

# **TANGGUNG JAWAB BANK TERHADAP KEHILANGAN DANA NASABAHK AKIBAT DARI PENYALAHGUNAAN DATA NASABAHK DI BANK MAYBANK**

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## **ABSTRAK**

Penelitian ini bertujuan untuk mengetahui penerapan perlindungan hukum terhadap nasabah oleh perbankan dan tanggung jawab bank terhadap kehilangan dana nasabah akibat dari penyalahgunaan data nasabah di bank Maybank.

Penelitian ini menggunakan metode penelitian yang bersifat normatif empiris. Pendekatan tersebut mengungkapkan kaedah-kaedah normatif baik dari sumber yang di dokumentasikan maupun informasi narasumber dengan melakukan wawancara. Jenis data yang digunakan dalam penelitian merupakan data primer dan sekunder. Data primer merupakan data yang diperoleh secara langsung dari lapangan melalui wawancara dengan narasumber. Data sekunder merupakan data yang diperoleh dari dokumen-dokumen resmi, buku-buku yang berhubungan dengan objek penelitian, hasil penelitian dalam bentuk berupa laporan, skripsi, tesis, disertasi, dan peraturan perundang-undangan. Dengan melakukan analisis terhadap permasalahan melalui penerapan hukum serta mengacu pada aturan-aturan hukum terkait Hukum Perbankan.

Hasil penelitian yang diperoleh dari penulisan ini antara lain pertama, perlindungan terhadap nasabah bank berdasarkan hukum perbankan. Perlindungan yang diterima nasabah berupa perlindungan tidak langsung dan perlindungan langsung. Perlindungan data dan dana nasabah sangat penting sebagai tata kelola manajemen resiko perbankan. Sehingga dapat menimbulkan kepercayaan nasabah untuk menggunakan jasa perbankan. Tata kelola manajemen resiko perbankan yang paling penting terkait perlindungan data dan dana nasabah adalah terkait dengan ganti rugi dana nasabah. Penerapan Perlindungan Hukum terhadap Nasabah oleh Perbankan berdasarkan Undang-Undang Perlindungan Konsumen dan Undang-Undang Perbankan, dimana bank memiliki tanggung jawab terhadap hilangnya dana nasabah. Kedua, tanggung jawab bank terhadap kehilangan dana nasabah akibat dari penyalahgunaan data nasabah. Tanggung jawab bank terhadap nasabah yang dirugikan pihak-pihak perbankan harus bertanggung jawab atas kejadian yang di alami nasabah yang dirugikan. Pihak bank harus mengganti rugi apabila nasabah membuat surat pengaduan tentang kejadian yang dialami dan tidak merupakan kelalaian nasabah.

**Kata Kunci : Tanggung Jawab, Bank, Nasabah, Ganti Rugi, Perlindungan Hukum.**

# **RESPONSIBILITIES OF THE BANK AGAINST LOSS OF CUSTOMER FUNDS AS A RESULT OF MISUSE OF CUSTOMER DATA IN MAYBANK BANK**

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## **ABSTRACT**

This study aims to determine the application of legal protection to customers by banks and bank responsibilities for losing customer funds due to misuse of customer data at Maybank banks.

This research uses a normative research method. That approach reveals normative methods both from documented sources and informant information by conducting interviews. The type of data used in research is secondary data. Secondary data is data obtained from official documents, books relating to the object of research, research results in the form of reports, theses, theses, dissertations, and legislation. By analyzing the problem through the application of law and referring to the legal rules related to Banking Law.

The results obtained from this study include, first, the protection of bank customers based on banking law. Protection received by customers in the form of indirect protection and direct protection. Protection of customer data and funds is very important as a banking risk management governance. The most important banking risk management governance related to data protection and customer funds is related to compensation for customer funds. The discussion includes the Application of Legal Protection to Customers by Banks based on the Consumer Protection Act and Banking Law, and the Bank's Responsibility for Losing Customer Funds as a result of Misuse of Customer Data based on the Banking Law and Bank Indonesia Regulations where the Bank has the responsibility for the customer's funds being dropped. Second, the bank's responsibility for losing customer funds due to misuse of customer data. The bank's responsibility to customers who are injured by the banks must be responsible for the events experienced by customers who are harmed. The bank can compensate if the customer makes a complaint about the event that was experienced and is not a customer negligence. The bank's responsibility to customers who are injured by the banks must be responsible for the events experienced by customers who are harmed. The bank can compensate if the customer makes a complaint about the event that was experienced and is not a customer negligence. The bank can compensate if the customer makes a complaint about the event that was experienced and is not a customer negligence.

**Keywords:** Responsibility, Bank, Customer, Compensation, Legal Protection.