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THE PROHIBITION OF SPREADING FAKE NEWS IN ANY MEDIA

The new Indonesian Criminal Code, which shall prevail on 2 January 2026, forbids anyone to spread fake news and unconfirmed information.



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SPREADING FAKE NEWS

The new Indonesian Criminal Code contains regulations concerning the prohibition of broadcasting or disseminating news or information deemed fake in any media. The regulated scope is quite broad, and it also includes elements of intention. The criminal charge for this crime is up to 6 years imprisonment or a maximum fine of IDR 500,000,000.

Article 263 paragraph (1) Law No. 1 of 2023

"Any person who broadcasts or disseminates news or information even though he knows that the news or the information is a falsity that results in unrest in society, shall be punished with a maximum imprisonment of 6 (six) years or a maximum fine of category V."



SPREADING SUSPECTED FAKE NEWS

In addition, the new Indonesian Criminal Code also regulates the dissemination of news that should be suspected as fake news and can cause unrest in society. The criminal charge for this particular crime is up to 4 years imprisonment or a maximum fine of IDR 200,000,000.

Article 263 paragraph (2) Law No. 1 of 2023

"Any person who broadcasts or disseminates news or information even though it is reasonably suspected that the news or the information is a falsity that can result in unrest in society, shall be punished with a maximum imprisonment of 4 (four) years or a maximum fine of category IV."



SUBSEQUENTLY, WHAT ABOUT THE SPREAD OF INCOMPLETE OR EXAGGERATED NEWS?

The new Indonesian Criminal Code also regulates the prohibition of spreading news or information that is considered incomplete or hyperbolic. The criminal charge for this particular crime is up to 2 years imprisonment or a maximum fine of IDR 50,000,000.

This provision was previously regulated in Article 15 Law No. 1 of 1946 and Article 45A paragraph (2) jo. Article 28 paragraph (2) ITE Law.

Article 264 Law No. 1 of 2023

"Any person who broadcasts unconfirmed, exaggerated, or incomplete news while he knows or reasonably suspects that such news can cause unrest in society, shall be punished with imprisonment for a maximum of 2 (two) years or a maximum fine of category III."