

An Analysis on Personal Data Protection Regulations for Digital Banking Customers in Indonesia

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ABSTRACT

This Legal Research aims to analyze how the relevant regulations in Indonesia protect the personal data of digital banking customers; and the advantages and disadvantages of the Personal Data Protection Bill in complementing the relevant regulations.

In answering the existing research questions, this Legal Research used normative legal research methods which study the legal rules, principles, and doctrines of the law to address the issues. The data collected were analyzed using qualitative methods and the results were described qualitatively-descriptively.

In conclusion, the protections of digital banking customers personal data in Indonesia have been regulated in the relevant regulations. However, arrangements such as some rights of personal data owners, processing of personal data, some obligations of personal data controllers and processors, transfer of personal data, prohibition on the use of personal data, establishment of a code of conducts for personal data controllers, international cooperation, the role of governments and communities regarding the protection of personal data, and specific criminal sanctions for violators of personal data protection have not been comprehensively regulated. Although the existence of the Personal Data Protection Bill has regulated the above provisions, the Government needs to consider the registration of personal data controllers, specific personal data processing, exemptions of the law, institutional concept of personal data protection supervisory institution, principal criminal sanctions, and informers protection in the draft law. So that when promulgated, the provisions in the Personal Data Protection Law are adequate to become a legal umbrella for the personal data protection in Indonesia.

Keywords: Personal data protection, digital banking, Personal Data Protection Law

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Analisis Regulasi Pelindungan Data Pribadi bagi Nasabah Perbankan Digital di Indonesia

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INTISARI

Penelitian Hukum ini bertujuan untuk menganalisis bagaimana peraturan relevan di Indonesia mampu melindungi data pribadi nasabah perbankan digital; dan kelebihan dan kekurangan Rancangan Undang-Undang Perlindungan Data Pribadi dalam melengkapi peraturan relevan yang ada.

Dalam menjawab rumusan masalah yang ada, Penelitian Hukum ini menggunakan metode penelitian hukum normatif atau penelitian hukum yang mempelajari peraturan hukum, prinsip hukum, dan doktrin hukum yang berhubungan dengan isu terkait. Data yang dikumpulkan dianalisis menggunakan metode kualitatif dan hasilnya dijelaskan secara kualitatif-deskriptif.

Sebagai kesimpulan, pelindungan data pribadi nasabah perbankan digital di Indonesia telah diatur pada peraturan relevan. Namun, ketentuan-ketentuan seperti beberapa hak pemilik data pribadi, pemrosesan data pribadi, beberapa kewajiban pengendali dan prosesor data pribadi, transfer data pribadi, larangan penggunaan data pribadi, penetapan kode etik bagi pengendali data pribadi, kerja sama internasional, peran pemerintah dan masyarakat dalam pelindungan data pribadi, dan sanksi pidana bagi pelanggar pelindungan data pribadi masih belum diatur pada peraturan relevan. Sekalipun keberadaan Rancangan Undang-Undang Perlindungan Data Pribadi sudah mengatur ketentuan-ketentuan di atas, pemerintah masih perlu mempertimbangkan pendaftaran pengendali data pribadi, pemrosesan data pribadi yang bersifat spesifik, pengecualian penerapan Undang-Undang, konsep institusional dari institusi pengawas pelindungan data pribadi, sanksi pidana pokok, dan pelindungan informan di dalam Rancangan Undang-Undang tersebut. Hal ini dimaksudkan agar saat dikumandangkan, ketentuan-ketentuan di dalam Undang-Undang Perlindungan Data Pribadi sudah memadai untuk menjadi payung hukum bagi pelindungan data pribadi di Indonesia.

Kata Kunci: *Pelindungan data pribadi, bank digital, Undang-Undang Perlindungan Data Pribadi*

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