

THE FINANCIAL SERVICES AUTHORITY (OJK) IN SUPERVISING THE BANK PAYMENT SYSTEM AND PROTECTING CUSTOMERS AGAINST CRIMINAL ACTS

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Abstract: *The role of the OJK in regulating and supervising Fintech is to minimize risks so as to provide good and stable growth. The research method used is qualitative research using a case study approach model through interviews, document observation or reports by describing the object of the research case. Data sources come from primary data in the form of interviews and secondary data in the form of books and websites. The subject of this research is the protection and education section of the Financial Services Authority. The results of the research show that there are indeed violations occurring in the financial services sector which are handled by the Financial Services Authority. OJK has also carried out one of its roles, namely education, by holding several workshops or seminars held at several institutions as well as in regions for the general public.*

Keywords: *Bank Indonesia, Payment Systems, Customer Protection, Financial Services Authority, Loans, Fintech*

1. Introduction

The government plays an important role in providing legal protection for both startup companies and online businesses operating in the financial services sector as well as the public who are customers. The main factor that determines the sustainability of Fintech is in terms of regulation and supervision. In this case, the implementation of business that is carried out legally for the development of financial service technology has a direct impact on the payment system, financial and economic system stability, and consumer protection. The aim of the OJK which regulates and supervises Fintech is to minimize risks so as to provide good and stable growth. The era of globalization has many impacts on people's lives in the form of positive and negative impacts, where the development of technology and information in everyday life is increasingly rapid, coupled with the existence and ease of accessing the internet, it also encourages people's progress in the field of technology, both in accessing information or in various needs in running an online-based business. Online shopping activities are becoming dominant among society as a result of developments in the era of globalization

Before the author explains For further discussion, we will first explain the terms in this to avoid mistakes for the reader. Therefore, to avoid these mistakes, there is a need to limit the meaning of the sentences in this. In the hope of obtaining a clear picture of the intended meaning. The title is "Analysis of the Role of the Financial Services Authority (OJK) in Supervising Bank Payment Systems and Protecting Customers Against Criminal Actions"

2. Literature Review

The Financial Services Authority which is the sole authority in the financial services sector in Indonesia, the Financial Services Authority is a financial services supervisory institution such as the banking industry, capital markets, mutual funds, finance companies, pensions and insurance which must be formed in 2010. The existence of the Financial Services Authority (OJK) as a financial sector supervisory institution in Indonesia needs to be paid attention to, because it must be everything is well prepared to support the existence of the OJK. 24 Article 1 of Law Number 21 of 2011 states: "The Financial Services Authority, hereinafter abbreviated as OJK, is an institution that is independent and free from interference from other parties, which has the functions, duties and authority of regulation, supervision, inspection and investigation as intended in this Law."

In other words, it can be interpreted that the Financial Services Authority is an institution that supervises financial services such as the banking industry, capital markets, mutual funds, finance companies, and pensions and insurance. Basically, the Law on OJK now only regulates the organization and implementation of financial activities of institutions that have the power to regulate and supervise the financial services sector. Therefore, with the formation of the OJK, it is hoped that a more effective coordination mechanism can be achieved in handling problems that arise in the financial system. In this way, it can further guarantee the achievement of financial system stability and more integrated regulation and supervision. In Indonesian, what is meant by supervision is surveillance and guarding, supervising and directing policies for the running of the company. Controlling, supervision is an effort to ensure that something is carried out in accordance with the regulations that have been set and instructions that have been issued. Viewed from a looser side, supervision means managerial supervision.

3. Research Methods

This research is qualitative research using a case study approach model, namely a research approach that tries to explore real life through detailed and in-depth data collection involving various sources of information, whether in the form of interviews, document observations or reports by describing the object of the research case. In writing it uses normative juridical legal methods. Where this research examines law normatively by linking the factual approach and the statutory approach. Law Number 21 of 2011 concerning the Financial Services Authority, OJK Regulation No. 77/POJK.01/2016 and PBI No. 19/12/PBI/2017. Legal sources to be obtained through secondary legal materials that have been researched previously and are related to the writing of this scientific journal.

4. Results And Discussion

The sustainability of technology-based financial services in Indonesia really requires regulation and supervision. In implementing its development, the legality of businesses carried out in technology-based financial services has potential risks that are directly related to consumer protection, financial system stability, payment systems and economic stability. BI and OJK are aggressively providing encouragement for the growth of technology-based service businesses in financial services or financial technology (fintech).

This is being done to be able to respond to rapidly developing technology. The presence of technology in financial services in the form of gadget applications (smartphones, tablets, laptops, PCs) plays a role in encouraging the development of the technology industry,

especially in financial services. The development of technology-based companies in financial services recently in Indonesia has been very rapid and has had various regulations. Indonesia has the authority to regulate technology companies in financial services, namely Bank Indonesia (BI) and the Financial Services Authority (OJK). To date, Bank Indonesia has made a number of regulations relating to technology-based financial services, namely:

1. Bank Indonesia Regulation Number 18/40/PBI/2016.
2. Bank Indonesia Regulation Number 19/12/PBI/2017.
3. Regulation of Members of the Board of Governors Number 19/14/PADG/2017.
4. Regulation of Members of the Board of Governors Number 19/15/PADG/2017.11 T

FinancialTechIn Bank Indonesia Regulation Number 19/12/PBI/2017 regulates how the use of financial system technology creates new technology, services, products and/or business models that can have a positive impact on monetary stability, financial systems, smoothness, reliability, efficiency and security of payment systems. Technology-based financial service providers include payment systems, market support, investment management and risk management, loans, financing. and capital providers, and other financial services. Until now, regulations have regulated 6 (six) financial service-based technology activities regulated in the payment system and financial services system in Indonesia, namely:

1. E-money has a legal basis regulated in PBI No. 11/12/PBI/2009 jo. PBINo. 16/8/PBI/2014 jo. PBI No. 18/17/PBI/2016 concerning Electronic Money. Electronic money is a tool used to pay which contains the following elements:
 - a. The issuer publishes the amount of money that has been deposited to the issuer by the holder;
 - b. Media such as chips or servers that can store money values electronically;
 - c. Becomes a means of payment to sellers who are not electronic money issuers; and
 - d. In accordance with the Law governing banking, the holder who deposits the value of electronic money and the issuer who manages it are not depositors.
2. *E-Wallet*, has a legal basis regulated in PBI No.18/40/PBI/2016 concerning the Implementation of Payment Transaction Processing. EWallet is an electronic medium which can be used to store payment data on a card or electronic money which is used as a means of payment and holding funds.
3. *PaymentGateway*, has a legal basis regulated in PBI No.18/40/PBI/2016 concerning the Implementation of Payment Transaction Processing. Payment Gateway is an electronic medium where sellers can process payment transactions using Proprietary Channels, electronic money, and/or cards.
4. *Peer to Peer(P2P) Lending*, has a legal basis regulated in POJK No.77/POJK.01/2016 concerning Information Technology-Based Money Lending and Borrowing Services. This type is a financial services media manager that is brought together between loan recipients and lenders in terms of carrying out loan and borrowing agreements directly in rupiah currency using the internet via an electronic system (Application).
5. *Mutual fund marketplace*, has a legal basis regulated in POJK No.39/POJK.04/2014 concerning Mutual Fund Securities Selling Agents.

The data relating to financial services authorities in 2021 in the official fintech unitOJK is as follows:

Table 1
Fintech status registered with OJK

NO	FINTECH	WEBSITE	STATUS
1	Danamas	P2p.danamas.co.id	Registered and licensed
2	Investree	www.investree.id	Registered and licensed
3	Indodana	Indodana.id	Registered and licensed
4	Amertha	Amartha.com	Registered and licensed
5	DompelKilat	www.dompelkilat.co.id	Registered and licensed
6	Boost	Myboost.co.id	Registered and licensed
7	TokoModal	www.tokomodal.co.id	Registered and licensed
8	Maucash	Maucash.id	Registered and licensed
9	Finmas	www.finmas.co.id	Registered and licensed
10	Ammana.Id	Ammana.id	Registered and licensed
11	Blossom	Mekar.id	Registered and licensed
12	Coinp2p	Koinp2p.com	Registered and licensed

The Role of the Financial Services Authority (OJK) in Supervising the Rise of Financial Technology (Fintech) Services

In relation to the authority that has the authority to supervise financial services technology-based companies, it is the Financial Services Authority (OJK) of the Republic of Indonesia. According to Article 5 of Law Number 21 of 2011 concerning the Financial Services Authority (UU OJK) which regulates "OJK functions as the organizer of an integrated regulatory and supervisory system for all activities in the financial services sector." The OJK Law was formed with the aim of impacting sustainable and stable economic growth, therefore it is necessary that activities in the financial services sector be carried out in an accountable, fair, transparent and fair manner and are able to create a financial system that grows stably and develops, capable of protecting the interests of society and consumers. The following is the reporting data received by OJK since 2023:

Table 2
Number of problem reporters to OJK 2023

Reporter Type Code	Type of Reporter	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
0101	Conventional Commercial Banks	92	92	92	92	92	92
0102	Sharia Commercial Bank	12	12	12	12	12	12
0102	Sharia Business Unit	21	21	21	21	21	21
0103	Conventional BPR	1,431	1,427	1,426	1,425	1,416	1,414
0104	Sharia BPR	169	170	170	170	170	170
0201	Financing Company	148	148	148	148	147	147
0202	Venture Capital Company	49	50	50	50	50	50
0203	Infrastructure Financing Company	2	2	2	2	2	2
0204	Sharia Financing Company	33	34	34	34	34	34
0205	Sharia Venture Capital Company	6	6	6	6	6	6
0206	Sharia Infrastructure Financing	1	1	1	1	1	1

	Company						
0301	Other Financial Services Institutions	3	3	3	3	3	3
0302	Other Sharia Financial Services Institutions	2	2	2	2	2	2
0401	Securities Company (PE)	117	117	117	117	117	117
0402	Securities Funding Institution	1	1	1	1	1	1
0909	Non-Institutional Financial Services Institutions	4	4	4	4	4	4
	Total	2,091	2,090	2,089	2,088	2,078	2,076

Source: Financial Services Authority (OJK)

In this case, the OJK (Financial Services Authority) has the authority to regulate, supervise and protect consumers, namely:

1. Regulation The task of the OJK (Financial Services Authority) in regulation is to determine implementing regulations for laws, statutory regulations in the financial services sector, regulations and decisions of the OJK (Financial Services Authority).
2. Supervision The objectives of management and supervision are:
 - a. The company carries out the agreed plans, both systems, processes and the results achieved
 - b. Prevent deviations from occurring.
 - c. Minimize deviations committed by employees.
 - d. Makes prevention easier.
 - e. Cost monitoring.
 - f. Helping to realize the achievement of company goals.
3. Consumer and Community Protection Regarding consumer and community protection, the Financial Services Authority has the authority to act to prevent things that could harm consumers and the community. The form of protection is to ask financial services institutions to stop some/all activities that could harm consumers and society. The stages of supervision of technology-based financial services companies are:
 - a. Request records at the registration stage from the supervisor and ensure that the supervisor has recorded them by the technology-based financial services company.
 - b. Next, the regulator will test (Regulatory Sandbox) the feasibility of services for the business that will be run. The Regulatory Sandbox has a legal basis in Financial Services Authority regulation Number 13 / POJK.02/2018 concerning digital financial innovation in the financial services sector. .

Objective

The Financial Services Authority (OJK) was formed with the aim that all activities in the financial services sector: are carried out in an orderly, fair, transparent, accountable manner, are able to create a financial system that grows sustainably and is stable, and are able to protect the interests of consumers and society.

Function

The Financial Services Authority (OJK) has the function of implementing an integrated regulatory and supervisory system for all activities in the financial services sector.

Task

The Financial Services Authority (OJK) has the authority to regulate and supervise financial services activities in the banking sector, capital markets sector and the IKNB sector.

Overview of Consumer Protection

Rapid economic development has produced various types of goods and/or services that can be consumed. These goods or services are generally goods and services that are similar or complementary to one another. With the increasingly wide variety of products and with the support of advances in communication and information technology, it is clear that there is an expansion of space for the flow of transactions for goods and/or services offered in a variety of ways, both from domestic production and from abroad.

However, these conditions and phenomena, on the other hand, can result in the position of business actors and consumers becoming unbalanced, where consumers are in a weak position. Consumers become the object of business activities to reap maximum profits by business actors through promotions, sales methods, and standard agreements that are detrimental to consumers. This is not just a regional phenomenon, but is a global problem that is affecting all consumers in the world. The emergence of consumer awareness has given birth to a new branch of legal science, namely consumer protection law, also known as consumer law.

5. Conclusion

In Indonesia, currently, there are two institutions that have the power to supervise, regulate and develop fintech, including Bank Indonesia and the Financial Services Authority (OJK). The implementation of fintech in Indonesia is regulated in several official regulations from the government from Bank Indonesia itself, through PBI No.19/12/PBI/2017 concerning Financial Technology Operations, Bank Indonesia regulates the obligation to register with Bank Indonesia for Financial Technology Operators who carry out payment system activities. The registration obligation is excluded for Payment System Service Providers who have obtained permission from Bank Indonesia and for Financial Technology Operators who are under the authority of other authorities. It is hoped that the regulations made by the government will enable fintech providers and users to carry out various financial activities more comfortably and safely in terms of processing data and personal information. Based on the discussion and research results regarding the role of the Financial Services Authority in consumer protection and sharia banking customer protection for education in Lampung Province, the following conclusions can be put forward, namely:

The Financial Services Authority is an institution created to replace the role of BI, namely as an institution that has the functions, duties and authority of regulation, supervision, inspection and investigation in the Financial Services Sector, because in the transaction activities of the financial services sector there are many violations, so the researcher is looking for how the role of the Financial Services Authority is to protect banking customers and banking customers and also provide education. This research aims to analyze protection. law on banking customers and banking customers by the Financial Services Authority for educational purposes as well as knowing the Islamic view of the Financial Services Authority in carrying out protection.

Suggestion

Based on the discussion and research results regarding the role of the Financial Services Authority in consumer protection and protection of sharia banking customers for education in Lampung Province, it is an institution that has duties as expected as a replacement for BI as the central bank, namely carrying out protection duties so that banking customers and customers do not experience losses in carrying out transactions in the financial services sector, but to be able to realize this there are several The author's suggestion is to expand the target area in providing education and information.

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