

Perlindungan Penerima Pinjaman Terhadap Pelaksanaan Penagihan Pinjaman Melalui Perusahaan Fintech Peer-To-Peer Lending = Debtor Protection Against the Implementation of Debt Collection Through Loans from Fintech Peer-to-Peer Lending Company

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Abstrak

Tulisan ini akan membahas mengenai ada tidaknya pengaturan penagihan pinjaman di Indonesia, khususnya pinjaman melalui Perusahaan Fintech Peer-to-Peer Lending serta apakah pengaturan tersebut telah mengakomodasi perlindungan penerima pinjaman sebagai konsumen dari perusahaan fintech Peer-to-Peer Lending terhadap tindakan penagihan yang tidak beretika. Penulis menemukan bahwa saat ini Indonesia memiliki peraturan dalam tingkat Pedoman Perilaku Asosiasi Fintech Pendanaan Bersama Indonesia (AFPI) yang mengatur secara umum mengenai penagihan dan peraturan tersebut berprinsip pada perlindungan konsumen meskipun tidak diatur secara rinci dan khusus. Akan tetapi, tidak ditemukan sanksi yang dapat menimbulkan efek jera bagi pelaku penagihan yang tidak beretika.

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This paper will discuss whether there is a debt collection regulation in Indonesia, especially loans through the Fintech Peer-to-Peer Lending Company and whether the regulation has accommodated the protection of debtors as consumers of the Fintech Peer-to-Peer Lending Company against unethical debt collection. The author finds that Indonesia currently has regulations in the Code of Conduct of the Pedoman Perilaku Asosiasi Fintech Pendanaan Bersama Indonesia (AFPI) which regulates in general terms about debt collection and the regulation is based on consumer protection even though it is not regulated in detail and specifically. However, no sanctions were found that could have a deterrent effect for those who conduct unethical debt collection.</i>