

Implementation of the Law of the Republic of Indonesia Number 27 of 2022 Concerning the Protection of Personal Data in the Big Data Era in Indonesia

Rahma Charkava Resti¹; Erli Salia²; Sri Suatmiati²

¹ Master's student at the University of Muhammadiyah Palembang Concentrating on the Field of Law, Indonesia

² Lecturer in the Faculty of Law, Muhammadiyah University, Palembang, Indonesia

E-mail: Inceptonedesistamrc@gmail.com

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Abstract

The rapid development of information and communication technology, especially in the Big Data context, brings significant challenges to the protection of personal data in Indonesia. Law No. 27 of 2022 concerning the Protection of Personal Data (PDP Law) is expected to provide a clear legal framework to protect individual rights over their data. This study aims to analyze the implementation of the PDP Law in the big data context and its impact on the protection of citizens' privacy. The method used is a normative law approach, with a focus on existing regulations and implementation practices. The results showed that although the PDP Law had set a strong legal basis, the challenges in its application still existed, including the lack of understanding of the community about their rights and the readiness of the Supervisory Institution to enforce the law. This study recommends the need for broader socialization and the capacity building of supervisory agencies to ensure the effectiveness of personal data protection in the digital era. This abstract reflects the main issues related to the PDP Law and its relevance in facing the challenges of big data, as well as providing a general picture of the research approach carried out.

Keywords: *Data Protection; Implementation; Digitalization; PDP Law*

Introduction

In the context of the emerging Big Data Era, the enactment of Law Number 27 of 2022 regarding the Protection of Personal Data is a significant development in Indonesia's legal landscape (1). In the face of accelerated technological advancements and increasing data utilization, this legislation (2), which was officially promulgated on October 17, 2022, establishes a comprehensive framework that is designed to protect personal data(3). It is indicative of the increasing recognition of the significance of privacy rights (4).

The PDP Law is a critical response to the challenges posed by digital transformation in an era in which vast quantities of personal information are generated, processed, and stored (5). It is not only

consistent with international standards, particularly the General Data Protection Regulation (GDPR) of the European Union (6), but it also caters to the unique requirements and circumstances of Indonesian citizens(7). The law contains a diverse array of provisions that regulate the collection.(8), use, and management of personal data by public entities, corporations, and individuals(9).

The significance of the law is further emphasized by the establishment of an independent Personal Data Protection Agency (10), which is responsible for promoting awareness of personal data rights(11) and enforcing compliance(12). This agency is responsible for the development of policies (13), the resolution of complaints, and the enforcement of data protection practices in a variety of sectors(14).

The implementation of this legislation is a critical step in the process of fostering trust among consumers(15) and businesses as Indonesia navigates the complexities of data privacy in a digital economy (16). Its objective is to provide individuals with a greater degree of autonomy over their personal information (17) and to establish distinct responsibilities for entities that manage this data (18). As a result, the PDP Law not only strengthens legal safeguards(19) but also aids in the establishment of a responsible and secure data ecosystem in Indonesia (20).

Methods

This writing employs a normative approach to offer legal explanations for a phenomenon or event that serves as the research object. This type of investigation is employed as a library research method in this instance. The research that elucidates legal norms is referred to as quantitative research or literature in this study. The data utilized in this study is in the form of opinions, concepts, or theories that are pertinent to the description and explanation of issues related to the supervisory function of copyright protection of musical works, as a result of its quantitative nature. The methodology employed in this investigation is descriptive, which is to say that it is designed to elucidate or describe the research conducted on a specific phenomenon. In other words, the descriptive approach is a research method that is designed to examine the conditions associated with the object of the research, as previously described.

Result and Discussions

The PDP Law has established a comprehensive legal framework for personal data protection, which encompasses principles regarding data subject rights, obligations for data controllers, and administrative sanctions for non-compliance. This framework is indispensable for cultivating a culture of accountability within organizations that manage personal data. The PDP Agency's establishment is a critical outcome of the law's implementation. This autonomous entity is responsible for the enforcement of compliance, the management of complaints, and the supervision of data protection practices in a variety of sectors. It has the authority to conduct investigations and impose sanctions for violations, which improves legal certainty for both individuals and businesses.

The PDP Law has initiated initiatives to increase public awareness of personal data rights and to inform citizens of their rights. It is imperative to raise awareness to enable individuals to effectively report violations and exercise their rights. The delay in the establishment of the PDP Agency has been one of the most significant challenges, as it has impeded the effective supervision and enforcement of the law. Organizations are uncertain about their compliance obligations and enforcement mechanisms when this agency is not fully operational. The current technological infrastructure in Indonesia presents obstacles to the implementation of effective data protection measures. Many organizations are unable to comply with the law's requirements due to a dearth of adequate systems, which exacerbates the risk of data breaches.

Strong coordination among the various governmental bodies involved in data protection is necessary for effective implementation. Presently, there are deficiencies in collaboration and communication that impede a cohesive approach to applying the law. Although Law Number 27 of 2022

establishes fundamental safeguards, it has been observed that its provisions may not be as rigorous as those found in international frameworks such as the GDPR or CCPA. The absence of a clear prioritization of sanctions for breaches has the potential to undermine public trust in the system and enforcement efforts. The evolution of technology necessitates ongoing evaluation and adaptation to address emergent challenges in personal data protection. This encompasses the enhancement of educational programs, the enhancement of technological capabilities, and the refinement of regulatory frameworks to ensure that they remain in line with global best practices.

In summary, the implementation of Law Number 27 of 2022 is a significant step forward in Indonesia's personal data protection, but it is confronted with several obstacles that must be resolved to guarantee its efficacy. To fully realize the potential of this groundbreaking legislation in protecting personal data in the Big Data era, it is imperative to fortify institutional frameworks, improve technological infrastructure, and increase public awareness.

Conclusions

The implementation of Law Number 27 of 2022 regarding the protection of personal data in Indonesia is a significant milestone in the country's endeavours to improve data privacy and security in the context of the Big Data era. The objective of this legislation is to create a comprehensive framework for the protection of personal data that is consistent with international standards and caters to the unique requirements of Indonesian citizens. The effective supervision and enforcement of the Personal Data Protection Agency (PDP Agency) have been impeded by the delayed establishment. This agency is indispensable to monitor compliance, address complaints, and offer organizations advice on data protection practices. Many organizations are unable to comply with the law's requirements due to a lack of technological infrastructure and human resources. This restriction exacerbates the likelihood of data breaches and erodes public confidence in the data protection system. Public education regarding the rights and obligations of personal data under the PDP Law is urgently required. Individuals will be better equipped to report violations and employ their rights as a result of increased awareness. In general, the successful implementation of Law Number 27 of 2022 is contingent upon the resolution of these obstacles through the implementation of institutional strengthening, technological advancements, public engagement, and ongoing evaluation of the law's impact. By doing so, Indonesia can establish a secure environment for the preservation of personal data that promotes trust among both citizens and businesses in a world that is becoming increasingly digital.

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