

ANALISIS YURIDIS PENERAPAN SUKU BUNGA SIMPANAN DI ATAS TINGKAT BUNGA PENJAMINAN LEMBAGA PENJAMIN SIMPANAN (LPS) OLEH BANK DIGITAL TERHADAP PERSAINGAN BANK DAN RISIKONYA TERHADAP NASABAH

Oleh: Andhiny Ayudya Pramesti¹ dan Veri Antoni²

INTISARI

Penulisan hukum ini bertujuan untuk mengetahui dan menganalisis dampak penerapan suku bunga simpanan di atas tingkat bunga penjaminan LPS oleh bank digital terhadap persaingan bank, serta mengetahui risiko dan upaya minimalisasi risikonya terhadap nasabah apabila bank digital tersebut dilikuidasi.

Penelitian ini menggunakan metode yuridis normatif dengan menggunakan pendekatan perundang-undangan yang didukung dengan wawancara narasumber. Penelitian dijawab dengan mencari data sekunder yang berasal dari bahan hukum primer, sekunder, dan tersier yang diperoleh melalui studi pustaka. Data tersebut diolah dan dianalisis menggunakan metode analisis kualitatif dan dinyatakan secara deskriptif. Dalam menarik kesimpulan, Penulis menggunakan penalaran deduktif.

Hasil penelitian menunjukkan bahwa penerapan suku bunga simpanan di atas tingkat bunga penjaminan LPS oleh bank digital akan berdampak pada persaingan bank tidak sehat apabila dilakukan terus-menerus dalam jangka panjang tanpa adanya pembatasan suku bunga simpanan yang ditinjau secara berkala dari OJK. Atas risiko tidak dijaminnya simpanan nasabah karena suku bunga simpanannya di atas tingkat bunga penjaminan LPS, nasabah dapat mengajukan keberatan ke LPS dan pengadilan. Sebagai upaya meminimalisasi risikonya, OJK, LPS, dan bank digital harus memberikan edukasi terkait penjaminan simpanan yang lebih masif, serta OJK perlu mengatur standarisasi secara spesifik bentuk keterbukaan dan transparansi informasi terkait tidak dijaminnya simpanan.

Kata Kunci: Suku Bunga Simpanan, Bank Digital, Tingkat Bunga Penjaminan LPS, Persaingan Bank, Risiko Nasabah.

¹ Mahasiswa Konsentrasi Hukum Bisnis, Program Sarjana Strata-1 (S-1) Hukum, Universitas Gadjah Mada, Yogyakarta.

² Dosen Departemen Hukum Bisnis, Fakultas Hukum Universitas Gadjah Mada, Yogyakarta.

LEGAL ANALYSIS OF THE IMPLEMENTATION OF DEPOSIT INTEREST ABOVE THE DEPOSIT INSURANCE INTEREST RATES BY DIGITAL BANKS ON BANK COMPETITION AND ITS RISKS TO CUSTOMERS

By: Andhiny Ayudya Pramesti¹ and Veri Antoni²

ABSTRACT

This legal writing aims to understand and legally analyze the impact of implementing deposit interest rates above the LPS insurance interest rates by digital banks on bank competition. It also aims to identify the risks and efforts to minimize the risks for customers in the event of the bank is liquidated.

This legal writing uses normative juridical research method with legislative approach which is supported by resource person interview. The research questions were answered by searching for secondary data obtained from primary, secondary, and tertiary legal materials obtained through literature studies. The acquired data is then processed and analyzed using qualitative analysis methods and presented descriptively. In drawing conclusion, the author use deductive reasoning.

The research findings indicate that the implementation of deposit interest rates above the LPS interest rates by digital banks will adversely affect unhealthy bank competition if carried out continuously in the long term without periodic review of deposit interest rate restrictions by the OJK. Due to the risk of non-guarantee of deposits as a results of deposit rates exceeding the LPS interest rates, customers may file complaints with the LPS and the courts. To mitigate these risks, the OJK, LPS, and digital banks should conduct extensive education on deposit insurance, and the OJK needs to regulate specific standards for the disclosure and transparency of information regarding non-guaranteed deposits.

Keywords: *Saving Interest Rates, Digital Bank, LPS Insurance Interest Rates, Bank Competition, Customer Risk.*

¹ Undergraduate Business Law Concentration Students, Gadjah Mada University, Yogyakarta.

² Lecturer in the Department of Business Law Faculty of Law, Gadjah Mada University, Yogyakarta.