

**TINJAUAN KEWENANGAN ASOSIASI FINTECH PENDANAAN  
BERSAMA DALAM MENGATUR BUNGA KREDIT MAKSIMUM  
*FINANCIAL TECHNOLOGY JENIS PEER TO PEER LENDING*  
DITINJAU DARI HUKUM PERSAINGAN USAHA INDONESIA**

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**INTISARI**

Penelitian hukum ini memiliki dua tujuan yaitu untuk mengetahui apakah penetapan bunga maksimum *Financial Technology Peer to Peer Lending* oleh Asosiasi Fintech Pendanaan Bersama Indonesia (AFPI) termasuk praktik kartel atau tidak dan untuk mengetahui lembaga apa yang seharusnya menetapkan bunga maksimum *Financial Technology Peer to Peer Lending* agar terhindar dari dugaan-dugaan persaingan tidak sehat.

Metode yang digunakan dalam penelitian ini adalah yuridis normatif yang berfokus pada norma-norma hukum yang berlaku baik dalam peraturan perundang-undangan maupun kepustakaan yang didukung dengan wawancara narasumber ahli hukum persaingan usaha agar teori dalam penulisan hukum ini valid.

Hasil penelitian menunjukkan bahwa penetapan bunga maksimum oleh AFPI selaku asosiasi tidak termasuk dalam praktik kartel harga karena penetapan tersebut didasarkan pada kewenangan yang diberikan oleh regulator kepada asosiasi untuk mengatur operasi dan standar industri *Financial Technology Peer to Peer Lending*. Kedua, Otoritas Jasa Keuangan seharusnya mengatur dan menetapkan bunga maksimum *Financial Technology Peer to Peer Lending*. Hal ini demi menjaga kepastian hukum serta menjamin persaingan usaha yang sehat dalam industri *Financial Technology Peer to Peer Lending*.

**Kata Kunci:** *Financial Technology Peer to Peer Lending*, Hukum Anti Persaingan Usaha, Kartel

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**JURIDICAL REVIEW OF THE AUTHORITY OF JOINT FUNDING  
FINTECH ASSOCIATION TO MANAGE MAXIMUM CREDIT  
INTEREST OF FINANCIAL TECHNOLOGY PEER TO PEER LENDING  
REVIEWED FROM BUSINESS COMPETITION LAW**

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**ABSTRACT**

This legal research has two objectives, the first is to find out whether the determination of the maximum interest on the Financial Technology Peer to Peer Lending by the Indonesian Joint Funding Fintech Association (AFPI) is a cartel practice or not and to find out what institutions should set the maximum interest in Financial Technology Peer to Peer Lending so that avoid allegations of unfair competition.

The method used in this research is juridical normative which focuses on legal norms that apply both in legislation and literature which is supported by interviews with experts in business competition law so that the theory in writing this law is valid.

The results showed that the determination of the maximum interest by AFPI as an association is not included in the price cartel practice because the determination is based on the authority granted by the regulator to the association to regulate the operations and standards of the Financial Technology Peer to Peer Lending industry. Second, the Financial Services Authority should regulate and set the maximum interest on Financial Technology Peer to Peer Lending. This is to maintain legal certainty and ensure fair business competition in the Peer to Peer Lending Financial Technology industry.

**Keywords:** Peer to Peer Lending Financial Technology, Anti Business Competition Law, Cartel

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