

ABSTRAK

Ivone Christy Sianjaya (02659220020)

DAMPAK HUKUM DAN URGENSI PERLINDUNGAN BAGI PENGGUNA LAYANAN PINJAMAN ONLINE ILEGAL

(x + 59 halaman; 0 gambar; 0 tabel; 0 lampiran)

Dalam dinamika ekonomi modern, pinjaman *online* (pinjol) menjadi bagian penting dalam kehidupan masyarakat. Meskipun legalitas platform pinjol telah diatur oleh Otoritas Jasa Keuangan (OJK), munculnya pinjol ilegal mengakibatkan dampak negatif pada masyarakat. Kurangnya pengaturan terkait suku bunga dan penagihan pinjol ilegal meresahkan masyarakat, terutama yang memiliki keterbatasan akses ke sektor keuangan formal. Tumpukan kasus tunggakan pinjaman ilegal menunjukkan kesulitan yang dihadapi individu, seperti kasus seorang guru yang terjebak dalam utang mencapai puluhan juta rupiah akibat praktek ilegal dari beberapa pinjol. Studi ini bertujuan untuk mengidentifikasi sanksi hukum terhadap penyelenggara pinjol ilegal di Indonesia serta meneliti perlindungan hukum bagi pengguna layanan pinjol ilegal. Metode penelitian yang digunakan adalah pendekatan hukum normatif dengan fokus pada analisis peraturan perundang-undangan yang berlaku. Indonesia memiliki sejumlah sanksi hukum yang diberlakukan terhadap penyelenggara pinjol ilegal, termasuk penghentian operasi, sanksi administratif, dan bahkan hukuman pidana berdasarkan Undang-Undang dan Peraturan OJK. Langkah-langkah ini bertujuan untuk melindungi masyarakat dari praktik ilegal yang dapat merugikan mereka secara finansial dan sosial. Di sisi pengguna, perlindungan hukum diatur oleh POJK 77/2016 dan Undang-Undang Perlindungan Konsumen, yang memberikan fasilitas perlindungan konsumen seperti layanan pengaduan dan pembelaan hukum. Meskipun ada regulasi yang telah diterapkan, pinjol ilegal tetap menjadi masalah karena menawarkan pinjaman tanpa izin resmi, memanfaatkan minimnya literasi keuangan masyarakat, dan menimbulkan risiko pemberian pinjaman yang tidak terkontrol. Pentingnya pemahaman dan kepatuhan terhadap aturan dan hukum yang berlaku dalam layanan pinjol menjadi kunci dalam menghindari risiko hukum dan masalah finansial.

Kata Kunci: Pinjaman Online, Pinjol Ilegal, Perlindungan Hukum, Urgensi.

Referensi: 40 (tahun 1999 – 2023).

ABSTRACT

Ivone Christy Sianjaya (02659220020)

LEGAL IMPACT AND URGENCY OF PROTECTION FOR USERS OF ILLEGAL ONLINE LOAN SERVICES

(x + 59 pages; 0 images; 0 tables; 0 attachments)

In modern economic dynamics, online loans have become an important part of people's lives. Even though the legality of loan platforms has been regulated by the Financial Service Authority (OJK), the emergence of illegal loans has had a negative impact on society. The lack of regulation regarding interest rates and collection of illegal loans is troubling the public, especially those who have limited access to the formal financial sector. The pile of illegal loan arrears cases shows the difficulties faced by individuals, such as the case of a teacher who was trapped in debt worth tens of millions of rupiah due to the illegal practices of several lenders. This study aims to identify legal sanction against illegal lending providers in Indonesia and examine legal protection for users of illegal online loan services. The research method used is a normative legal approach with a focus on analysis of applicable laws and regulations. Indonesia has a number of legal sanctions that has been imposed on illegal loan organisers, including suspensions of operations, administrative sanctions, and even criminal penalties under the Law and OJK Regulations. These measures aim to protect the public from illegal practices that can harm them financially and socially. On the user side, legal protection is regulated by POJK 77/2016 and the Consumer Protection Law, which provides consumer protection facilitates such as complain services and legal defence. Even though there are regulations that have been implemented, illegal loan services remain a problem because it offers loans without official permission, takes advantages of people's lack of financial literacy, and creates the risk of uncontrolled lending. The importance of understanding and complying with the rules and laws that apply in lending services is the key to avoiding legal risks and financial problems.

Keywords: Online Loans, Illegal Online Loans, Legal Protection, Urgency.

References: 40 (years 1999 – 2023).