

**PERLINDUNGAN HUKUM TERHADAP NASABAH PENGGUNA MANDIRI
E-MONEY YANG MENGALAMI KERUGIAN AKIBAT KARTU RUSAK
(STUDI KASUS PADA BANK MANDIRI PRIORITAS
CABANG PEKANBARU)**

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INTISARI

Penelitian ini bertujuan untuk mengetahui dan mengkaji bentuk perlindungan hukum terhadap nasabah pengguna Mandiri *e-money* Bank Mandiri Prioritas Cabang Pekanbaru yang mengalami kerugian akibat kerusakan kartu dan mengkaji kesesuaian proses ganti rugi yang diberikan berdasarkan Undang-Undang Pelindungan Konsumen, POJK No. 22 Tahun 2023, PBI No. 3 Tahun 2023, dan PADG No. 20 Tahun 2023.

Penelitian hukum ini menggunakan jenis penelitian hukum normatif empiris yang bersifat deskriptif. Penelitian dilakukan dengan menganalisis data primer melalui studi lapangan dengan mewawancarai responden dengan alat pedoman wawancara serta data sekunder dengan mempelajari bahan hukum primer, sekunder, dan tersier yang kemudian dianalisis secara kualitatif.

Kesimpulan dari penelitian ini adalah bentuk perlindungan hukum terhadap nasabah pengguna Mandiri *e-money* Bank Mandiri Prioritas Cabang Pekanbaru yang mengalami kerugian akibat kerusakan kartu terdiri dari perlindungan preventif melalui pembinaan oleh menteri, pengawasan oleh BI, dan kewenangan tindakan oleh OJK dan perlindungan represif melalui penanganan pengaduan, pemberian sanksi administratif, dan penyelesaian sengketa melalui jalur litigasi dan non-litigasi. Lebih lanjut, proses ganti rugi yang diberikan belum sepenuhnya sesuai dengan UUPK, POJK No. 20 Tahun 2023, PBI No. 3 Tahun 2023, dan PADG No. 20 Tahun 2023. Terdapat ketidaksesuaian pemenuhan hak konsumen dikarenakan ketiadaan prosedur pembuktian kesalahan atas kerusakan kartu, adanya pembatasan tenggat waktu pengaduan, pemberian ganti rugi sebatas pengembalian sisa saldo tanpa disertai penggantian kartu rusak, keterlambatan pengembalian saldo serta kurangnya transparansi oleh pihak Bank Mandiri selama proses pengaduan.

Kata Kunci : Perlindungan Hukum, Uang Elektronik, Ganti Rugi.

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LEGAL PROTECTION FOR CUSTOMERS USING MANDIRI E-MONEY WHO SUFFER LOSSES DUE TO DAMAGED CARDS (A CASE STUDY AT BANK MANDIRI PRIORITAS PEKANBARU BRANCH)

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ABSTRACT

This aims to identify and examine the form of legal protection provided to customers using Mandiri e-money at Bank Mandiri Prioritas Branch Pekanbaru who suffer losses due to card damage, and to assess the conformity of the compensation process granted based on the Consumer Protection Law, OJK Regulation No. 22 of 2023, BI Regulation No. 3 of 2023, and PADG No. 20 of 2023.

This legal research employs a normative-empirical method with a descriptive nature. The study was conducted by analyzing primary data obtained through field research by interviewing respondents using interview guidelines, as well as secondary data derived from examining primary, secondary, and tertiary legal materials, which were then analyzed qualitatively.

The conclusion of this research indicates that the form of legal protection for Mandiri e-money customers at Bank Mandiri Prioritas Pekanbaru Branch who experience losses due to damaged cards consists of preventive protection through supervision by the Minister, oversight by Bank Indonesia, and regulatory authority by the Financial Services Authority (OJK), as well as repressive protection through complaint handling, administrative sanctions, and dispute resolution through litigation and non-litigation mechanisms. Furthermore, the compensation process provided has not fully complied with the Consumer Protection Law, POJK No. 20 of 2023, PBI No. 3 of 2023, and PADG No. 20 of 2023. There are inconsistencies in the fulfillment of consumer rights due to the absence of procedures for proving fault regarding card damage, the limitation period for submitting complaints, compensation limited only to the refund of the remaining balance without replacement of the damaged card, delays in balance refunds, and lack of transparency by Bank Mandiri during the complaint process.

Keywords: Legal Protection, Electronic Money, Compensation.

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