

**ANALISIS KOMPARATIF KEWENANGAN PENYELENGGARA
FINTECH LENDING DALAM MENGAKSES DATA PRIBADI *LENDER*
ANTARA POJK NOMOR 40 TAHUN 2024 TENTANG LAYANAN
PENDANAAN BERSAMA BERBASIS TEKNOLOGI INFORMASI DAN
*SINGAPORE TECHNOLOGY RISK MANAGEMENT GUIDELINES 2021***

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ABSTRAK

Penelitian ini bertujuan untuk mengetahui kewenangan penyelenggara *fintech lending* dalam mengakses data pribadi *lender* menurut hukum positif di Indonesia, serta bagaimana perbandingan antara POJK Nomor 40 Tahun 2024 tentang Layanan Pendanaan Bersama Berbasis Teknologi Informasi Dan *Singapore Technology Risk Management Guideline 2021*. Metode penelitian yang digunakan yakni penelitian hukum normatif yang menggunakan pendekatan perundang-undangan, pendekatan konseptual serta pendekatan perbandingan untuk mengetahui bagaimana kewenangan penyelenggara mengakses data pribadi *lender* di Indonesia dan Singapura. Penelitian ini menggunakan bahan hukum primer, bahan hukum sekunder dan bahan hukum tersier sebagai bahan analisis. Hasil penelitian menunjukkan bahwa (1) POJK 40 tahun 2024 mengatur kewajiban penyelenggara dalam menjaga keharasaan data pribadi, data transaksi dan data keuangan serta manajemen risiko. Namun, ketentuan ini belum mengatur terkait dengan batas kewenangan penyelenggara dalam mengakses data pribadi pengguna. (2) Pengaturan *fintech lending* di Singapura lebih rinci bila dibandingkan dengan Indonesia. Hal ini dibuktikan melalui penerapan prinsip *User Access Management*, *Privilege Access Management* dan *Remote Access Management* dalam *Singapore Technology Risk Management Guidelines 2021*.

Kata Kunci: *Lender*, *Fintech lending*, Data Pribadi, Indonesia, Singapura.

**COMPARATIVE ANALYSIS OF THE AUTHORITY OF FINTECH
LENDING OPERATORS IN ACCESSING LENDER PERSONAL DATA
BETWEEN POJK NUMBER 40 OF 2024 CONCERNING INFORMATION
TECHNOLOGY-BASED JOINT FUNDING SERVICES AND SINGAPORE
TECHNOLOGY RISK MANAGEMENT GUIDELINES 2021**

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ABSTRACT

This study aims to determine fintech lending operators' authority in accessing lenders' personal data according to positive law in Indonesia, as well as to compare POJK Number 40 of 2024 concerning Information Technology-Based Joint Funding Services and the Singapore Technology Risk Management Guideline 2021. The research method used is normative legal research using a legislative approach, a conceptual approach, and a comparative approach to determine the authority of operators to access lenders' personal data in Indonesia and Singapore. This study uses primary legal materials, secondary legal materials, and tertiary legal materials as analysis materials. The results of the study show that (1) POJK 40 of 2024 regulates the obligations of operators in maintaining the confidentiality of personal data, transaction data, and financial data as well as risk management. However, this provision does not yet regulate the limits of the authority of operators in accessing users' personal data. (2) The regulation of fintech lending in Singapore is more detailed than in Indonesia. This is evidenced by the application of the principles of User Access Management, Privilege Access Management, and Remote Access Management in the Singapore Technology Risk Management Guidelines 2021.

Keywords: Lender, Fintech lending, Personal Data, Indonesia, Singapore.