

JURIDICAL REVIEW LEGAL ON THE USE OF CUSTOMER DATA BY BRI BANK PROTECTION KC GORONTALO CITY

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ABSTRACT

The use of customer data is crucial in the banking world, especially in the increasingly advanced digital era. The purpose of this study is to find out how the scheme of using customer data by banks and how to overcome if there is a data leak. The method used is to use sociological juridical research methods, using descriptive qualitative research approaches and interactive analysis techniques. The results of this study are: Problems arise because the issue of data protection problems and customer information in Indonesia has become a new problem in the banking world. On the other hand, adequate forms of protection for a customer's right to privacy have not been implemented into legal instruments. Similarly, the existence of various laws that have the authority to manage a person's data and information is not given a limit to avoid violations that result in unprotected data and information of a person.

Keywords: Customer, Data leakage, Feedback,

ABSTRAK

Penggunaan data nasabah menjadi hal yang krusial dalam dunia perbankan, terutama dalam era digital yang semakin maju. Tujuan penelitian ini untuk mengetahui bagaimana skema penggunaan data nasabah oleh bank serta bagaimana penanggulangan jika terjadi kebocoran data. Metode yang digunakan yakni menggunakan metode penelitian yuridis sosiologis, dengan menggunakan pendekatan penelitian kualitatif deskriptif dan teknik analisis interaktif. Hasil penelitian ini yakni Persoalan timbul dikarenakan isu permasalahan perlindungan data dan informasi nasabah di Indonesia telah menjadi problematikan baru di dunia perbankan. Di sisi lain, bentuk perlindungan yang memadai untuk hak privasi seorang nasabah belum terimplementasi menjadi instrumen hukum. Demikian pula keberadaan berbagai Undang-Undang (UU) yang memiliki kewenangan mengelola data dan informasi seseorang, tidak diberikan batasan guna menghindari terjadinya pelanggaran yang mengakibatkan tidak terlindunginya data dan informasi seseorang.

Kata kunci: Kebocoran data, Nasabah, Penanggulangan,

INTRODUCTION

The existence of the banking industry is a very important component in the economy in order to maintain balance, progress and national economic unity. The stability of the banking industry greatly influences the stability of the economy as a whole, including the health of banks in the banking industry which greatly influences the progress or decline of a nation's economy.

Banks are part of a country's financial and payment system, even in the current era of globalization, banks are also part of the world's financial and payment system. Banks are financial institutions that are places for individuals, private business entities, state-owned enterprises, and even government agencies to store their funds. Through lending activities and various services provided, banks serve

financing needs and launch a payment system mechanism for all sectors of the economy.

According to Law Number 7 of 1992 concerning banking as amended by Law Number 10 of 1998 namely Bank is a business entity that collects funds from the public in the form of savings, and channeling them to the public in the form of credit and other forms, in order to improve the standard of living of many people. This definition of a bank emphasizes that a bank's business is to collect funds in the form of deposits which are a source of bank funds. Likewise, in terms of channeling funds, banks should not only obtain the maximum profit for their owners, but their activities should also be directed at improving people's living standards.

One of the factors in being able to maintain and increase public trust in a bank, especially banking in general, is the bank's compliance with its bank secrecy obligations, if a bank can maintain its bank secrets regarding whether or not this bank can be trusted by bank customers regarding deposit funds or the use of bank services. as well as to the condition of the customer concerned to other parties. If a bank succeeds in keeping its bank secrets, the bank has protected the customer concerned and continues to maintain good relations with its customers (Usman, 2022).

The increasing number of choices in using banking products and services, increasing the variety of banking products can cause confusion for customers themselves due to lack of information about the products or services offered by the bank. In general, the information regarding bank products provided has not been explained in a balanced way, both regarding the benefits, risks and further costs attached to a bank product itself. As a result, customer rights contained in PBI No. 7/6/PBI/2005 regarding Bank Indonesia regulations regarding transparency of bank product information and the use of customer personal data such as obtaining complete, accurate, up-to-date and intact information are not fulfilled. (Sutedi, 2023).

The problem arises because the issue of protecting customer data and information in Indonesia has become a new problem in the banking world. On the other hand, an adequate form of protection for a customer's privacy rights has not been implemented into a legal instrument. Likewise, the existence of various laws (UU) that have the authority to manage a person's data and information, is not given a limit in order to avoid violations that result in the protection of a person's data and information. (Happy & Rahayu, 2019).

The use of customer personal data for commercial purposes must be carried out transparently and carried out based on written consent from the customer to reduce the potential for lawsuits against the bank if the customer feels that his personal rights are not protected by the bank. (Hermansyah, 2020). If this data is leaked to other parties without the direct consent of the customer himself, this is clearly a violation. Protecting customer interests (including data provided by customers in full and detail) is one of the bank's obligations to properly safeguard this data. Banks are prohibited from providing data to other parties and disclosing the financial condition of their customers for commercial purposes.

In this case what is protected is the personal data of the customer concerned, so that the customer's comfort is not disturbed by other parties trying to gain from

the customer. this is excluded if the customer authorizes the bank to provide the customer's personal data to certain parties, for commercial purposes approved by the customer beforehand (Siamat et al., 2005).

According to Article 40 Paragraph 1 of the Banking Act, that bank is obliged to keep confidential information about depositors and their deposits. Information in this article, namely in the form of all information or data regarding the customer, such as the name and address of the customer, the amount and type of savings, since when the deposits were placed, and so on. Even though it is actually very difficult, what can be said as something that the bank must keep secret from the information and data of its customers. However, because there is a relationship of trust that exists between the customer and the bank, the obligation to keep information secret stems from a moral obligation and the demands of the public interest to form a relationship based on mutual trust. (Djumhana, 1996).

The use of disclosure of customer information or data can only be carried out with the exceptions that have been emphasized in BI Governor Regulation Number 2/19/PBI/2000 concerning the requirements and procedures for granting written orders or permission to open bank secrets, namely it is possible to open them for tax purposes, settlement of accounts receivable bank, judicial interests in criminal cases, in civil cases between banks and their customers, and requests for legal heirs from customers who have died, if a bank provides information to another bank in the context of inter-bank information, it may only be used by a limited bank in the purpose of the bank is to obtain this information, namely for example for consideration of the credit application requested by the customer, and not to disseminate it to the general public. Bank customers are currently faced with the provision of personal data by banks to other parties outside the bank, for commercial purposes other than the purpose of the bank's relationship with the customer, without prior permission from the customer.

The provision of this customer's personal data to other parties for commercial purposes causes the customer's personal rights to be unprotected. If the use of customer personal data is used for unclear or transparent purposes, it will allow deviations in banking business activities so that transparency of the use of customer personal data needs to be carried out so that customer rights are still protected, in accordance with PBI 7/6/PBI/ 2005.

In the provisions of Article 9 Paragraph 1 of this PBI, banks are required to ask for written approval from customers beforehand, if they are going to use the customer's personal data for commercial purposes. The commercial purpose of using the customer's personal data must also be clearly explained by the bank, including the consequences that might arise. Article 10 Paragraph 2 of PBI 7/6/PBI/2005 has also strictly regulated that banks may only use customer data after this customer has given approval in the clause provided by the bank. If the customer has not given his consent, this customer data may not be used by the bank for things that are not the purpose of the inclusion of the clause on the use of customer data by the bank.

Transparency in the use of customer personal data will become an unavoidable necessity in order to maintain the credibility of banking institutions while protecting the rights of customers as consumers who use banking services.

(Septyana, 2013). Transparency regarding the use of customer personal data by banks is necessary to increase protection for their customers, so as to provide customers with a sense of security and comfort in dealing with banks, as contained in consumer rights in the Consumer Protection Act, and can also minimize the existence of criminal acts of fraud with parties acting on behalf of a bank armed with the customer's personal data.

For modern society, especially in Indonesia, transactions via internet banking will be easier and more practical. Seeing that currently, Indonesian people prefer to make transactions via internet banking rather than making transactions through ATM machines. From the survey, 91 percent found that they chose mobile banking services. An issue that really needs attention is regarding the legal protection of the personal data of customers who carry out internet banking transactions, the current Consumer Protection Act in Indonesia (Law No. 8 of 1999 concerning Consumer Protection) has regulated the obligations of business actors in Article Number 7 and prohibited acts for business actors in Articles No. 8 to Article No. 17 in order to provide protection for consumer rights.

Based on the description above, this study tries to answer how the scheme uses customer data by banks and how to deal with data leaks.

METHOD

The type of research conducted in this study uses empirical research. This research is a type of legal research that analyzes and examines its work in society. Can be studied from the effectiveness of the law, compliance with the law, the role of institutions, or legal institutions in law enforcement, implementation of the rule of law, the influence of the rule of law on the rule of law (Hamzah, 2021). This study uses a legal sociology approach, which is an approach that analyzes how reactions and interactions occur when the norm system works in society (Soekanto, 1980). The behavior of the people studied is the behavior that arises as a result of interacting with the existing system of norms. The research was conducted at one of the banks in Gorontalo, namely Bank BRI KC Gorontalo, the legal materials used in this study were primary and secondary legal materials. Primary legal materials were obtained from interviews and investigations of information obtained specifically from the field. Secondary legal materials are obtained from laws and regulations related to banking law. the population in this study, namely, the related Bank BRI KC Gorontalo which has a correlation with what is the object of research. In this study, the data analysis that will be carried out is descriptive, namely describing and explaining the data found in the study.

RESULTS AND DISCUSSION

Banks are known as financial institutions whose main activities are accepting demand deposits, savings and time deposits. Then, banks are also known as places to borrow money. (Simatupang, 2019). In addition, a bank is also known as a place to exchange money, transfer money, or accept all kinds of payments and deposits, such as payments for electricity, telephone, water, taxes, and other payments. Banks, in their terminology, are found in the term "bance". , which means bench seat, this

sense refers to medieval times, where Italian bankers gave loans by sitting on the bench in the market yard (Ibrahim, 2020).

According to RI Law Number 10 of 1998 concerning Banking, a bank is a business entity that collects funds from the public in the form of savings and distributes them to the public in the form of credit or other forms in order to improve the standard of living of the common people. Banking activities are always related to the financial sector. The first banking activity is raising funds, which means collecting or seeking funds by buying from the wider community. Banks buy funds from the public by carrying out various strategies so that people want to invest their funds in the form of savings. Types of savings that can be chosen by the public are demand deposits, savings, certificates of deposit, and time deposits.

There are two theories about the power of enactment of bank secrets, viz (Purwaningsih et al., 2021):

1. The absolute theory, according to this theory, the financial secrets of bank customers cannot be opened to anyone and in anything. This theory is too concerned with the individual so that the interests of the state and society are often neglected.
2. The relative theory, according to this theory, is that bank secrecy is still followed, but in special cases, namely in extraordinary cases, the principle of bank secrecy can be breached, for example for tax purposes or criminal matters.

The relationship between a bank and its customer is not like an ordinary contractual relationship, but in this relationship there is also an obligation for the bank not to reveal the secrets of the customer to other parties, unless specified by applicable laws. (Fahrurrozi et al., 2020). Bank secrecy is one part of information in the economic sector that is protected by information secrecy law, therefore the criteria that can be used to determine which information is included as bank secrecy, which the bank is required to keep confidential can be followed by the criteria that apply to information secrecy laws. These criteria are (Rossana, 2016):

1. Information with confidential value, which includes confidential information, is all recorded information relating to the finances and other assets of customers which, according to the practice of banking operations, must be recorded and only known by the customer and the bank concerned. Includes all financial records and non-money assets stored in any bank whatever the name.
2. This information includes the economic sector (trade and services). All records regarding the finances and assets of bank customers are always related to economic activities, especially trade and services. So there are no customer records regarding things that are not in economic terms, such as marriage and offspring secrets.
3. The disclosure of the confidentiality of this information results in losses for the customer, the customer as the owner of the information believes that all records regarding his finances and wealth at the bank are not or have not been known by anyone (the general public). The disclosure of customer secrecy will more or less benefit its business competitors but can also harm itself.

The legal relationship between the bank and the customer can be qualified in two forms; first, the legal relationship between the bank and the depositor; second, the legal relationship between the bank and the debtor customer. Based on the function of banking as a collector and depository of public funds, the essence of the agreement which includes these two matters is a deposit agreement (in terms of collecting funds from the public) and a credit agreement (in terms of channeling funds to the public). (Hamen, 2017).

The relationship between the bank and the customer is a contractual agreement regulated by contract law, which means that the parties, in this case the bank and the customer, have rights and obligations. (Manoppo & Lembong, 2022). In practice, generally banks have created a separate form. The form contains all the requirements that must be determined by the bank. This is what jurists call a standard agreement, meaning an agreement whose contents have been standardized and set forth in a form.

The following are the types of relationships between customers and banks (Sambuaga, 2023):

1. Contractual relationship

Once a customer establishes a relationship with the bank, then basically a contractual relationship is created between them. The contractual relationship between the bank and the customer turns out to have a basis that can be linked to several provisions, in accordance with the engagement made between them. In this connection, it has been agreed that legal responsibility will be borne by both parties. this contractual relationshipload :

- a. the obligation of the bank to provide clear and adequate information and conditions to its customers and prospective customers.
- b. both banks and their customers before conducting business transactions, must sign a rational contract.
- c. banks and customers must stipulate in their contracts the systems and procedures for resolving disputes amicably in the event of a problem.

2. Trust relationship

The relationship is intended so that bank customers in dealing with banks in their deposits at the bank are based on the belief that the bank will be willing and able to pay back the deposits when they are due or when billed. On the other hand, the bank also feels confident and believes that its customers come from members of the public who have a good reputation and credibility.

3. Confidential Relations

This confidentiality relationship is needed for the benefit of the bank itself which requires the trust of the public who use its banking services. The existence of such confidentiality is one of the fulfillment of the needs of customers (society). , and related to bank financial institutions.

Customers in good faith and reasonably carry out healthy transactions, automatically information about them also may not be disseminated anywhere. This confidentiality relationship is closely related to the relationship of trust given by customers to banks as managing financial institutions or sources of public funds.

4. **The prudential relationship**, this prudential relationship can be seen from the existence of the precautionary principle that has been regulated in Law number 7 of 1992 concerning banking, namely:
 - a. Article 2: Indonesian banking in carrying out its business adheres to the principle of economic democracy by using the principle of prudence.
 - b. Article 29 paragraph 3: the bank is obliged to maintain the soundness of the bank in accordance with the provisions referred to in paragraph 2 and must conduct business in accordance with the principle of prudence.
 - c. Article 29 paragraph 4: in providing credit and conducting other businesses, banks are required to use methods that do not harm the bank and the interests of customers who entrust their funds to the bank.

With these strict rules, it will encourage healthy banking conditions and overcome the possibility of a bank failure, besides that it can identify problems faced by banks quickly and precisely so that these problems do not grow wider and more complex. The customer in a relationship with the bank expects that there will be no discriminatory treatment, in other words equal treatment must be formed, with the same treatment the customer will feel, that there is security for the assets stored and managed by the bank, as well as the confidentiality of all data and information then collected from the customer.

Consumers are everyone who uses or uses goods or services available in society. A customer who uses one of the bank's products is said to be a consumer because the customer himself is someone who has used banking services, namely internet banking services. The problem of a balanced position in the consumer protection law has been explained and emphasized in article 2 which states that consumer protection is based on benefits, fairness, balance, consumer security and safety as well as legal certainty. Bank BRI Kc Gorontalo City has adhered to the principle of consumer protection because the bank is required to provide security and safety in the services provided to each customer, Not only that, this principle has the same characteristics as the banking legal principles where the banking legal principles are to create a sound banking system with the principles of trust, confidentiality and prudence. The legal principles of consumer protection and banking legal principles are the basis for banks to increase legal protection for customers.

Bank BRI Kc Gorontalo City in providing legal protection for customer personal data for users of bank products as consumers, the bank prioritizes what is the customer's own rights, such as the right to feel safe and comfortable, the right to have their opinion heard, the right to receive protection and the right to receive compensation.

1. Article 4 letter a, this article reads, namely the right to comfort, security and safety in consuming goods or using services in the article explains that every customer as a consumer in using bank services has the right to comfort, security and safety, this is wrong a form of protection provided to all customers who use bank services, as well as the use of customer data at BRI Kc Gorontalo City bank, bank customers need to get a definite form of legal protection.

2. Article 4 letter d which reads the right to be heard opinions and complaints about the goods or services used. Judging from the sound of the article, the bank will give customers the right to express opinions and report complaints about the use of bank services or complaints about the customer's personal data if a problem occurs. This is very influential for the progress of the system or the bank itself, because from the opinions or complaints from customers, the bank can improve so that it maintains customer trust in the bank.
3. Article 4 letter e which states that the right to obtain advocacy, protection and efforts to resolve consumer protection disputes is appropriate. With this article, customers as consumers who use bank product services are given protection and efforts to resolve disputes. It is not only users of bank products that the bank provides advocacy and legal protection for, but all customers of Bank BRI KC Gorontalo City who have problems using bank products or have problems with their customer's personal data.
4. Article 4 letter h which states that the consumer has the right to receive compensation, compensation or replacement, if the goods or services received are not in accordance with the agreement or not as they should be. In this case, customers who use bank products will be compensated by the bank if the services provided are compensated by the bank if the services provided are not in accordance with the initial agreement. However, the bank will not give customers who are negligent in using bank products or customers who are negligent of their own personal data, for example there is a third party that sends a link or lottery on behalf of the bank and the customer is negligent in providing an OTP code which is very private so that it makes personal data was leaked to the party due to the negligence of the customer himself.

Several other articles in the consumer protection law that provide protection to customers using bank products and customer data include article 7 letter f and article 19 paragraph (1) and paragraph (2). Both of these articles describe the provision of compensation or compensation to customers, but this article can be used if one party violates the agreement agreed upon by both parties.

Regarding compensation, Bank BRI Kc Kota Gorontalo will conduct an examination first before providing compensation because not all existing problems can be compensated. The bank will provide compensation if there is an error that really arises from the server or service provided by the bank. Problems arising from the fault of the customer itself, the bank will not provide compensation.

With the OJK regulation Number 12/POJK.03/2021 which has been implemented by Bank BRI Kc Gorontalo City where this bank has provided specifications, there are several types that the bank has provided depending on the system used related to the security system protecting customer data, one of which is Bank BRI, which has collaborated with the Norton Secured Company, such as anti-virus that works on world Bank files for applications, one of which is BRIMO when a customer logs in, opens an online account, a user-id and password are requested, as well as automatic verification protected by the system. Therefore Law Number 8 of 1999 concerning consumer protection and OJK regulation Number 12/POJK.03/2021 are appropriate because not all employees at Bank BRI Kc Gorontalo City can access

customer data, for example Customer Service inputs data, there is leveling / authority of each employee,

According to article 1 number 28 of the Banking Act, what is meant by bank secrecy is everything related to information about depositors and their deposits. The principle of bank secrecy is a principle that requires or obliges banks to keep everything related to depositors who are the prevalence of the banking world (mandatory) confidentiality. The scheme for using customer personal data, namely for selecting decisions or policies based on certain criteria (Decision maker), for example customers who want to open an account at an average age of 21 years. What is banking like? used for analyzing customer transaction data, for example, customers who shop at prices above the customer's salary can be analyzed by the bank's system with programs such as credit card shopping, free coupons, promos and customer data that is used by the bank more internal banking itself. Regarding the possibility of using customer data schemes, namely for:

1. Tax interests
2. Interests in the settlement of bank receivables that have been submitted to BUPLN/PUPN
3. For the benefit of justice in criminal cases
4. Civil cases between customers and banks

In addition to Bank BRI, there are special countermeasures, but Bank Bri also has preventive and repressive legal protection provided by Bank Bri Kc, Gorontalo City to its customers, as follows:following :

1. Preventive legal protection

Explanation or oral information from the bank regarding the use of customer personal data regulates the bank's obligation to request written approval from the customer, when the bank will provide or disseminate customer data to other parties for commercial purposes unless other matters are in accordance with laws and regulations. Of course, in the request for approval, the bank is obliged to explain the purpose and consequences of providing or disseminating personal data of its customers to other parties in accordance with Article 9 paragraph 2 PBI 7/6/PBI/2005. The form of implementation of Article 9 PBI 7/6/PBI/2005 concerning Transparency of Bank Product Information and the use of customer personal data is set forth in a sentence that reads:

By signing the formThis :

- a. *The bank will only use my personal data as a customer contained in this application form for the bank's internal interests and the personal data will not be provided or disseminated to other parties outside the bank's legal entity, except as stipulated in the applicable laws and regulations.*
- b. *If in the future the bank will provide and disseminate my personal data as a customer to other parties outside the bank's legal entity for commercial purposes, the bank will ask for prior written approval from me (I will make a statement at a later date).*

The bank, in this case the customer service, is obliged to direct its prospective customers to fill out the customer data form in its entirety including providing an explanation regarding the approval for the use of the customer's personal data that has been included in the customer data form. this approval for the use of the

customer's personal data is opt-out in nature where by not placing a tick in the opt-out clause means the customer gives approval and power of attorney to the bank to use all data, information and information obtained by the bank regarding the customer for all other purposes as far as possible and permissible by applicable laws, including those aimed at marketing bank products or products of other parties cooperating with banks. In accordance with article 10 of PBI 7/6/PBI/2005 concerning Transparency of Bank Product Information and the use of bank customer personal data, Bank Bri Kc Gorontalo City seeks approval for the use of customer personal data both before and after the customer makes transactions related to bank products. The use of this policy for providing customer personal data is used for bank internal policies or specifically per case using customer personal data for the needs of other parties outside the bank's legal entity for commercial purposes. The use of customer personal data for commercial purposes by other parties outside this legal entity, the bank is required to have written guarantees from other parties in accordance with what is stated in article 11 PBI 7/6/PBI/2005. Bank Bri Kc Gorontalo city asks for approval for the use of customer personal data both before and after the customer makes transactions related to bank products. The use of this policy for providing customer personal data is used for bank internal policies or specifically per case using customer personal data for the needs of other parties outside the bank's legal entity for commercial purposes. The use of customer personal data for commercial purposes by other parties outside this legal entity, the bank is required to have written guarantees from other parties in accordance with what is stated in article 11 PBI 7/6/PBI/2005. Bank Bri Kc Gorontalo city asks for approval for the use of customer personal data both before and after the customer makes transactions related to bank products. The use of this policy for providing customer personal data is used for bank internal policies or specifically per case using customer personal data for the needs of other parties outside the bank's legal entity for commercial purposes. The use of customer personal data for commercial purposes by other parties outside this legal entity, the bank is required to have written guarantees from other parties in accordance with what is stated in article 11 PBI 7/6/PBI/2005. The use of this policy for providing customer personal data is used for bank internal policies or specifically per case using customer personal data for the needs of other parties outside the bank's legal entity for commercial purposes. The use of customer personal data for commercial purposes by other parties outside this legal entity, the bank is required to have written guarantees from other parties in accordance with what is stated in article 11 PBI 7/6/PBI/2005. The use of this policy for providing customer personal data is used for bank internal policies or specifically per case using customer personal data for the needs of other parties outside the bank's legal entity for commercial purposes. The use of customer personal data for commercial purposes by other parties outside this legal entity, the bank is required to have written guarantees from other parties in accordance with what is stated in article 11 PBI 7/6/PBI/2005.

2. Repressive legal protection

Repressive legal protection, namely legal protection created to resolve a dispute that may cause harm. This protection is classified as direct protection

provided to customers depositing funds against the possibility of risk of loss arising from the business activities carried out by the bank. The bank has direct responsibility if there are complaints submitted by customers who feel dissatisfied or feel aggrieved over banking services.

Bank Bri Kc Gorontalo City, so far there have been no complaints from customers regarding the use of customer personal data by the bank. Bank BRI feels that it has provided good service through the understanding given to customers starting from opening an account so that a contractual relationship occurs between the bank and its customers.

Basically, the bank has a customer complaint service system, including complaints regarding the use of customer personal data. In a banking system every sector has accountability. The responsibility of the bank is expected that the bank can pay more attention to customer complaints regarding the proper use of customer personal data. Complaints regarding the use of customer data can be made in the following ways:

- a. The form of written complaint, this form of complaint does not require the customer to come directly to the place where the incident occurred, in this case, Bank BRI KC Kota Gorontalo, the customer simply sends his complaint via:
 - a) The ongoing letter is sent to the bank's address
 - b) Letter sent via fascimile
 - c) *E-mail* or the bank's website concerned
- b. Forms of verbal complaints, this form is delivered directly to officers by coming to Bank BRI Kc Gorontalo city or via the telephone line that has been provided if it is not possible to come directly to the bank concerned.
- c. Other complaints can be in the form of news in print or electronic media and can be in the form of issues that are developing in the general public. Sometimes the source and truth are unclear, but it has an impact on reputation risk, legal risk, and operational risk for the bank concerned.

Several regulations issued in the field of customer protection, especially related to the use of bank customer personal data, are concrete steps from Bank Indonesia as the implementation of banking industry supervisory authority. Of the several problems that arise related to the use of customer personal data, sometimes customers feel dissatisfied with the customer complaint settlement service by the bank. This arises due to non-fulfillment of his demands as an aggrieved customer. This problem can be overcome by having a banking mediation process according to what has been regulated by Bank Indonesia in PBI 10/1/PBI/2008 concerning amendments to PBI 8/5/PBI/2005 concerning banking mediation. The mediation process is a follow-up step from customer complaints if there is no dispute resolution agreement due to dissatisfaction with the service and settlement provided by the bank. The implementation of the banking mediation function by Bank Indonesia is carried out by bringing together customers and banks to review the main issues that are in dispute in order to reach a voluntary agreement on some or all of the issues in dispute, without any recommendations or decisions from Bank Indonesia. Settlement of disputes through banking mediation is carried out in a simple, inexpensive, fast and efficient manner. The implementation of the banking

mediation function by Bank Indonesia is carried out by bringing together customers and banks to review the main issues that are in dispute in order to reach a voluntary agreement on some or all of the issues in dispute, without any recommendations or decisions from Bank Indonesia. Settlement of disputes through banking mediation is carried out in a simple, inexpensive, fast and efficient manner. The implementation of the banking mediation function by Bank Indonesia is carried out by bringing together customers and banks to review the main issues that are in dispute in order to reach a voluntary agreement on some or all of the issues in dispute, without any recommendations or decisions from Bank Indonesia. Settlement of disputes through banking mediation is carried out in a simple, inexpensive, fast and efficient manner.

The following are the efforts made by Bank Rakyat Indonesia (BRI) Kc Gorontalo City to minimize the risk of problems in internet banking services, namely as follows:

1. Privacy policy

Customer personal data is a bank secret that must be protected by the bank referring to regulatory provisions. The bank will not sell or tell other parties all information related to the customer and the bank will keep all transactions made by the customer confidential. This is in accordance with the provisions of article 40 of Law Number 10 of 1998 concerning banking and article 2 paragraph 1 of Bank Indonesia regulation number 7/6/PBI/2005 concerning transparency of information on bank products and the use of customer personal data. The security of bank customers' personal data is often leaked, it cannot be known whether this is due to the negligence of the bank or the security carried out by the bank is not optimal. This customer's personal data is very important to secure so that problems will not occur that can harm the customer. Regarding customer personal data, we, the bank, have done what we are required to do in accordance with existing regulations. We never reveal all data regarding customer data up to their deposits, because for us this is important data and must be kept confidential and we do this to maintain public trust.

2. Security policy

In accordance with the principle in the banking law which states that consumers have the right to security, comfort and safety in consuming goods or services. The bank has also provided a security system to protect customer transactions, namely there are three security systems provided by the bank, the first is Secure Socket Layer (SSL) which is a technology used to randomize paths between computers so that they cannot be read and known by other parties. Second, this User ID or password is used by the bank to enter the main internet banking page. And third, the M-token is a security that is used every time you carry out financial activities and several non-financial transactions which will be sent to the customer's cellphone with a different number for each transaction.

The bank has carried out various activities to maximize security in bank services, but until now there are still many problems that occur in bank services that can harm customers and also the bank. Many unscrupulous persons often act on behalf of the bank to deceive all bank customers. These persons do it through communication media or via telephone and SMS on behalf of the bank. This is not

normal, but this is something that can harm the customer if the customer believes what the person said. the acknowledgment the researcher got from the surrounding community, until the family and researchers also experienced this, but the researchers will be aware of this, the researcher ignores what is said by the person on behalf of the bank.

Information provided by a member of the public who received incoming SMS or telephone calls on behalf of the bank is often troubling because it has not only happened once or twice but often. They asked the bank to break down the number of problems, because it could not only disrupt people's activities but cause discomfort and invite public concern about their savings funds. This also has a negative effect on the bank, because it will reduce public trust in the bank. If the bank finds problems reported by customers regarding lost deposit funds or taken by persons acting on behalf of the bank,

The bank in providing compensation will not provide compensation as soon as possible, but if the bank really gets a negligence or error in the banking service system, unless the bank is not responsible for not providing compensation if a problem arises from errors or negligence of customers using banking services . This is also found in the existing statutory provisions.

CLOSING

Basically, every bank has an obligation to protect customer data in accordance with the laws and regulations in force in Indonesia. Customer data must be kept confidential and only used for legitimate interests in accordance with applicable regulations. However, there are several challenges in the legal protection of the use of customer data by Bank BRI KC Gorontalo City. One of them is the possibility of violations of customer privacy, such as data disclosure to third parties without valid approval. In addition, cyber security threats are also an important issue that needs to be addressed so that customer data remains safe from potentially harmful attacks.

Legal protection for the use of customer data by Bank BRI KC Gorontalo City has a strong legal basis. However, challenges in maintaining customer privacy and data security still need to be overcome so that the use of customer data can be carried out safely, in accordance with applicable legal provisions. To increase legal protection for the use of customer data, Bank BRI Kc Kota Gorontalo has done several things such as implementing a privacy policy and security policy. Bank BRI KC Gorontalo City needs to strengthen internal policies governing the use and protection of customer data. In addition, the application of the latest security technology is also required to overcome cybersecurity threats.

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