

PROTECTION OF CONSUMER PERSONAL DATA IN ONLINE LOANS

Bagas Sinung Pradana

Faculty of Law, Universitas Muhammadiyah Surakarta, Building I (Law) Kampus 1 Jl. A. Yani
No.157, Pabelan, Kartasura, Sukoharjo, Central Java 57169.

Email: SinungBagas044@gmail.com

Wardah Yuspin, SH.,M.kn.,Ph.d.

Faculty of Law, Universitas Muhammadiyah Surakarta, Building I (Law) Kampus 1 Jl. A. Yani
No.157, Pabelan, Kartasura, Sukoharjo, Central Java 57169.

ABSTRACT

In the implementation of the Online Loan application service, it continues to receive many complaints from Pinjol customers about the problem of personal data shared by individual online loan providers. This is directly proportional to the number of pinjol consumer complaints to the Financial Services Authority, most of which contain the dissemination of personal data accompanied by threats. Therefore, it is very important for consumers to understand this regulation governing how personal data is protected when performing Online Loan services. The regulations that protect personal data in Online Loans will be discussed in this research. Applying normative legal methods, such as the implementation of laws and regulations relating to the legal protection of the parties through observation of the identification of personal data cases of online loan consumers. In its development, many online loan consumers are in arrears / have not paid off their receivables with online loans. So that opportunities arise for leaking personal data accompanied by threats in collection. Actually, this is not justified because it contradicts the regulations for organizing online loans stipulated in the Financial Services Authority Regulation Number 10/POJK.05/2022 Article 47 which states that to collect and use personal data, the organizer must obtain the consent of the data owner. So as to further strengthen the legal power for online loan consumers in protecting their personal data, there is a Republican Law Number 27 of 2022 concerning Personal Data Protection consisting of 78 articles spread over 18 chapters that regulate the transfer of personal data. These documents address a variety of issues, such as institutions, international collaboration, community involvement, administrative sanctions, dispute resolution, and civil legal proceedings. It also includes provisions regarding uses of personal data prohibited by law, penal provisions, transitional measures, and concluding clauses.

Keywords: Personal data protection, online loan, legal protection

INTRODUCTION

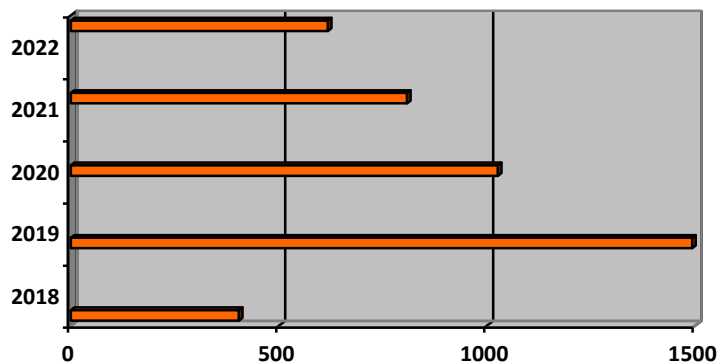
In the modern era, some people may be familiar with the term Online Loan. Online loans or commonly referred to as Pinjol are one type of loan that can be obtained digitally through a website or application

without requiring assets or collateral. The process of applying for pinjol is done using personal data such as an Identity Card (KTP), making it easier for individuals to get additional funds without having to involve complicated procedures. In other words, transactions between creditors and debtors can occur without the need to meet in person. It is known that in 2023 there are online loan transactions reaching 10.74 million accounts, with a total disbursement of IDR 18.81 trillion rupiah.⁽¹⁾ With the support of easy procedures and the economic crush factor, many people are enthusiastic about becoming online loan consumers. However, in practice, problems arise that are currently rampant, namely the leaking of personal data of online loan consumers and threatening actions related to the collection of receivables carried out by online loan companies.

Fintech or better known as online loan is regulated as a revision of regulation Number 77/POJK.05/2016 in Financial Services Authority Regulation Number 10/POJK.05/2022. Online loans are described as information technology-based shared funding services (LPBBTI) under regulation 10/POJK.05/2022. LPBBTI is a financial services company that utilizes electronic and internet technology to connect fund givers and recipients in accordance with sharia principles. The implementation of information technology-based joint funding services must obtain permission and provide legal legality to the Financial Services Authority, so that in its implementation, information technology-based joint funding services are subject to the provisions of the Financial Services Authority.

In the implementation of online loan services, personal data protection is regulated in accordance with Financial Services Authority Regulation Number 6/POJK.07/2022 concerning Consumer and Community Protection in Financial Services. In addition, personal data protection provisions are also included in the Law of the Republic of Indonesia Number 27 of 2022 concerning Personal Data Protection which contains 78 articles and 18 chapters that regulate the transmission of personal data and cover various topics including civil legal procedures, administrative sanctions, international cooperation, community involvement, and conflict resolution. It also includes provisions regarding the use of personal data prohibited by law, penal provisions, transitional measures, and concluding clauses.⁽²⁾ However, in legal practice, there are still parties who engage in online loan without complying with the rule of law or violating the law and there are still many individuals who lack understanding about these online loans. Due to the lack of literacy and the lack of financial condition of the community.⁽³⁾

Illegal Lending Platforms Closed by Financial Services Authority



(sumber:<https://ojk.go.id/id/berita-dan-kegiatan/info-terkini/Pages/Satgas-Waspada-Investasi-Kembali-Temukan-18-Entitas-Investasi-Tanpa-Izin-Dan-Tutup-105-Pinjaman-Online-Ilegal.aspx>)

In the period 2018 to 2022 the Financial Services Authority (OJK) has closed a total of 4352 online loan platforms. The reason for the closure of 4352 online loan platforms is that the online loan platform is considered by the Financial Services Authority to have violated Law Number 19 of 2016 concerning information technology and electronics. As well as online loan companies making threats that are known to be contrary to Article 368 of the Criminal Code and Article 29 jo Article 45B of Law Number 19 of 2016 (ITE). The ease of loan procedures provided by online loan companies is not matched by distribution procedures that are known to use extortion and threats. It is feared that this can affect the psychology of the victims of online loans, even very bad effects can occur, namely causing criminal acts to death.

Despite the regulation on protecting the personal data of online loan customers, which has been quite concrete, and supported by the Financial Services Authority's steps to close thousands of illegal online loan companies in recent years. To date, the Financial Services Authority has still received 3903 complaints from online loan consumers, most of which contain reports of extortion and threats in collecting online loan receivables.(4) This is directly proportional to the discovery of cases in the field by the authorities related to the practice of online loan. As for some of these cases, including: in November 2022 Polda Metrojaya received a case report on the threat of spreading personal data from the online loan platform *Pinjaman Now* (5), in February 2023 Palembang Police arrested an employee who

stole the company's money because of an online loan. (6) A more shocking thing happened in September 2023, an employee of a company committed suicide due to terror / threats in repaying debts on the online loan platform *Adakami*. (7) It can be seen from some of the cases above, the practice of online loan besides having a positive impact on providing financial assistance to the community with an easy process, but also has a detrimental impact on the general public.

Based on the description above, the regulations regarding the protection of personal data of online loan customers are actually qualified and complex, and are supported by the closure of thousands of illegal loan platforms by the Financial Services Authority because the illegal online loan organizers are not in accordance with applicable regulations. However, the reality is inversely proportional to the fact that there are still many public reports related to the organization of online loans, and there are still many complaints from pinjol customers to the Financial Services Authority, most of which contain acts of extortion accompanied by threats that are known to have a negative impact on people's survival. Therefore, this study will discuss issues regarding the regulations and forms of consumer personal data protection in the implementation of online loans.

In order to solve the problems and achieve the objectives as previously stated, as well as strengthen this research process, this study refers to some literature and previous studies that discuss legal protection for online loans customers. These references are:

The journal entitled "Consumer protection against data leakage in Indonesian financial services" was written and published by Andri Soemitra and Aldina from the State Islamic University of North Sumatra, Faculty of Islamic Business Economics, Medan. This article examines whether consumer protection in Indonesian financial services against data leakage complies with the relevant laws and regulations. The research then looks at the variables that may lead to customer data leakage. The magazine also examines the safeguards used by financial businesses to protect customer privacy. (8)

Furthermore, the Journal entitled "Legal Protection for People Who Make Illegal Loans" published an article written by Yolanda Theresia, Adrielita Manalu, and Muhammad Guntur Fauzi from the Faculty of Law, University of Balikpapan. This publication examines legal defense initiatives for those involved in illegal online loan activities. (9)

As well as a Journal entitled “Law Enforcement Due to Online Loan Activities” published by Setiyo Utomo and Alfian Alfian from Lisa Aprilia, Faculty of Law, Mulawarman University. With reference to the provisions of the relevant laws and regulations, this publication examines the analysis of online loan activities and their impact on the individuals involved. (9)

So far, the findings of this research are in line with previous findings by discussing the urgent need for legal protection of consumers from loans. As a reference, this study differs from previous studies in that previous researchers still use Financial Services Authority Regulation Number 77/POJK.01/2016 as the legal basis for credit administration. While the legal basis for the adoption of online loans There are new laws and restrictions in this study, specifically the Financial Services Authority Regulation Number 10/POJK.05/2022 concerning Information Technology-Based Joint Funding Services. Similarly, the government is known to have amended Financial Services Authority Regulation Number 77/POJK.01/2016 to Financial Services Authority Regulation Number 10/POJK.05/2022. So in this study researchers try to complement previous research by using new regulations, so that it is as concrete as it should be and can be useful in future life.

RESEARCH METHODS

This research adopts a normative legal research methodology with an emphasis on scientific research. Civil law literature and relevant criminal law statutory provisions strengthen our analysis. The research approach involves analytical and descriptive data analysis, comprehensively outlining the issues raised with reference to statutes and legal texts. Primary data sources used include Financial Services Authority Regulation Number 10/POJK.05/2022 on Technology-Based Joint Funding Services, Financial Services Authority Regulation Number 6/POJK.07/2022 on Consumer and Community Protection in Financial Services, Republic Act Number 27 of 2022 on Personal Data Protection, and Act Number 16 of 2016 on Electronic Information and Transactions (ITE). Secondary data sources involve articles, journals, and information from the internet media as a complement to this study.

RESULT AND DISCUSSION

Regulation of Consumer Personal Data Protection in the implementation of Online Loans

Personal data according to the Law of the Republic of Indonesia Number 27 of 2022 is information about personal who can be identified through electronic or non-electronic means, either directly or indirectly,

either alone or together with additional data in accordance with Article 1 Paragraph 1. One of these rights is the right to personal data must be guaranteed for every Indonesian citizen, which is privacy and must be protected. This principle is reflected in Law No. 39/1999 on Human Rights, specifically in Article 29 paragraph (1) which states that “Everyone has the right to personal protection.” (10) Thus, it can be concluded that the right to privacy, which includes every right to the security of individual personal data and is an obligation for the state to uphold. Whereas the right to privacy is the right of every individual to close or keep their personal belongings secret.(11)

In the implementation of fintech or better known as Online Loans, many crimes have occurred by utilizing personal data as a crime tool. But many parties do not realize that personal data can become a means of crime when used by careless individuals. (12) This happens because the online lender cannot protect / intentionally leaks the personal data. The Republic of Indonesia highly upholds the importance of personal data protection in electronic digital transactions, especially in the online loan sector. In an effort to protect the personal data of the public as users of online loans. The following laws and regulations have been established by the Republic of Indonesia:

1. **Law number 27 of 2022 on personal data protection.**

The individual subject whose personal data is attached is stipulated in Law 27 of 2022 as the legal umbrella for Personal Data. Therefore, Article 20 regulates the protection of personal data in the implementation of Information Technology-Based Joint Funding Services run by the Financial Services Authority through digital applications, one of which is online loans. In particular, before processing personal data, the use or processing of personal data of online loan customers must obtain official consent from the identity owner or owner of the personal data. This process seeks to protect personal information for online loans.(3) Consent to the processing and utilization of personal data according to Article 22 of Law 27 of 2022 can also be expressed in writing or by recording it on paper, whether or not it is done electronically. So that if the online loan company in utilizing and processing customer data does not comply with the procedures in Article 20 and Article 22, the online loan company is deemed to have violated the provisions of Article 65 of Law 27 of 2022, the rules of which read:

1. Any Person is prohibited from unlawfully obtaining or collecting Personal Data that does not belong to him/her with the intention to benefit himself/herself or others which may result in harm to Personal Data Subjects.

2. Any Person is prohibited from unlawfully disclosing Personal Data that does not belong to him/her.

3. Any Person is prohibited from unlawfully using Personal Data that does not belong to him/her.

2. **Financial Services Authority Regulation Number 6/POJK.07/2022 concerning consumer and community protection in financial services.**

3. In the Financial Authority Services Regulation Number 6 /POJK.07/2022 personal data protection is regulated in article 11, which states that the Financial Services Business Operator (PUJK), here referred to is an online loan corporation. The use of personal data and / or information belonging to customers who have canceled product and / or service agreements and have been denied applications for the use of products and / or services by Financial Services Business Operators is strictly prohibited for online Loan Companies. In addition, Financial Services Business Operators are required to maintain and ensure the security of customer data and/or personal information.(13)

4. **Financial Services Authority Regulation Number 10/POJK.05/ 2022 Information Technology Based Services.**

In relation to the implementation of Technology-Based Funding Services, the Financial Services Authority, or the Financial Services Authority prohibits Fintech and online lending companies from disclosing personal information or customer data to outside parties. Article 47 of the Financial Services Authority Regulation Number 10/POJK.05/2022 regulates this:(14)

1. The Organizer shall obtain the consent of the Personal Data owner to obtain and use Personal Data.

2. The consent as referred to in paragraph (1) may be excluded in accordance with the provisions of laws and regulations.

3. The owner of Personal Data may submit a request for access and copy of his/her Personal Data to the Organizer.

4. The Personal Data Owner has the right to supplement, correct errors and inaccuracies, and destroy the Personal Data submitted to the Organizer.

5. The fulfillment of the rights as referred to in paragraph (4) shall be carried out through a written request.

5. **Law Number 16 of 2016 on Electronic Information and Transactions.**

Regulations regarding regulations on the protection of personal data are also regulated in the Electronic Information and Transaction Law, although they do not cover everything. The regulation of personal data protection is contained in Law No. 19 of 2016 Article 26 paragraph (1) and (2) which states that:(15)

1. Unless otherwise provided by laws and regulations, the use of any information through electronic media concerning a person's personal data must be done with the consent of the person concerned.

2. Any person whose rights are violated as referred to in paragraph (1) may file a lawsuit for losses incurred under this Law.

From the explanation of the regulations considering the protection of personal data of online loan customers so far, the implementation of these rules needs to be aligned with the values of fairness, responsibility, and openness and transparency of information. In addition, factors including safeguarding customer data, privacy, and assets must be taken into account. Similarly, complaint handling and dispute resolution need to be done effectively and efficiently while adhering to the guidelines followed by the online loan company. All these efforts are necessary to ensure the realization of effective protection of personal data of pinjol consumers. So that there will be confidence in the community about the security of their personal data when conducting online loan transactions. As well as companies organizing Information Technology-Based Joint Funding Services in this context, online loan companies, are prohibited from exploiting consumer information or data after consumers cancel financial product or service agreements. In addition, business actors are prohibited from utilizing the personal information of prospective customers whose loan applications are rejected by online loan companies. If there is a withdrawal of an application for the use of a loan product to an online loan company, the Fintech/online loan company is not permitted to utilize the information and personal data of potential customers.

Forms of personal data protection for online loans.

Phillipus M. Hadjon emphasized that protective measures can be distinguished between repressive and preventive government actions against the people. Given the importance of government prudence in making decisions based on discretion, the purpose of preventive action in legal protection is to avoid conflicts before they arise. In contrast, repressive legal protection seeks to resolve existing conflicts, even if it has to go through a system of laws and regulations. Phillipus M. Hadjon asserts that having legal protection is a government effort or action (*bestuurshandeling* or administrative action). Therefore, there are two categories of legal protection for the community:(16)

1. **Preventive legal protection**

Background Preventive protection is giving people the opportunity to voice their concerns or thoughts before the government makes a final decision, preventive legal protection aims to avoid conflict. Because it urges the government to be careful when exercising its discretion in making decisions; this protection is particularly important for government activities that rely on the right to freedom of will. In the implementation of fintech or online loans in Indonesia, a form of preventive legal protection in an effort to protect personal data is contained in the Financial Services Authority Regulation Number 6/POJK.07/2022 concerning Consumer Protection in the Financial Services Sector. The systematics of its implementation is regulated in the Financial Services Authority Regulation Number 6 / POJK.07 / 2022 which consists of 10 chapters with the substance of the provisions to the closing. The regulation was established with the aim of realizing effective protection for consumers and the general public, upholding customer trust, and ensuring compliance with legal requirements. A Lending Company is considered a Financial Services Business Actor in the context of providing Technology-Based Funding Services.

In the public mindset, since industry plays an important role in the development of developing countries, the government is more willing to defend its interests is one way to implement initiatives such as consumer protection schemes in developing countries such as Indonesia are still inadequate. So, the topic of debate is consumer rights. remains an actual topic and it is always important to keep evaluating. The government must also pay attention to legal protection and educate the public about pinjol. As stipulated in the implementation of pinjol, it is required by Article 31 Chapter XI Consumer Education and Protection to apply the basics of consumer protection, which include:(17)

- a) transparency.
- b) fair treatment.
- c) reliability.
- d) confidentiality and data security and complaint handling and consumer dispute resolution in a simple, fast, and affordable manner.

2. **Repressive legal protection**

3. The purpose of repressive legal protection is to resolve conflicts thoroughly, including those handled by general courts and administrative courts to provide legal protection to the public. (18) Although preventive legal protection has been carried out, the facts on the ground speak otherwise, in 2023 alone, the Financial Services Authority still received 3903 complaints from online loan consumers, most of which contained complaints from online loan customers regarding the collection of receivables accompanied by threats of spreading personal data and extortion. It is known that these actions lead to criminal acts. the following regulations and sanctions for criminal acts of extortion and threats:

1. **Extortion**

In regulation, extortion is a criminal offense covered in Chapter XXIII of the Criminal Code which is regulated in Article 369, namely:(19) A maximum imprisonment of four years is imposed on any person who, with intent to unlawfully benefit himself or another, uses the threat of disclosing a secret to compel a person to give him something wholly or partly belonging to him, to go into debt, or to write a letter of credit. The only way this crime is prosecuted is if the victim files a complaint. Threats can take the form of using deceptive language, publicly revealing one's private information about another person, the target of the threat, or the private lives of people associated with the target. An example of this specific harm can be found in defamation, where the defamation involves the person threatened or a third party involved in their family. However, the difference lies in secrecy, where the true nature of an event is kept secret with derogatory words, whether or not they indicate the truth, for reasons related to the target of the threat.

2. **Verbal Threats / Insult Article 310 of the Criminal Code reads:**

1. Any person who with deliberate intent attacks someone's honor or reputation by alleging something, with the obvious intent to give publicity thereto, shall, being guilty of libel, be punished by a maximum imprisonment of nine months or a maximum fine of three hundred rupiahs.
2. If this is committed by means of writings or portraits broadcast, exhibited or affixed in public, he shall, being guilty of libel, be punished by a maximum imprisonment of one year and four months or a maximum fine of three hundred Rupiahs.
3. It does not constitute libel or defamation if the act is clearly done in the public interest or in self-defense.

The above-mentioned regulations can serve as a legal basis for online loan customers in the face of threats or losses caused by online loan companies. It is important to remember that the ability to prove that the customer has actually suffered losses that could result in unlawful actions is a crucial factor in this process. This is related to 3,903 online loan consumer complaints to the Financial Services Authority, most of which contain extortion accompanied by threats in the collection of receivables by online loan companies. So as to maximize the process of preventive legal protection related to personal data protection, it is necessary to protect the law as follows:

1. Melaporkan ke pada pihak yang berwenang

Sanctions based on the Personal Data Protection Law (Law number 27 of 2022) and Financial Services Authority Regulation Number 10/POJK.05/2022 can be imposed on online loan providers who use or process personal data without the owner's permission. If the pinjol organizer does not comply with the standards contained in Article 44 Paragraph (1) of the Financial Services Authority Regulation Number 10/POJK.05/2022, a complaint can be submitted to the Financial Services Authority. In addition to a written warning, the Financial Services Authority can also block the computer system of online loan providers, limit their ability to do business, and/or revoke their licenses as administrative sanctions for online loan providers. Meanwhile, the Personal Data Protection Law allows complaints to the institution in charge of protecting personal information at the discretion of the president. Law 27 of 2022 contains the following administrative sanctions:

- a. Written warning.
- b. Temporary suspension of all personal data processing activities.

- c. Deletion or destruction of personal data; and/or.
- d. Administrative fines imposed at a maximum of 2% of annual revenue or annual receipts against the violation variable.

2. Civil Lawsuit.(20)

One of the rights granted to individuals under the Personal Data Protection Law is the ability to bring legal action against those responsible for their personal data and demand payment for any violation of law resulting from the handling of such data. Regarding related matters, it is emphasized that, unless there are special circumstances based on laws and regulations, the use of information The individual concerned must give permission for the use of his/her personal information in electronic form. This is based on Law No. 19/2016 Article 26 Paragraph 1. Therefore, everyone who experiences a violation of their rights has the right to file a lawsuit against the resulting losses. A lawsuit related to the misuse of personal data can be filed through Article 1365 of the Civil Code as an effort to uphold justice.

3. Criminal Reporting.(21)

Prohibition on the actions of loan sharks that restrict business actors from obtaining unauthorized access, collecting, disclosing, and/or using personal information that does not belong to them, against misuse of personal data, including threats. If business actors violate these provisions, the consequences may include criminal prosecution pursuant to Article 67 of the Personal Data Protection Law, which may result in imprisonment or fines. In addition, there are other sanctions that can be applied, such as payment of restitution and/or confiscation of assets and/or income obtained through criminal acts. Sanctions can be applied to management, controllers, commanders, beneficial owners, and/or borrowers for crimes committed by online lenders. For online loans, the maximum fine is ten times the maximum fine. In addition, corporations may face additional sanctions. The following is the confiscation of profits and/or assets obtained or the proceeds of criminal acts;

1. Suspension of all or part of the corporation's business.
2. Permanent prohibition of doing certain actions.
3. Closure of all or part of the place of business and / or corporate activities.
4. Carry out obligations that have been neglected.
5. Payment of compensation.

6. Revocation of license.
7. Dissolution of the corporation.

In Law 16 of 2016 concerning information and electronic transactions related to the criminalization of the use of personal data also states, “Every person intentionally and without the right to distribute and / or transmit or make accessible electronic information and / or electronic documents that have insulting content and / or defamation”, then Article 45 of the criminal provisions of the Electronic Information and Transactions Law which reads as follows, regulates the punishment imposed states: “Any person who fulfills the elements as referred to in Article 27 paragraph (1), paragraph (2), paragraph (3), or paragraph (4) shall be punished with a maximum imprisonment of 6 (six) years and/or a maximum fine of IDR 1,000,000,000.00 (one billion rupiah). This is strengthened by Law 27 of 2022 concerning the protection of personal data Chapter on criminalization is mentioned:

1. Any Person who intentionally and unlawfully obtains or collects Personal Data that does not belong to him/her with the intention to benefit himself/herself or another person which may result in harm to the Personal Data Subject as referred to in Article 65 paragraph (1) shall be punished with a maximum imprisonment of 5 (five) years and/or a maximum fine of IDR 5,000,000,000.00 (five billion rupiah).
2. Any Person who intentionally and unlawfully discloses Personal Data that does not belong to him/her as referred to in Article 65 paragraph (2) shall be punished with a maximum imprisonment of 4 (four) years and/or a maximum fine of IDR 4,000,000,000.00 (four billion rupiah).
3. Any Person who intentionally and unlawfully uses Personal Data that does not belong to him/her as referred to in Article 65 paragraph (3) shall be punished with a maximum imprisonment of 5 (five) years and/or a maximum fine of IDR 5,000,000,000.00 (five billion rupiah).

The above argument leads to the conclusion that the rights of pinjol customers have been strictly protected with legal protection that suppresses and prevents. However, this is contrary to the actual facts reported by social media, especially Facebook social media, there are still many complaints from online loan consumers about threats made by online loan parties when collecting directly (using debt collectors) or with online media (wastshap messages), this happens because online loan consumers, who are ordinary people, do not know how legal steps can be taken if they are victims of threats made by online loan

platforms, and can only express their complaints on Facebook social media. So that the government, in this case the Financial Services Authority, must play an active role, starting with educating the general public about the basic understanding and legal remedies taken when they become victims of online loan platforms, the Financial Services Authority must also educate online loan companies about openness and transparency regarding product or service information to consumers, and provide direction to online loan platforms regarding responsibility, safeguarding consumer assets, protecting consumer privacy, and managing complaints and disputes in an effective and timely manner. So that more or less, a sustainable legal culturization will be achieved between online loan customers and online loan companies in accordance with the relevant rules and regulations.

CONCLUSION

From the explanation above, it can be concluded that the regulation on the protection of personal data of online loan consumers is regulated in Article 27 of Law Number 16 of 2016 concerning Electronic Information and Transactions provides legal protection of personal data. In regulation Number 6 /POJK.05/2022 Information regulates how borrowers' personal data is protected when using online loans. Article 45 and Law 27 of 2022 both stipulate penalties for misuse of personal information. The legal protection of online loan customers who are threatened with the spread of personal data and extortion is regulated in Article 369 of the Criminal Code and Article 310 of the Criminal Code. Online loan customers can make legal efforts if the online loan company organizes the provisions of the above regulations. These legal efforts are in the form of: reporting to the authorized party, suing civilly, reporting criminally.

The form of legal protection related to the form of legal protection regarding the implementation of online loans, one of which is to conduct socialization both to online loan parties and online loan consumers regarding the rules for implementing online loans according to the provisions of applicable regulations and laws. This is in accordance with what is stated in article 1 CHAPTER X1 regarding education and legal protection. The government, related to the Financial Services Authority, needs to take firm action against online loan companies that in the practice of collecting receivables by using threats and extortion. So that online loan consumers do not experience excessive depression to commit criminal acts such as robbery, theft and feel desperate not being able to pay debts to online loans so that they commit suicide.

SUGGESTION

Protection of customer personal data in online lending is not enough with the application of applicable laws and regulations. But the role of the relevant government, namely the Financial Services Authority, is needed in providing strict direction and taking firm action for online loan companies that take actions that result in losses to online loan consumers. The Financial Services Authority also needs to provide literacy to the public on how the process and risks of doing online loans, which is balanced with conducting education in a structured manner. If the community considers the implementation of the loan to be detrimental to them, legal action can be taken.

REFERENCES

1. srl003. kominfo. 2021 [dikutip 9 November 2023]. hlm. 1–0 Ini Upaya Pemerintah Lindungi Masyarakat dari Pinjaman Online Ilegal. Tersedia pada: <https://www.google.com/search?q=https%3A%2F%2Fwww.kominfo.go.id%2Fcontent%2Fdetail%2F-AEB-AECmAICoAIgqAIRmAMWugYGCAEQARgIkgcBMqAHAA&scient=gws-wiz->
2. Fathur Rochman. antara kantor berita indonesia. 2022 [dikutip 7 November 2023]. hlm. 1–2 Menkominfo: UU PDP era baru tata kelola data pribadi di Indonesia. Tersedia pada: <https://www.antaranews.com/berita/3127577/menkominfo-uu-pdp-era-baru-tata-kelola-data-pribadi-di-indonesia>
3. Fauzi E, Alif N, Shandy R. Hak Atas Privasi dan Politik Hukum Undang-Undang Nomor 27 Tahun 2022 Tentang Pelindungan Data Pribadi.
4. cindy mutiara annur. databoks. 2021 [dikutip 12 Oktober 2023]. hlm. 1–0 Ada 3,9 Ribu Aduan Kasus Pinjol Ilegal sejak Awal 2023, Ini Tren Bulanannya. Tersedia pada: <https://databoks.katadata.co.id/datapublish/2023/06/14/ada-39-ribu-aduan-kasus-pinjol-ilegal-sejak-awal-2023-ini-tren-bulanannya>

5. ali mansur and muhammad fachrudin. republika. 2022 [dikutip 10 Oktober 2023]. hlm. 1–0 Teror Pinjol, Data dan Foto Keluarga Nasabah Disebar. Tersedia pada: <https://news.republika.co.id/berita/rmczeb327/teror-pinjol-data-dan-foto-keluarga-nasabah-disebar.%20Diakses%20pada%2016%20November%202023>.
6. dede febriansah. sindo news. 2023 [dikutip 12 November 2023]. hlm. 1–0 “Terlilit Utang Pinjol, Karyawan Ini Nekat Curi Uang Perusahaan.” Tersedia pada: <https://daerah.sindonews.com/read/1017557/720/terlilit-utang-pinjol-karyawan-ini-nekat-curi-uang-perusahaan-1675846955>
7. desy styowati. kata data. 2023 [dikutip 10 November 2023]. hlm. 1–0 Daftar Kasus Bunuh Diri Akibat Pinjol di Indonesia Artikel ini telah tayang di Katadata.co.id dengan judul “Daftar Kasus Bunuh Diri Akibat Pinjol di Indonesia” , <https://katadata.co.id/digital/fintech/650aa7316bbc7/daftar-kasus-bunuh-diri-akibat-pinjol-di-indonesia> Penulis: Desy Setyowati . Tersedia pada: <https://katadata.co.id/digital/fintech/650aa7316bbc7/daftar-kasus-bunuh-diri-akibat-pinjol-di-indonesia>
8. Soemitra A, Fakultas Ekonomi Bisnis Islam A. PERLINDUNGAN KONSUMEN TERHADAP KEBOCORAN DATA PADA JASA KEUANGAN DI INDONESIA. Vol. 5, Jurnal Insitusi Politeknik Ganesha Medan Juripol. 2022.
9. Utomo S, Alfian A, Aprilia L. PENEGAKAN HUKUM TERHADAP AKTIVITAS PINJAMAN ONLINE [Internet]. Tersedia pada: <https://ejournal2.undip.ac.id/index.php/crepido/>
10. UU 39 TAHUN 1999.
11. Nyoman N, Diah Nurmantari A, Martana NA, Bagian **, Bisnis H. PERLINDUNGAN HUKUM TERHADAP DATA PRIBADI PEMINJAM DALAM LAYANAN APLIKASI PINJAMAN ONLINE.

12. Lex Suprema J, Guntur Fauzi M, Manalu A, Theresia YB, Pupuk Raya J, Bahagia G, dkk. Artikel PERLINDUNGAN HUKUM BAGI MASYARAKAT YANG MELAKUKAN PINJAMAN ONLINE ILEGAL LEGAL PROTECTION FOR PEOPLE WHO MAKE ILLEGAL ONLINE LOANS.
13. POJK 6 07 2022.
14. POJK 10 05 2022.
15. UU19 TAHUN 2016.
16. Philipus MH. Perlindungan Hukum Bagi Rakyat Indonesia. bina ilmu surabaya. hadjon philipus m, editor. Vol. 22cm. surabaya: bina ilmu surabaya; 1987. 0–245 hlm.
17. Syariah HF, Raden I, Palembang F. PENGINTEGRASIAN URGENSI DAN EKSISTENSI TANGGUNG JAWAB MUTLAK PRODUK BARANG CACAT TERSEMBUNYI PELAKU USAHA DALAM UNDANG-UNDANG PERLINDUNGAN KONSUMEN DI ERA GLOBALISASI.
18. Rahman MG, Tomayahu S, Syariah F, Sultan I, Gorontalo A. Penegakan Hukum Di Indonesia [Internet]. Vol. 4, Jurnal Al-Himayah. 2020. Tersedia pada: <http://journal.iaingorontalo.ac.id/index.php/ah>
19. Prof. Dr. Jur. Andi Hamzah. Delik-delik tertentu (speciale delicten) di dalam KUHP. Maya & Tarmizi. Maya & Tarmizi, editor. Vol. 22cm. jakarta: sinar grafika jakarta; 2015. 291–292 hlm.
20. kahup perdata.
21. Kitab Undang-Undang Hukum Pidana.