

## INTISARI

### **PELINDUNGAN HUKUM BAGI NASABAH PERBANKAN DIGITAL DARI RISIKO OPERASIONAL BERUPA *CYBER INCIDENT***

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Penelitian dalam penulisan hukum ini bertujuan untuk mengkaji bentuk perlindungan hukum terhadap nasabah perbankan digital dari *cyber incident* ditinjau dari Peraturan Otoritas Jasa Keuangan Nomor 12/POJK.03/2018 tentang Penyelenggaraan Layanan Perbankan Digital oleh Bank Umum dan menganalisis manajemen risiko operasional layanan perbankan digital dalam mencegah *cyber incident* ditinjau dari Peraturan Otoritas Jasa Keuangan Nomor 38/POJK.03/2016 tentang Penerapan Manajemen Risiko dalam Penggunaan Teknologi Informasi oleh Bank Umum.

Penulisan hukum ini menggunakan jenis penelitian normatif dengan menggunakan pendekatan perundang-undangan (*statute approach*) dan pendekatan kasus (*case approach*). Penelitian ini dilakukan dengan menganalisis data sekunder berupa bahan hukum primer, sekunder, dan tersier yang terkait dengan perlindungan nasabah, penyelenggaraan perbankan digital, dan manajemen risiko penggunaan teknologi informasi. Penelitian ini dilakukan dengan metode studi terhadap bahan pustaka. Data yang diperoleh kemudian dilakukan analisis menggunakan metode kualitatif.

Berdasarkan hasil penelitian dapat disimpulkan bahwa perlindungan hukum terhadap nasabah perbankan digital dari *cyber incident* dibagi menjadi perlindungan secara preventif dan represif. Pelindungan nasabah secara preventif diterapkan dengan menggunakan prinsip perlindungan nasabah dan perlindungan nasabah secara represif diterapkan melalui fungsi dan mekanisme penanganan bagi setiap pertanyaan dan/atau pengaduan dari nasabah serta penerapan manajemen risiko operasional layanan perbankan digital dalam mencegah *cyber incident* dilaksanakan melalui ruang lingkup dan prosedur manajemen risiko penggunaan teknologi informasi.

Kata Kunci: Perbankan Digital; Risiko Perbankan; *Cyber Incident*; Manajemen Risiko; Pelindungan Nasabah.

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## ABSTRACT

### **LEGAL PROTECTION FOR DIGITAL BANKING CUSTOMER FROM OPERATIONAL RISK SUCH AS CYBER INCIDENT**

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*This research aims to examine the legal protection against digital banking customers from cyber incidents in terms of Financial Services Authority Regulation Number 12/POJK.03/2018 concerning the Implementation of Digital Banking Services by Commercial Banks, as well as analyze operational risk management of digital banking services in preventing cyber incidents in terms of the Financial Services Authority Regulation Number 38/POJK.03/2016 concerning the Risk Management Application on the Information Technology by Bank.*

*This legal writing uses a normative research type using a statute approach and a case approach. This research was conducted by analyzing secondary data such as primary, secondary, and tertiary legal materials related to customer protection, digital banking operations, and risk management using information technology. This research was conducted with the study method of library materials. The data obtained were then analyzed using qualitative methods.*

*Based on the results of the study it can be concluded that legal protection for digital banking customers from cyber incidents is divided into preventive and repressive protection. Preventive customer protection is implemented using the principle of customer protection and repressive customer protection is implemented through functions and mechanisms for handling any questions and or complaints from customers. The implementation of operational risk management for digital banking services in preventing cyber incidents is carried out through the scope and risk management procedures uses of information technology.*

**Keywords:** *Digital Banking; Banking Risk; Cyber Incident; Risk Management; Customer Protection*

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