

JURIDICAL ANALYSIS OF MASK COVERAGE CRIME AT THE CORONA VIRUS PANDEMIC IN INDONESIA

Sukirman Lie
Kartina Pakpahan
Willy Tanjaya
Heriyanti
Dewi Ervina Suryani

ABSTRACT

The outbreak of the coronavirus caused a scarcity of masks. This scarcity occurs because of the hoarding of masks. The purpose of this research is to find out: 1) positive legal provisions in Indonesia which prohibit the hoarding of masks during the Covid-19 virus pandemic, 2) the application and weakness of laws and regulations regarding the crime of mask hoarding, 3) efforts to combat the crime of hoarding masks for analyzing. The data analysis was done qualitatively by collecting primary, secondary, and tertiary legal materials related to the research. The results of the analysis are 1) Positive legal provisions in Indonesia which prohibit the stockpiling of basic and essential goods and the threat of punishment in Laws of a "general" nature is stated in Law Number 7 of 2014 concerning Trade, and Presidential Regulation Number: 71 of 2015 concerning Stipulation and Storage of Basic Needs and Important Goods, 2) Legislation is a regulation in the form of a written decision as a rule of written law. Written legal principles in the application of statutory regulations on alleged crimes of hoarding masks by law enforcers using the RI Law Number: 7/2014 concerning Trade. However, in its implementation based on the Presidential Regulation of the Republic of Indonesia Number: 71 of 2015 concerning the Stipulation and Storage of Basic Needs and Important Goods, it has weaknesses because masks are not listed in them so that it is very difficult to enforce the law in court. 3) Overcoming the crime of hoarding masks can be done through penal and non-penal channels. Law enforcers are penalized in order to provide a deterrent effect on the perpetrators of mask hoarding crimes by threatening penalties based on "special" laws, such as violations of licensing issues, violation of distribution permits, consumer protection, violations of monopolistic practices, and unfair business competition, and local regulations. In the nonpenal route, namely by providing understanding to all components of society to help each other in handling the coronavirus by not hoarding masks. Suggestions given are: The Minister will immediately issue a law against the perpetrators of mask hoarding based on Presidential Regulation Number: 71 of 2015, Article 2 paragraph (7), and local governments can issue regional regulations to provide a deterrent effect on the perpetrators of mask hoarding crimes, Article 13 paragraph (1) of Law No. 7/2014.

Keywords: Crimen Prevention, Mask Hording, Coronavirus

INTRODUCTION

On December 31, 2019, the WHO China office received a report about a case of pneumonia of unknown etiology in Wuhan City, Hubei Province, China. As of January 3, 2020, the total number of cases was 44 patients. On January 12, 2020, WHO received detailed information from the Chinese National Health Commission, that the outbreak was related to exposure to a seafood market in Wuhan City, and was identified as a new type of coronavirus isolated on January 7, 2020 (WHO, 2020). At the same time, WHO has received more than 79.2 million cases, and more than 1.7 million deaths since the start of the pandemic. The SARS-CoV-2 variant has been detected in South Africa through retrospective genome analysis of the virus and is known as varian 501Y.V2, which is highly spread among humans. Within a week, the five countries reporting the number of cases, the United States ranked the highest (over 1.3 million cases) (WHO, 2020). Covid-19 is a dangerous pathogen and a serious risk to humans that has swept the world (Sudworth, 2020), even the Coronavirus Disease outbreak continues to develop globally and remains a Public Health Emergency of International Concern (PHEIC). Like many other member countries around the world, Indonesia is preparing to respond to the growing number of cases and the possibility of widespread transmission of the disease (WHO Indonesia, 2020). In Indonesia, from 3 January 2020 to 6:43pm CEST, 17 April 2021, there have been 1,594,722 confirmed cases of COVID-19 with 43,196 deaths, reported to WHO. As of 10 April 2021, a total of 15,151,462 vaccine doses have been administered (WHO, 2021).

On March 2, 2020, Indonesian President Joko Widodo announced the first cases of two Indonesian citizens from Depok who were positive for the coronavirus or covid-19. Both are women aged 64 years and 31 years, who have a mother and child relationship. And they had previous contact with a Japanese national who tested positive for the virus (Prabowo, 2020).

In its current state, the corona virus is an outbreak report that can be simply ignored. Currently in 2020, the development of this virus transmission is quite significant because its spread is worldwide and all countries are feeling the impact, including Indonesia. Anticipating and reducing the number of corona virus sufferers in Indonesia has been carried out in all regions. Among them by providing a policy of restricting activities outside the home, home school activities, working from home (working from home), even activities that are home to home. These rules have been stated in a statutory rule where there are rules for violators.

The meaning of the implementation of public policy is a relationship that allows submission of goals or objectives as the end result of activities carried out by the government. Deficiencies or errors in the policy will be known after the policy is implemented. The

success of the implementation of public policies can be seen from the impact as a result of policy evaluation. With discipline, I hope the corona will end quickly.

As a precautionary measure, the World Health Organization (WHO) since 2013 has published guidelines for the prevention and control of MERS-CoV (Middle East respiratory syndrome coronavirus) infection which can be used as a guideline for the current Covid-19 pandemic, including the use of N95 masks on infected patients and health care workers (WHO, 2019). However, since the incident on two Indonesian citizens, accompanied by fake news (hoaxes) which spread very quickly beyond the spread of the coronavirus itself, making everyone panic and buying masks (especially N95) as a means of personal protection. (PPE). This situation is used by some people to seek big profits by hoarding masks so that there is a scarcity in the market and the price increases sharply. The actions of the community that excessively hoard or monopolize masks are of course inseparable from matters relating to the principles of economic analysis of law. Economics provides a simple model of how individuals behave before the law, which specifically analyzes how individuals respond to the presence of criminal sanctions (Hafid, 2020).

It is expensive and difficult to find masks on the market, making it difficult for a number of hospitals and medical personnel to carry out their duties as the frontline in tackling the transmission of the Covid-19 pandemic, which spreads very quickly and causes an increasing number of infections and deaths. This phenomenon also affects almost all aspects of life, such as economics and law. The further impact of Covid-19 has resulted in an economic downturn in several countries. For this reason, the Government, especially the Indonesian Police, has a responsibility in efforts to tackle crime and seeks to find perpetrators of mask hoarding (Soleh, 2020).

The crime of hoarding goods has been regulated in the Law of the Republic of Indonesia Number 7 of 2014 concerning Trade, as well as the technical implementers of this law are regulated in the Presidential Regulation of the Republic of Indonesia Number: 71 of 2015 concerning the Stipulation and Storage of Basic Goods and Essential goods. In Article 29 paragraph (1). And as a threat of punishment for hoarders of goods is regulated by Article 107 of Law Number 7 of 2014 (UU RI No: 7/2014).

Based on the description above, this article will discuss the positive laws that apply in Indonesia, in terms of the general and specific aspects of legislation for the perpetrators of the crime of hoarding masks during the Covid-19 pandemic that hit the world. And as a formulation of the problems in this study are: How to regulate the prohibition of hoarding masks during the Covid-19 pandemic; How is the application and weakness of laws and regulations regarding the crime of hoarding masks; How to tackle the crime of hoarding masks. This research uses a normative juridical approach, namely by reviewing or analyzing secondary data in the form of secondary legal materials by understanding law as a set of regulations or positive norms in the statutory system that governs problems in research, so that this research is understood as library research, namely research on secondary data.

REGULATIONS FOR THE FORMATION OF LEGISLATION

In the formation of legislation regulated in MPR Decree Number: 12 of 2011, it must rely on the following principles: 1. *Lex superiori derogat legi inferiori* (higher laws and regulations, usually made by a higher state institution, deriving lower regulations made by lower state institutions). 2. *Lex specialis derogat legi generalis* (laws and regulations that regulate specific matters overriding laws and regulations of a general nature). 3. *Lex posteriori derogat legi priori* (laws and regulations which were later enforced to cancel the prevailing laws and regulations provided the same provisions). d. Legislation is not retroactive (Herman and Sailain, 2012). This study conducted in Indonesia due to high case of covid-19 infection.

REGULATIONS REGARDING THE STOCKPILING OF MASK

The positive law of crime for stockpiling of goods has been regulated in Law Number 7 of 2014 concerning Trade (Law No. 7/2014) as well as the technical implementation of the law, regulated in the Presidential Regulation of the Republic of Indonesia Number: 71 of 2015 Regarding the Stipulation and Storage of Basic Needs and Important Items. UU No. 7/2014 in article 29 point (1) states that "Business actors are prohibited from storing basic necessities and/or important goods in a certain amount and time when there is a scarcity of goods, price fluctuations, and/or traffic barriers to trade in goods". Based on the explanation of Article 29 paragraph (1) of Law no. 7/2014 states that this prohibition is to avoid the hoarding of goods that will make it difficult for consumers to obtain basic necessities and/or essential goods, while how the technical implementation can be seen in paragraph (3) which states that "Further provisions regarding the storage of basic necessities and goods / or important items are regulated by or based on a Presidential Regulation" (UU RI No: 7/2014).

Article 29 number (1) Law no. 7/2014 clearly states that there is a prohibition on storing or in other words hoarding basic necessities / essential items so that if it is linked to the hoarding of masks during the coronavirus pandemic, any perpetrator of mask hoarding can be convicted under the law as regulated in Article 107 the criminal threat is imprisonment for a maximum of 5 (five) years and/or a maximum fine of Rp.50,000,000,000.00 (fifty billion rupiahs).

When viewed at a glance, masks during the coronavirus pandemic are very important items needed by the community to minimize the spread of the coronavirus from one person to another, especially health workers who handle patients exposed to the coronavirus. The use of masks, according to some health experts, states that by wearing masks, the community takes part in preventing the spread of the covid-19 virus, because the covid-19 virus can be transmitted through droplets when people talk to other people or through splashes that come out through coughs, sneeze issued by a person exposed to the Covid-19 virus. Therefore, the Government through the Ministry of Health of the Republic of Indonesia recommends all Indonesian people to always use masks when traveling outside the home. According to the Indonesian Ministry of Health, (2020) a mask is one of the personal protective equipment designed as a barrier against the penetration of free particles, liquid, dirty air, and protects its users against the spread

of infections produced by viruses and bacteria (Kemenkes RI, 2020). Based on the function of these masks, it is very clear that masks can be said to be an important item during the Covid-19 virus pandemic. The importance of masks is that create an intention for anyone to take advantage of the situation by hoarding masks to get bigger profits than usual.

However, Law no. 7/2014 also states as stated in number (3) states that: "Further provisions regarding the storage of basic necessities and/or important goods are regulated by or based on a Presidential Regulation". This paragraph is intended to provide more detail on the goods of basic necessities and goods of essential needs against the prohibition as meant in paragraph (1). The provisions referred to in paragraph (3) of Law no. 7/2014 are stated in Presidential Decree No. 71/2015. This Presidential Decree describes the criteria or limitations of basic necessities and essential goods where basic necessities are defined as goods related to the livelihood of many people with a high scale of the fulfillment of needs as well as a supporting factor for community welfare which includes agricultural products (rice, soybean, tofu and tempeh, chilies and shallots), industrial products (sugar, cooking oil, wheat flour), and livestock and fishery products (beef, purebred chicken, eggs and fresh fish, namely milkfish, mackerel, and tuna/tuna/skipjack), while imported goods are defined as strategic goods that play an important role in determining the smooth running of national development which includes seeds (rice, corn and soybean seeds), fertilizers, 3 (three) kilograms of LPG, plywood, cement, construction steel, and mild steel (Perpres RI No. 71/2015). The basic goods and imported goods referred to in the laws and/or regulations that are issued are indeed goods that are used every day without any limitation from a certain condition. This is different from the use of masks which is very important when the Covid-19 pandemic occurs in Indonesia.

THE APPLICATION OF AND WEAKNESSES OF THE MASK STOCKPILING CRIME LEGISLATION

The legislation is a regulation in the form of a written decision as a rule of the written law (*geshrevenrecht*). The legislation is formed by officials who have the authority to make "rules" that apply or bind the general public (*Algemeen*) are general binding. According to Maria Farida Indrati Soeprapto, the term law is; a) legislation is the process of forming/forming state regulations, both at the central and regional levels, b) legislation is all state regulations resulting from the formation of central and regional regulations. at the regional level (Kurniawan, 2007).

In Muchtar Rosyidi's book (2006), laws are binding or compelling for all citizens to obey, because, with the enactment of laws and regulations in state institutions, everyone is considered to know. So thus everyone must obey and implement all existing norms or rules. If they violate it, everyone can be prosecuted in front of a court to be subject to sanctions or punishment. The lightest sanctions can be in the form of a fine, and the most severe can be a life sentence or a death sentence. Likewise, the laws and regulations apply to everyone who commits the crime of hoarding masks at the time of the coronavirus outbreak. Masks are the most important personal protective equipment for everyone when there is a coronavirus pandemic, especially for health workers who treat patients who have contracted the coronavirus. According to some health experts, the use of masks can at least minimize the spread of the coronavirus. Masks can prevent infection from a person exposed to the coronavirus which is transmitted through droplets when someone is talking to another person or through a person who is exposed to the coronavirus when the person is coughing and sneezing (BBC News Indonesia, 2020).

The laws and regulations against the perpetrators of the crime of hoarding masks can be reviewed based on Law Number 7 of 2014 concerning Trade (hereinafter referred to as Law No.7 / 2014) in Article 29 which contains: 1) Business actors are prohibited from storing basic necessities and/or important goods in a certain amount and time at a time when goods are scarce, price fluctuations, and/or traffic barriers to trade in goods, 2) Business actors can store basic necessities and/or important goods in a certain amount and time if they are used as raw materials or supporting materials in the production process or as supplies for distribution and 3) Further provisions regarding the storage of basic necessities and/or important goods are regulated by or based on a Presidential Regulation. Article 29 paragraph (1) of Law No.7 / 2014 states the prohibition to avoid the hoarding of goods that will make it difficult for consumers to obtain basic necessities and/or essential goods and in Article 107 of Law No.7 / 2014 it reads: " Business actors who store basic necessities and/or important goods in a certain amount and time when there is a scarcity of goods, price fluctuations, and/or traffic barriers to trade in goods as referred to in Article 29 paragraph (1) shall be punished with imprisonment of a maximum of 5. (five) years and/or a fine of not more than IDR 50,000,000,000.00 (fifty billion rupiahs)". Meanwhile, Article 29 paragraph (3) is further regulated in the Presidential Regulation of the Republic of Indonesia Number 71 of 2015 concerning Stipulation and Storage of Basic Needs and Important Goods (Poerana, 2020).

\When it comes to hoarding masks, the law states that business actors are prohibited from hoarding masks. This law is applied to business actors who store goods so that there is no monopoly when the goods are lost on the market which results in the price of goods rising, especially during the corona pandemic. From several findings of mask hoarding, the Indonesian National Police implemented Law No.7 / 2014 Article 29 against the alleged mask hoarder. The application of Law No.7 / 2014 on suspected perpetrators of mask hoarding is indicated to have weaknesses to be applied, especially during the coronavirus pandemic. The law states that hoarding is an activity of hoarding goods for basic goods and essential goods at a certain amount and time. Then in view of the contents of the article, it is stated that "Business actors are prohibited from storing basic necessities and/or important goods in a certain amount and time when there is a scarcity of goods, price fluctuations, and/or traffic barriers to trade in goods". This weakness is seen as in article 29 paragraph 3 of Law No.7 / 2014 emphasizes that these basic or important goods are regulated in the Presidential Regulation of the Republic of Indonesia Number: 71 of 2015 concerning the Stipulation and Storage of Basic Needs and Important Goods (hereinafter referred to as where Presidential regulation No. 71/2015) in Presidential regulation No. 71/2015 does not include masks as basic or essential items so that the perpetrators cannot be criminally charged and if forced to do so, law enforcers will find it difficult to impose criminal sanctions for their actions in hoarding masks for certain purposes at the time of occurrence. the coronavirus pandemic in Indonesia.

This weakness is related to positive law in Indonesia, where according to Slamet Suhartono in his journal, he states that positive law is related to the stipulation of law by the authorities that have the authority to form the law. Positive law is an order from the legislators or rulers, law is an order from those who hold the highest power or have sovereignty. Law is considered as a logical system of norms and is closed (closed logical system) (Suhartono, 2019).

In the field of criminal law, the principle of *lex specialis derogat legi generali* is normalized in Article 63 paragraph (2) of the Criminal Code which stipulates that "If an action is included in a general criminal provision, but is also included in a special criminal provision, then only that specific thing is applied. ". This means that if there is a criminal act that violates two or more provisions of criminal law, one of which is the provision of general criminal law, and the other is a special criminal law, then the provisions of the special criminal law are imposed on the perpetrator. However, the Criminal Code does not explain under what circumstances, there were events that violated the provisions of general crimes and special crimes. *Memorie van Toelichting (MvT)* only states that: "If a criminal act is only one particular type of another act, and from the existing meaning it is understood, then the *lex specialis derogat legi generali* rule applies, regardless of whether that particular thing is punished more. heavier or lighter than common, and regardless of whether he has his own designation " (Agustina, 2015).

Criminal sanctions for mask hoarders during the Covid-19 pandemic are a natural thing, considering that their actions are very disturbing to the public because they cause scarcity and high prices for masks so that the crime of hoarding masks can be rolled into the realm of law enforcement which makes the jurisdiction of law enforcers, so that allows a deterrent effect on the person who commits an offense, so the important thing to note so that legislation can more effectively suppress the occurrence of criminal cases of hoarding masks is to determine crimes that are specific in nature, as follows:

- a. **Law of the Republic of Indonesia, Number: 5 of 1999.** Concerning Monopolistic Practices and Unfair Business Competition, among others: Article 4, (1) Business actors are prohibited from entering into agreements with other business actors to jointly control production and or marketing, goods and or services that may result in monopolistic practices and or unfair business competition. (2) Business actors should be suspected or considered jointly to control the production and or marketing of goods and or services, as referred to in paragraph (1) if 2 (two) or 3 (three) business actors or groups of business actors control more than 75% (seventy-five percent) of the market share of a certain type of goods or services. Article 48, (1) Violation of the provisions of Article 4, Article 9 to Article 14, Article 16 to Article 19, Article 25, Article 27, and Article 28 is punishable by a fine of at least Rp. 25,000,000,000.00 (twenty-five billion rupiahs) and a maximum of Rp 100,000,000,000.00 (one hundred billion rupiahs), or imprisonment in lieu of a fine of up to 6 (six) months.
- b. **Licensing Violation.** RI Law Number: 36 the Year 2009. Regarding Health. Article 106, (1) "Pharmaceutical preparations and medical devices can only be circulated after obtaining a distribution permit". Article 197 "Every person who deliberately produces or distributes pharmaceutical preparations and/or medical devices that do not have a distribution license as referred to in Article 106 paragraph (1) shall be sentenced to imprisonment of up to 15 (fifteen) years and a maximum fine of Rp1. 500,000,000.00 (one billion five hundred million rupiahs). " Article 106 of Law of the Republic of Indonesia Number: 7 of 2014, "Business actors conducting trade business activities do not have a trade license granted by the Minister as referred to in Article 24 paragraph (1) shall be punished with imprisonment of up to 4 (four) years or criminal. a maximum fine of Rp.10,000,000,000.00 (ten billion rupiah). "
- c. **Local regulation.** To create a deterrent effect on the perpetrators of the crime of hoarding masks, according to Article 13 paragraph (1) and Article 25 of Law No. 7 of 2014, each region can also issue a regional regulation to prohibit the hoarding of masks as a threat of punishment or fines to ensnare legal subjects who committed the crime of hoarding masks during the Covid-19 pandemic.

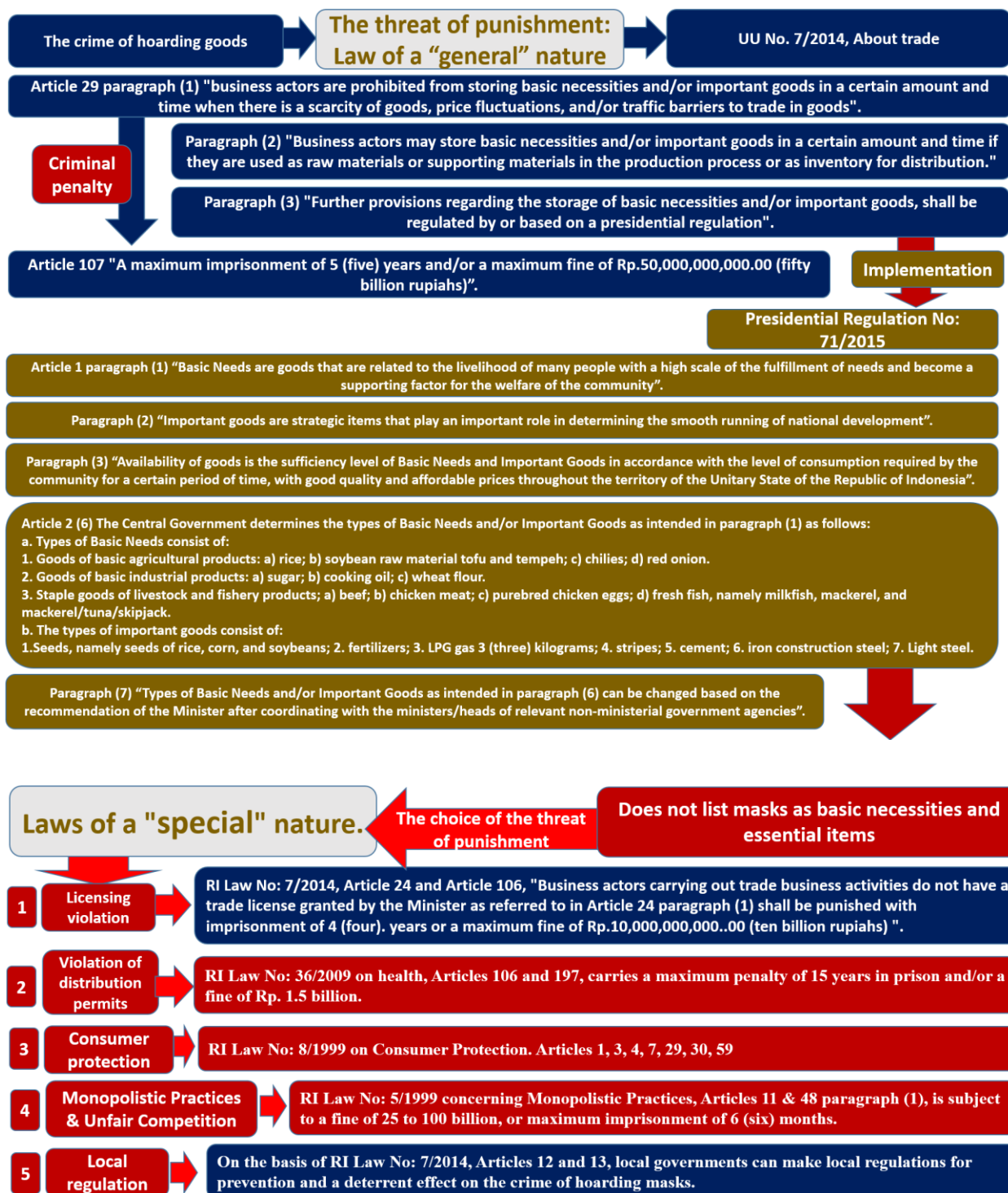


Figure 1. Schematic of "General" and "Specific" statutory management.

COUNTERMEASURES FOR THE CRIME OF HOARDING MASKS

Efforts to tackle the crime of hoarding masks by means of penalties as regulated by legislation so that a deterrent effect on the perpetrators of mask hoarding can also be carried out in a non-penal way, that is, if viewed from the coronavirus pandemic situation, then the most appropriate way to overcome crimes of hoarding masks are:

- a. **Guidance and supervision.** The Government and Regional Governments have a supervisory task in accordance with Articles 98, 99, 100, and 101, Law of the Republic of Indonesia No: 7/2014. The government is responsible for guidance and supervision in accordance with Articles 29 and 30, Law of the Republic of Indonesia No: 8 of 1999 concerning Consumer Protection. And in order to develop consumer protection efforts, a National Consumer Protection Agency was formed which is accountable to the President, in accordance with Articles 31 to 43, Law of the Republic of Indonesia No: 8/1999. (UU RI No.8/1999). RI Law Number: 36 the Year 2009, Concerning Health. The responsibility of the Government, in Article 14 paragraph (1) "The government is responsible for planning, regulating, organizing, developing, and supervising the implementation of health efforts that are evenly distributed and affordable to the community" (UU RI No.36/2009).
- b. **Public.** To achieve maximum consumer protection, the community has formed a non-governmental consumer protection agency, and in the Republic of Indonesia Law No: 8/1999, Article 44 paragraph (1) "The government recognizes non-governmental consumer protection organizations that meet the requirements." If the public suspects that there is a practice that leads to monopoly and/or unfair competition related to the mask trade, they can report the allegation to the Business Competition Supervisory Commission. One of the powers of the commission is to receive reports from the public and/or from business actors regarding allegations of monopolistic practices and/or unfair business competition (UU RI No.8.1999, Poerana, 2020).
- c. **Law enforcer.** Law enforcers can carry out their duties and responsibilities in the case of crimes of hoarding goods, in accordance with RI Law No: 7/2014, Article 103 (1), "Apart from investigating police officers of the Republic of Indonesia, certain civil servants within Government and Government agencies. Regions whose scope of duties and responsibilities are in the trade sector are given special authority as civil servant investigators as referred to in the Criminal Procedure Code to carry out investigations in accordance with this Law. "
- d. **Businessmen.** Business actors are urged to comply with legislation by not taking action to hoard masks during the Covid-19 pandemic so that masks remain on the market and prices do not soar. In carrying out their business, entrepreneurs are encouraged to have permits that are in accordance with their business. Business actors do not engage in unfair business competition, so as not to harm society and the state

CONCLUSION

Regulations regarding mask hoarding. Positive law is a provision that is currently in effect and binding in general or specific and enforced by and or through the government. Positive legal provisions in Indonesia that prohibit the stockpiling of basic and important goods are listed in Law Number 7 of 2014 article 29 (1) concerning Trade, and Presidential Regulation Number: 71 of 2015 article 2 (6) concerning the Stipulation and Storage of Needed Goods Main and Important Items.

Weaknesses of regulations regarding mask hoarding. The legislation is a regulation in the form of a written decision as a rule of written law. Written legal principles in the application of laws and regulations on the alleged crime of hoarding masks by the Indonesian Police use Law Number 7 of 2014 concerning Trade. However, in its implementation based on the Presidential Regulation of the Republic of Indonesia Number: 71 of 2015 concerning the Stipulation and Storage of Basic Needs and Important Goods, it has weaknesses because masks are not listed in them so that it is very difficult to enforce the law in court. However, based on the principle of the enactment of a law, "Laws of a specific nature exclude general laws if they are of equal position (*lex specialis derogat legi generali*)" and "Laws that have been promulgated are deemed to have been known by each person. Therefore, a person who violates the law cannot defend himself by stating that he does not know the law in question. " So law enforcers can ensnare the perpetrators of the crime of hoarding masks with the threat of punishment using specific laws, such as violations of licensing, distribution permits, and monopoly / unfair competition.

Overcoming the crime of hoarding masks. Handling the crime of hoarding masks can be done through the penal line by providing a deterrent effect on the perpetrators, and non-penal ways by providing understanding to all components of society to help each other in handling the coronavirus by not hoarding masks.

SUGGESTIONS

In order to take action against mask hoarders during the Covid-19 pandemic, Ministers concerned with determining basic goods or essential items can make a rule during the pandemic that masks are important items as a follow-up to Presidential Regulation Number 71 of 2015 concerning Determination and Storage These Basic Needs and Important Items. This can be done by applying the law based on Article 2 paragraph (7) which states that "Types of Basic Needs and/or Important Goods as referred to in paragraph (6) can be changed based on the recommendation of the Minister after coordinating with the minister/head of the relevant non-ministerial government institution."

REFERENCES

- Agustina,S. (2015). Implementasi *Lex Specialis Derogat Legi Generali* Dalam Sistem Peradilan Pidana. *Masalah-Masalah Hukum*. 44(4): 503-510.
- BBC News Indonesia. (2020). *Virus corona: Bisa menyebar lewat udara, penularan Covid-19 di ruangan tertutup kian berisiko*. <https://www.bbc.com/indonesia/majalah-53344413>
- Herman.,H.M.Sailan. (2012). *Pengantar Hukum Indonesia*. Badan Penerbit UNM. Makassar. pp: 20-22.
- Hafid,I (2020). *Penegakan Hukum atas Penimbunan Masker*. <https://news.detik.com/kolom/d-4924942/penegakan-hukum-atas-penimbunan-masker>.
- Kemendes RI (Kementerian Kesehatan Republik Indonesia). (2020). *Tingkatan APD bagi Tenaga Medis saat Tangani Covid-19*. [Http://kemkes.go.id/article/view/2004/20041800003/](http://kemkes.go.id/article/view/2004/20041800003/)
- Kurniawan,M. et al (2007). *Pedoman Naskah PERDA Partisipatif*. Yogyakarta: Kreasi Total Media, 2007. pp. 5
- Perpres RI (Peraturan Presiden Republik Indonesia) No.71 tahun 2015. *Tentang Penetapan Dan Penyimpanan Barang Kebutuhan Pokok Dan Barang Penting*
- Poerana,S.A. (2020). *Hukumnya Menimbun Masker Hingga Menyebabkan Kelangkaan dan Harga Tinggi*. *Hukum Online.Com*. <https://www.hukumonline.com/>
- Prabowo,D. (2020). *5 Fakta Warga Depok Positif Virus Corona, dari Kronologis hingga Status Siaga I*. *Kompos.com-03/03/2020*.
- Soleh,M.F. (2020). *Penimbunan Alat Pelindung Diri pada Masa Pandemi Covid-19: Kajian Hukum Pidana Bidang Perlindungan Konsumen*. *Undang: Jurnal Hukum*. 3(1): 1-31.
- Suhartono,S. (2019). *Hukum Positif Problematik Penerapan Dan Solusi Teoritiknya*. *Jurnal Ilmu Hukum* Volume 15(2): 201-211.
- Sudworth,J. (2020). *Wuhan marks its anniversary with triumph and denial*. *BBC-News*. <https://www.bbc.com/news/world-asia-china-55765875>
- UU RI (Undang-Undang Republik Indonesia) Nomor: 7 Tahun 2014. *Tentang Perdagangan*.
- UU RI (Undang-Undang Republik Indonesia) Nomor 8 Tahun 1999. *Tentang Perlindungan Konsumen*.
- World Health Organization. (2020). *Novel Coronavirus (2019-nCoV). Situation Report-1*. 21 January 2020.
- World Health Organization. (2020). *Covid-19 Weekly Epidemiological Update*. Data as received by WHO from national authorities, as of 27 Desember 2020.
- World Health Organization. (2019). *Infection prevention and control during health care for probable or confirmed cases of Middle East respiratory syndrome coronavirus (MERS-CoV) infection. Interim guidance*. WHO/MERS/IPC/15.1 Rev 1: 1-8.
- WHO Indonesia. (2020). *Media Statement: Knowing the risks for COVID-19*. <http://www.who.int/indonesia/news/detail/08-03-2020-knowing-the-risk-for-covid-19>

Sukirman Lie
Fakultas Hukum, Universitas Prima Indonesia, Indonesia
Email: sukirmanlie18@gmail.com

Kartina Pakpahan
Fakultas Hukum, Universitas Prima Indonesia, Indonesia
Email: kartinapakpahan@unprimdn.ac.id

Willy Tanjaya
Fakultas Hukum, Universitas Prima Indonesia, Indonesia
Email: willytanjaya@unprimdn.ac.id

Heriyanti
Fakultas Hukum, Universitas Prima Indonesia, Indonesia
Email: heriyanti@unprimdn.ac.id

Dewi Ervina Suryani
Fakultas Hukum, Universitas Prima Indonesia, Indonesia