LEGAL VIEW CONCERNING INVESTMENT PROGRAM THROUGH INTERNET ACTING ON BEHALF OF BANK FINANCIAL INSTITUTIONS ATTRIBUTED PERATURAN BANK INDONESIA NUMBER 7/6/PBI/2005 CONCERNING INFORMATION TRANSPARENCY OF BANK'S PRODUCTS AND USE OF CUSTOMER'S PERSONAL DATA JUNCTO UNDANG-UNDANG NUMBER 8/1999 CONCERNING CONSUMER PROTECTION

ABSTRACT

IRPAN PIRMANSYAH

Developments of information technology today are growing quickly and rapidly. Information technology has changed the behavior of human society and civilizations globally. The development of information technology is in line with the development of the banking sector in Indonesia. These have resulted in increasingly diverse products, facilities and services in banking. One of the products is to accumulate and manage of public funds in the form of an investment program through internet. The investment program through internet is a tool for the investors (consumers) to invest the funds. The investment program at practice is helpful for public, because with the internet media can create efficiencies to invest. However, investment programs through internet are also misused by some people to gain advantage by using the name of a bank or other big companies with no right to get public trust. This paper seeks to examine the accountability of producer and about legal protection for consumers against investment program through internet acting on behalf of financial institutions bank. The discussion is based on Peraturan Bank Indonesia Number 7/6/PBI/2005 concerning Information Transparency of Bank's Products and Use of Customer's Personal Data and Undang-Undang Number 8/1999 concerning Consumer Protection.

This research, conducted using descriptive analytical with method normative juridical approach, the data obtained were analyzed by juridical qualitatively.

Based on an analysis of the data obtained can be concluded that the producer responsibilities as the manager of the investment program through internet subject to the provisions of Article 7 Letter b Undang-Undang Number 8/1999 concerning Consumer Protection regarding the obligation of producer provide true, clear and honest about its product. This deal also with the provisions of Article 5 Ayat 1 PBI Number 7/6/PBI/2005 explain clearly that the product is managed by a banking institution must meet the specified criteria. One of them must meet the criteria associated with the product name. Meanwhile, legal protections for consumers against investment program through Internet which on behalf of financial institutions bank can be done through both legal action in civil or criminal, either through litigation or non litigation. One of the non-litigation process in the form of dispute resolution outside the court subject to the provisions of Article 45 Undang-Undang Number 8/1999 concerning Consumer Protection. Settlement of disputes outside the court includes those conducted by Badan Penyelesaian Sengketa Konsumen (BPSK).