

Debtor Protection If Online Loan Crime Occurs

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Abstract: Popular peer-to-peer lending fintech is also called online lending. As an innovation in the financial sector, online loans offer financial assistance to people in need and applying for loans is quite easy. Online lenders as financial service providers are regulated by the Financial Services Authority, which is an institution legally authorized to regulate, supervise, audit and investigate the financial services sector. However, in practice, online loan management in Indonesia often causes problems even though it is regulated and supervised by the OJK. These problems are related to personal data breaches, resolving intimidation, and several other problems. The purpose of this research is to find out what the legal regulations for online loans are in Indonesia and what legal protection is given to borrowers who make online loans through legal regulations in order to avoid problems related to online loans. This research uses normative legal research methods, the approach used is a legal approach. The results of this research show that the basis for regulating online loans is in OJK Regulation Number 10/POJK.05/2022 concerning Technology-Based Community Financing Services. The legal protection for online borrowers is divided into preventive protection, namely protection against criminal acts, and contains prohibitions on online borrowing. And law enforcement protection to resolve disputes that arise, support through out-of-court dispute resolution tools, the Alternative Financial Services Sector Dispute Resolution Institute (LAPS SJK) and legal defense of debtor interests by assisting in the initiation of legal efforts.

Keywords: Debtor; Legal Protection; Online Loans; Peer-To-Peer Lending In Fintech

INTRODUCTION

With the rapid development of technology in Indonesia, online loan services or often called financial technology already exist. Online loans are financial aid provided online by financial institutions. Currently, online loans are very easy to access through smartphones by downloading the application on the Playstore or Appstore. In Indonesia itself, there are a lot of legal online loan applications on the Playstore, including: Kredit Pintar, Akulaku, Shopee Paylater, Dana Cinstallan, Pinjam Duit, Kredivo, Bantu Saku, Easy Cash, Rupiah Cepat, Julu and many other applications. Nowadays, more people are using online loan apps to



get loans than from banks, credit unions, and other lending services. Peer-to-peer financial technology loans or better known to the public as online loans. Online lending is an innovation in the financial sector that provides financial assistance services provided by financial service institutions and is carried out online or through the network, which can then be accessed by the public through electronic devices such as computers or smartphones. Online loans are basically loan contracts and money lending.

Online loans are protected by contract law, specifically electronic contract law. One of the areas of application of electronic contract law is the provision of electronic credit. 6 Article 1 paragraph 17 of Law 19 of 2016 amends Law Number 11 of 2008 concerning Information and Electronic Transactions and states that an electronic contract is an agreement between parties that is carried out through an electronic system.¹ In Indonesia, many people currently choose an alternative to fast loans through peer-to-peer lending financial technology companies or online loans (Pinjol). Based on data from the Financial Services Authority, the level of online loans reached IDR 225.55 billion in 2022, growing 44.6% compared to 2021 of IDR 155.97 billion.

The number of online borrowers will reach 178 million by 2022. Many people use online loans because accessing loan services is easy and only requires a smartphone to install an online loan application that is available both on the Play Store and in the App. Because the application requirements are simple, for example. show your personal documents, Identity Card (KTP), Family Card (KK), Taxpayer Identification Number (NPWP), salary slip and your photo with your ID card. And compared to banks that take 7 to 14 working days to disburse their funds, online loan services only take 1 hour, 4 hours to 24 hours to disburse their loan funds. Because of its convenience, online loans are the main choice of the public in terms of fast access and ease of borrowing money.

With the rapid development of online loans, many illegal online loans have also emerged. The difference between legal and illegal loans is that legal loans are usually certified and supervised by the Financial Services Authority (OJK). Legal loan makers are very attractive in providing offers to loan users because they place ads with low interest, but unlike those who ask for loans on the application to get money that for the loan itself is a necessity.² Illegal loans often offer loans with very high interest rates and short terms. For example, a loan of IDR 10 million, must be repaid within 7 days and the interest is IDR 12 million.³

In addition, illegal online loans from collection agencies often scare users of illegal online loans, even though the validity period has not expired. In addition, legitimate online lenders will not hesitate to impose hefty fines if the due date has expired. This is because the borrower will also disseminate the borrower's personal information or photos to emergency contacts or contacts on the borrower's smartphone, because if the borrower uses an online loan application, the contact and phone access must have permission from the borrower.

¹ Arvante, J. Z. Y. (2022). Dampak Permasalahan Pinjaman Online dan Perlindungan Hukum Bagi Konsumen Pinjaman Online. *Ikatan Penulis Mahasiswa Hukum Indonesia Law Journal*, 2(1), 73-87.

² Sinaga, E. P., & Alhakim, A. (2022). Tinjauan Yuridis Terhadap Perlindungan Hukum Bagi Pengguna Jasa Pinjaman Online Ilegal Di Indonesia. *UNES Law Review*, 4(3), 283-296.

³ Sriyono, J., & Syaafi, A. (2022). Pinjaman Online Tidak Beizin Dalam Perspektif Kebijakan Kriminal. *WASAKA HUKUM*, 10(2), 1-19.

In this way, illegal online loans can spread personal information and access the borrower's personal information. The disclosure of personal data is carried out by sending a message to all of the borrower's telephone contacts, where the message contains the borrower's personal data, the amount of debt incurred and a notification to the interested party to pay the borrower's debt.⁴ Worse, there is a risk that online loan recipient data is used by online lenders to improve credit in other online loan applications. Surprisingly, many people are also tempted to use these illegal loans. There have been many cases in the community involving online loans, both legal and illegal. This is influenced by the lack of understanding of the community itself about online loans, so they are easily tempted to take loans quickly without them realizing the causes and consequences of online loans.

METHOD

This study uses a normative juridical research method, which is legal research conducted by examining primary, secondary, and tertiary legal materials to understand the legal norms that govern online lending in Indonesia. The approach used in this study includes a statute approach by analyzing regulations related to online loans such as the ITE Law and OJK regulations, a conceptual approach to examine legal concepts related to electronic contracts and personal data protection, and a case approach to analyze legal cases related to online loans, both legal and illegal. and its legal implications for society.

The data sources used in this study consist of primary legal materials in the form of applicable laws and regulations, such as Law Number 11 of 2008 concerning Information and Electronic Transactions which has been amended by Law Number 19 of 2016, OJK regulations related to fintech lending, and regulations of the Minister of Communication and Information Technology regarding personal data protection. In addition, this study also uses secondary legal materials in the form of literature, journals, scientific articles, and previous research that discusses online lending and related regulations, as well as tertiary legal materials such as legal dictionaries and encyclopedias that provide additional explanations of the legal concepts used.

The data collection technique is carried out through library research by examining various legal sources in the form of laws, books, scientific journals, and cases related to online loans. The data obtained is analyzed qualitatively by descriptive-analytical methods, namely by interpreting existing legal rules, identifying legal problems that arise in online lending practices, and providing solutions based on applicable legal theories and regulations. This research is expected to provide a deeper understanding of online loan regulations, both legal and illegal, as well as legal protection for consumers who are entangled in online loans. In addition, this study also aims to provide policy recommendations in order to improve supervision and protection of the community using online loan services in Indonesia.

RESULTS AND DISCUSSION

The legal basis for online lending is the regulation of the Polish Code. Number 77/POJK.01/2016 of 2016 concerning Information Technology-Based Money Lending and Credit Services. According to the

⁴ Nurmantari, N. N. A. D., & Martana, N. A. (2019). Perlindungan Hukum Terhadap Data Pribadi Peminjam Dalam Layanan Aplikasi Pinjaman Online. *Kertha Wicara: Journal Ilmu Hukum*, 8(12), 1-14.

terminology of POJK 77/2016 Article 1 number 3 "Information technology-based credit and lending services are the implementation of financial services that aim to bring together lenders and borrowers to make lending and borrowing agreements within a certain period of time. rupee directly through 18 POJK 77/2016 explains that the contract for the provision of information technology-based money lending and credit services is a contract between the operator and the lender and the contract between the lender and the borrower.

The Financial Services Office (OJK) recorded the number of online loans reaching IDR 18.72 trillion in October 2022. This amount decreased by 3.93% compared to the previous month which reached IDR 19.49 trillion. Furthermore, OJK noted that the most borrowers came from West Java with a total of 14.2 million borrowers with a loan amount of IDR 4.56 trillion, followed by DKI Jakarta with 3.01 million borrowers with a loan amount of IDR 4.82 trillion.⁵

The large amount of user data related to online loans is certainly one of the obstacles of the Official Journal in eradicating online loans, especially illegal online loans. Furthermore, a report by the Law Journal dated November 22, 2022 through OJ member for education and consumer protection, Friderica Widiyarsari, during a press conference stated that the majority of victims of online loans, namely underground loans. , they are teachers. and layoff victims. Their reasons for using unofficial or illegal online loan services vary: for example, they need money to pay off debts, their poor economic situation, and funds from illegal loans are disbursed faster.⁶

Demographic data shows that 42% of victims of illegal loans are teachers, 21% of layoff victims, and 18% of housewives. Paradoxically, according to credit victims, many people commit suicide due to terrorism and are increasingly in debt. Based on the information posted by TrenAsia on the site, it summarizes several cases of suicide due to non-payment or non-payment of loan debts, including the case of a taxi driver who was hanged in South Jakarta in February 2019; A man hanged himself in Depok, March 2020; Man commits suicide due to debt of tens of millions of dollars, Tulungagung, June 2021; A deer breeder committed suicide in Gunung Kidul, August 2021; Bank employees in Bojnegoro, August 2021; A young man committed suicide because he could not stand the terror of debt collectors, Malang, October 2021.⁷

Based on this data, OJ as the institution responsible for implementing the supervision and regulation system in the financial services industry must make more efforts in consumer protection and legal protection. It is

⁵ Purba, O. W., Ardhya, S. N., & Dantes, K. F. (2023). PERLINDUNGAN KONSUMEN TERHADAP PENGGUNA PINJAMAN ONLINE ILEGAL DI KOTA DENPASAR. *Jurnal Ilmu Hukum Sui Generis*, 3(4), 180-193.

⁶ Arigato Dimitri dan Chontina Siahaan. (2021). Pemberitaan Kasus Pinjaman Online Ilegal di Media Berita Elektronik. *Jurnal Hukum Satu*. Volume 3 Nomor 4. Hlm 26-27

⁷ Indrajaya, I. N. (2022, September 14). Sejumlah kasus bunuh diri gara-gara pinjol ilegal di Indonesia. Retrieved from Pinjaman Online Ilegal: <https://www.cnbcindonesia.com/tech/20230221081055-37-415500/warga-ritak-bayar-pinjol-makin-banyak-ini-data-lengkapnnya>

true that consumer protection and legal protection have different meanings. Legal protection is the protection provided by the government for the good of the community to people who have not achieved a sense of justice in the life of the nation and state.⁸ Meanwhile, consumer protection can simply be interpreted as an effort to protect consumer rights.⁹

In addition, there are also various types of complaints or problems, including illegal loans for customers of this online loan service provider. Mr. Kadek Suarjana said that many of the reports received also included efforts to access customers' mobile personal data, such as access to contacts, family and environmental data (workplace, university/school), access to personal images/photos and monitoring of personal contacts on social networks, such access was carried out without the consent of both parties, both debtors and creditors, which is an act that violates privacy and the code of ethics.

OJK's efforts or efforts in protecting consumers who use online credit services (Pinjol) are divided into two modes, namely preventive and repressive.¹⁰ Prevention efforts are carried out among others by educating the community by conducting socialization programs in the community. This program is called OJK Ngiring Ke Banjar Socialization. The purpose of this campaign is to educate the public about financial literacy while also raising awareness about illegal investments.

Mr. Kadek Suarjana as the resource manager added, recently OJK has implemented this program in one of the Banjar Griya Tuban in Tuban Village, Badung. This is due to the low level of financial literacy in the community, because according to the National Survey of Financial Literacy and Inclusion (SNLIK) in 2019 it was 38.06%, while the financial inclusion rate was 92.91%. The data shows that the use of financial products/services by the public is not accompanied by a high level of understanding of these financial products/services, especially since there are many cases in the community regarding fraudulent investments or illegal online loans which are feared to be very serious. disturbing and harming many parties. Through this OJK program, it is hoped that people will be smarter and more careful in using or choosing legal and clear online investments or loans.

Meanwhile, OJK's firm steps in providing legal protection to online loan consumers, especially illegal online loans, make it easier for people who feel they are victims of illegal online loans to submit their complaints to the OJK contact center at 157. or by calling 081157157157. In addition, OJK also established and is a member of the Investment Alert Officer Unit (SWI). SWI consists of 13 ministries and financial

⁸ Lestari, N. M. M. D., Budiarta, I. N. P., & Sri, N. G. K. (2022). Upaya Perlindungan Hukum Terhadap Kreditur Atas Debitur Wanprestasi Dalam Perjanjian Kredit Pada Masa Pandemi Covid-19. *Jurnal Interpretasi Hukum*, 3(1), 176-181.. hal 77

⁹ ZULKARNAIN, P. F. (2022). *Perlindungan Konsumen Bagi Debitur Dalam Sistem Pinjaman Online Ditinjau dari Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen* (Doctoral dissertation, Universitas Islam Sultan Agung).hal 28

¹⁰ Triansyah, A., Julianti, P. N. S., Fakhriyah, N., & Afif, A. M. (2022). Peran Otoritas Jasa Keuangan Dalam Perlindungan Hukum Bagi Pengguna Pinjaman Online Ilegal (Studi Kasus Pinjol Ilegal di Yogyakarta). *Cross-border*, 5(2), 1090-1104.

institutions that are currently making intensive efforts to combat illegal investment activities in applications or services or other illegal financial products to improve IT control. Institutions or ministries that are members and collaborate in improving cybersecurity and financial investment include OJK, Kominfo, Bank Indonesia, the Attorney General's Office of the Republic of Indonesia, the Ministry of Industry and many more.

Basically the ad is designed to grab people's attention and curiosity when they first see it, whether the ad is too exaggerated or the terms and conditions of the offer are not really read. However, OJK still guarantees public protection and limits financial services activities to reduce losses for each party. The way to limit its activities is to establish advertising rules or information regarding the products offered, which must not violate consumer protection laws.¹¹ When it comes to advertisements or agreements that the OJK considers inappropriate or illegal and because of their nature can be detrimental to customers. Therefore, the OJK will take a clear position in giving a reprimand/reprimand to the financial service provider and if the reprimand is not heeded/ignored, then the OJK has and is authorized to remove the advertisement of the authority's financial services products. to block an app.¹²

Seeing the above conditions, it is necessary to supervise and strengthen from the OJK in terms of eradicating the existence and activities of illegal loans in order to prevent the number of losses that can be accepted by the public as well as to prevent the number of cybercrimes from increasing, in addition to increasing public trust in the government by blocking access to loans so that they can no longer operate, especially in the city of Denpasar.¹³ Therefore, strong, firm and binding rules are needed from the government and OJK in addressing this matter. In addition, the aspect of legal protection regulated by the OJK related to peer to peer lending regarding the basic principles of consumer protection that must be applied and implemented by Online Loan Service Providers. And regarding loan interest, the OJK has actually regulated this matter where the OJK has determined and affirmed that the interest rate on official online loans (pinjol) in Indonesia is a maximum of 0.4% per day for multipurpose and short-term loans. Short-term loan interest means that it is less than 30 days old. The productive loan interest rate is between 12%-24%. This interest amount is an agreement from the Indonesian Joint Funding Fintech Association (AFPI).

From the above statements and policies, it is clear that the OJK has clearly regulated the loan interest that must be paid to customers/consumers of official/legal online loan service providers. Therefore, let's go back to public policy and wisely choose and use online credit services that are official and supervised by the

¹¹ Aulia Damayanti. 2023. "Banyak Iklan Pinjol Menyesatkan, OJK Turun Tangan". Diakses melalui laman : <https://detikfinancecomnews.go.id> (Senin, 18 September 2023)

¹² Yosiana, M. (2023). Hegemoni Media Sosial Terhadap Maraknya Pinjaman Online (Pinjol). *Jurnal Ilmiah Multidisiplin*, 2(6), 161-167.

¹³ Anggun Lestari dan Fauzi Iswari. (2021). Upaya Perlindungan Hukum Terhadap Konsumen Yang Melakukan Pinjaman Uang Secara Online. *Pagaruyuang Law Journal*. Volume 5 No. 1. Hlm 890.

OJK, because if consumers use illegal online credit services, of course they have independent credit interest regulations and do not comply with OJK regulations. which is generally more dominant.¹⁴

The continuous application of the 2L principle (legal and logical) conveyed by Mr. Kadek Suarjana as the OJK Education and Consumer Protection Officer at the session is a preventive effort so that people always choose something that in their eyes has clear legal certainty and credibility. Respect the law and be careful in using online credit service applications by knowing in advance the product to be used, the terms and conditions and the form of cooperation so as not to be deceived in the future or feel disadvantaged. Why is this? Because mutual lending cooperation is a mutual agreement and the agreement is made because you understand and accept all the clauses of the agreement, then a cooperation agreement is made between the consumer and the online credit service provider. In addition, consumers also cannot sue online credit providers just because they feel disadvantaged, even though they have understood and agreed to the agreement.¹⁵

In Indonesia, the Financial Services Authority (OJK) is the authority responsible for regulating and monitoring online loans. To exercise this authority, the OJK has issued regulations to regulate online lending in Indonesia, namely Regulation No. 10 of the Financial Services Authority. /POJK.05/2022 concerning Information Technology-Based Community Financing Services (LPBBTI).¹⁶ However, even though the OJK has tried its best, both through the issuance of online loan regulations and supervision of fintech lending companies, online loans still pose problems for the community, according to OJK data as of September 30, 2022, showing: 2,019 complaints related to online loans. Such complaints include the behavior of collection or collection agencies, disbursement of loans without the applicant's consent, threats to disclose personal information, fraud, interest rate issues, fines and fines, and failure or delay of transactions.

Currently, many cases of violations committed by online credit providers continue to appear in the mass media, which are in the form of the dissemination of debtors' personal data (Article 32 in conjunction with Article 48 of the ITE Law and Article 65 Paragraph 2 in conjunction with Article 67.2 of the Personal Data Protection Law), intimidation of debt collectors during account repayment (Article 368 of the Criminal Code and Article 29 in conjunction with Article 45 of the ITE Law), fraud (Article 378 of the Criminal Code. Article 28 Paragraph 1 juncto Article 45 Paragraph 2 of the ITE Law), sexual harassment through electronic media (Article 27 Paragraph 1 juncto Article 45 Paragraph 1 of the ITE Law), which will occur

¹⁴ Jafar, A.B. (2019). Fungsi Pengawasan Otoritas Jasa Keuangan Terkait Perlindungan Konsumen Pada Layanan Peer To Peer Lending Finance. Jakarta: Al Ahkam.

¹⁵ Nugroho, Hendro. 2020. Perlindungan Hukum Bagi Para Pihak Dalam Transaksi Pinjaman Online. Jurnal Hukum Positum 5 No.1. hlm 3241.

¹⁶ Muhammad Guntur Fauzi, dkk. 2022. Perlindungan Hukum Bagi Masyarakat Yang Melakukan Pinjaman Online Ilegal. Jurnal Lex Suprema. Volume 4 No.1. hlm 67.

in the area. Online Loan Practice Course.¹⁷ The existence of the law is very necessary to protect the interests of the community. Law in a narrow sense is understood as a rule that functions to regulate human actions or behaviors so as to create order. On that basis, the presence of fintech peer-to-peer lending or online loans as a solution to people's needs requires regulation so that chaos can be prevented and order can be created.¹⁸ Article 1 number 8 of POJK n. 10/POJK.05/2022 explains that the LPBBTI organizer is an Indonesian legal entity that provides, manages and operates LPBBTI conventionally or based on sharia principles. The legal entity is in the form of a limited liability company (PT). And at the time of establishing a PT, the organizer must have a paid-up capital of at least IDR 25,000,000,000.00 and must be deposited in cash in the form of a fixed deposit on behalf of the organizer at a commercial bank or Islamic bank for the organizer based on sharia principles. Although the Financial Services Authority (OJK) has made great efforts to eradicate the existence of illegal online loans (Pinjol), especially through blocking and others. Of course, Pinjol will continue to look for ways and loopholes to continue to penetrate its services. secretly and illegally, either through websites or websites on internet platforms or through fake applications.

OJK will always try to consider every report/complaint from the public regarding legal and illegal loans. And when there is a dispute between the community as a customer and the online lender. Therefore, the public does not need to hesitate to take advantage of the opportunities provided by the OJK by sending their reports to the OJK 157 call center or writing them on the APPK portal website (Consumer Protection Portal Application) or through the Kontak157.ojk website. The reason the public is urged to report this website is because it makes it easier to understand the problems or cases faced by consumers/customers so that it is easier to submit their complaints to the relevant regulators/financial services institutions. For example, a customer feels that he or she is disadvantaged by a financial services institution. Let's say the name of the financial institution is "Pay Tomorrow Buy Now".

When a customer makes a report to the OJK, later it will be easier for the OJK to forward it directly to the *Pay Tommorrow Buy Now financial institution* so that it is immediately followed up and answers the customer's report, why is this because the OJK has a rule where online loan financial services institutions are required to always check and answer every complaint/report/complaint or complaint from their customers, so that the online loan financial institution is obliged to respond Each complaint received and resolved is a maximum of 20 (twenty) working days. After the customer has made a complaint through the APPK, the customer will be given a pin number and a customer service queue number, the purpose is to be able to access and check the extent to which the report or complaint has been responded to. And if the customer's report has been responded to by the financial services institution, the customer is asked to provide a response whether the problem/complaint has been answered or not. If not, then the alternative is

¹⁷ Sastradinata, Dhevi Nayasari. 2020. Aspek Hukum Lembaga Pinjaman Online Ilegal di Indonesia. Jurnal Independent, Volume 8 Nomor 1. Hlm 29.

¹⁸ Istiqamah, I. (2019). Analisis Pinjaman Online Fintech Dalam Kajian Hukum Perdata. Jurisprudentie Journal, Volume 6 No.2. Hlm 90

that the customer can continue his report to the LAPS SJK (Alternative Institution for Dispute Resolution in the Financial Services Sector) for further follow-up.¹⁹

LAPS SJK is an alternative institution for dispute resolution outside the court in the financial sector. SJK LAPS receives all general civil notices from the financial sector with a focus on consumer protection, helping consumers fight for their rights and handling consumer protection disputes with the aim of not harming consumers while using products/services in the financial sector. LAPS SJK provides at least mediation and arbitration services that are carried out based on the principles of independence, fairness, effectiveness and efficiency and are easily accessible. If there is a complaint or report of a criminal nature, the OJK then forwards the complaint to the police and the prosecutor's office for follow-up.

To protect consumers who use financial services, OJK continues to aggressively implement its program based on Article 28 letter (a) of Law Number 21 of 2022 concerning OJK which states that OJK is designed to protect consumers and that the public has the authority to take action to prevent losses for consumers and the public, including providing information and education to the public about the characteristics of the service sector. financial services, services and products. Because many online credit service providers are licensed and supervised by the OJK, the OJK is also responsible for the risks arising from the use of financial service provider products that can harm consumers.²⁰

Beyond that, OJK continues to refine and implement strategies to improve consumer protection, including through:

1. Mass education, both through national campaigns and through cooperation with educational institutions such as universities and schools. Villages will also be targeted to educate community members about financial products such as online investments and loans and use them more wisely and carefully.
2. Improved monitoring of market behavior. The goal is to limit the activities of financial service providers such as Pinjol from things that can harm their customers.
3. Improve consumer protection by managing each complaint based on the principles of simplicity, economy and efficiency.

In addition to the above efforts, the OJK will continue to strive to provide the best to improve the protection of consumers and the public in various ways and new breakthroughs will be made later to eradicate the existence of investment service providers or illegal online loans that can harm many parties. OJK together

¹⁹ Triasih, D. Muryati, D. T dan Nuswanto, 2021, Perlindungan Hukum Bagi Konsumen dalam Perjanjian Pinjaman Online. Seminar Nasional Hukum Universitas Negeri Jakarta. Volumen 7 (2). Hal 278.

²⁰ Dantes, Febrinayanti Komang dan Hadi, I Gusti Ayu Apsari. (2021). Penyelesaian Sengketa Kontrak Antara Pemerintah Kabupaten Buleleng Dengan PT.Chandra Dwipa Terkait Pembangunan Ruang Terbuka Hijau Taman Bung Karno Singaraja. Jurnal Komunikasi Hukum, Volume 7 Nomor 1. Hlm 272.

with the Investment Alert Task Force (SWI) hope to provide the widest possible relief to the public or consumers who feel disadvantaged by online loan service providers by submitting reports/complaints and submitting them through the contact center or web website provided. Based on reports/complaints from the public or customers regarding this illegal loan activity which seems very troubling and detrimental to the community, then we will receive and accommodate it one by one, then carry out blocking efforts led by KOMINFO. As an institution that has authority, this is where SWT's role in this case is now as a forum/forum for discussion between the OJK and all its members to provide solid legal services and protection to the community and consumers. so that they are more focused and handled correctly so that existing problems/reports can be solved properly. Whether it is news related to terrorist attacks, acts of accessing and disseminating personal data without consent, or agreements that violate contracts, will be collected and analyzed comprehensively to be resolved wisely so that no party feels disadvantaged in the future, both for the community. and customers, as well as for online credit service institutions, both legal and illegal.

However, OJK faces several obstacles or challenges to eradicate the existence of online loan service providers in the city of Denpasar. The existence of online loans in the context of today's technological advances is inevitable, especially since the needs of the economy that continue to increase are not proportional to the income of some people. Finally they decided to use online loans as an alternative or last resort. Because the deadline and process are fast and there is no need to ask for a loan from the bank, for example. In addition, the behavior of many people who are not wise and vigilant, presumptuous and hedonistic, low literacy culture and enjoying instant things without paying attention to it first causes many people and even customers who are in debt due to online loans to feel disadvantaged and deceived. and many other problems.

Currently, the OJK has tried to provide protection and policy policies that are made to regulate activities for both consumers and online loan service providers by making a series of rules and regulations that must not be violated. To provide legal protection for consumers who use online loans, there are several laws and regulations that can be applied. Things that OJK can do for the public/consumers who have problems with online credit service providers include facilitating through consumer complaints to the Financial Services Authority (OJK). The Financial Services Authority has a special department, namely Consumer Protection that handles consumer complaints and the Investment Alert Group. Therefore, to report illegal online loans that are not registered with the Financial Services Authority (OJK) and associations, you can do several things. First, report the incident to the police so that you can take legal action through the local police in your area. Report via <https://patrolisiber.id> website or email to info@cyber.polri.go.id. In addition, you can also report this to the Alertinvestment Task Force so that illegal online loans can be blocked, especially through jasainvestasi@ojk.go.id email.

In addition, reporting from the [pasarmodal.ojk](http://pasarmodal.ojk.go.id) website, investigators can draw conclusions about OJK's efforts in eradicating the existence of illegal loans in several locations, namely:

1. Update the list of cool loan fintechs. OJK will at any time display a list of OJK's registered and official fintech lending through the www.ojk.go.id website or bit.ly/registerfintechlendingOJK;
2. Collaborate with ministries/institutions in online loan supervision. OJK together with 12 ministries/institutions formed the Investment Alert Task Force which has cracked down on more than 3,193 illegal online loans since 2018;
3. Implement a moratorium on fintech loan registration. OJK has implemented a moratorium on registered fintech loans and has not accepted new fintech loan registrations for more than a year;
4. Create references for the Fintech field. In 2020, OJK has compiled a Roadmap and Action Plan for Digital Financial Innovation 2020-2024 to support responsible innovation in the financial services sector, including the fintech sector.
5. Development of the Fintech Lending Data Center (Pusdafil). To increase supervision of technology-based fintech loans, OJK developed Pusdafil;
6. Update on Fintech credit regulations. OJK will issue new regulations updating Financial Services Authority Regulation (POJK) 77/2016 on fintech lending, with a focus on capital, governance, risk management, licensing and institutions;
Conducting educational and literacy activities (OJK Capital Market Portal, 2021).

CONCLUSIONS

Legal protection for consumers and the public related to online credit is regulated in Law Number 21 of 2011, where economic actors are obliged to obey and implement the provisions in OJK Regulation Number 77/POJK.07/2016. The Financial Services Authority (OJK) has several tasks in protecting online credit consumers. First, OJK provides education and improves literacy culture in the community through socialization programs. Second, the OJK collaborates with ministries and the central OJK by forming a task force (SATGAS) called the Investment Alert Task Force (SWI) to block illegal online loans. Third, OJK regularly updates official and illegal credit fintech data through the official website and monitoring by the OJK's Market Conduct program. In addition, OJK also facilitates and assists the public in submitting complaints or reports through the OJK Consumer Protection Portal Application (APPK) website for follow-up.

REFERENCES

Book

- Jafar, A.B. (2019). Fungsi Pengawasan Otoritas Jasa Keuangan Terkait Perlindungan Konsumen Pada Layanan Peer To Peer Lending Finance. Jakarta: Al Ahkam.
- ZULKARNAIN, P. F. (2022). Perlindungan Konsumen Bagi Debitur Dalam Sistem Pinjaman Online Ditinjau dari Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen (Doctoral dissertation, Universitas Islam Sultan Agung).

Journal

- Anggun Lestari dan Fauzi Iswari. (2021). Upaya Perlindungan Hukum Terhadap Konsumen Yang Melakukan Pinjaman Uang Secara Online. Pagaruyuang Law Journal. Volume 5 No. 1. Hlm 890.
- Arigato Dimitri dan Chontina Siahaan. (2021). Pemberitaan Kasus Pinjaman Online Ilegal di Media Berita Elektronik. Jurnal Hukum Satu. Volume 3 Nomor 4. Hlm 26-27.
- Arvante, J. Z. Y. (2022). Dampak Permasalahan Pinjaman Online dan Perlindungan Hukum Bagi Konsumen Pinjaman Online. Ikatan Penulis Mahasiswa Hukum Indonesia Law Journal, 2(1), 73-87.
- Dantes, Febrinayanti Komang dan Hadi, I Gusti Ayu Apsari. (2021). Penyelesaian Sengketa Kontrak Antara Pemerintah Kabupaten Buleleng Dengan PT.Chandra Dwipa Terkait Pembangunan Ruang Terbuka Hijau Taman Bung Karno Singaraja. Jurnal Komunikasi Hukum, Volume 7 Nomor 1. Hlm 272.
- Istiqamah, I. (2019). Analisis Pinjaman Online Fintech Dalam Kajian Hukum Perdata. Jurisprudentie Journal, Volume 6 No.2. Hlm 90.
- Lestari, N. M. M. D., Budiarta, I. N. P., & Sri, N. G. K. (2022). Upaya Perlindungan Hukum Terhadap Kreditur Atas Debitur Wanprestasi Dalam Perjanjian Kredit Pada Masa Pandemi Covid-19. Jurnal Interpretasi Hukum, 3(1), 176-181.
- Muhammad Guntur Fauzi, dkk. (2022). Perlindungan Hukum Bagi Masyarakat Yang Melakukan Pinjaman Online Ilegal. Jurnal Lex Suprema. Volume 4 No.1. Hlm 67.
- Nugroho, Hendro. (2020). Perlindungan Hukum Bagi Para Pihak Dalam Transaksi Pinjaman Online. Jurnal Hukum Positum 5 No.1. Hlm 3241.
- Nurmantari, N. N. A. D., & Martana, N. A. (2019). Perlindungan Hukum Terhadap Data Pribadi Peminjam Dalam Layanan Aplikasi Pinjaman Online. Kertha Wicara: Journal Ilmu Hukum, 8(12), 1-14.
- Purba, O. W., Ardhya, S. N., & Dantes, K. F. (2023). Perlindungan Konsumen Terhadap Pengguna Pinjaman Online Ilegal di Kota Denpasar. Jurnal Ilmu Hukum Sui Generis, 3(4), 180-193.
- Sastradinata, Dhevi Nayasari. (2020). Aspek Hukum Lembaga Pinjaman Online Ilegal di Indonesia. Jurnal Independent, Volume 8 Nomor 1. Hlm 29.
- Sinaga, E. P., & Alhakim, A. (2022). Tinjauan Yuridis Terhadap Perlindungan Hukum Bagi Pengguna Jasa Pinjaman Online Ilegal Di Indonesia. UNES Law Review, 4(3), 283-296.
- Sriyono, J., & Syaafi, A. (2022). Pinjaman Online Tidak Berizin Dalam Perspektif Kebijakan Kriminal. WASAKA HUKUM, 10(2), 1-19.
- Triansyah, A., Julianti, P. N. S., Fakhriyah, N., & Afif, A. M. (2022). Peran Otoritas Jasa Keuangan Dalam Perlindungan Hukum Bagi Pengguna Pinjaman Online Ilegal (Studi Kasus Pinjol Ilegal di Yogyakarta). Cross-border, 5(2), 1090-1104.
- Triasih, D. Muryati, D. T dan Nuswanto. (2021). Perlindungan Hukum Bagi Konsumen dalam Perjanjian Pinjaman Online. Seminar Nasional Hukum Universitas Negeri Jakarta. Volume 7 (2). Hlm 278.

Yosiana, M. (2023). Hegemoni Media Sosial Terhadap Maraknya Pinjaman Online (Pinjol). Jurnal Ilmiah Multidisiplin, 2(6), 161-167.

Law

Undang-Undang No. 21 Tahun 2011 Tentang Otoritas Jasa Keuangan. (Lembaran Negara Republik Indonesia Tahun 2011 No. 111, Tambahan Lembaran Negara Republik Indonesia No. 5253).

Undang-Undang No. 19 Tahun 2016 Tentang Perubahan Atas Undang-Undang No. 11 Tahun 2008 Tentang Informasi dan Transaksi Elektronik. (Lembaran Negara Republik Indonesia Tahun 2016 Nomor 251, Tambahan Lembaran Negara Republik Indonesia Nomor 5952).

Undang-Undang No. 39 Tahun 1999 Tentang Hak Asasi Manusia. (Lembaran Negara Republik Indonesia Tahun 1999 Nomor 165, Tambahan Lembaran Negara Republik Indonesia Nomor 3886).

Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

Undang-Undang No. 11 Tahun 2008 Tentang Informasi dan Transaksi Elektronik. (Lembaran Negara Republik Indonesia Tahun 2008 Nomor 58, Tambahan Lembaran Negara Republik Indonesia Nomor 4843).

Undang-Undang No. 8 Tahun 1999 Tentang Perlindungan Konsumen. (Lembaran Negara Republik Indonesia Tahun 1999 No. 22, Tambahan Lembaran Negara Republik Indonesia).

Electronic News Source

Aulia Damayanti. (2023). “Banyak Iklan Pinjol Menyesatkan, OJK Turun Tangan”. Diakses melalui laman: <https://detikfinancecomnews.go.id> (Senin, 18 September 2023).

Indrajaya, I. N. (2022, September 14). Sejumlah Kasus Bunuh Diri Gara-Gara Pinjol Ilegal di Indonesia. Retrieved from Pinjaman Online Ilegal: <https://www.cnbcindonesia.com/tech/20230221081055-37-415500/warga-ritak-bayar-pinjol-makin-banyak-ini-data-lengkapnnya> .