

ABSTRACT

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LEGAL PROTECTION OF CONSUMERS OF ILLEGAL ONLINE LENDING SERVICES WHOSE PERSONAL DATA IS MISUSED FOLLOWING LOAN DEFAULT (CASE NUMBER 438/PID.SUS/2020/PN JKT.UTR)

(xiii + 103 pages; 0 figures; 5 tables; 6 appendices)

The widespread misuse of personal data by illegal online lending platforms in Indonesia has triggered serious legal and social concerns. Many consumers, particularly those who default on repayments, experience threats, defamation, and violations of privacy due to unauthorized access and distribution of their personal information. Despite the growing number of cases, consumers often face difficulties in seeking legal remedies, especially when dealing with unregistered or anonymous lending entities. This research addresses the problem of how the law provides protection to consumers of illegal online loans whose personal data is misused as a consequence of payment default. The objective of this study is to analyze the existing legal frameworks that can be used to protect such consumers, and to evaluate the extent to which these frameworks are effective in practice. The research uses a normative juridical method supported by an empirical approach, combining statutory analysis with real-life case data obtained through literature studies and consumer reports. The research is based on legal theories including consumer protection theory, liability theory, and the human rights framework regarding the right to privacy and data control. The results show that current legal protections, particularly Law No. 27 of 2022 on Personal Data Protection and Law No. 8 of 1999 on Consumer Protection, provide a formal basis for legal recourse. However, in practice, enforcement is weak due to the cross-jurisdictional nature of digital platforms and the lack of regulatory capacity to monitor and prosecute illegal operators effectively. The study finds that legal remedies are often inaccessible to victims due to procedural complexity, lack of awareness, and limited institutional support. In conclusion, this research recommends stronger regulatory enforcement, improvement in public digital literacy, and the application of *vicarious liability* principles against platforms that facilitate illegal lending activities. Legal protection should be both preventive and repressive, ensuring that consumers are not only safeguarded from harm but also entitled to adequate compensation and justice.

Keyword : Consumer Protection, Illegal Online Lending, Personal Data Misuse

Reference : 53 References (2001-2024)