments and advances to promote globalization Irresponsible parties sometimes misuse the economy. This situation is sometimes disturbed by the increasingly challenging banking industry difficult with the development of science. The perpetrators of laundering money have their way of committing crimes. Although every perpetrator often does so through varied methods, money laundering can be divided into three phases: Placement, Layering and Integration. Although these three methods can stand alone or stand sometimes and do not exclude the three methods carried out simultaneously.

The following is an explanation of the money laundering method:

1) Placements

The first phase is when the owner of the money deposits illegal money into the financial system either by using a bank savings account or other instruments. Since the money deposited in the bank can then be transferred to other domestic banks or other countries, the money enters the country's financial system and the global or international financial system.

2) Layering

Layering separates criminal proceeds from money laundering and other sources, i.e., various crime stages and hidden financial transactions. This activity includes a wire transfer process to withdraw funds from a specific account or location. Placed elsewhere through a series of complex transactions designed to disguise and eliminate the source of funds.

3) Integration

Consolidation is the attempt to use visible assets to be enjoyed directly, invested in tangible and financial assets, or used to fund criminal activities. In money laundering, the perpetrators are not concerned with the results or scale achieved, but their main objective is to disguise and distribute the source of the funds so that the final result can be enjoyed or used.

The three activities mentioned above can occur separately or simultaneously but usually overlap. Money laundering schemes are becoming increasingly complex with technology and complex financial engineering. It happens in deployment, tiering and integration, making it even more difficult to handle and requiring systematic capacity building. Also, the money laundering modus operandi choice depends on the perpetrator's needs.

Money Laundering Criminal Activities of Binary Options Companies Affiliates You should also know how money laundering works. Methodologically, there are three methods of money laundering:

1) Buy/sell conversion method

This method is carried out through the trading of goods and services. Let's assume you can buy or sell assets to co-conspirators willing to buy and sell at higher-than-normal prices by receiving commissions and discounts. The difference is paid in illegal money and then laundered through trading operations. These products and services can be modified to appear as legal consequences through your personal or corporate bank account.

2) Off-share conversion method

In this way, the dirty money is transformed. It is a convenient place for tax evaders (Tax Haven Money Laundering Center) to deposit in local banks. Countries with these tax haven characteristics have lenient tax laws, very strict banking systems, light business bureaucracies that allow for strictly classified businesses, and established trust fund businesses. To support their activities, perpetrators exploit all the loopholes in this country, using the services of lawyers, accountants, and trusted financial advisors and managers.

3) A legitimate business transformation method

This method is carried out through legitimate business activities to misappropriate or use illicit money. The result of this dirty money is converted via wire transfer, check or other payment method and deposited into your bank account or later transferred to another bank account. Perpetrators usually cooperate with companies through accounts where they can collect illicit money (Siahaan, 2005).

3.2. Predicate Crimes Related to Binary Option Affiliates in Money Laundering Crimes

Money laundering as a criminal offense has its characteristics compared to other crimes. It is also known as the double-crime principle or secondary offense. Money laundering aims to protect or cover up criminal activity from which illegal funds or funds that need to be "cleaned up" originate. Such criminal acts include, for example, drug/drug trafficking (drug sales/dealing) and tax evasion (illegal tax evasion). Therefore, the trigger for money laundering is a criminal or active activity that allows the perpetrator to ultimately enjoy and use the money from the crime if the proceeds of the crime are deemed legitimate. It is a serious crime. A money laundering crime is always preceded by another crime (a pre-crime). It is a form of participation, particularly a continuation of a crime, and a crime cannot constitute a money laundering crime unless there is an antecedent predicate crime because money laundering aims to separate illegal money from the proceeds of crime to make it legal money.

Regarding predicate crime, Stephen R. Koll classified predicate offenses (predicate offenses) as follows (Arief, 2003):

- a. The crime is the crime that causes the money/funds;
- b. The crime is related to the narcotics trade;

- c. Crimes (criminal acts) involve serious violations against the international order that requires a lot of money transfers (such as arms trade and terrorism);
- d. Crime is related to organized crime enterprises/activities;
- e. This crime seriously attacks the credibility of the bank and other financial institutions.

In Indonesia, the provisions of positive law regarding the scope of predicate crime contained in Article 2 of Law No. 8/2010 include, among others: corruption, narcotics, human trafficking, gambling, and fraud. As described above, the types of predicate offenses formulated according to juridical in the article are the source of the origin of the crime. At the same time, the act continued to disguise or hide the proceeds of crime is next qualified as a crime of money laundering. From the explanation above, the predicate crime on binary options affiliates is:

3.2.1. Predicate Crime of Gambling

By analyzing optimal game strategies using information theory tools, gambling is another area where information has tangible value (Vinkler, Permuter, & Merhav, 2016). In general, the way gambling is done is fairly classic. That is, to bet or try your luck, follow the method of the gambling model that has been determined (Ferdiansyah & Simangunsong, 2022). It was the first major shift in the connected gaming market, brought about by the ubiquity of internet access and the accompanying provision of gaming services. Part of these changes is a new online gambling phenomenon (Lelonek-Kuleta & Bartzuk, 2021). The definition of gambling regulated in Article 303 Paragraph 3 of the Criminal Code regulates games. What is classified as gambling is: "What is called a gambling game is every game, which in general the possibility of winning depends on sheer luck, also because players are more trained or more proficient. That includes all bets about the decisions of competitions or other games that are not held between those who participate in racing or playing, so also all bets other."

The binary options trading mechanism is considered online gambling because it fulfills the following elements:

- a. Games/races, in this case, the binary options platform, provides games for investors who have made deposits to do a "call" or "put" on one of the options of the commodity. Investors must open a position and guess whether the commodity's value will increase or decrease within a certain time and wait for the result of the rising or fall of a commodity. With a game in determining and waiting for the results of a guess, a commodity fulfills the elements of the game/competition.
- b. Chance, in the binary options platform, delivers an opportunity for investors to estimate the asset price that will come (uncertain) within the specified time. There is uncertainty in the value of assets in the future, a fulfillment of the element of chance.
- c. Bets, in this case, are investor deposits. If the investor's guess is correct, then the investor will get a profit. In contrast, if the investor's guess is wrong, the investor will lose the nominal money that has been deposited, and the money will be entered into the platform that provides the service. A bet in the form of a deposit has fulfilled the betting element.

- d. The binary options platform can be played through electronic media, for example, a website called <https://Binomo.com/>, so the fulfillment of elements through electronic media has also been completed.

3.2.2. Predicate Crime of Fraud

There are many rogue binary options trading sites out there appearing all over the world. Although some binary options are listed on listed exchanges, most web binary options are unregulated and are not protected by securities commission investors' interests. Binary options scams are a growing problem. The Federal Bureau of Investigation (FBI) has divided typical investor complaints into three categories:

- a. Dealing with trading software. Internet commerce platforms can reconfigure the algorithms they use intentionally to trade at a loss, often due to distorted pricing and payment.
- b. Refusal of credit requests or refunds Customer. Those who run these scams can stop investors from ignoring withdrawal requests, calls and emails and blocking the account. The fault lies with the investors.
- c. Identity theft. Fraudsters can apply for credit from investors' cards, passports, driving licenses, electricity bills or anything else to steal the person's identity.

According to the Bureau of Investigation report Journalism, about 80% of those who invest in binary options lost their entire investment while only 3% made a profit. Several European countries reported it. According to the FBI, binary options fraud complaints now account for 25% of all complaints fraud reports received (Baker, Nofsinger, & Puttonen, 2020).

From the explanation above, the predicate crime on binary options affiliates is, according to Article 378 of the Criminal Code, anyone who intends to commit fraud to benefit yourself or others by fighting the right, either by using a false name or false identity, both by means and deceit nor with a composition of lying words, persuading people to give something goods, make debt or write off receivables, as for the only penalty that can be imposed for fraud is imprisonment forever four years. The elements in Article 378 of the Criminal Code can be divided into 3:

- a. Whoever. "Whoever" is an element of the actor or subject of the acting crime (delict). Using the word "whoever" means the perpetrator can be anyone. Anyone can be the perpetrator. So, with this, Binomo affiliates such as Indra Kenz have fulfilled the elements of anyone.
- b. To benefit oneself or others in a way against the law. Elements to benefit themselves or the other person is the doer in doing the act of moving the must aimed at benefiting oneself or others, whereas "Unlawful" here means that it is not merely meant to be prohibited by law or against formal law, but must be interpreted which is broader, namely as contrary to what is desired society, a social reproach. In this case, binary options affiliates by inviting people to play Binomo and using his referral code, the affiliate will get a profit of 70% of the total losses of investors. In comparison, 30% goes to platform profit. For example, Indra Kenz stated in one of his interviews on YouTube. Then related unlawfully, as previously described, that binary option is an online gambling platform under the guise of investment.

Affiliates already know that binary options are more like a gamble than an investment because it is speculative. However, they still invite the general public to play binary options because this second element in Article 378 of the Criminal Code has been fulfilled.

- c. By using a false name, deception or scheme, lying moves others to give up something to him or to give debt or write off receivables. For example, Indra Kenz drove opinions by creating content flexing so that people thought he was rich from trading. From this can see that binary options affiliates do a series of lies with leading opinion through content so that many people are moved to do it trading in binary options with the assumption that you can get rich quickly through trading Binomo. Therefore, people who play binary options deposit an amount of money as a deposit. The affiliate binary option has also fulfilled the third element in Article 378 of the Criminal Code.

Online fraud also falls under Article 45A, Paragraph 1 Juncto. Article 28(1) of Law No. 19 of 2016 amending Law No. 11 of 2008 on Electronic Information and Transactions “Whoever intentionally and unlawfully disseminates false and misleading information that causes harm to consumers in electronic transactions, such as stipulated in paragraph (1) of Article 28 shall be punishable by imprisonment not exceeding six (six) years and a fine not exceeding IDR 1,000,000,000.00 (billion rupees).

So, from the formulations of Article 28 paragraph (1) of the ITE Law and Article 378 of the Criminal Code, we can see that both regulate different things. Article 378 of the Criminal Code regulates fraud, while Article 28 paragraph (1) of the ITE Law regulates fake news, which causes consumer losses in electronic transactions. Even so, the two crimes have one thing in common, namely fake news as one of its elements that can cause harm to other people.

Acts of money laundering or money laundering by binary affiliates this option as an attempt to disguise wealth. Where the money comes from, the binary option is hidden or disguised as its origin so that it is referred to as the proceeds of money laundering. Hiding or disguising the origins of money is a reject indicator measure in determining the crime of money laundering because it belongs to men’s rea or malicious intent. Perpetrators who commit money laundering crimes from the results of binary options, namely by placing the proceeds of crime in the bank, which is then transferred to an account in the name of a person other, whether accounts belong to parents, brothers or sisters, friends and other relatives. The next method the perpetrators uses is to pay for luxury items such as houses, apartments, and cars, even usually used for shopping for branded goods such as watches, shoes, clothes, and bags.

Application of sanctions for perpetrators of money laundering from the results of binary options can be subject to Article 3 of Law No. 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes. That matters because if the affiliate is subject to the Article, then it has to use, spend, and divert the origin of the money from binary results those options. Article 3 No. 8 of 2010 not only received sanctions in the form of principal punishment in a maximum imprisonment of 20 (twenty) years and a maximum fine of IDR 10,000,000,000.00 (ten billion rupiah)”. However, the offender received additional criminal sanctions for the confiscation of goods. Certain cases include

the confiscation of luxury cars, houses, apartments, and goods branded and the confiscation of assets that the perpetrators bought from the proceeds of binary options and will also be impoverished by law enforcement to provide a deterrent effect.

4. Conclusion

The results from playing binary options are included in criminal acts. Money laundering due to gambling and fraud is an illegal act, so the origin of the proceeds of money or assets must be hidden first so that it looks as if the money is the result of the activity that this is valid under Article 2 paragraph (1) letters r and t of Law no. 8 2010 concerning Prevention and Eradication of Crime Money laundering so that the relevance of the results of criminal acts money laundering the results of trading binary options is an act crime in which the affiliate is held liable of penalty. According to the authors of "Binary Options in Action Subsidiary", money laundering is a new category of crime that not all Indonesians know about. Infringement by affiliates has been proven to have committed money laundering crimes through fraud and online gambling using binary system options from Binomo and Quotex applications. The actor is shown to be laundering money by purchasing items like luxury cars and sharing the money received from the victim with his next of kin to deceive the crime of money laundering. The difficulty of proving the criminal act of the affiliate in the predicate crime of fraud and gambling impacts the prevention and eradication of money laundering crimes. Therefore, the suggestions given can be described as follows: There need to be more detailed arrangements to ensnare binary options affiliates. The arrangement in question can be studied from the modus operandi and approaches regarding affiliates and binary options, formulation of rules regarding criminal law enforcement processes money laundering whose basic object is information.

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