Legal Challenges for the Sports Gambling and Play Manipulation

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I. Introduction

A sport organizing needs a great number of funds. Such funds may come either from the State Budget or the community itself. The sport betting and or sport gaming constitutes one the ways how to attract or take out the funds aimed at organizing any sport events. This sport betting and or any other sport gaming involves a great deal of people which are then being addicted to always perform such betting which is not rarely causing a communal restlessness. That was exactly an event ever happened in Indonesia. At least, some kinds of sport betting have ever been known in Indonesia such as illegal lottery (lottere buntut), Toto Lottery, Nalo Lottery, Lotto Lottery, Toto KONI Lottery, Undian Harapan (Hope Lottery), TSSB (Social Contribution Ticket With A Prize), Football Forecast (Porkas Sepakbola), KSOB (Social Coupon for Sport with a prize), Social Donor Contribution With A Prize, Damura (People’s Fund for Sport), Magnum Lottery and free lottery to watch soccer. All such sport betting has endured its low and high tide, once reached its temporary glory and then died forever. The case of SDSB sport betting forcibly closed down by the Government due to a great deal of rejection of the community in 1993, was an undeniable example.

The question is whether or not such sports betting and or sport gaming is legalized by law. This question is relevant to put forward since amid the people, this sport betting is also recognized as a kind of gambling when the people do a betting upon any unpredictable result of sport games, race or competitions, either conducted individually or organized indirectly by any third party or corporate body. On the other words, the gambling is actually a kind of unlawful action formally stated as punishable criminal conduct. This article will describe whether or not this sport betting, like a direct betting and or sport gaming, is something forbidden. How this sport betting is practiced in Indonesia?

This question will be discussed based on the relevant laws and regulations namely (i) Law No. 22 of 1954 on Lottery having been enacted and applicable ever since 27 July 1954, (ii) Article 303 in conjunction with Article 303 paragraph (1), Article 303