



Legal Protection Of Personal Data According To Financial Services Authority Regulation

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Abstract: the purpose of this study is to determine the legal protection of personal data of bank customers according to Law No. 8 of 1999 on Consumer Protection and how the implementation of the Financial Services Authority (OJK) Regulation No. 12/PJOK.03/2021. The method used is using sociological juridical research method, using a descriptive qualitative research approach and interactive analysis techniques. The result of this research is that it arises because the issue of data protection and customer information in Indonesia has become a new problem in the banking world. On the other hand, adequate forms of protection for a customer's privacy rights have not been implemented into legal instruments. Similarly, the existence of various laws (UU) that have the authority to manage one's data and information, are not given limits to avoid violations that result in unprotected data and information of a person.

Keywords: Legal Protection; Personal Data ; Customer

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1. Introduction

The existence of the banking industry is one of the most important components in the economy in order to maintain balance, progress and National Economic Unity. The stability of the banking industry is very influential on the stability of the economy as a whole, including the health of banks in the banking industry is very influential forward or backward economy of a nation.

Banks are part of the financial system and payment system of a country, even in the current era of globalization, banks are also part of the world financial and payment system. Banks include financial institutions that are a place for natural persons, private business entities, state-owned business entities, and even government agencies to keep their funds. Through credit activities and various services provided, banks serve financing needs and launch payment system mechanisms for all sectors of the economy.¹

According to Law No. 7 of 1992 on banking as amended by Law No. 10 of 1998, a Bank is a business entity that collects funds from the public in the form of deposits, and distributes them to the public in the form of credit and other forms, in order to improve the standard of living of many people.

The definition of this bank, stresses that the business of a bank is to collect funds in the form of deposits which are the source of bank funds. Likewise, in terms of the distribution of funds, banks should not only obtain the maximum benefit for their owners but also their activities should be directed to improving people's living standards.²

One of the factors to be able to maintain and increase public trust in a bank, especially banking in general, is the bank's compliance with its bank secrecy obligations, if a bank can maintain its bank secrecy concerning whether or not the bank is trusted by bank customers regarding deposit funds or the use of bank services or the circumstances of the customer concerned to other parties. If a bank manages to keep this bank secret, the bank has protected the customer concerned and has maintained a good relationship with its customers.

The increasing number of choices in using banking products and services, increasing the variety of banking products can cause confusion for the customer itself due to lack of information about the products or services offered by the bank. In general, information about bank products provided has not been explained impartially, both about the benefits, risks and follow-up costs inherent in a bank product itself.

¹ Siti Yuniarti, "Perlindungan hukum data pribadi di Indonesia," *Business Economic, Communication, and Social Sciences Journal (BECOSS)* 1, no. 1 (2019): 147-54.

² Hanifan Niffari, "Perlindungan Data Pribadi Sebagai Bagian Dari Hak Asasi Manusia Atas Perlindungan Diri Pribadi (Suatu Tinjauan Komparatif Dengan Peraturan Perundang-Undangan Di Negara Lain)," *Jurnal Yuridis* 7, no. 1 (2020): 105-19.

As a result, the rights of customers contained in PBI No. 7/6/PBI/2005 regarding Bank Indonesia regulations on transparency of bank product information and the use of customer personal data such as obtaining complete, accurate, current, and intact information are not fulfilled. The problem arises because the issue of data protection and customer information in Indonesia has become a new problem in the banking world. On the other hand, an adequate form of protection for a customer's privacy rights has not been implemented into a legal instrument. Similarly, the existence of various laws (UU) that have the authority to manage one's data and information, are not given limits in order to avoid violations that result in unprotected data and information of a person.³

The use of customer personal data for commercial purposes must be done transparently and carried out based on the written consent of the customer to reduce the potential for lawsuits against the bank in the customer because he feels his personal rights are not protected by the bank. If these data are leaked to the other party without the direct consent of the customer itself is clearly a violation. Protecting the interests of the customer (including data provided by the customer in full and detail) is one of the obligations of the bank to properly maintain these data. Banks are prohibited from providing data to other parties and disclosing the financial condition of customers for commercial purposes.

In this case, what is protected is the personal data of the customer concerned, so that the customer's comfort is not disturbed by parties who are trying to benefit from the customer. This is excluded if the customer authorizes the bank to provide the customer's personal data to certain parties, for commercial purposes previously agreed by the customer.

According to Article 40 Paragraph 1 of the Banking Act, that banks are obliged to keep information about depository customers and their deposits confidential. Information in this article, which is in the form of all information or data about the customer, such as the name and address of the customer, the amount and type of deposit, since when the deposit is placed, and others. Although in fact it is very difficult as what can be said as something that must be kept secret by the bank from the information and data of its customers. However, because of the relationship of trust that exists between the customer and the bank, the obligation to keep a secret information is sourced to the moral obligations and demands of the public interest for the formation of a relationship based on mutual trust.

The use of this disclosure of information or customer data can only be made against the exceptions that have been confirmed in the regulation of the governor of BI number 2/19/PBI / 2000 concerning the requirements and procedures for granting orders or written permission to disclose bank secrets, which is possible to be opened

³ Sinta Dewi Rosadi, "Prinsip-Prinsip Perlindungan Data Pribadi Nasabah Kartu Kredit Menurut Ketentuan Nasional Dan Implementasinya," *Sosiohumaniora* 19, no. 3 (2017): 206-12.

for tax purposes, settlement of bank receivables, judicial interests in the bank and its customers, and the request of the legitimate heirs of the deceased customer, if a bank provides information to another bank in the framework of Interbank Information, may only be used by the Bank Limited in the framework of the bank's purpose to obtain such information, i.e. for consideration of credit applications requested by the said sinasabah, and not spread to the general public.⁴ Bank customers are currently faced with the provision of personal data by the bank to other parties outside the bank, for commercial purposes outside the purpose of the bank's relationship with the customer, without the prior consent of the customer.

The provision of this customer personal data to other parties for commercial purposes causes the customer's personal rights to be unprotected. If the use of customer personal data is used for unclear or transparent purposes, it will allow irregularities in banking business activities so that transparency in the use of customer personal data needs to be done so that customer rights remain protected, as stipulated in PBI 7/6/PBI/2005.

In the provisions of Article 9 paragraph 1 of this PBI, the bank is required to obtain written consent from the customer in advance, if it will use the customer's personal data for commercial purposes. The commercial purpose of the use of the customer's personal data must also be clearly explained by the bank, including the consequences that may arise. Article 10 paragraph 2 PBI 7/6/PBI/2005 has also dengan expressly stipulated that the bank may only use customer data after the customer has given consent in the clauses provided by the bank. If the customer has not given his consent, this customer data may not be used by the bank for matters that are not the purpose of the inclusion of the class of use of customer data by the bank.⁵

Transparency in the use of customer personal data by the bank is necessary to improve the protection of its customers, so as to provide a sense of security and comfort to customers in dealing with the bank, as has been contained in the consumer rights in the Consumer Protection Act, and can also minimize the existence of fraud crimes with parties on behalf bank armed with the customer's personal data.

For modern society, especially in Indonesia, transactions through internet banking will be easier and more practical seen today Indonesian people prefer to make transactions through internet banking rather than making transactions through ATM machines, from a survey found there are 91 percent who choose mobile banking services. The issues that really need to be considered are regarding the legal protection of personal data of customers who conduct internet banking transactions, the Consumer Protection Act in force in Indonesia today (Law No. 8 of 1999 on Consumer

⁴ Mellisa Towadi dan Waode Mustika, "Menggagas â€ œSister City for Smart Cityâ€ sebagai Optimalisasi Peran Hukum Internasional di Gorontalo," *Jurnal Ilmiah Penegakan Hukum* 9, no. 1 (2022): 87-97.

⁵ Marnia Rani, "Perlindungan Otoritas Jasa keuangan Terhadap kerahasiaan dan keamanan data pribadi Nasabah Bank," *Jurnal Selat* 2, no. 1 (2014): 168-81.

Protection)⁶ has regulated as the obligation of business actors in Article No. 7 and prohibited acts for business actors in Article No. 8 to Article No. 17 in order to provide protection to consumer rights, but in fact some of the cases that researchers encounter today are often banking customers experience data leaks and lose some money in an Automated Teller Machine (ATM) because their personal data is leaked to the third party (3),

the initial research that the researchers met with the bank explained that customer data leakage and skimming were very different because the bank had provided a form of customer data protection, although the Bank had provided a form of data protection, it did not mean that customer data could not be hacked by a 3rd party outside the bank, because the bank it's easy to get caught up with the people who run the business.

2. Research Method

The research method used by the researcher is empirical research method. Empirical Legal Research is a method of legal research by looking at reality and examining how regulations apply in society.⁷ This study is commonly referred to as sociological juridical Law Research, the object of study of which is the behavior of society that arises as a result of interaction with the system of norms and is based on the habits of society as a reaction to the application of a statutory provision.

3. Protecting Personal Data of Banking Customers On the Consumer Law and OJK Regulation 12/POJK.03/2021 at BRI KC KOTA GORONTALO

Consumer is any person who uses or uses goods or services available in society. a customer who uses one of the bank's products is said to be a consumer because the customer himself is one who has used the services of the banking sector, namely the internet banking service.⁸

The problem of balanced position in consumer protection law has been explained and emphasized in Article 2 which states that consumer protection is based on benefits, Justice, balance, security and safety of consumers and legal certainty.⁹ Bank BRI KC

⁶ Iqbal Mustapa, Zamroni Abdussamad, dan Mellisa Towadi, "Positive Fictional Authority Legislative Ratio in Government Administration Laws and Job Creation Laws," *Damhil Law Journal* 2, no. 1 (28 Mei 2022): 17-35, <https://doi.org/10.56591/dlj.v1i1.1726>.

⁷ S. H. I. Jonaedi Efendi, S. H. Johnny Ibrahim, dan M. M. Se, *Metode Penelitian Hukum: Normatif dan Empiris* (Prenada Media, 2018).

⁸ Erlina Maria Christin Sinaga dan Mery Christian Putri, "Formulasi Legislasi Perlindungan Data Pribadi dalam Revolusi Industri 4.0," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 9, no. 2 (2020): 237.

⁹ Anis H. Bajrektarevic dkk., "Costumer Explicit Consent Under Indonesian Open Banking Regulations," *Jambura Law Review* 4, no. 2 (30 Juli 2022): 176-94, <https://doi.org/10.33756/jlr.v4i2.15377>.

Gorontalo city has strongly held the principle of consumer protection because the bank is required to provide security and safety in the services provided to each customer, not only that the principle has the same nature as the principle of banking law where the principle of banking law is to create a healthy banking system with the principle of trust, confidentiality the principle of caution. The principle of consumer protection law and the principle of banking law is the foundation of the bank to improve legal protection for customers.

Bank BRI KC Gorontalo City in providing legal protection to customer personal data to users of bank products as consumers the bank prioritizes what are the rights of the customer itself, such as the right to feel safe and comfortable, the right to be heard opinions, the right to protection and the right to compensation.

1. Article 4 letter a, this article reads, namely the right to comfort, security, and safety in consuming goods or using services in this article explains that every customer as a consumer in using bank services has the right to comfort, security and safety, this is one form of protection given to all customers of service users bank, as well as the use of customer data at bank BRI KC gorontalo bank customers need to get a definite form of legal protection.
2. Article 4 letter d which reads the right to be heard opinions and complaints on goods or services used. Judging from the article, the bank will give the right to the customer to argue and report complaints on the use of bank services or complaints on the customer's personal data in case of problems. This is very influential for the progress of the system or the bank itself, because of the opinions or complaints from customers, banks can improve in order to maintain customer confidence in the bank.
3. Article 4 letter e which states that the right to obtain advocacy, protection and dispute resolution efforts appropriate consumer protection. With the existence of this article, customers as consumers of bank product service users are given protection and dispute resolution efforts. Not only users of bank products that the bank provides advocacy and legal protection but all customers of Bank BRI KC Gorontalo City who have problems using bank products or problems in their customers ' personal data.
4. Article 4 letter h which states that consumers are entitled to compensation, compensation or replacement, if the goods or services received are not in accordance with the agreement or not as it should be. In this case, the customer who uses the bank's products will be compensated by the bank if the services provided are not in accordance with the initial agreement. However, the bank will not provide to customers who are negligent in the use of bank products or customers who are negligent of their own personal data, for example there is a 3rd party who sends links or sweepstakes on behalf of the bank and the

customer neglects to provide a one Time Password code that is very private so as to make alone.¹⁰

Some other articles in the consumer protection law that provide protection to customers who use bank products and customer data include Article 7 letter f and Article 19 paragraph (1) and Paragraph (2). Both articles describe the provision of compensation or compensation to the customer, but this article can be used if one party violates the agreement agreed by both parties.¹¹

Regarding compensation, Bank BRI Kc Gorontalo City will conduct an examination first before providing compensation because not all existing problems can be compensated. The Bank will provide compensation if there are errors that actually arise from the server or services provided by the bank. Problems arising from the fault of the customer itself the bank will not provide compensation. For example in the case that often happens that the customer gets a link or a lottery from the 3rd party on behalf of the Bank, so as to make the customer believe by clicking the link provides the OTP code and so on to the 3rd party therefore makes his personal data leaked to the 3rd party and of course the Nominal in his account enters the party, it can not be given by the bank *irugi gant*.¹²

With the OJK Regulation Number 12/POJK.03/2021 which has been implemented by Bank BRI Kc Gorontalo City where this bank has provided specifications there are several types that the bank has provided depending on the system used related to the security system protecting customer data one of them is Bank BRI has collaborated with Norton Secured Company this is like a virus that works in the world Bank file when the customer logs in to open an online account, it is asked for a user-id and Password and automatic verification is protected by the system. Therefore, Law No. 8 of 1999 on consumer protection and OJK Regulation No. 12/POJK.03/2021 it is appropriate and has been implemented according to banking procedures because employees at Bank BRI Kc Gorontalo City are not all biased to access customer data, for example, Customer Service input data, there is a leveling/authority for each employee.¹³

As well as Bri banks also have data when there are agencies that need information in the form of customer data when outside parties request data although law enforcement officers but do not bring a summons / Investigation Order Law

¹⁰ Bahagia Bahagia, Sri Walny Rahayu, dan Teuku Muttaqin Mansur, "Perlindungan Data Pribadi Nasabah Dalam Penawaran Transaksi Asuransi Oleh PT. Bank Negara Indonesia (Persero)," *Syiah Kuala Law Journal* 3, no. 1 (2019): 18-34.

¹¹ Islamiati M. Umar, Nirwan Junus, dan Melissa Towadi, "Legal Protection Of Clients Without Contract On Legal Services According To Consumer Protection Law," *Estudiante Law Journal* 3, no. 3 (2021): 389-407.

¹² Rildayanti Medita, "Perlindungan Hukum Bagi Nasabah Terhadap Keamanan Data Pribadi Nasabah Dalam Layanan Internet Banking" (UAJY, 2014).

¹³ Octa Villa dan David Tan, "Efektivitas Perlindungan Data Diri Konsumen Dalam Bidang Perbankan," *Jurnal Justitia: Jurnal Ilmu Hukum dan Humaniora* 9, no. 5 (2022): 2441-52.

Enforcement itself is not biased the Bank provides customer data, it is one of the bank's protection of customer personal data, and some usually, the customer in some cash inputs the customer's own data that includes the cellphone number and address, the Bank is not biased in anticipation because it has involved customers and parties other than the Bank, but if the Bank has applied the principles of the law, even if there are customers who complain about their leaked personal data, they will first verify such as what and chronology when there are points that are automatically fulfilled the bank is not biased responsible for data leakage if there are financial effects such as funds taken by the bank is not biased responsibility in electronic transactions is true even though not the customer himself but someone else because the customer provides their own data.¹⁴

4. Responsibility of Bank Rakyat Indonesia (BRI) KC Gorontalo city to problems in the use of customer data

Field Data that researchers get that customer data leakage in Bank Bri KC gorontalo city until now has not existed because Bri is very committed to customer data and it is very fatal for the Bank if leaked to other parties the possibility for data leakage is very small why because judging from the system that Bank Bri provides to protect customer data, usually the leaking of the data is due to negligence on the part of the customer who suddenly gets a link on behalf of the bank and tries to display the link like the official website of Bank Bri and the customer is asked to enter the user-id, password after it is sent OTP through the Link.¹⁵

Not a Bri leak but rather a third party without realizing it, therefore the Bank has provided continuous education to customers, according to the Bank, the data leak is not only 1-2 people but more to skimming where the personnel convey data without realizing it.

Bank Bri has actually tried to keep customer data possible when they open an account it has been educated in advance such as how to secure the pin so that the pin cannot be detected, for example do not use the date of birth, sequential numbers, passwords do not use the customer's name in accordance with the ID card, this is one example it felt the data leaked from the Bank was checked first cash by cashnya, what kind of chronology because usually the Customer had clicked on the link that the 3rd party sent on behalf of the Bank, this included Skimming because skimming was copied customer data using a copai tool that was embedded in the mouth of the Atm, therefore the Bank routine every day is patrol where there is a bank that goes down to check in a special atm atm oldside / diluarkantor as the location of spending, jalan trans, so the possibility of skimming was very small, and now also Bank Bri already

¹⁴ Sahat Maruli Tua Situmeang, "Penyalahgunaan Data Pribadi Sebagai Bentuk Kejahatan Sempurna Dalam Perspektif Hukum Siber," *Sasi* 27, no. 1 (2021): 38-52.

¹⁵ Eta Novita Arsanty, "Analisis Yuridis Perlindungan Hukum Data Pribadi Nasabah Yang Diberikan Kepada Pihak Ketiga," *Jurnal Nestor Magister Hukum* 1, no. 1 (2016): 209693.

held berchip technology, which means if anyone tries to copy customer data it is not biased copied because berchip Bank Bri is safe.¹⁶

Anticipation from the Bank Bri they have provided a program called transaction education (Selelodigital), this selelodigital has three tasks, namely related to digital transactions, safe and comfortable transactions, and customers who build awareness that digital transactions are important to anticipate data leaks, the Bank Bri has also explained related products one of which is Brimo in the product is already registered BRI official channel here customers can make a complaint through Bri official contact¹⁷. The bank's responsibility as an internet banking service provider advises customers to be more vigilant and careful in using internet banking services if there is anything suspicious and considered to pose a danger in the use of internet banking, customers can directly report to the bank through the Bank's Call Center, or can come directly to the customer service officer (CSO) in writing or orally.

The bank will check in advance against each customer transaction stored in the data in any form, including on the computer print out, the transaction sent electronically between the bank and the customer is a valid proof, unless there are other things that can be proven by the customer, the bank will report to the handling complaint system (HCS) special section that handles the operations of the center, and will be processed a maximum of 14 working days. Compensation to be given by the bank to the customer is the provision of compensation to the customer, in accordance with the losses suffered by the customer if there has been an agreement between the bank and the customer. Material losses suffered by customers in the mechanism of using internet banking.¹⁸

The customer can submit a claim or request accountability from the bank as follows :

1. If the loss suffered by the internet banking user customer is caused by negligence of the internet banking user customer itself, then the customer cannot file a claim against the bank because the error is committed by the internet banking user customer itself, and the bank does not default to the internet banking user customer so as not to require the bank to losses suffered by customers. But the bank continues to assist customers in finding solutions to losses experienced by customers.

¹⁶ Ristalia Rigantika, "PERLINDUNGAN HUKUM TERHADAP KEAMANAN KERAHASIAAN NASABAH BANK DIHIBUNGKAN DENGAN HUKUM POSITIF DI INDONESIA" (FAKULTAS HUKUM UNIVERSITAS PASUNDAN, 2022).

¹⁷ Lidwina Savira Nurulhaq, Nirwan Junus, dan Mellisa Towadi, "JURIDICAL REVIEW LEGAL PROTECTION ON THE USE OF CUSTOMER DATA BY BRI BANK KC GORONTALO CITY," *Journal Evidence Of Law* 2, no. 2 (2023): 22–36.

¹⁸ Vicky Katiandagho, Diana Darmayanti Putong, dan Isye Junita Melo, "UNDANG-UNDANG PERLINDUNGAN DATA PRIBADI MEMPERKUAT UNDANG-UNDANG PERBANKAN DALAM MENJAGA RAHASIA DATA NASABAH DAN UNTUK MELINDUNGI DATA PRIBADI MASYARAKAT INDONESIA," *Jurnal Hukum to-ra: Hukum Untuk Mengatur dan Melindungi Masyarakat* 9, no. 1 (2023): 106–14.

2. If it turns out that the loss suffered by the customer internet banking user is caused by an error from the bank as a provider of internet banking services, the bank must meet the demands of the customer internet banking user bank and is responsible for providing compensation in accordance with the losses suffered by the customer. Because the bank has defaulted to the customer.
3. If this loss is caused due to the actions of a third party then the guilty third party must meet the demands and be responsible to the customer.

The responsibilities of business actors as stated in Article 19 of Law Number 8 of 1999 concerning consumer protection are :

1. Business actors are responsible for providing compensation for damage, pollution, or consumer losses due to consuming goods/services produced or traded.
2. Compensation as meant in Paragraph (1) may be in the form of a refund or replacement of goods/services of similar or equivalent value.
3. Compensation is carried out within 7 days (seven days after the transaction date)
4. The provision of compensation as meant in Paragraphs (1) and (2) does not eliminate the possibility of criminal prosecution based on further evidence of the existence of elements of guilt.
5. The provisions as meant in Paragraphs (1) and (2) shall not apply if the business actor can prove that the fault is due to the negligence of the consumer.¹⁹

Until now, the bank has provided the maximum possible accountability not only for the interests of the bank but for the interests of the customer itself. The bank in the internet banking service has provided responsibility in accordance with the regulations set by Bank Indonesia, namely Bank Indonesia Regulation Number 9/15/PBI/2007 application of risk management in the use of information technology by commercial banks for banking activities, namely:

1. Banks that provide internet banking services are required to implement risk management in internet banking activities effectively .
2. The implementation of risk management shall be provided in the procedures, policies and written guidelines by submitting guidelines for the implementation of risk management activities in internet banking services.
3. The main application of risk management for banks that provide internet banking services include the presence of Supervisors and commissioners and directors of the bank.

Security controls and risk management legal and reputational risks in security controls may include the following :

¹⁹ Okto Riawan Putra, "PENYALAHGUNAAN DATA PRIBADI NASABAH PERBANKAN SEBAGAI BENTUK KEJAHATAN DALAM PERSPEKTIF PERATURAN PERUNDANG-UNDANGAN" (MAGISTER ILMU HUKUM, 2022).

1. The Bank must conduct an identity and authorization authenticity test for customers who have made transactions through internet banking
2. The Bank must conduct an authenticity test of identity and authorization for customers who have made transactions through internet banking
3. The Bank will ensure the availability of adequate procedures to protect the integrity of data, records/principles and information on internet banking transactions.
4. Bank is obliged to protect the confidentiality of important information on internet banking.

while legal risk management and reputation risk include :

- a. The Bank will ensure the bank's website to provide information that allows prospective customers to obtain appropriate information about the identity and legal system of the bank before making a transaction
- b. The Bank will ensure that the customer confidentiality provisions are applied in accordance with those applicable in the country where the bank provides internet banking products and services.
- c. The Bank should develop a treatment plan to overcome problems arising from unwanted events that can inhibit internet banking services.²⁰

The following efforts made by Bank Rakyat Indonesia (BRI) KC Gorontalo City to minimize the risk of problems in internet banking services are as follows:

1) Privacy Policy

Customer personal Data is a bank secret that must be protected by the bank referring to regulatory provisions. The bank will not sell or disclose to other parties any information relating to the customer and the bank will keep all transactions made by the customer confidential. This is in accordance with the provisions of Article 40 of Law No. 10 of 1998 concerning banking and Article 2 Paragraph 1 of bank Indonesia Regulation No. 7/6/PBI/2005 concerning transparency of bank product information and the use of customer personal data. The security of personal data of bank customers is often leaked, it cannot be known whether this happens because of the negligence of the bank or the security carried out by the bank is less than optimal.²¹

Customer personal Data is very important to be secured so that there will be problems that can harm the customer. Regarding customer personal data, we the bank have done what we are obliged to do in accordance with existing regulations. We do not pernah membitukan seluruh data about

²⁰ Aditama Candra Kusuma dan Ayu Diah Rahmani, "Analisis Yuridis Kebocoran Data Pada Sistem Perbankan Di Indonesia (Studi Kasus Kebocoran Data Pada Bank Indonesia)," *SUPREMASI: Jurnal Hukum* 5, no. 1 (2022): 46-63.

²¹ NOVA NIA, "PERLINDUNGAN HUKUM TERHADAP PENYALAHGUNAAN DATA PRIBADI NASABAH DALAM PENYELENGGARAAN LAYANAN INTERNER BANKING" (UNIVERSITAS JAMBI, 2022).

datanasabahsampaipemilihannya, karenabagi us halimerupa data important and harusdirahasiakan and wedohalit in order to maintain trust inthe community.

2) Security policy

In accordance with the principles in the Banking Act which states that consumers are entitled to security, comfort, and safety in consuming goods or services. The bank has also provided a security system to protect customer transactions, namely there are three security systems provided by the bank, the first Secure Socket Layer (SSL) is a technology used to check the path between computers so that it cannot be read and known by other parties.

Second, the User ID or password is used by the bank to enter the main page of internet banking. And third, M-token is a security that is used every financial activity and some Non-financial transactions that will be sent to the customer's mobile phone with a different number for each transaction. The bank has carried out various activities to maximize security in bank services, but until now there are still many problems that occur in bank services that can harm customers and also the bank. Many unscrupulous people often on behalf of the bank to deceive all bank customers. The person doing through the medium of communication or via telephone and SMS on behalf of the bank.

This is not normal but it is something that can harm the customer if the customer believes what is said by the person. The recognition researchers get from the surrounding community, until the family and researchers have experienced this, but will be aware of researchers about it, researchers ignore what is said by the person on behalf of the bank. But what if there are people who will believe everything said by the person on behalf of the bank and give some money to the person.²²

Information provided by one of the people who got an SMS or an incoming call on behalf of the bank, often troubling because it is not just one or two times it happens but often happens. They asked that the bank to parse the numbers of the problem, because it can not only interfere with the activities of the community but give discomfort and invite public concern about the savings. This also has a negative effect on the bank, because it will reduce public confidence in the bank. The bank if it finds a problem reported by the customer regarding deposit funds that are lost or taken by a person on behalf of the bank, the bank will find out in advance what happened and whether the loss of customer funds occurred

²² Cecep Sutrisna, "ASPEK HUKUM PERLINDUNGAN DATA PRIBADI DAN KONDISI DARURAT KEBOCORAN ATAS DATA PRIBADI DI INDONESIA," *Wacana Paramarta: Jurnal Ilmu Hukum* 20, no. 5 (2021): 1-10.

due to disruption of the service system and internet network or negligence of the customer, this is done in bank but the bank will be responsible until the problem is solved.

5. Conclusion

Protection law data private client banking according to the Law Number 8 Year 1999 on the protection of Consumers in the Bank BRI Kc the City of Gorontalo is in the form of protection Bank Bri already provides applications the Norton secured application is that it protects the data of the customer's Bank Bri, Bri also already provides a form of protection other , namely replace berchip card ATM customer who now berchip ATM bank Bri already colored yellow like karu sim card Mobile party Bank to replace berchip cards at ATMS because they are wary of the presence of skimming/raid the account, the form of protection that is made also in the form of education so each customer who opens an account party's bank will give education a little way secure Pin/Password with no use of numbers in order, the date of birth as well as the name of which there is in the ID card they also provide information related to be careful if there is a on behalf of the parties of the bank, and the parties of the bank are also already doing the protection of the customer in the form of a patrol to mnegecek machines , the ATM outside the location of the Bank. So for the protection of customers according to Law No. 8 Tahunof 1999, it is appropriate , including for hak-hak consumer rights , to be fulfilled by the banks.

In the implementation of the regulation Otoritas Jasaof the Financial Services Authorityuangan(OJK) No. 12/PJOK.03/2021 diperbankan it in undergoing the task of supervision of the bank, the FSA to carry out system monitoring by using two approaches, namely supervision based on compliance, based on compliance here. according to the interview the parties of the Bank seems to already comply with the rules that applied from authority services financial is because of compliance against the employees of the bank Bri is very keep your privacy, as well as mlindungi data of the customer are possible if happens negligence banking can be subject to the sanctions of the criminal, that the second approach which is based on risk, supervision based on the risk that the FSA did at the Bank Bri 've been appropriate also because the views of the parties of the Bank enough already very protect data-the data of the customer of the terms of the protection that is already provided by parties of the bank but of the risk of operational risk that is due to the inadequacy or not the proper functioning of the internal processes for example errors of the human, the failure of the system/technical or its problems of external which affect the operations of the company effect

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