

ABSTRAK

Grecynta Putri Kurniawan.2025. Analisis Yuridis Tanggung Gugat Bank Atas Kerugian Nasabah Akibat Pembobolan Rekening Dalam Perspektif Undang Undang Pelindungan Data Pribadi. Program Studi Hukum, FH, Universitas PGRI Madiun. Pembimbing (I) Dr. Sulistya Evingrum,S.H.,M.H. (II) Nizam Zakka Arrizal, S.H., M.Kn.

Perkembangan teknologi *digital* telah mendorong transformasi layanan perbankan menuju sistem *digital banking*, namun hal ini meningkatkan risiko kebocoran data pribadi nasabah. Kasus pembobolan rekening menunjukkan masih lemahnya sistem perlindungan data perbankan serta menimbulkan pertanyaan hukum mengenai tanggung jawab bank terhadap kerugian nasabah. Penelitian ini bertujuan untuk menganalisis tanggung gugat bank atas kerugian nasabah akibat pembobolan rekening dalam perspektif Undang-Undang Nomor 27 Tahun 2022 tentang Pelindungan Data Pribadi (UU PDP), serta mengevaluasi mekanisme pemulihan hak dan perlindungan hukum bagi nasabah. Metode penelitian yang digunakan adalah yuridis normatif dengan pendekatan perundang-undangan dan studi kasus putusan pengadilan. Hasil penelitian menunjukkan bahwa: *pertama*, bank sebagai pengendali data pribadi berkewajiban menjaga keamanan informasi nasabah dan bertanggung jawab atas kelalaian yang menyebabkan kebocoran data. Dalam hal ini pernyataan tersebut dapat dituntut melalui mekanisme perdata berdasarkan Pasal 1365 KUH Perdata dan hukum perlindungan konsumen. *Kedua*, Perlindungan hukum diperkuat melalui prinsip kehati-hatian (*prudential principle*) dan regulasi sektor keuangan. Penelitian ini merekomendasikan perlunya penguatan penerapan UU PDP oleh perbankan, pembentukan lembaga pengawas independen, serta peningkatan akuntabilitas dan transparansi dalam penanganan insiden pembobolan rekening.

Kata kunci: tanggung gugat bank, pembobolan rekening, UU PDP, nasabah bank.

ABSTRACT

Greycynta Putri Kurniawan.2025. Juridical Analysis of the Bank's Liability for Customer Losses Due to Account Breach in the Perspective of the Personal Data Protection Act. Law Study Program, Faculty of Law, PGRI MADIUN UNIVERSITY. Supervisor (I) Dr. Sulistya Eviningrum, S.H., M.H. (II) Nizam Zakka Arrizal, S.H., M.Kn.

The development of digital technology has driven the transformation of banking services towards digital banking systems, but this has increased the risk of customer data breaches. Cases of account hacking demonstrate the weakness of banking data protection systems and raise legal questions regarding the bank's liability for customer losses. This study aims to analyze banks' liability for customer losses resulting from account breaches under the perspective of Law No. 27 of 2022 on Personal Data Protection (PDP Law), as well as evaluate mechanisms for restoring rights and legal protection for customers. The research method used is a normative legal approach based on legislation and case studies of court rulings. The results of the study indicate that banks, as controllers of personal data, are obligated to safeguard customer information and are liable for negligence leading to data breaches. Such liability can be pursued through civil mechanisms under Article 1365 of the Civil Code and consumer protection laws. Legal protection is strengthened through the principle of prudence (prudential principle) and financial sector regulations. This study recommends the need to strengthen the implementation of the PDP Law by banks, establish an independent supervisory body, and enhance accountability and transparency in handling account breach incidents.

Keywords: *bank liability, account breach, PDP Law, bank customers.*