

# The analysis on consumer protection in National Payment Gateway (NPG) by referencing to Indonesian law = Analisis perlindungan konsumen dalam Gerbang Pembayaran Nasional (GPN) berdasarkan hukum Indonesia

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## Abstrak

The existence of the National Payment Gateway (NPG) program in Indonesia is a major effort for the development and progress of the payment system in Indonesia. Unfortunately, there are many obstacles and weaknesses in their implementation that have caused difficulties and losses for consumers, both based on direct and / or indirect impacts. This undergraduate thesis aims to analyze how the National Payment Gateway is implemented, executed, and refers to aspects of consumer protection in Indonesia. This document discusses the different conditions of payment systems in Indonesia before and after the National Payment Gateway was established, and links it to the provisions in the Consumer Protection Act No. 8 of 1999 concerning Consumer Protection and with Bank Indonesia Regulation No. 16/1 / PBI / 2014 concerning Consumer Protection in the Payment System. This is a normative juridical research approach, using secondary sources including interviews with 3 (three) informants who received a direct impact from the National Payment Gateway. Research shows that compatibility between the National Payment Gateway and the Consumer Protection Act and Consumer Protection Regulations in the Payment System needs to be adjusted and reviewed in its implementation. In conclusion, after identifying the implementation of the National Payment Gateway that affects customers, traders and banks, it was found that in implementing the National Payment Gateway, Bank Indonesia needs to pay attention to these consumer protection principles: (i) benefits; (ii) fairness; (iii) balance; (iv) security; (v) legal certainty, (vi) fairness and reliability; (vii) transparency; (viii) data protection and / or consumer information; and (ix) effective handling and resolution of complaints.

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Keberadaan program National Payment Gateway (NPG) di Indonesia merupakan upaya utama untuk pengembangan dan kemajuan sistem pembayaran di Indonesia. Sayangnya, ada banyak kendala dan kelemahan dalam implementasinya yang telah menyebabkan kesulitan dan kerugian bagi konsumen, baik berdasarkan dampak langsung dan / atau tidak langsung. Tesis sarjana ini bertujuan untuk menganalisis bagaimana National Payment Gateway diimplementasikan, dieksekusi, dan mengacu pada aspek perlindungan konsumen di Indonesia. Dokumen ini membahas berbagai kondisi sistem pembayaran di Indonesia sebelum dan setelah National Payment Gateway didirikan, dan menghubungkannya dengan ketentuan dalam Undang-Undang Perlindungan Konsumen No. 8 tahun 1999 tentang Perlindungan Konsumen dan dengan Peraturan Bank Indonesia No. 16/1 / PBI / 2014 tentang Perlindungan Konsumen dalam Sistem Pembayaran. Ini adalah pendekatan penelitian yuridis normatif, menggunakan sumber sekunder termasuk wawancara dengan 3 (tiga) informan yang menerima dampak langsung dari National Payment Gateway. Penelitian menunjukkan bahwa kompatibilitas antara Gateway Pembayaran Nasional dan Undang-Undang Perlindungan Konsumen dan Peraturan Perlindungan Konsumen dalam Sistem Pembayaran perlu disesuaikan dan ditinjau dalam implementasinya. Kesimpulannya, setelah

mengidentifikasi implementasi Gateway Pembayaran Nasional yang mempengaruhi pelanggan, pedagang dan bank, ditemukan bahwa dalam mengimplementasikan Gateway Pembayaran Nasional, Bank Indonesia perlu memperhatikan prinsip-prinsip perlindungan konsumen ini: (i) manfaat; (ii) keadilan; (iii) keseimbangan; (iv) keamanan; (v) kepastian hukum, (vi) keadilan dan keandalan; (vii) transparansi; (viii) perlindungan data dan / atau informasi konsumen; dan (ix) penanganan dan penyelesaian pengaduan yang efektif.