

ABSTRACT

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COMPARATIVE STUDY ON PERSONAL DATA PROTECTION REGULATIONS IN FINTECH PEER-TO-PEER LENDING IN INDONESIA WITH SINGAPORE

(vii + 167)

Financial Technology or Fintech aims to facilitate the public in accessing financial products, facilitate transactions and also improve financial literacy. Particularly in the development of Fintech Peer-to-Peer Lending, one important issue is the misuse of personal data. In Indonesia, as of today there is no general law on data protection. However, there are certain regulations concerning the use of electronic data. For a number of years, a new draft Bill on the protection of Private Personal Data is being discussed but to this date it has not been issued. Meanwhile looking at a fellow ASEAN member, Singapore has proven to have regulations regarding personal data that are very well and comprehensively regulated as stated in the Personal Data Protection Act 2012. Writing this paper aims to describe the comparison of the Personal Data Protection regulations in Indonesia with The Personal Data Protection Act 2012 in Singapore specifically in Fintech Peer-to-Peer lending systems. To supplement the results of the study, the author uses the type of normative-empirical research using the Act as a source of law and interviews as source of support theory. The research approach that I use is the approach Law, Comparative Law and Conceptual The results obtained is that in Indonesia there is no regulation of the Personal Data Act that stands alone. The primary sources of the management of electronic information and transactions in Indonesia are No. 11 of 2008 regarding Electronic Information and Transactions as amended by Law No. 19 of 2016 regarding amendment of Electronic Information and Transaction Law, Government Regulation No. 71 of 2019 regarding Provisions of Electronic Systems and Transactions and its implementing regulation, Minister of Communication & Informatics Regulation No. 20 of 2016 regarding the Protection of Personal Data in an Electronic System. While in Singapore all formats of personal data are covered under the Personal Data Protection Act 2012, whether electronic or non-electronic and regardless of the degree of sensitivity. As stated before, a new draft Bill on the protection of Private Personal Data is being discussed and two things from the PDPA that can be taken are the Do Not Call Registry, which lets you opt out of marketing messages and the requirement to acquire a Data protection Officer, to oversee the data protection responsibilities within the organization

References: 25 books (1981- 2019)

Keywords: Financial Technology, Peer-to-Peer Lending, Data Protection in Indonesia, Personal Data Protection Act 2012