



INFORMATION

The Enactment of the Law of the Republic Indonesia No. 27 Year 2022 Concerning of Personal Data Protection

The House of Representatives (Dewan Perwakilan Rakyat/DPR RI) legislated the Law of the Republic Indonesia No. 27 Year 2022 concerning Personal Data Protection (UU PDP) in October, 17th 2022. The UU PDP is a mandate from Article 28G paragraph (1) of the 1945 Constitution of the Republic of Indonesia which states that "Everyone has the right to protection of his personal, family, honor, dignity, and property under his control and has the right to a sense of security and protection from the threat of fear to do or not do something as human rights".

The regulations in the UU PDP aim to protect and guarantee the basic rights of citizens related to personal self-protection, guarantee the public to get services from corporations, public agencies, international organizations, and governments, encourage the growth of the digital economy and the information and communication technology industry, and support increasing the competitiveness of the domestic industry and it also aims to reduce the overlap of provisions regarding the Personal Data Protection in general, whether processed in part or in whole by electronic and non-electronic data. Various sectors of life have utilized information technology systems, such as the implementation of electronic commerce (e-commerce) in the trade/business sector, electronic education (e-education) sector, electronic health (e-health) sector, electronic government (e-government), etc.

There are 76 articles in the UU PDP. One of the things that have been awaited from the UU PDP is the establishment of an institution that will be in charge of carrying out the authorities contained in Article 58 paragraph (2) and later the establishment of the institution will be handed over to the President and responsible to the President with the following functions:

1. Formulation and determination of Personal Data Protection policies and strategies that serve as guidelines for Personal Data Subjects, Personal Data Controllers, and Personal Data Processors
2. Supervision the implementation of Personal Data Protection
3. Administrative law enforcement against violations of this Law
4. Facilitator of dispute resolution outside the court

In addition, as the government is still establishing the responsible institution the update of the institution will be announced soon. The presence of this institution is expected to help the community not always become victims because it is an intermediary between the community and the organizers of the electronic system.

Reference:

- The Law of the Republic Indonesia No. 27 Year 2022 Concerning of Personal Data Protection

If you require a copy of the reference documents above, please do not hesitate to contact research@ibai.or.id

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