

**LEGAL PROTECTION FOR CONSUMER IN ELECTRONIC MONEY
PAYMENT SERVICES ACCORDING TO THE BANK INDONESIA
REGULATION NO. 20/6/PBI/2018 CONCERNING ELECTRONIC
MONEY**

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ABSTRACT

This legal research seeks to find answers on two main issues on the analysis of legal protection for consumer in electronic money by comparing the old regulation which is the Bank Indonesia Regulation No. 11/12PBI/2009 on Electronic Money and the new regulation which is the Bank Indonesia Regulation No. 20/6/PBI/2018 on Electronic Money. First discussion is about the improvement aspect with regard to the consumer protection compared from both laws and second is about the weakness in the PBI No. 20/6/PBI/2018. Finally, the author attempts to analyze the regulation to seek the possible outcome as the improvement in the new regulation and the weakness of the new regulation in regard to the consumer protection aspect.

In order to compare the PBI No.11/12/PBI/2009 and the PBI No. 20/6/PBI/2018, this legal research employs simultaneous comparison method and normative legal research based on available literature and data which obtained by conduct interview at the Bank Indonesia and Financial Service Authority (OJK).

The conclusion which the author reaches in the implementation of the new Bank Indonesia Regulation on Electronic Money provides several improvements regarding the consumer protection aspect and strengthens the requirement of being an Issuer. Broadly speaking, the basic of consumer protection is strengthened by the existence of the good qualification standard regarding the requirements to become an Issuer. The strengthen rules concerning the license requirement will establish the better quality of the electronic money services and it can guarantee the consumer protection in security aspect of the placed fund in the electronic media. The weakness of the PBI No. 20/6/PBI/2018 which not regulates the provision regarding the consumer protection mechanism also may affect to the legal certainty of consumer itself.

**Keywords: consumer protection, electronic money, Issuer, PBI
No.20/6/PBI/2018**

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**PERLINDUNGAN HUKUM TERHADAP KONSUMEN DALAM LAYANAN
PEMBAYARAN UANG ELEKTRONIK BERDASARKAN PERATURAN
BANK INDONESIA NO. 20/6/PBI/2018 TENTANG UANG ELEKTRONIK**

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INTISARI

Penelitian hukum ini bertujuan untuk menemukan jawaban dua isu utama pada analisis perlindungan hukum konsumen dalam transaksi uang elektronik dengan membandingkan peraturan lama yaitu Peraturan Bank Indonesia No. 11/12/PBI/2009 tentang Uang Elektronik dan peraturan baru yakni Peraturan Bank Indonesia No.20/6/PBI/2018 tentang Uang Elektronik. Pertama, peningkatan aspek yang berkaitan dengan perlindungan konsumen dengan melakukan perbandingan dua regulasi tersebut dan yang kedua tentang kelemahan yang masih ada dalam baru tentang uang elektronik dalam konteks perlindungan konsumen.

Dalam membandingkan PBI No.11/12/PBI/2009 dan PBI No. 20/6/PBI/2018, penelitian hukum ini menggunakan metode perbandingan simultan dan penelitian yuridis normatif berdasarkan literatur dan data yang diperoleh melalui wawancara di Bank Indonesia dan Otoritas Jasa Keuangan.

Kesimpulan yang penulis sampaikan dalam implementasi Peraturan Bank Indonesia yang baru tentang Uang Elektronik memberikan beberapa perbaikan terkait aspek perlindungan konsumen dan memperkuat persyaratan menjadi Penerbit. Secara garis besar, dasar perlindungan konsumen diperkuat oleh adanya standar kualifikasi yang baik mengenai persyaratan untuk menjadi Penerbit. Aturan penguatan mengenai persyaratan lisensi akan membangun kualitas layanan uang elektronik yang lebih baik dan dapat menjamin perlindungan konsumen dalam aspek keamanan dari dana yang ditempatkan di media elektronik. Kelemahan dari PBI No.20/6/PBI/2018 yang tidak mengatur ketentuan mengenai mekanisme perlindungan konsumen juga dapat mempengaruhi kepastian hukum terhadap konsumen itu sendiri.

Kata kunci: perlindungan konsumen, uang elektronik, Penerbit, PBI No.20/6/2018

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