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Personal Data Protection For Debtors By Otoritas Jasa Keuangan (Ojk) Againts Illegal Online Loans In Indonesia

Nazwa Hawwa Audica
Universitas Negeri Semarang, Semarang, Indonesia
nazwaaudicha@students.unnes.ac.id

Abstract

Alongside the quick advancement of financial technology, protecting debtors' personal information in illicit internet lending activities has emerged as a critical legal concern in Indonesia. The primary problem lies in the widespread abuse of personal information and transgressions of consumer rights, the methodology Normative legal research using conceptual and statutory methodologies is employed. The purpose of this study is to assess how debtors' personal data is protected and to look at Otoritas Jasa Keuangan's (OJK) place in the current legal system. Statutory and conceptual methods for normative legal study is the methodology employed, analyzed descriptively through a literature study. The results indicate that. Normatively, personal data and consumer protection are regulated under various laws and regulations; however, inconsistencies between regulations remain, along with the limited authority of Otoritas Jasa Keuangan in reaching illegal online lending providers operating outside the formal supervisory system. This condition creates a gap between legal norms (das sollen) and field practices (das sein), resulting in suboptimal legal protection for debtors. These findings emphasize the need to strengthen an integrative legal approach through cross sector coordination, optimized supervision, and enhanced law enforcement to ensure legal certainty and protection for debtors within the digital financial services sector.

KEYWORDS: Personal Data Protection, Consumer Protection, Otoritas Jasa Keuangan (OJK), Illegal Online Lending.

Introduction

Advancements in information and communication technology over the last few decades have brought about significant transformations in various aspects of life, including the economic and financial sectors. Numerous advances in financial sector finance technology (fintech) systems have emerged as a result of the huge digital transition that has taken place. Fintech, or financial technology, is a blend of digital technology and financial services intended to increase accessibility and efficiency[1]. In Indonesia as a developing country, Fintech, or financial technology, is crucial to the growth of financial inclusion and providing financing opportunities to communities that are not yet reached by formal financial institutions.

From a legal perspective, the development of financial technology (fintech) is inseparable from the need for regulations capable of providing legal certainty and protection for the public as service users. According to Law Number 8 of 1999 concerning customer Protection, which states that every customer has the right to comfort, security, and safety when using goods and/or services, this is consistent with the principles of consumer protection[2]. As a result, fintech's existence as an innovation in the financial services industry must stay under the legislative boundaries that ensure the protection of consumer rights.

In Indonesia, one type of financial technology (fintech) that is expanding quickly is Information technology-driven financial lending services, or peer-to-peer (P2P) lending, commonly known as online loans (online lending). This service provides convenience for the public to obtain financing quickly and practically without going through complex

[1] Waldi Nopriansyah and Nesya Salma Wafi, "Literasi Keuangan Digital: Bahaya Dan Dampak Pinjaman Online Ilegal Bagi Mahasiswa," *AKM Jurnal Pengabdian Kepada Masyarakat* Vol. 5 No.1 (2024), no. Vol. 5 No. 1 (2024): AKM : Aksi Kepada Masyarakat Jurnal Pengabdian Kepada Masyarakat-Juli 2024 (July 2024), https://doi.org/https://doi.org/10.36908/akm.v5i1.1118.

[2] Undang-Undang (UU) Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen, Pub. L. 8 (1999).

procedures as required by banking institutions. By simply using a mobile device, the public can access lending services in a short amount of time. This ease of access has made online loans a highly sought after financing alternative, particularly for those who need funds urgently or who face limitations in meeting the requirements of conventional financial institutions.

The Otoritas Jasa Keuangan Regulation Number 10/POJK.05/2022 concerning Information Technology Based Joint Funding Services regulates the use of online lending services from a normative standpoint, which governs various aspects ranging from licensing and governance to consumer protection. According to this rule, suppliers must follow the prudence principle and guarantee the security and confidentiality of users' personal data[3]. This demonstrates that the state, through Otoritas Jasa Keuangan (OJK), aims to guarantee that technology advancements in the financial industry continue to give the public sufficient legal protection.

The phenomenon of the increasing use of online loans is inseparable from the socio-economic conditions of the Indonesian people, who still face various obstacles in accessing formal financing. Many individuals lack collateral, a strong credit history, or sufficient administrative capacity to access banking services. In such a situation, online loans or fintech lending emerge as an alternative solution that provides more flexible and inclusive access to financing. From a normative perspective, the existence of these services is in line with state policies aimed at increasing financial inclusion and expanding availability of just and equitable financial services.

The development of online lending additionally results in a number of complex legal issues. One of the biggest issues is the widespread use of illicit internet
lending operating without a permit and outside the supervision of the competent authorities. Illegal online lending constitutes a form of business

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3 Peraturan Otoritas Jasa Keuangan Nomor 10/POJK.05/2022 Tahun 2022 Tentang Layanan Pendanaan Bersama Berbasis Teknologi Informasi, Pub. L. 10 (2022).

activity that contravenes prevailing legal provisions, as it fails to meet licensing requirements and does not comply with the regulations established by the state[4].

In practice, illegal lending often offers greater convenience than legal services. However, it carries a number of risks that harm the general population as consumers. Illegal online lending providers tend to impose exorbitant interest rates, include non-transparent contractual clauses, and employ debt collection methods that violate legal and ethical norms. This condition reflects an imbalance of power between businesses and consumers, which contradicts the principles regulated under the Consumer Protection Law.

The misuse of debtors' personal information is a more significant issue with illicit online lending activities, which serves as the central issue of this research. Users must submit a variety of personal information during the loan application process, including their name, phone number, address and access to data on their electronic devices, including contact lists. From a legal perspective, Personal data must be gathered and processed in accordance with responsible and legal guidelines.

Law Number 27 of 2022 concerning Personal Data Protection, which requires that processing of personal data be predicated on the data's lawful consent, rigorously regulates this subject and must comply with the principles of purpose limitation, accuracy, security, and accountability. Furthermore, Any information pertaining to a person's personal data must be used with that person's agreement, according to Law Number 11 of 2008 regarding Electronic Information and Transactions, as revised by Law Number 19 of 2016.

[4] Ayup Suran Ningsih et al., “Upaya Peningkatan Pengetahuan Investasi Pada Platform Media Investasi Digital Bagi Santri Pondok Pesantren Asshodiqiyah Kota Semarang,” *ABDI WIRALODRA: JURNAL PENGABDIAN KEPADA MASYARAKAT* Vol. 5 No. 2, no. Vol. 5 No. 2 (2023): Abdi Wiralodra (September 2023), https://doi.org/https://doi.org/10.31943/abdi.v5i2.107.

However, in practice, particularly within illegal online lending, these provisions are frequently ignored. Debtors' personal data is not only used for loan administration purposes but is also misused for other harmful objectives, such as disseminating data to third parties, intimidation during debt collection, and actions intended to humiliate the debtor. This practice is a clear violation of individual privacy rights and contradicts the legal and regulatory guidelines for protecting personal data[5].

In addition to causing legal losses, the abuse of personal data affects the victims' social and psychological well-being. In several cases, debt collection practices are even accompanied by threats and pressure that potentially violate criminal law. This suggests that personal data protection in online lending practices has not yet reached its full potential, especially when interacting with illicit groups[6].

According to Law Number 21 of 2011, which oversees Otoritas Jasa Keuangan (OJK), OJK is in charge of keeping an eye on fintech businesses operating in the financial services industry. Otoritas Jasa Keuangan (OJK) is in charge of monitoring and controlling financial services operations as well as protecting the interests of the general public and customers. In exercising its functions, Otoritas Jasa Keuangan (OJK) has issued various policies and regulations aimed at creating a sound financial system and protecting service users[7].

Nevertheless, based on the 2024 Annual Report of Otoritas Jasa Keuangan and the 2024 report from Satgas PASTI, the Task Force for Eliminating Illegal Financial Activities, numerous illegal online lending

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[5] Elda Septi Darmayanti and Sidi Ahyar Wiraguna, "Tanggung Jawab Hukum Pinjaman Online Terhadap Penyebaran Data Nasabah Secara Ilegal," *Aladalah Jurnal Politik, Sosial, Hukum Dan Humaniora* Vol. 3 No.2 (2025), no. Vol. 3 No.2 (2025): ALADALAH: Jurnal Politik, Sosial, Hukum dan Humaniora (April 2025), https://doi.org/https://doi.org/10.59246/aladalah.v3i2.1313.

[6] Jeremy Zevanya Yaka Arvante, "Dampak Permasalahan Pinjaman Online Dan Perlindungan Hukum Bagi Konsumen Pinjaman Online," *IPMHI Law Journal* Vol. 2 No. 1 (2022), no. Vol. 2 No. 1 (2022): IPMHI Law Journal, January-June 2022 (February 2022), https://doi.org/https://doi.org/10.15294/ipmhi.v2i1.53736.

[7] Edmon Makarim, *Tanggung Jawab Hukum Penyelenggara Sistem Elektronik.*, First edition, ed. Edmon Makarim (Jakarta: Rajawali, 2010).

practices continue to operate in Indonesia. This indicates that the supervision of this sector still faces various challenges, particularly in reaching unregistered entities that operate outside the formal legal system[8].

This issue has also been the focus of various previous studies. Research by Saida Dita Hanifawati (2021) in the Journal of Law Enforcement and Justice discusses the urgency of law enforcement against illegal peer-to-peer lending practices and its relationship with personal data protection. Using a normative legal approach, the study found that the prevalence of illegal online lending leads to numerous violations, including the misuse of debtors' personal data, which cannot yet be fully addressed by existing legal mechanisms[9]. Furthermore, research by Kurniawati and Yunanto (2022) in the Ius Constituendum Journal examines legal protection against the misuse of personal data in online lending activities. This study concludes that while legal protection is regulated under various instruments, such as the ITE Law and Otoritas Jasa Keuangan (OJK) regulations, implementation remains suboptimal due to the high frequency of violations in the field[10].

Eva Desy Fatmasari's (2023) research in Jurnal Jaksa: Jurnal Kajian Ilmu Hukum dan Politik addresses the legal safeguards for online lenders' personal information. The results show that the sharing of personal information is still common and that harsher penalties are needed to dissuade offenders[11]. Furthermore, a study by Rindiatika, Mufid, and

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[8] Angga Sukmawijaya and Widya Islamiati, "Hingga 31 Oktober 2024, Satgas PASTI Sudah Blokir 2.500 Pinjol Ilegal," *Kumparan*, November 2024, https://kumparan.com/kumparanbisnis/23wE5RqCL2g?utm_source=Desktop&utm_medium=copy-to-clipboard&shareID=hffQu9j4dlTY.

[9] Saida Dita Hanifawati, "Urgensi Penegakan Hukum Pidana Pada Penerima Pinjaman Kegiatan Peer To Peer Lending Fintech Ilegal Dan Perlindungan Data Pribadi," *Jurnal Penegak Hukum Dan Keadilan* Vol.2 No.2 (2021), no. Vol.2 No.2 (2021) : September (November 2021), https://doi.org/https://doi.org/10.18196/jphk.v2i2.12181.

[10] Husni Kurniawati and Yunanto Yunanto, "Perlindungan Hukum Terhadap Penyalahgunaan Data Pribadi Debitur Dalam Aktivitas Pinjaman Online," *Jurnal Ius Constituendum* Vol. 7 No. 1 (2022), no. Vol. 7 No. 1 (2022): April (April 2022), https://doi.org/https://doi.org/10.26623/jic.v7i1.4290.

[11] Eva Desy Fatmasari, "PERLINDUNGAN HUKUM TERHADAP DATA PRIBADI PENGGUNA LAYANAN PINJAMAN ONLINE," *Jurnal Kajian Ilmu Hukum Dan Politik*

Wahyuningtyas (2023) in the Welfare State Jurnal Hukum highlights personal information protecting online borrowers. This report claims that data misuse, especially contact access, photos, and other personal information is still prevalent, particularly in illegal lending, thereby indicating a low level of data protection in Indonesia[12].

Larasati, Saputro, and Ardan's (2025) more recent study in Rechtswetenschap: Jurnal Mahasiswa Hukum looks at how internet lenders share personal information from a normative legal standpoint. The study's findings show that the ITE Law and the Personal Data Protection Law may impose administrative, criminal, and civil penalties for the sharing of debtors' personal information[13].

Although these various studies have provided significant contributions, most still discuss the aspects of personal data protection, consumer protection, or the supervision of Otoritas Jasa Keuangan (OJK) separately. There has been limited research comprehensively examining the interconnection between these three aspects within a single normative legal analytical framework, especially when it comes to illicit online lending.

Considering the previously mentioned points, this research possesses novelty by integratively examining the connection between the protection of personal data, consumer protection, and Otoritas Jasa Keuangan's (OJK) role in combating illicit internet lending in Indonesia. This study also emphasizes an analysis of the gap between prevailing legal norms and field

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[12] Wafia Duwi Rindiantika, Firda Laily Mufid, and Yuli Winiari Wahyuningtyas, "Perlindungan Hukum Terhadap Data Pribadi Bagi Nasabah Pinjaman Online," *Welfare State Jurnal Hukum* Vol. 2 No.2 (2023), no. Vol. 2 No.2 (2023): Oktober (October 2023), https://doi.org/https://doi.org/10.56013/welfarestate.v2i2.2416.

[13] Andi Ajeng Audi Larasati, Haris Djoko Saputro, and R. Ardini Rakhmania Ardan, "TINJAUAN YURIDIS TERHADAP NASABAH YANG DIRUGIKAN AKIBAT DATA PRIBADI YANG DISEBARLUASKAN OLEH PINJAMAN ONLINE," *Rechtswetenschap Jurnal Mahasiswa Hukum* Vol. 2 No. 2 (2025), no. Vol. 2 No. 2 (2025): Rechtswetenschap : Jurnal Mahasiswa Hukum (October 2025), https://doi.org/https://doi.org/10.36859/rechtswetenschap.v2i2.4211.

practices, as well as examines the limitations of Otoritas Jasa Keuangan's (OJK) authority in dealing with illegal entities.

This study is not just descriptive-normative it also provides a critical analysis of the effectiveness of the existing legal protection system. It is expected to contribute to the development of law could provide as a foundation for developing more potent regulations to shield the general public from unlawful online lending operations. The continuously growing number of instances of personal data misuse that harm the public further emphasizes the significance of this study. In order to assess the efficacy of rules and Otoritas Jasa Keuangan's role (OJK) in offering legal protection for debtors' personal data in Indonesia, a thorough investigation is required.

Based on the aforementioned description, it can be observed that while the development of online lending services in Indonesia provides benefits in increasing access to financing for the public, Additionally, it raises a number of legal concerns about the improper use of personal information by illicit online lenders. Thus, it is essential to conduct study on how Otoritas Jasa Keuangan (OJK) protects debtors' personal information from illicit internet lending in Indonesia. This study aims to determine the extent of the effectiveness of OJK's role in providing legal protection to the public and to identify the various obstacles encountered in these efforts.

Methods

This research employs a descriptive-analytical normative legal approach, as proposed by Soerjono Soekanto and Peter Mahmud Marzuki in legal research methodology. This approach focuses on the study of prevailing legal norms (das sollen) by analyzing various laws and regulations governing the protection of debtors' personal data in online lending services, as well as the authority of Otoritas Jasa Keuangan (OJK) in conducting supervision and consumer protection within the digital financial services sector[14].

This study uses the normative legal approach to examine the synchronization of multiple regulations related to the provision of information technology-based lending services and the protection of personal data, includes Otoritas Jasa Keuangan Regulation Number 10/POJK.05/2022 concerning Information Technology Based Co-Funding Services, Law Number 27 of 2022 concerned Personal Data Protection, and Law Number 21 of 2011 concerning Otoritas Jasa Keuangan. The purpose of this analysis is to ascertain the degree to which these regulations govern the OJK's authority in dealing with illicit internet lending operations and offer legal protection for debtors.

This method also examines the hierarchy of legal norms (rechtsbronnen), binding legal rules (recht), legal principles (rechtsbeginsel), and legal events (rechtsfeit) related to personal data protection in the digital financial sector. Through a descriptive approach, this research delineates the legal provisions governing the protection of debtors' personal information and the OJK's jurisdiction over online lending services. Meanwhile, an analytical method is used to assess the suitability and effectiveness of these legal arrangements in providing protection for the public against personal data misuse practices by illegal online lending providers[15].

It is anticipated that the findings of this study will offer a normative analysis of the legal safeguards for the personal information of borrowers and the function of Otoritas Jasa Keuangan (OJK) in combating illicit online lending activities. Simultaneously, this study aims to provide recommendations for strengthening regulations and supervisory mechanisms to enhance consumer protection within the digital financial services sector.

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[14] Soerjono Soekanto, *Pengantar Penelitian Hukum* (UI-Press, 2006).
[15] Mahmud Marzuki, *Penelitian Hukum: Edisi Revisi* (Prenada Media, 2017).

Result and Discussion

1. The Legal Regulation of Debtors Personal Data Protection in Online Lending Practices Based on Laws and Regulations in Indonesia

The development of information technology in recent decades has driven transformations across various sectors of life, including the financial services sector. Rapidly evolving technological innovations have resulted in the creation of a wide range of digital financial services that make funding accessible and public transactions easier. One such innovation is fintech, or financial technology, which utilizes information technology to provide financial services more efficiently and accessibly to the public. Online lending, sometimes referred to as peer-to-peer (P2P) lending, is one of the fintech businesses in Indonesia that is expanding the fastest[16].

Online lending services enable the public to obtain rapid financing through digital platforms without undergoing complex procedures as required by conventional financial institutions. The loan application process is generally conducted online by submitting personal data and agreeing to the terms and conditions set by the service provider. Nevertheless, such convenience also gives rise to various legal issues, particularly concerning the protection of debtors' personal data. In practice, the personal data provided by debtors is often prone to misuse by online lending providers, especially those operating illegally.

The exploitation of personal data in online lending services is a major obstacle to Indonesia's digital financial sector's growth. Cases involving the dissemination of debtors' personal data, intimidation during the debt collection process, and user data breaches indicate that there are still several

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[16] Hani Suriyani et al., "Perlindungan Hukum Terhadap Konsumen Atas Penyalahgunaan Data Pribadi Pada Aplikasi Financial Technology Peer to Peer Lending Ilegal Di Indonesia," *Padjajaran Law Review* Vol. 9 No. 2 (2021), no. Vol. 9 No. 2 (2021): PADJADJARAN LAW REVIEW VOLUME 9 NOMOR 2 DESEMBER 2021 (January 2021), https://doi.org/https://doi.org/10.56895/plr.v9i2.656.

obstacles in the way of protecting personal data. Therefore, strong security for borrowers' personal information in online lending activities necessitates clear legal restrictions and efficient law enforcement[17].

Normatively, a number of laws and regulations, such as Law Number 27 of 2022 concerning Personal Data Protection, Law Number 21 of 2011 concerning Otoritas Jasa Keuangan, and Otoritas Jasa Keuangan Regulation Number 10/POJK.05/2022 concerning Information Technology-Based Co-Funding Services, control the confidentiality of borrowers' personal information in Indonesian online lenders.

Law Number 27 of 2022 respecting Personal Data Protection (PDP Law) governs personal data protection in Indonesia. The management and protection of personal data in a variety of digital activities, including online lending services, are primarily governed by this regulation. According to Article 1, Point 1 of the Personal Data Protection Law, personal data is any information about an individual that may be directly or indirectly identified through electronic or non-electronic means, either separately or in conjunction with other information[18]. In the context of online lending services, debtors' personal data may include personal identity, phone numbers, addresses, bank account information, as well as other data used in the verification and credit analysis processes.

The Personal Data Protection Law also stipulates that every individual, as a personal data subject, possesses various rights that must be respected by the parties processing such data. These rights include, among other things, the right to know how their personal data is used, the right to have inaccurate data corrected, the right to have personal data deleted under certain conditions, and the right to withdraw consent for the use of such data. These provisions provide a legal guarantee that debtors maintain

[17] Nadia Putri Rahmani and Agus Setiawan, "Polri Bongkar Kasus Pemerasan-Penyebaran Data Bermodus Pinjol Ilegal," *ANTARANEWS* (Jakarta), November 20, 2025, https://www.antaranews.com/berita/5255201/polri-bongkar-kasus-pemerasan-penyebaran-data-bermodus-pinjol-ilegal.
[18] Undang-Undang (UU) Nomor 27 Tahun 2022 Tentang Pelindungan Data Pribadi, Pub. L. 27 (2022).

control over their personal data, ensuring that online lending providers cannot utilize such data arbitrarily.

The Personal Data Protection Law specifies the responsibilities of personal data controllers to uphold the security and confidentiality of the data they oversee in addition to providing rights to data owners. Data controllers must make sure that data is collected and processed legally, for particular purposes, and with the owner's consent. In online lending services, fintech lending providers act as data controllers responsible for the security of the personal information of the debtors they oversee[19].

In the event of a breach, the Personal Data Protection Law also outlines criminal and administrative penalties for individuals found to have exploited personal data. These sanctions aim to provide a deterrent effect and ensure that every party processing personal data complies with the prevailing legal provisions[20]. The existence of the Personal Data Protection Law provides a robust legal foundation for protecting the public's personal data in various digital activities, including the use of internet lending services.

The safety of debtors' personal information in online lending practices is governed not only by the Personal Data safety Law and financial services sector laws, but also by Consumer Protection Law No. 8 of 1999. This statute gives consumer protection a legal foundation against various business practices that disadvantage the public. Regarding online lending services, debtors can be viewed as consumers utilizing digital financial services. Therefore, debtors are entitled to protection as specified in Consumer Protection Law No. 8 of 1999. This statute gives consumer protection a legal

[19] Fauzi Rifa and Maslihati Nur Hidayati, "Kebijakan Penal Dalam Perlindungan Data Pribadi Nasabah Fintech Lending Di Indonesia," *Binamulia Hukum* Vol. 13 No. 2 (2024), no. Vol. 13 No. 2 (2024): Binamulia Hukum (December 2024), https://doi.org/https://doi.org/10.37893/jbh.v13i2.964.

[20] Lutvy Priambono, Sudirman Sudirman, and Wahyudi Umar, "Kebocoran Data Pribadi Akibat Penagihan Utang Pinjaman Online Ilegal," *Unes Law Review* Vol. 6 No. 4 (2024), no. Vol. 6 No. 4 (2024) (July 2024), https://doi.org/https://doi.org/10.31933/unesrev.v6i4.2068.

foundation, security, and comfort when utilizing products and/or services. Additionally, customers are entitled to accurate, transparent, and truthful information about the terms and guarantees of the services they utilize[21]. In illegal online lending practices, these consumer rights are often unfulfilled for instance, through the provision of non-transparent information concerning interest rates, additional fees, and the utilization of users' private data.

Furthermore, rules relevant to the protection of private information in digital activities are included in Law Number 11 of 2008 concerning Electronic Information and Transactions, as amended by Law Number 19 of 2016. This law governs the use of electronic systems and the responsibilities of parties providing information technology-based services. Article 26 of the Electronic Information and Transactions Law stipulates that the use of information concerning an individual's electronic media The owner's consent is required before using personal data. Individual privacy rights when using electronic systems are protected by this clause.

In online lending service practices, these provisions hold significant relevance as the loan application process typically involves the collection of various personal data through digital applications or platforms. This data may include personal identities, phone numbers, private contacts, and users' financial information. If such data is utilized without consent or is misused by the service provider, it can be considered a violation of the provisions stipulated in the Electronic Information and Transactions Law.

Law Number 21 of 2011 governing Otoritas Jasa Keuangan is also relevant to the security of debtors' personal information in online lending services. This law created Otoritas Jasa Keuangan, also known as OJK, as a state organization with the authority to control and oversee financial services industry operations. One of the goals of creating the OJK, according to Article 4 of the Otoritas Jasa Keuangan Law, is to safeguard the public's

[21] Shidarta Shidarta, *Hukum Perlindungan Konsumen* (Jakarta: Grasindo, 2000).

and consumers' interests in the financial services industry[22]. Consequently, the OJK bears the responsibility to ensure that every commercial activity within the financial services industry, including technology-based lending services, is conducted in a transparent, fair, and non-detrimental manner toward the public.

Otoritas Jasa Keuangan (OJK) possesses the authority to establish various regulations concerning the conduct of business activities within the financial services sector. Regarding fintech lending, Otoritas Jasa Keuangan (OJK) plays a role in granting business licenses to providers that meet the specified requirements and supervising such business activities. Through this supervision, Otoritas Jasa Keuangan (OJK) can ensure that online lending service providers comply with legal provisions pertaining to safeguarding consumers' private information[23].

The safeguarding of debtors' private information in online lending services can be analyzed using the legal protection theory proposed by Fitzgerald, as cited by Satjipto Rahardjo. According to this theory, the law functions to protect human interests by regulating and balancing various existing interests within society[24]. Legal protection is granted to ensure that the exercise of rights by one party does not disadvantage another. Regarding online lending services, the debtor is in a relatively weaker position compared to the service provider. This is due to information asymmetry and the debtor's dependence on the lending services offered.

This research possesses distinct novelty compared to previous studies. While most prior research has focused on general consumer protection or the social impacts of illegal online lending practices, this study specifically analyzes the legal regulation of debtors' protection of private data in

[22] Undang-Undang Nomor 21 Tahun 2011 Tentang Otoritas Jasa Keuangan, Pub. L. 21 (2011).
[23] Muhammad Aziz Eka Surya Kusuma and Suci Lestari, "PERLINDUNGAN DATA PRIBADI KONSUMEN OLEH PERUSAHAAN PENYEDIA JASA KEUANGAN BERBASIS TEKNOLOGI (FINTECH) DI INDONESIA," *Jurnal Reformasi Hukum Trisakti* Vol. 6 No. 4 (2024) (2024), https://doi.org/https://doi.org/10.25105/refor.v6i4.21458.
[24] Satjipto Rahardjo, *Ilmu Hukum* (Bandung: Citra Aditya Bakti , 2000).

compliance with Indonesian legal requirements. The novelty of this research lies in its comprehensive analysis of the synchronization between the Personal Data Protection Law, Otoritas Jasa Keuangan Law, & Otoritas Jasa Keuangan Regulation regarding information technology-based co-funding services to protect borrowers' personal data during online loan transactions. Furthermore, This analysis demonstrates the disparity between the legal clauses specified in the regulations and the actual practices on the ground, particularly regarding personal data misuse by illegal online lending providers. Consequently, this research not only examines the normative aspects of existing regulations but also provides an analysis of the effectiveness of their implementation in offering legal protection to debtors.

Law Number 27 of 2022 concerning Personal Data Protection, Law Number 21 of 2011 concerning Otoritas Jasa Keuangan, and Otoritas Jasa Keuangan Regulation Number 10/POJK.05/2022 concerning Information Technology-Based Co-Funding Services are some of the instruments that govern the protection of debtors' personal data in Indonesian online lending practices. These regulations essentially provide a sufficiently robust legal basis for protecting the public's When using online loan services, personal information. Nevertheless, in practice, various challenges persist, particularly concerning the prevalence of illegal online lending providers and the unauthorized misuse of debtors' personal data.

2. The Authority of Otoritas Jasa Keuangan (OJK) in Providing Protection for Debtors Personal Data Agants Illegal Online Lending Practices

The development of digital financial services in Indonesia, particularly online lending services, has provided convenience for the public in obtaining quick and practical access to financing. Nevertheless, this development has also been accompanied by the emergence of various legal issues, one of which is the prevalence of illegal online lending practices that frequently involve the misuse of debtors' personal data. In many cases, illegal online lending providers exploit users' personal data to conduct intimidation, disseminate private information, and issue threats during the debt collection process. This condition highlights the critical role of supervisory institutions within The financial services industry in providing protection to the public, especially against the misuse of personal data[25]. Under the Indonesian legal system, the institution possessed of the authority to regulate and supervise activities in the financial services sector is Otoritas Jasa Keuangan (OJK). The OJK was founded in accordance with Law Number 21 of 2011 concerning Otoritas Jasa Keuangan with the goal of guaranteeing that all financial services sector operations are carried out in a fair, transparent, accountable, and orderly manner and are able to safeguard the public's and consumers' interests.

The authority of Otoritas Jasa Keuangan (OJK) in providing protection to the public, including within the context of debtors' personal data protection, is regulated under Law Number 21 of 2011 concerning Otoritas Jasa Keuangan. Pursuant to Article 5 of said law, The OJK is responsible for putting in place an integrated system of oversight and regulation for all financial services industry operations. Furthermore, Article 6 stipulates that the OJK performs the responsibilities of supervising and controlling financial services operations in a number of industries, including as capital markets, banking, and non-bank financial firms. Online lending services are classified as technology-based financial services and are governed by Otoritas Jasa Keuangan (OJK) as part of the technological advancements in the financial services industry.

In exercising its authority, Otoritas Jasa Keuangan (OJK) possesses various regulatory and supervisory instruments to protect consumers

[25] Ummie Tsabita Ananda et al., "PERLINDUNGAN HUKUM TERHADAP KORBAN PENYALAHGUNAAN DATA PRIBADI DALAM PINJAMAN ONLINE," *Repertorium Jurnal Ilmiah Hukum Kenotariatan* Vol. 11 No.1 (2022), no. Vol. 11 No.1 (2022): Repertorium (May 2022), https://doi.org/https://doi.org/10.28946/rpt.v11i1.1822.

within the financial services sector. According to Article 28 of the Otoritas Jasa Keuangan Law, the organization is able to take precautions against consumer losses, such as educating the public and stopping commercial operations that can harm the public, and other necessary actions to protect consumers. Furthermore, Article 29 of Otoritas Jasa Keuangan Law grants the OJK the authority to receive complaints from the public who have suffered losses resulting from financial service activities. As a means of consumer protection in the financial services industry, anyone who encounter service providers misusing their personal information in the context of online lending may register a complaint with the OJK.

Apart from Otoritas Jasa Keuangan Law, Otoritas Jasa Keuangan Regulation Number 10/POJK.05/2022 concerning Information Technology-Based Co-Funding Services governs Otoritas Jasa Keuangan's (OJK) ability to oversee online lending services. According to this rule, before engaging in any operational activity, A business license from the OJK is required for all IT-based co-funding service providers. This licensing obligation aims to ensure that service providers have met various requirements established by the regulator, including those regarding the security of users' private information. According to Article 44 of the aforementioned rule, service providers are required to protect the availability, confidentiality, and integrity of users' personal data. Additionally, providers must make sure that user consent is obtained and that personal data is collected and used in a transparent manner. Through this supervisory authority, the OJK may impose various administrative penalties, including written warnings, limitations on business operations, and the cancellation of business licenses, for providers that break the law.

In reality, the ubiquity of illicit internet lending that operates without an Otoritas Jasa Keuangan (OJK) license presents one of the biggest obstacles to safeguarding debtors' personal information. Illegal online lending providers typically do not comply with prevailing legal provisions and frequently misuse debtors' personal data as a tool to pressure or intimidate victims into immediate loan repayment. To address these issues, the OJK collaborates with various government agencies through the establishment of the Task Force to End Illegal Financial Activities (Satgas PASTI). This task force is responsible for conducting supervision and enforcement against various illegal financial activities that disadvantage the public. Through this collaboration, the OJK can take various measures, such as shutting down illegal online lending platforms, blocking unlicensed applications or websites, and providing public education regarding the dangers of using illegal online lending. Furthermore, the OJK also cooperates with Law enforcement organizations and the Ministry of Communication and Informatics should take action against illicit online lenders who break the law.

The authority of Otoritas Jasa Keuangan (OJK) in providing protection for debtors' personal data can also be examined from the standpoint of the theory of authority within administrative law. According to Philipus M. Hadjon, authority is a formal power granted by laws and regulations to an institution to exercise governmental functions. Such authority can be obtained through attribution, delegation, or mandate. In this context, the OJK's authority to regulate and supervise the financial services sector is derived from statutory attribution, namely Law Number 21 of 2011 concerning Otoritas Jasa Keuangan. With this attribution of authority, the OJK possesses legal legitimacy to establish various policies and conduct supervision over activities within the financial services industry, which includes internet lending services. Through this authority, the OJK can take various measures to protect consumers from illegal online lending practices that potentially disadvantage the public and threaten the security of debtors' personal data.

In practice, one of the most difficult tasks in safeguarding personal borrower data is the rampant illegal online lending operations that operate without a license from Otoritas Jasa Keuangan (OJK). Operators of illegal online lending often do not comply with applicable laws and frequently misuse borrower personal data as a tool to pressure or intimidate victims into repaying the loan[26]. To address this issue, Otoritas Jasa Keuangan (OJK) collaborates with various government agencies through the establishment of the Task Force for Combating Illegal Financial Activities (Satgas PASTI). This task force is tasked with monitoring and enforcing against various illegal financial activities that harm the public. Through this collaboration, Otoritas Jasa Keuangan (OJK) can take various steps such as shutting down illegal online lending platforms, blocking applications or websites that do not have a license, and providing education alerting the public on the risks associated with using illicit online lending. Additionally, Otoritas Jasa Keuangan (OJK) also collaborates with Law enforcement organizations and the Ministry of Communications and Information Technology will prosecute those who engage in illicit internet lending[27].

Furthermore, The Electronic Information and Transactions Law's regulations also have an impact on how personal data is protected in digital services, as amended by Law Number 19 of 2016. Article 26 of the said law asserts that the use of personal data via electronic means must be authorized by the data owner. In illegal online lending practices, this provision is frequently violated as service providers access and disseminate debtors' personal data without clear consent[28].

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[26] Mela Arnani and Tri Indriawati, "Daftar 96 Pinjol Legal OJK 2026, Pilih Yang Aman, Hindari Yang Ilegal ," *Kompas.Com* (Jakarta), January 2, 2026, https://www.kompas.com/tren/read/2026/01/02/083000265/daftar-96-pinjol-legal-ojk-2026-pilih-yang-aman-hindari-yang-ilegal?utm_source=Various&utm_medium=Referral&utm_campaign=traffic_share-b61f93f15077bef99ae2bc895ec8b31b.

[27] Muhammad Dirga Satria Kurnianto, Trubus Rahardiansyah, and Maya Indrasti Notoprayitno, "PERLINDUNGAN HUKUM TERHADAP KONSUMEN DALAM PRAKTIK PINJAMAN ONLINE BERBASIS FINTECH DI INDONESIA: ANALISIS YURIDIS DAN EMPIRIS TERHADAP IMPLEMENTASI REGULASI PERLINDUNGAN KONSUMEN," *At Taklim Jurnal Pendidikan Multidisiplin* Vol. 2 No. 7 (2025), no. Vol. 2 No. 7 (2025): At-Taklim: Jurnal Pendidikan Multidisiplin (Edisi Juli) (July 2025), https://doi.org/https://doi.org/10.71282/at-taklim.v2i7.660.

[28] Anuar Silalahi, MS Tumanggor, and Erwin Owan Hermansyah, "Peran Ojk Dikaitkan Penanggulangan Pinjaman Online Berbasis Teknologi (Fintech) Illegal," *Jurnal Hukum Sasana* Vol. 11 No. 2 (2025), no. Vol. 11 No. 2 (2025): Jurnal Hukum Sasana: December 2025 (December 2025), https://doi.org/https://doi.org/10.31599/sasana.v11i2.4650.

To address this issue, Otoritas Jasa Keuangan (OJK) has made various efforts in supervision and enforcement against illegal online lending practices. One of the efforts undertaken is through collaboration with various government agencies within the Task Force for Combating Illegal Financial Activities (Satgas PASTI). Through this collaboration, Otoritas Jasa Keuangan (OJK) can carry out various actions such as shutting down illegal online lending platforms, blocking applications that do not have a license, and providing education alerting the public on the risks associated with utilizing illicit online lending services[29].

Therefore, the authority of Otoritas Jasa Keuangan (OJK) when it comes to safeguarding borrower personal information, derived from Otoritas Jasa Keuangan Act, but also supported by various other regulations that govern consumer protection and electronic transaction security. The synergy between these various regulations are anticipated to give the community more legal protection when addressing the many threats brought on by illicit online lending operations[30].

Although Otoritas Jasa Keuangan (OJK) has broad authority to oversee the financial services sector, in practice, there are still various challenges in providing protection for borrower personal data from unlawful online lending method. One of the main challenges is the ease of creating illegal online lending applications that often operate through foreign servers, making them difficult to monitor directly by Indonesian authorities. Additionally, the low level of financial and digital literacy in the community also causes many people to still use illegal online lending services without

[29] Agus Setiawan, "Polri Bongkar Kasus Pemerasan-Penyebaran Data Bermodus Pinjol Ilegal," *ANTARA NEWS*, November 2025, https://www.antaranews.com/berita/5255201/polri-bongkar-kasus-pemerasan-penyebaran-data-bermodus-pinjol-ilegal.

[30] Rony Ricky Rinaldi, Irwandi, and Muhammad Amin, "Kewenangan OJK Dalam Pengawasan Pinjaman Online Berdasarkan Undang-Undang Nomor 21 Tahun 2011 Tentang Otoritas Jasa Keuangan," *Limbago Journal of Constitutional Law* Vol. 4 No.3 (2024), no. Vol. 4 No.3 (2024) (October 2024), https://doi.org/https://doi.org/10.22437/limbago.v4i3.37455.

understanding the risks that can arise. Another challenge is the limitation of Otoritas Jasa Keuangan's (OJK) authority to conduct criminal enforcement against perpetrators of illegal online lending because Otoritas Jasa Keuangan (OJK) essentially only has administrative authority. Therefore, enforcement against perpetrators of illegal online lending must be carried out through cooperation with law enforcement agencies[31].

Conclusion

According to the investigation, a variety of laws and regulations have governed the normative protection of debtors' personal data. Law Number 27 of 2022 on the Protection of Personal Data, Law Number 8 of 1999 concerning Consumer Protection, Law Number 11 of 2008 concerning Electronic Information and Transactions as amended by Law Number 19 of 2016, Law Number 21 of 2011 concerning Otoritas Jasa Keuangan, and Otoritas Jasa Keuangan Regulation Number 10/POJK.05/2022 concerning Information Technology Based Co Funding Services are a few of these regulations.

Protection for the use of personal data in electronic systems and a legal basis for consumer rights, and the obligations of online financial services providers to uphold the security and confidentiality of user data are provided by these numerous rules. Although this legal framework offers a fairly comprehensive foundation for protection, in practice, various issues persist, particularly regarding the prevalence of illegal online lending practices that frequently misuse debtors' personal data and fail to provide adequate protection for consumers.

The authority of Otoritas Jasa Keuangan (OJK) in providing protection for debtors' personal data against illegal online lending practices is based on Law Number 21 of 2011 concerning Otoritas Jasa Keuangan,

[31] Eben Anrizal Gurning, "Kebijakan Hukum Pidana Terhadap Penyalahgunaan Data Pribadi Pada Pinjaman Online," *Medan Area University Repository*, July 2022, https://repositori.uma.ac.id/handle/123456789/18685.

which grants the OJK the power to regulate and supervise activities within the financial services sector. In exercising its authority, the OJK possesses various consumer protection instruments, including the granting of business licenses to fintech lending providers, the supervision of business activities, the handling of public complaints, and the application of administrative penalties to suppliers that break the law.

Furthermore, Otoritas Jasa Keuangan (OJK) collaborates with various institutions through the Task Force for Eradicating Illegal Financial Activities (Satgas PASTI) to take enforcement actions against illegal online lending practices. Nevertheless, several obstacles remain in its implementation, such as the OJK's limited authority in conducting criminal enforcement, the ease of establishing illegal online lending platforms, Given the public's poor levels of digital and financial literacy. Therefore, it is necessary to strengthen supervision, enhance inter-institutional coordination, and improve public education to ensure that the protection of debtors' personal data in online lending practices can be implemented more effectively.

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