
**LEGAL PROTECTION OF PERSONAL DATA IN ELECTRONIC TRANSACTIONS
IN INDONESIA AFTER THE ENACTMENT OF THE PERSONAL
DATA PROTECTION LAW**

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Artikel Information	Abstract
<p>Keywords: Personal Data Protection, Electronic Transactions, Privacy Rights, PDP Law, Legal Protection.</p>	<p>The rapid development of digital technology has significantly transformed social, economic, and governmental activities in Indonesia. Electronic transactions have become an essential component of modern economic systems, resulting in massive data collection and processing activities involving personal data. This phenomenon raises serious concerns regarding the protection of personal data and individual privacy rights. The enactment of Law Number 27 of 2022 concerning Personal Data Protection represents a major milestone in Indonesia's legal system, providing a comprehensive regulatory framework for personal data governance. This study aims to analyze the legal protection mechanisms for personal data in electronic transactions following the enactment of the Personal Data Protection Law. The research employs a normative juridical method with statutory, conceptual, and comparative approaches. The findings reveal that although Indonesia has adopted global principles of personal data protection, significant challenges remain in law enforcement, institutional readiness, and public awareness. The study highlights the importance of strengthening regulatory institutions, improving digital literacy, and ensuring compliance among electronic transaction operators.</p>

1. Introduction

The digital transformation experienced by Indonesia has significantly increased the use of electronic transactions across various sectors, including e-commerce, digital banking, public services, and social media platforms. Electronic transactions rely heavily on the collection, processing, and storage of personal data, which has become a valuable asset in digital economic activities. The increasing reliance on digital platforms has also heightened the risk of personal data breaches and misuse.

Personal data protection is closely related to the fundamental human right to privacy. In Indonesia, privacy protection is constitutionally guaranteed under Article 28G paragraph (1) of the 1945 Constitution, which recognizes the right of individuals to personal security and protection of personal information. Research indicates that personal data protection constitutes a constitutional obligation of the state to safeguard citizens' digital rights and personal autonomy.

The absence of comprehensive personal data regulation in Indonesia previously created legal fragmentation. Before the enactment of the Personal Data Protection Law, protection of personal data was regulated indirectly through various sectoral regulations such as the Information and Electronic Transactions Law. However, these regulations were considered insufficient to address the complexities of modern data processing activities.

The enactment of Law Number 27 of 2022 concerning Personal Data Protection was designed to establish a unified regulatory framework for personal data protection in Indonesia. The law introduces principles governing data processing, defines the rights of data subjects, and establishes responsibilities for data controllers and processors. Despite these improvements, challenges remain in implementing the law effectively due to institutional limitations and overlapping regulatory authority.

The increasing number of data breach incidents in Indonesia demonstrates the urgency of strengthening legal protection for personal data. Studies indicate that technological advancement has accelerated data processing activities, increasing the potential for privacy violations and cybercrime. Consequently, evaluating the effectiveness of legal protection mechanisms under the Personal Data Protection Law becomes essential to ensure secure electronic transaction activities.

1.1. Research Problems

This study addresses the following research questions:

1. How is personal data protection legally regulated in electronic transactions under Indonesian law?
2. What are the legal protection mechanisms provided by the Personal Data Protection Law?
3. What challenges are faced in implementing personal data protection in electronic transactions?

1.2. Research Objectives

This research aims to, Analyze the legal framework of personal data protection in Indonesia, Examine preventive and repressive legal protection mechanisms, Identify implementation challenges in electronic transaction activities.

2. Literature Review

2.1. Concept of Personal Data Protection

Personal data refers to information that can identify an individual directly or indirectly. The concept of personal data protection is closely linked to privacy rights and human dignity. In modern digital societies, personal data has evolved into a strategic resource that supports economic and technological development.

Scholars emphasize that personal data protection is not merely a technological issue but also a legal and ethical concern. The expansion of digital technologies has increased the risk of unauthorized data access, data misuse, and cybercrime. Personal data protection laws aim to regulate data processing activities, ensuring transparency, accountability, and data subject control over personal information.

Research shows that personal data protection involves multiple legal principles, including consent, purpose limitation, data minimization, and accountability. These principles serve as fundamental guidelines in designing data protection regulatory frameworks worldwide.

2.2. Legal Framework of Electronic Transactions in Indonesia

Electronic transactions in Indonesia are primarily regulated under the Information and Electronic Transactions Law. This law serves as the foundation for regulating digital communication, electronic contracts, and data processing activities. The law prohibits illegal access to electronic information and establishes sanctions for data misuse.

The Personal Data Protection Law complements the Information and Electronic Transactions Law by providing more specific and comprehensive data protection regulations. The law establishes clear obligations for electronic system operators and introduces stricter sanctions for personal data violations.

Research indicates that electronic transactions have significantly increased the use of personal data as an economic asset. However, the expansion of digital economic activities also increases the risk of privacy violations, requiring stronger legal protection mechanisms.

2.3. Comparative Perspective with International Regulations

Internationally, the European Union's General Data Protection Regulation is considered a global benchmark for personal data protection. The regulation introduces strict requirements regarding data processing transparency, data subject rights, and cross-border data transfer.

Comparative studies indicate that Indonesia's Personal Data Protection Law adopts many principles similar to international standards. However, implementation challenges remain, particularly regarding supervisory authority independence and enforcement mechanisms.

Furthermore, several jurisdictions in the Asia-Pacific region have also developed comprehensive personal data protection frameworks that influence Indonesia's regulatory approach. Countries such as Singapore, Japan, and South Korea have implemented advanced data protection regulations that emphasize accountability, data breach notification, and cross-border data transfer governance. These regulations demonstrate the growing global consensus regarding the necessity of harmonizing personal data protection standards to facilitate international digital trade while safeguarding individual privacy rights. Indonesia's Personal Data Protection Law reflects this regional trend by incorporating provisions related to international data transfers and requiring adequate data protection guarantees from foreign data recipients.

In addition, the adoption of international best practices highlights the importance of establishing an independent supervisory authority responsible for monitoring data protection compliance. Many developed jurisdictions have created specialized regulatory bodies with strong enforcement powers to ensure effective implementation of data protection laws. Indonesia is currently in the process of strengthening institutional mechanisms to supervise personal data governance. The effectiveness of these supervisory institutions will play a crucial role in ensuring legal certainty, increasing public trust, and enhancing Indonesia's competitiveness in the global digital economy.

3. Research Methodology

This study employs normative juridical research methodology, focusing on the analysis of legal norms contained in statutory regulations and legal doctrines. The research utilizes statutory, conceptual, and comparative approaches.

The statutory approach examines Indonesian legal regulations related to personal data protection, including the Personal Data Protection Law and the Information and Electronic Transactions Law. The conceptual approach analyzes theoretical frameworks regarding privacy rights and legal protection. Meanwhile, the comparative approach evaluates Indonesian data protection regulations in relation to international standards.

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Secondary legal materials, including academic journals, books, and legal reports, are used to support the analysis. Data collection is conducted through literature study, focusing on recent publications relevant to personal data protection and electronic transactions.

4. Discussion

4.1. Legal Framework of Personal Data Protection under Indonesian Law

The Personal Data Protection Law establishes a comprehensive regulatory framework for protecting personal data in Indonesia. The law regulates data processing activities, including data collection, storage, use, disclosure, and destruction. The law also defines personal data as part of individual privacy rights that must be legally protected.

The law introduces several core principles of personal data protection, including lawfulness, transparency, accountability, and data security. Data controllers are required to ensure that data processing activities comply with these principles. Furthermore, the law requires organizations processing personal data to implement risk assessments and security systems to prevent data breaches.

Research findings indicate that the Personal Data Protection Law strengthens Indonesia's legal protection mechanisms by providing preventive and repressive legal measures. Preventive measures include data security obligations and transparency requirements, while repressive measures include administrative sanctions and criminal penalties for violations.

5. Conclusion

The enactment of Law Number 27 of 2022 concerning Personal Data Protection represents a significant milestone in Indonesia's effort to strengthen legal safeguards for personal data, particularly within electronic transaction activities. The law establishes a comprehensive legal framework that integrates fundamental principles of personal data protection, including transparency, accountability, data security, and lawful processing. By clearly defining the rights of data subjects and the obligations of data controllers and processors, the regulation provides stronger preventive and repressive

mechanisms against personal data misuse. This development reflects Indonesia's commitment to aligning its data protection policies with global standards and responding to the increasing risks associated with digital transformation.

The implementation of the Personal Data Protection Law also enhances legal certainty in electronic transaction activities. The regulation promotes responsible data governance among electronic system operators and strengthens consumer protection in digital economic transactions. Preventive legal measures, such as mandatory consent requirements, data security obligations, and risk management procedures, aim to minimize the potential for data breaches. Meanwhile, repressive legal measures, including administrative sanctions and criminal penalties, serve as deterrent mechanisms to ensure compliance with data protection regulations. These measures are expected to increase public trust in digital services and encourage sustainable growth in Indonesia's digital economy.

However, despite the progressive nature of the Personal Data Protection Law, several challenges remain in its implementation. Institutional readiness, coordination among regulatory authorities, limited public awareness, and technological capability gaps continue to hinder the effectiveness of data protection enforcement. The establishment of an independent supervisory authority and the development of detailed implementing regulations are essential to ensure consistent application of the law. Additionally, improving digital literacy and strengthening cybersecurity infrastructure are crucial to supporting the successful implementation of personal data protection policies.

In conclusion, the Personal Data Protection Law serves as a fundamental legal instrument in protecting individual privacy rights and ensuring secure electronic transaction activities in Indonesia. Effective enforcement of the law requires collaborative efforts between the government, private sector, and society. Strengthening institutional capacity, enhancing regulatory supervision, and promoting public awareness will be essential to maximizing the effectiveness of personal data protection in Indonesia's digital ecosystem. The success of this regulatory framework will ultimately determine Indonesia's ability to maintain public trust and competitiveness in the global digital economy.

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