

ANALYSIS OF THE LEGAL POSITION OF CUSTOMER PERSONAL DATA IN THE DIGITAL COOPERATIVE APPLICATION

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Abstract

The rapid development of digital technology has transformed conventional cooperatives into digital-based platforms, bringing both opportunities and complex legal challenges—particularly concerning the protection of customers' personal data. This study aims to analyze the legal position of customer personal data within digital cooperative applications and the scope of legal responsibilities borne by cooperatives as data controllers. Using a normative juridical approach supported by statutory and conceptual analysis, the research examines the implementation of Law Number 27 of 2022 on Personal Data Protection (PDP Law). The findings indicate that customer personal data, once viewed merely as operational assets, are now recognized as part of fundamental privacy rights. The PDP Law mandates digital cooperatives to manage personal data legitimately, transparently, and securely, ensuring customers' rights to consent, access, and deletion. Violations of data protection obligations may lead to criminal, civil, and administrative liabilities, including imprisonment, compensation, and business license revocation. Therefore, compliance with the PDP Law is not merely a regulatory obligation but a strategic investment in building public trust and ensuring sustainable digital cooperative operations.

Keywords: *Personal Data Protection, Digital Cooperatives, Legal Responsibility, PDP Law, Customer Privacy*

Submitted: 28-10-2025 ; Reviewed: 09-12-2025; Accepted: 11-01-2025

A. Introduction

In some year This time , Indonesia experienced progress in fintech lending and digital cooperatives . In this modern era , most of economy Already based technology . The previous cooperative through agreement in a way directly, now Already based digital technology for increase efficiency and so that it can get more Lots customers . Cooperative as one of the business that wants No Want to must compete with other business entities . Although cooperative is a business entity from, for , and by members cooperative , however management cooperative must follow development of the business world Because when No follow development so cooperative No will exist and develop ¹. However behind development This appear challenge Serious related personal data protection customers , specifically in transaction digital finance . The data collected from customers moment borrow money through online application is not just ordinary data , but identity personal , like number population data identity , bank account data , income , bank history , and information others . The data is very sensitive Because If wrong use can harm customers and is violation privacy . In the legal world , data such as This need protection the law as such arranged in Constitution number 27 of 2022 concerning personal data protection (PDP Law), but sadly Still There is digital cooperatives that have not yet own knowledge will matter this . This thing can just cause consequence law , Good for manager cooperative and customers That Alone . In Indonesia the conditions laws that have not been Ready fully face development digital technology tutut influence effectiveness protection regarding personal data Society.many gap existing laws in regulations previously, such as in

¹ Susilawati, Made. "Koperasi Digital: Seberapa Penting dan Kesiapannya?." *Akuntansi Bisnis & Manajemen (ABM)* 28.2 (2021): 38-52.

Constitution number 11 of 2008 concerning information transaction electronics (ITE Law) as has changed with Constitution number 19 of 2016, shows that regulations the Still nature common and not yet arrange in a way details about principles , rights and obligations of the parties in data processing , then , was born Constitution number 27 of 2022 concerning protection law to right privacy citizens . Law number 27 of 2022 concerning protection personal data This load fundamental principles such as validity data processing , restrictions objectives , accountability , transparency , and data security ². This article was created to examine and understand the extent of the legal responsibility of cooperatives as data managers. , analysis This also aims to Can strengthen understanding digital cooperatives so that the importance transparent , secure and compliant data governance law , especially in a very sophisticated and easy era in access various type sector online finance .

B. Discussion

1. Position personal data law customers in cooperative digital

According to Constitution number 27 of 2022 concerning personal data protection or (PDP Law). The PDP Law itself , it arrange that every processing personal data must have base law , in Article 20 verse 1 explained that mandatory data control own base law in carry out personal data processing . There are several alternative base the law that has been arranged in Article 20 paragraph (2) , like agreement contract , interest valid , implementation right law . Therefore That party online cooperative must

² Darmayanti, Elda Septi, and Sidi Ahyar Wiraguna. "Tanggung jawab hukum pinjaman online terhadap penyebaran data nasabah secara ilegal." *ALADALAH: Jurnal Politik, Sosial, Hukum dan Humaniora* 3.2 (2025): 233-251.

explain to customers that use of customer data own base valid law according to Constitution personal data protection .

Constitution protection personal data (Law PDP) set personal data control and procedures with obligation so that they must fulfil principle data management . For example start from legitimacy, transparency , purpose certain , minimization , accountability , security and others . digital cooperatives themselves must check that the data is processed in a way legitimate with base proper law . Constitution data protection personal (PDP Law) also regulates that controller must report If happen personal data leak to the Institution in term time certain.³ In the Constitution protection consumers , listed that as consumers , or in the banking world called with term customer . Customer This have the rights that mandatory and must be fulfilled . Rights the among others:

- a) Rights in gain a sense of security and comfort .
- b) Rights in get change make a loss or other compensation of equal value .
- c) Rights in get information which is clear and correct .
- d) Rights in get service complaint
- e) Rights in get advocacy and resolution proper dispute

Personal data protection is the most important and very necessary thing Because personal data covers identity a person, held by that person and used For objective do action law.⁴ In online loans called as consumers is

³ HukumOline.com

⁴ Irmawati, Ema, John Pieries, and Wiwik Sri Widiarty. "Perlindungan Hukum Atas Data Pribadi Nasabah Bank Pengguna Mobile Banking dalam Perspektif Uu No 27 Tahun 2022 tentang Kebocoran Data." *Jurnal Syntax Admiration* 5.1 (2024): 12-27.

recipient whereas giver loan assumed as perpetrator, with thus there are 2 that are called as consumer that is recipient lenders and lenders loan.⁵

Authority service finance in a way periodically publish a list of provisions registered online loans as part strategic public education regarding difference between Legal and illegal online loans. Authorities service finance or often OJK said it encourages the public to always use service organizers who have registered or own OJK permit listed in the official list.⁶ In the field Alone Lots found case that recipient loan often get terrorized because Not yet pay off debt until with personal data borrower abused by the giver loan. This is Of course it 's just very detrimental consumer moment experience matter said . So from That platform online loans or digital -based must always comply other regulated obligations in Constitution personal data protection . Obligations like This strengthen position personal data law customers so as not to just become object business without protection .

2. Legal Responsibilities of Cooperatives to Personal Data Controller Customer

In the Constitution number 27 of 2022 explained about Personal data protection , base law this is what strengthens rights citizen data privacy . However in view law , violation over personal data is very rampant happen in various case through application illegal online loans . In counter law not quite enough liability is obligation subject law For bear consequence law

5 Priliasari, Erna. "Pentingnya Perlindungan Data Pribadi Dalam Transaksi Pinjaman Online." *Majalah Hukum Nasional* 49.2 (2019): 1-27.

⁶ Hakim, M. Abdul Rahman, et al. " Safety Customer Online Loans in Islamic Law Perspective : A Case Study Based on Draft Hifdz al-Mal and Maqasid al-Shariah." *Journal of Sharia Economic Law* 3.1 (2025): 1-14.

from something actions oppose law or organization against applicable norms. Within the framework law in Indonesia, not quite enough answer law can differentiated into 3 forms main. That is, responsibility answer criminal , responsibility answer civil and liability answer administration . In the context of distribution of personal data by the organizer online loans , violations that occur No only impact aspect privacy individual , but Also potential violating criminal norms and regulations administration Yan set in the country. Forms not quite enough answer law as already explained there are 3 following explanation more carry on :

a) Criminal Responsibility

Article 76 paragraph 1 states : that “ Everyone who with intentionally and against law disclose personal data that is not his as intended in Article 65 paragraph 1 is punishable by with criminal imprisonment for a maximum of 5 years and/ or a maximum fine of Rp. 5,000,000.00 (five billion rupiah). This article give base For ensnare perpetrator distribution of personal data illegally with sanctions criminal .

b) Civil Liability

Constitution number 27 of 2022 concerning personal data protection also opens up opportunity for victims to demand change make a loss in a way civil on violations committed by the controller or data processor . Article 12 paragraph 1 states " everyone who experiences loss consequence violation

processing of personal data entitled submit lawsuit change rug to court ."

c) Administrative Responsibilities

Constitution number 27 of 2022 concerning personal data protection also regulates about sanctions administration as form not quite enough answer law for perpetrator violation . In the Article 57 states that " sanctions administration can charged to control of personal data and /or personal data processor in form : warning written , termination temporary activity personal data processing , deletion or destruction of personal data in , fines administration , so that freezing or revocation permission business ".⁷

Customer data protection very much important For done Because That including trust citizens towards sector online finance . There are several mechanism for personal data customers No leaking , that is the first thing implementation technology security which is foundation main in protect customer data , especially sector borrow borrow for example use method data verification such as fingerprints finger or introduction face and use OTP code (one -time password) become a mandatory step For verify identity user . Use of this system aim For ensure that only authorized party who can access information sensitive . Then There is implementation transparency responsibility answer to strengthen trust customers . Financial

7 Darmayanti, Elda Septi, and Sidi Ahyar Wiraguna. "Tanggung jawab hukum pinjaman online terhadap penyebaran data nasabah secara ilegal." *ALADALAH: Jurnal Politik, Sosial, Hukum dan Humaniora* 3.2 (2025): 233-251

institutions must give clear information about customer data method managed and objectives its use .⁸

C. Conclusion

Transformation cooperative to in the digital platform brings as well as not quite enough answer complex and profound laws , especially in matter personal data protection customer . Position personal data law customers on the application digital cooperatives have experience change significant paradigm . Post - ratification Constitution Number 27 of 2022 concerning Personal Data Protection (PDP Law), personal data No Again viewed as just asset operational for cooperatives , but rather has recognized as part from fundamental right to privacy (privacy right) which is inherent in every individual . The PDP Law provides runway strong law with set principles main in data processing , starting from legitimacy and transparency , up to accountability and security . This put customers as subject the law that has control on their data , with right For give consent , access , and even delete his personal data . By Thus , digital cooperatives are required view personal data customers as trust whose management must done in a way legitimate , limited to agreed purposes , and with level high level of caution .In line with position increasingly stringent personal data laws strong , responsible answer the law imposed to digital cooperative as data controllers are also multifaceted , comprehensive , and heavy . Responsibility answer This No only nature preventive but also repressive . In a way preventive , cooperative required For build adequate data governance system , which

8 Annafa, Syafa Widya, Hanintya Pasha Gabriel Hasa Simanjuntak, and Meira Ananda Ayudia. "Tanggung Jawab Hukum Bank dalam Kasus Kebocoran Data Nasabah." *Jurnal Multidisiplin Ilmu Akademik* 1.6 (2024): 129-135.

includes implementation technology security cyber (such as encryption , OTP, and verification biometrics), compile policy clear and easy privacy accessible , as well as practice source Power the human For understand protocol data protection . In repressive , PDP Law with firm arrange three track accountability law . First , responsibility answer criminal , where individual or corporations that with on purpose disseminating personal data in a way oppose law can faced with threats punishment prison up to 5 years and a fine billions of rupiah. Second , responsibility answer civil , which opens room for customers who are harmed For demand change make a loss on material losses and immaterial that they suffering . Third , responsibility answer administrative , where competent authority can drop sanctions in the form of reprimand written , termination data processing , fines administrative , to the most severe is revocation permission business . Therefore that , can it is said that success and sustainability digital cooperatives in the modern era do not Again only measured from side financial and amount customers , but also from ability they in operate obligation personal data protection in a way consistent and responsible answer . Compliance against the PDP Law is not burden , but rather investment strategic For build trust is the most valuable social capital in business finance . With prioritize customer data protection , digital cooperatives do not only protect self from risk law and reputation , but also strengthens foundation ethically , ensuring that progress the technology they apply truly in line with principle justice and welfare for all over its members .

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