

# Perlindungan Hukum Terhadap Pemberi Dana dan Penerima Dana Pada Layanan Peer to Peer (P2P) Lending Melalui Sistem Pendanaan Bersama Berbasis Teknologi Informasi = Legal Protection of Lender and Borrower in Peer to Peer (P2P) Lending Services Through Information Technology-Based Joint Funding Systems

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## Abstrak

Pemanfaatan kemajuan teknologi informasi membawa dampak terhadap perkembangan digital dengan munculnya inovasi Fintech di bidang jasa keuangan salah satunya layanan Pendanaan Bersama Berbasis Teknologi Informasi (layanan Peer to Peer (P2P) Lending).

Permasalahan dalam penulisan skripsi ini adalah bagaimana perlindungan sektor jasa keuangan berbasis teknologi informasi dan sistem pendanaan bersama melalui layanan P2P Lending menurut peraturan perundang-undangan di Indonesia serta akibat hukum yang timbul sebagai upaya perlindungan konsumen. Penulisan skripsi ini menggunakan metode penelitian yuridis normatif dengan pendekatan undang-undang dan pendekatan doktrin doktrin ilmu hukum menggunakan bahan hukum primer, sekunder dan tersier.

Pengaturan penyelenggaraan layanan P2P Lending sudah bersifat spesifik dan menimbulkan terpusatnya regulasi P2P Lending. Akibat hukum yang ditimbulkan dari penyelenggara layanan P2P Lending yang merugikan, terdapat pertanggungjawaban penyelenggara selaku pelaku usaha kepada Pemberi Dana dan Penerima Dana yang merasa dirugikan dapat berupa perdata maupun pidana. Pemberi Dana dan Penerima Dana diharapkan cermat dalam memilih dan mempergunakan kegiatan layanan P2P Lending agar hak dan kewajiban yang dimiliki dapat terlindung

.....The use of advances in information technology has had an impact on digital development with the emergence of Fintech in the field of financial services, one of which is Information Technology-Based Co-Funding services (Peer to Peer (P2P) Lending). The problem on this research is how to protect the information technology-based financial

services sector and the joint funding system through P2P Lending according to the Indonesian laws and regulations, as well as the legal consequences that arise in order to protect consumers. This research uses normative juridical methods with a statutory and a doctrinal approach to legal science using primary, secondary and tertiary legal materials. Arrangements for the implementation of P2P Lending are specific and have

resulted in the centralization of P2P Lending. The legal consequences arising from the detrimental P2P Lending, there is the responsibility from the organizers as business actors to Pemberi danas and Penerima danas who feel aggrieved can be either civil or criminal. Pemberi danas and Penerima danas are expected to be selective in choosing and using P2P Lending so that their rights and obligations can be protected.