



Punishment for The Dissemination of Personal Data in The Information Technology-Based and Borrowing Service Industry

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Abstract

The financial technology (fintech) industry, particularly the information technology-based money lending and borrowing service industry (LPMUBTI), has experienced rapid growth in recent years. The growth of the LPMUBTI industry has surpassed that of other financial services industries since 2016. In the operations of the LPMUBTI industry, customer personal identity data is electronically collected. It is important to establish oversight mechanisms in this regard, as personal data protection is a fundamental human right and an essential aspect of personal security. Therefore, it is necessary to establish legal provisions to ensure the security of personal data. In line with this, any information technology-based money lending service providers (LPMUBTI) who unlawfully disclose the personal data of their customers may be subject to criminal penalties. This legal research uses the Normative Legal Type, This legal research uses the statutory approach, conceptual approach, and the case approach. In short, this research reveals that some arrangements regarding Personal Data Protection (PDP) which are still scattered in several laws and regulations are regulated in the Transitional Rules of Article 75 Law Number 27 of 2022 Regarding Protection of Personal Data is feared that there will be overlapping normality regarding Protection of Personal Data (PDP).

Keywords: borrowing services, criminal sanctions, information technology, protection of personal data

Introduction

Norms that live in society contain what things humans may and should not do. The tongue and norms govern human attitudes and behavior in their nature to maintain the balance and regularity of interests in social life. The norm (law) which itself exists in society is what came to be known by the term *Ubi Societas Ibi Ius* (Where there is society, there is a law) (Raharjo, 1980). As a tongue or social norm, the law is the result of a community social interaction. As explained by C.F.Von Savigny which states that the law was not made, but rather grew itself in the lives of the people (Raharjo, 1980).

The law regulates and enforces norms or t-tongues that exist in relations between communities so that rights and obligations go proportionally. This is in the same way as the objec-

tives of the Indonesian State as stated in the 4th Alinea Opening of the Constitution of the Republic of Indonesia in 1945 (henceforth called the NRI 1945) Law is to protect all the Indonesian people, where protecting also in terms of law enforcement. Because Indonesia adheres to the rule of law, law must be made commander in chief to realize the legal objectives of legal certainty and justice. To realize these ideals, besides the state must make a rule that is public, the state also makes rules that are private apply to all its citizens.

The rapid advancement of information technology has resulted in significant changes in people's lifestyles. These changes can be observed across various domains, including social, cultural, economic, and others. The progress of information technology has been greatly influenced by the development of internet technology

(Barkatullah & Prasetyo, 2005). The internet has played a crucial role in the expansion of the financial industry by enabling the modification and streamlining of financial services to improve efficiency. Finance and technology are developing according to the demands of the times and economic markets, where the process of payment, transfer, sale and purchase, until financing is expected to become increasingly practical, safe and modern. Transaction activities can now be done electronically.

Financial Technology (fintech) was previously regulated in the Financial Services Authority Regulation (POJK) Number 77/POJK.01/2016 About Borrowing Services Borrowing Technology-Based Money. P2P- *Lending*, has now been amended and regulated through the Financial Services Authority Regulations (POJK) Number 10/POJK.05/2022 About Information Technology-Based Joint Funding Services is defined as Information Technology-Based Joint Funding Services which are further abbreviated as LPBBTI is the organization of financial services to bring together funders with fund recipients in funding conventional or based on the principle of sharia directly through electronic systems using the internet. The process of borrowing and borrowing money no longer requires a physical meeting between the borrower and the lender but is brought through the application or website.

The organizer of the LPBBTI is an Indonesian legal entity that provides, manages and operates the LPBBTI either conventionally or on the basis of sharia principles. Fund Recipients are individuals, legal entities and / or business entities that receive funding. Funders are individuals, legal entities, and / or business entities that provide funding. So LPBBTI users are Funders and Fund Recipients.

Financial Services Authority (OJK) in Press Release Number: SP 40/DHMS/VII/2022 dated July 15, 2022 entitled "*OJK STRENGTH OPERATIONAL FINTECH PEER TO PEER LENDING*". There are several substances for refining the organizers in the new LPBBTI POJK as follows:

1. The organizer of the LPPBTI must be established in the form of a limited liability company with paid up capital at the time of establishment of at least Rp. 25,000,000,000,- (twenty-five billion rupiah);
2. The organizer must have at least 1 controlling shareholder (PSP);

3. The organizer must first obtain a business license from the Financial Services Authority (OJK);
4. Conventional organizers who convert to organizers based on sharia principles must obtain approval from OJK;
5. Prospective main parties (PSP, directors, board of commissioners, and DPS) must obtain approval from the PJK before carrying out their actions, duties and functions as the main parties;
6. LPBBTI can be done through productive funding and multipurpose funding;
7. The maximum funding limit by each funder and its affiliates is at most 25% of the final funding position at the end of the month;
8. The organizer must meet the maximum limit of economic benefits for funding;
9. To support government programs, organizers can work with government agencies to become distribution partners for state securities;
10. The organizer must use the electronic system in carrying out its business activities and must be owned, mastered and controlled by the organizer;
11. The organizer is required to submit funding transaction data to the data center *fintech lending* OJK by integrating the organizer's Electronic System into the data center *fintech lending* ;
12. The organizer must at all times have the least amount of equity. 12,500,000,000,- (twelve billion five hundred million rupiah);
13. The organizer must have at least 2 (two) members of the directors;
14. The organizer must have at least 1 (one) member of the board of commission and at most equal to the number of members of the directors;
15. Organizers based on the sharia principle must have at least 1 (one) sharia supervisory board member;
16. The organizer must have an internal audit unit run by at least 1 (one) HR person; and
17. Licensing requests, approval and reporting requests are submitted through the OJK data communication network system.

Electronic documents, as defined in Article 1 number 16 of the Financial Services Authority Regulation (POJK) Number 10/POJK.05/2022 regarding Information Technology-Based Joint

received, or stored in various digital formats. These formats can include analog, digital, electromagnetic, optical, or similar means that can be accessed, displayed, and/or heard through a computer or electronic system.

Electronic documents encompass a wide range of content, such as text, audio, images, maps, designs, photographs, and more. They can take the form of letters, signs, numbers, axes, symbols, or perforations, as long as they carry meaning or can be understood by individuals who possess the necessary knowledge to interpret them. These documents are subject to the regulations outlined in laws governing information and electronic transactions.

Organizer Peer to Peer Landing (LPBBTI) in providing financial loans to Fund Recipients must use personal data identity as a condition of loan submission. Personal data as referred to in Article 1 number 1 jo number 3 of Law Number 27 of 2022 Concerning Protection of Personal Data (PDP Law) is data about individuals who are identified or can be identified individually or are combined with other information either in a way directly or indirectly through electronic or non-electronic systems. Information is information, statements, ideas, and signs that contain values, meanings, and messages, both data, facts and explanations that can be seen, heard, and read presented in various packages and formats according to the development of information and communication technology electronically or non-electronically.

Personal data contains most of a person's circumstances. The state of a person who does not show a person to the public based on his own safety and comfort reasons. The concept of privacy was first copied by Warren and Brandhe is in "The Right to Privacy" or the right not to be disturbed. There is development and technological progress, a public awareness arises that there is a awareness that there is a right of a person to enjoy life (Kusnadi & Wijaya, 2021: 3). In line with this Article 1 number 22 jo Article 79 paragraph (1) Law Number 24 of 2013 Concerning Amendments to Law Number 23 of 2006 concerning Population Administration stipulates that personal data is certain individual data that is stored, maintained and guarded the truth and protected by its collar by the state.

There are several reasons regarding privacy rights that must be protected namely: First, in fostering relationships with others, one must cover part of his peer life so that he can maintain his position at a certain level. Second,

someone in his life needs time to be alone so that privacy is needed by someone. Third, privacy is an independent right and does not depend on other rights but this right will be lost if the person publishes matters that are private to the public. Fourth, privacy also includes a person's right to have domestic relations including how someone fosters a marriage, fosters his family and others must not know the personal relationship. Fifth, other reasons why privacy deserves legal protection because the losses suffered are difficult to assess. The loss is felt far greater than the physical loss, because it has disrupted his personal life, so that if there is a loss suffered then the victim is obliged to get compensation (Kusnadi & Wijaya, 2021).

From the pre-exposed introduction, this study examines the following legal issues:

1. How is the legality and scheme of personal data protection in the borrowing service industry borrowing information technology-based money (LPMUBTI)?
2. How can the funding of the Borrowing Service Industry Borrowing Information Technology Based Money (LPMUBTI) spread personal data to third parties ?.

Materials and Method

This legal research uses the Normative Legal Type. Research type normative law intended to review positive legal provisions, and positive legal instruments that are normatively examined will be used as sources of legal material. Legal research must be carried out at the level of legal normality. Morris L Cohen, who agrees with Peter Machmud Marzuki, stated " Legal Research is the process of wall the law that governs activities in human society" (Marzuki, 2017). It seems that what Morris L Cohen put forward for practical purposes. Such procedures are still needed in the practice of law which determines both the impact of past events and their implications for the future with the statement actually what he put forward also includes legal theory. This legal research uses the statutory approach, conceptual approach, and the case approach.

Results and Discussion

Legality of Information Technology Based Borrowing Services Borrowing Money (LPMUBTI) and Personal Data Protection schemes (PDP).

On the Work Plan Government of the Republic of Indonesia listed in Presidential Regulation Number 85 of 2021 concerning the Government

Funding Services, refer to any form of electronic information that is created, transmitted, delivered,

Work Plan for 2022 (Pres No. 85/2021) jo. Presidential Regulation Number 115 of 2021 concerning Updating of Government Work Plans for 2022 (Perpres No. 115/2021) stated that “ utilization of digital ecosystems in the financial sector ” and “ strengthening and harmonizing financial sector regulations ” are 2 (two) focus activities as well as targets that must be achieved in order to accelerate in sector finance to optimize financing of the real sector as an effort in driving the recovery of the Indonesian economy amid the possibility of tightening world liquidity (Laporan Akhir Analisis Dan Evaluasi Umum Keuangan Digital, 2022).

Granting Business Permits for the Implementation of Financial Technology-Based Joint Funding Services (LPBBTI) carried out by the Financial Services Authority (OJK) regulated in the Financial Services Authority Regulations (POJK) Number 10/POJK.05/2022 About Information Technology-Based Joint Funding Services, in the appendix, is set regarding the format of the Organizer's Business License. The organizer in submitting an application for an LPBBTI Operating Business License must attach the following documents:

1. A copy of the deed of establishment of a legal entity accompanied by proof of endorsement by the authorized agency;
2. A copy of the last basic budget change deed (if there is) accompanied by proof of approval, and / or a letter of receipt of notification from the authorized agency;
3. List of shareholders following details of the magnitude of each share ownership up to the last shareholder (ultimate shareholder) and / or beneficial owner (beneficial owner) and a list of other companies owned by shareholders;
4. Shareholder data;
5. Photocopy of tax notification letter (SPT) 2 (two) last year before the inclusion of capital;
6. Other documents showing financial capabilities and sources of funds, for potential individual shareholders;
7. Photocopy of proof of payment of paid up capital;
8. Documents proving that paid up capital does not originate from loans;
9. Data of members of the directors, board members, and / or DPS members;
10. Evidence of the work competency of the

professional certification body in the field of financial technology;

11. Evidence of operational readiness that supports business activities;
12. Business feasibility study for 3 (three) first year;
13. Additional documents for Organizers carrying out business activities based on sharia principles;
14. Confirmation from the supervisory authority in the country of origin of the foreign party, if there is a direct inclusion by a foreign legal entity that has a supervisory authority in the country of origin;
15. Proof of payment of licensing fees in the context of granting a business license.

Article 24 of the Financial Services Authority Regulation (POJK) Number 10/POJK.05/2022 concerning Information Technology-Based Joint Funding Services stipulates the roles and activities of the Organizer in their business operations. The Organizer's activities include: Provision: Management: Operation of LPBBTI. The maximum value of productive funding and/or multipurpose funding provided by the Organizer is determined in Article 26, paragraph (3) of the Financial Services Authority Regulation (POJK) Number 10/POJK.05/2022. According to this regulation, the maximum value of such funding is set at Rp. 2,000,000,000 (two billion rupiah).

Subject of origin from the Funders and Fund Recipients is regulated in Article 27 of the Financial Services Authority Regulation (POJK) Number 10/POJK.05/2022 About Information Technology-Based Joint Funding Services. Funders can come from within and / or abroad consisting of Indonesian Citizens (WNI); Foreign Citizens (WNA); Indonesian Legal Entity; Foreign Legal Entity, Indonesian Business Entities (PMDN), Foreign Business Entities (PMA) and / or international institutions. Specifically for Recipients of Funds may not come from Foreign Citizens (WNA), other than that regarding their origin and form as the Funders.

LPBBTI implementation agreement as stipulated in the Financial Services Authority Regulations (POJK) Number 10/POJK.05/2022 About Technology-based Joint Funding Services must consist of at least: a). Agreement between the Organizer and the Funder; and b). Agreement between Funders and Fund Recipients (Article 30 Financial Services Authority Regulations (POJK) Number 10/POJK.05/2022 About Information Technology-Based Joint Funding Services). The

- a) Agreement Number;
- b) Date of agreement;
- c) The identity of the parties in the form of the name of the Fundgiver and the Fund's Population Parent Number;
- d) Rights and obligations of the parties;
- e) Amount of funding;
- f) Economic benefits of funding;
- g) The amount of commission;
- h) Period of time;
- i) Cost details Provisions regarding fines, if any;
- j) Use of personal data;
- k) Funding billing mechanism;
- l) Risk mitigation in the event of bad funding;
- m) Dispute resolution mechanism; and
- n) The mechanism for resolving rights and obligations in the event that the organizer cannot continue its operational activities.

Regarding the confidentiality of this data, based on Article 44 of the Financial Services Authority Regulation (POJK) Number 10/POJK.05/2022 About Technology-Based Joint Funding Services Information organizers are required to: a). maintain confidentiality, integrity, and availability of Personal Data, transaction data, and financial data that it manages from the data obtained until the data is destroyed; b). ensure the availability of authentication, verification and validation processes that support the silencing in accessing, process, and execute personal data, transaction data, and financial data that it manages; c). guarantee that the acquisition, use, use and disclosure of personal data, transaction data, and financial data obtained by the Organizer based on the agreement of the owner of personal data, transaction data, and financial data, unless otherwise specified by statutory provisions; and d). notify the owner in writing of personal data, transaction data and financial data in the event of a failure in protecting the confidentiality of personal data, transaction data, and financial data that it manages.

Personal data assistance is regulated under Article 4 paragraph (1) Law Number 27 of 2022 concerning Protection of Personal Data to 2 (two) form is: Specific Personal Data; and general Personal Data which includes based on Table 1.

Table 1. Personal data assistance

Specific Personal Data	General Personal Data
a) Health data and information;	a) Full name;
b) Biometric data;	b) Gender;
c) Genetic data;	c) Nationality;
d) Crime record;	d) Religion;
e) Child data;	e) Marital status; and
f) Personal financial data; and/or	/ or
g) Other data in accordance with statutory provisions.	f) Personal data combined to identify someone

Approval of processing personal data is done through written approval or recorded electronically (although it is still possible conventionally). Under Article 48 of the Financial Services Authority Regulation (POJK) Number 10/POJK.05/2022 About Information Technology-Based Joint Funding Services mandate Organizers must store personal data in their electronic systems at the shortest 5 (five) years since the end of the business relationship. The organizer is also required to provide a mechanism for deleting user-owned personal data in case of a data owner's request to delete it. The mechanism for deleting personal data is at least through:

- a. Provision of communication channels between the organizer and the owner of personal data;
- b. Features that allow the owner of personal data to ask the Organizer to delete his personal data; and
- c. Alignment at request for deletion of electronic information

Against the Organizer of the LPBBTI if it violates the provisions referred to in Article 44 jo Article 48 Financial Services Authority Regulations (POJK) Number 10/POJK.05/2022 Regarding Information Technology-Based Joint Funding Services above, administrative sanctions may be subject to written warnings; fines, i.e. the obligation to pay a certain amount of money; restrictions on business activities; and/or revocation of permits and accompanied by blocking of the Organizer's electronic system (Article 49 Regulation of the Financial Services Authority (POJK) Number 10/POJK.05/2022 About Information Technology Based Joint Funding Services).

Imposition of criminal sanctions against LPBBTI organizers who leak the personal data of their users.

The aspect of protecting personal data is one of the important things that LPBBTI Organizers must pay attention to. This is because misuse of personal data (consumers) can have an impact on identity theft, misuse of consumer profiles, to have an impact on risks and other greater losses such as public mistrust of services Peer to Peer Lending. Seeing the persistence of personal data leakage on the Internet, indicates that the security of public personal data must be given more attention to the Government (Destasari, 2021).

Fintech Lending also referred to as "loan online" which is a money loan facility by a financial service provider integrated with information technology from the submission process, the approval process, until the disbursement of funds is carried out on a online or via SMS and / or telephone confirmation (Arvante, 2022: 77). As for how the loan works Online is the Organizer only acts as an intermediary that brings together lenders and loan recipients. Even though there have been many loans Online who have obtained permission from the Financial Services Authority (OJK), there is still a loan online who have not and / or have not received permission from the Financial Services Authority (OJK). Organizers who do not have a Permit from the Financial Services Authority (OJK) can qualify as "Illegal Evangelism" (Arvante, 2022). This unauthorized LPBBTI application in practice often uses violent means and / or threats of violence in forcing a creditor to repay his loan in the event of default.

Loan services online who did not have permission from the Financial Services Authority (OJK) was rife when the Covid-19 pandemic began to hit in Indonesia. Where many people lose their jobs or even are in a difficult economy. While the necessities of life must continue to be met, so that people use LPBBTI that does not have permission from OJK. Data was obtained that OJK in the 2018-2020 range found 2406 unlicensed LPBBTI applications (Illegal Evangelism). President Joko Widodo in his speech gave concern which is very strict for law enforcement officials (APH) and related institutions, specifically the Ministry of Communication and Information (Kemenkominfo), Financial Services Authority (OJK) to crack down on the phenomenon of increasingly mushrooming illegal online loans (Pinjol) in the midst of soci-

ety. How not, this pandemic era has also undermined the economic capabilities of the community so as to make people look for shortcuts to meet their daily needs.

The existence of unauthorized LPBBTI (Illegal Evangelism) is very troubling to the community because of billing methods that are not in accordance with the rules, one way of billing that uses 3rd parties ie debtcollector (Yuwana, 2021). The following examples of billing cases that are not based on the law carried out by the LPBBTI application that is not licensed:

1. Illegal case of handcuffs in West Java Polda which sets 6 new suspects. Deputy Director of Special Criminal Reserse Polda Jabar AKBP Roland Ronaldy said one suspect who had been bent played a role as debt collector. "The role is there who is a supervisor, oversees the implementation of this collector, and exists as an HRD recruiting at the start, and there is a role as a technician, "said AKBP Roland in Mapolda Jabar, Bandung City, Monday 18 October 2021. Debt collector, said AKBP Roland, getting orders to threaten customers who cannot afford loans, Now, the seven suspects are subject to Article 29 juncto, Article 45 b, and Article 34 of the Electronic Information and Transaction Act (ITE), and Article 34 of the Criminal Code. They are threatened with sentences starting nine years in prison.(pusiknas, n.d.)
2. The Pakam Puduk District Court sentenced Christopher to 5 months in prison. The Resident of the Tangerang was proven to have his men terrorize the Pinjol customers. On June 10, 2021 Christopher's men, Dea, created the whatsapp group by inviting fellow debt collectors. Dea wrote a statement if the victim was a fugitive drug case and wrote as a police fugitive, "FOR FUGITIVE. HE IS ALSO A NARKOBA INFLUENCE THAT IS LOOKING FOR POLICE, THAT IS THE EXISTENCE OF THIS MESSAGE ".(Saputra, 2021).

Arrangements regarding criminal sanctions regarding personal data are listed in Article 67 jo Article 69 of Law Number 27 of 2022 concerning the Protection of Personal Data as follows:

Article 67 paragraph (1):

"Any person who intentionally and unlawfully obtains or collects personal data that does not belong to him with a view to benefiting himself or others which may result in loss of the subject of

personal data as referred to in Article 65 paragraph (1) convicted with a prison criminal of at most 5 (five) year and / or criminal fines of at most Rp. 5,000,000,000,- (five billion rupiah)."

Article 67 paragraph (2):

"Any person who intentionally and unlawfully discloses personal data that does not belong to him as referred to in Article 65 paragraph (2) is sentenced to a prison crime of at most 4 (four) year and/or criminal fines at most Rp. 4,000,000,000,- (four billion rupiah)."

Article 67 paragraph (3):

"Everyone intentionally and unlawfully uses personal data that does not belong to him as referred to in Article 65 paragraph (3) convicted with a prison criminal of at most 5 (lima) year and/or criminal fines at most Rp. 5,000,000,000,- (five billion rupiah)."

Article 69:

"In addition to being sentenced to criminal offenses as referred to in Article 67 and Article 68, additional criminal offenses may be in the form of deprivation of profits and / or assets obtained or the results of criminal acts and payment of compensation".

Criminal threats to the dissemination of personal data by others have also been regulated under Article 32 jo Article 48 of Law Number 19 of 2016 Concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE Law) as follows:

Article 32 paragraph (1):

"Everyone intentionally and without rights or against the law in any way changes, adds, reduces, transmits, damages, removes, moves, hides electronic and/or electronic documents belonging to someone else or public property".

Article 32 paragraph (2):

"Everyone intentionally and without rights or against the law by apapu transferring or transferring electronic information and/or electronic documents to the electronic system of another person who is not entitled".

Article 32 paragraph (3):

"Against the actions referred to in paragraph (1) which results in the opening of a confidential electronic information and / or electronic document becomes accessible to the public with the integrity of data that is not as appropriate".

Article 48 paragraph (1):

"any person who fulfills the elements referred to in Article 32 paragraph (1) is sentenced to a prison crime of at most 8 (eight)

year and / or a fine of at most Rp. 2,000,000,000,- (two billion rupiah)".

Article 48 paragraph (2):

"Everyone who fulfills the elements referred to in Article 32 paragraph (2) is sentenced to a prison crime of at most 9 (nine) years and / or a fine of at most Rp. 3,000,000,000,- (three billion rupiah)".

Article 48 paragraph (3):

"Everyone who fulfills the elements referred to in Article 32 paragraph (3) is sentenced to a prison criminal of at most 10 (ten) years and / or a fine of at most Rp. 5,000,000,000,- (five billion rupiah)".

The threat of criminal sanctions for leaking personal data carried out by the LPBBTI application under Law Number 27 of 2022 concerning the Protection of Personal Data is *lex specialis* from arrangements for leaking personal data that harm the owner of personal data. Under Article 70 of Law Number 27 of 2022 concerning Protection of Personal Data states that in the case of a criminal act of leaking personal data carried out by a corporation, the criminal can be handed down to the administrator, the control holder, the order giver, the beneficial owner, and/or the corporation. With regard to corporate-shaped LPBBTI applications, the criminal that can be imposed is a criminal fine whose maximum value is 10 (ten) times the maximum criminal penalty threatened.

Conclusion

1. Peer to Peer Landing previously regulated in Financial Services Authority Regulations (POJK) Number 77/POJK.01/2016 About Borrowing Services Borrowing Money Based Technology is not applicable and amended by Financial Services Authority Regulations (POJK) Number 10/POJK.05/2022 About Information Technology-Based Joint Funding Services. Organizers and Users (Fund Recipients and Funders) have been tightly regulated and monitored by OJK in implementing Information Technology-Based Joint Funding Services (LPBBTI). In the POJK it is regulated regarding the legality of the LPBBTI Organizer, protection of the confidentiality of personal data and its deletion mechanism. The Organic Law on Personal Data Protection (PDP) has now been promulgated through Law Number 27 of 2022 concerning Protection of Personal Data, as *lex specialis* to arrangements regarding the protection of personal data which have been spread throughout various laws and regulations;

2. Regarding criminal acts of leakage and dissemination of personal data may be subject to criminal sanctions according to applicable laws and regulations. Criminal sanctions contained in Law Number 27 of 2022 concerning the Protection of Personal Data have been arranged so firmly to market the corporation as well as those who are in the conduct of the corporation which consist of prison criminal and / or criminal fines. However, the technical arrangements for implementing Law Number 27 of 2022 concerning the Protection of Personal Data have not been issued by the Government at this time.

Suggestion

1. It is necessary to strengthen literacy and understanding of the community regarding the regulation of Information Technology-Based Joint Funding Services (LPBBTI) and Personal Data Protection (PDP). Community understanding of digital financial products and services can cause harm to society itself. In addition, the licensing affirmation scheme in the implementation of Information Technology-Based Joint Funding Services (LPBBTI) must also be tightened because of the easy access to create a new digital financial product service by business actors. The position of the community as consumers of digital financial products and services needs to be strengthened by personal data protection schemes which must be regulated so tightly by the State.
2. Some arrangements regarding Personal Data Protection (PDP) which are still scattered in several laws and regulations are regulated in the Transitional Rules of Article 75 Law Number 27 of 2022 Regarding Protection of Personal Data is feared that there will be overlapping normality regarding Protection of Personal Data (PDP). Including also regulated in the provisions regarding the digital financial system, it is necessary to strengthen synergy and coordination between the Ministry of State and Institutions that handle this issue including the Financial Services Authority (OJK), Bank of Indonesia, and the State Police of the Republic of Indonesia in terms of funding for perpetrators of criminal acts of personal data dissemination through internet media.

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