

Analisis perlindungan hukum bagi nasabah Branchless Banking dalam hukum Indonesia berkaitan dengan konsep layanan keuangan digital = Analysis of the legal protection for customers of branchless banking operation under Indonesian law in relation to the concept of digital financial service

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Abstrak

Penelitian ini bertujuan untuk menilai tingkat kecukupan perlindungan hukum yang diberikan bagi nasabah branchless banking di Indonesia. Dengan keberadaan branchless banking, nasabah bank konvensional dapat mengakses layanan bank melalui agen dalam bentuk kantor pos, minimarket, atau individu yang memiliki badan usaha. Peraturan Bank Indonesia No. 16/8/PBI/2014 tentang Uang Elektronik dan Peraturan Otoritas Jasa Keuangan No. 19/POJK.03/2014 tentang Layanan Keuangan Tanpa Kantor Dalam Rangka Keuangan Inklusif telah memberikan landasan untuk operasi branchless banking di Indonesia melalui agen individu. Dengan membandingkan peraturan sekaligus operasi branchless banking di tiga negara lain yakni Kenya, Brazil dan India, telah ditemukan bahwa perlindungan hukum yang diberikan untuk nasabah branchless banking di Indonesia saat ini kurang harmonis dan bisa lebih spesifik dan terperinci.

.....This research aims to assess the adequacy of the legal protection given to customers of branchless banking operation in Indonesia. With the existence of branchless banking operation, customers of conventional banks can access the services of a bank through agents in the form of post offices, minimarkets, or even individuals owning a business entity. Bank Indonesia Regulation No. 16/8/PBI/2014 on Electronic Money and Financial Services Authority (OJK) Regulation No. 19/POJK.03/2014 concerning Financial Service Without Office in the Framework of Financial Inclusion have provided the basis of branchless banking operation through the use of individual agents. With comparison to regulations as well as operations of branchless banking in three other countries including Kenya, Brazil, and India, it is found that the legal protection given to customers of branchless banking in Indonesia currently lacks synchronization and could be more specific and detailed.