

ABSTRACT

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THE STATE OF PERSONAL DATA PROTECTION AUTHORITY AS STATE AUXILIARY BODY BASED ON PERSONAL DATA PROTECTION LAW

(xi + 130 pages)

In an effort by the Government of Indonesia to improve efforts to protect the individual rights of the public in the processing of Personal Data, both electronic and non-electronic, in 2016, the House of Representatives of the Republic of Indonesia approved Draft Law Number 27 of 2022 on Personal Data Protection (PDP Law). The law is the first regulation in Indonesia that comprehensively regulates the protection of personal data, including the establishment of specialized institutions. This study analyzes the position of the personal data protection institution in government organizations and its role in enforcing the PDP Law. This research uses statutory and conceptual approaches. The research findings show that the position of the Personal Data Protection Agency has the potential to carry out its duties independently without intervention. The implementation of personal data protection regulation in Indonesia has not been maximized because the Government has not issued a Presidential Regulation on Personal Data Protection Institution and also a Government Regulation on the procedures for implementing the Personal Data Protection Law. The presence of an institution is one of the efforts to provide legal certainty for the protection of personal data in Indonesia, so the Government must immediately issue a Presidential Regulation and also a Government Regulation as mandated by the Personal Data Protection Law. This is to ensure that there is no overlapping of power. The institution must also be equipped with adequate facilities and resources to ensure that the institution can perform its role in accordance with the mandate of the Personal Data Protection Law.

Keywords: Personal Data Protection, Personal Data Protection Agency, State of Personal Data Protection Agency.

Reference: 105 (1973-2023).