



**LEGAL RESPONSIBILITY UPON DATA PROTECTION TO  
ENSURE THE CONSUMER RIGHTS AND THE  
IMPLEMENTATION OF DATA PROTECTION OFFICER  
BASED ON PERSONAL DATA PROTECTION LAW IN CASE  
OF TOKOPEDIA COMPANY**

**UNDERGRADUATE THESIS**

**Submitted as one of the requirements  
to obtain Sarjana Hukum (S.H)**

**By:**

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**FACULTY OF HUMANITIES**

**LAW STUDY PROGRAM**

**AUGUST, 2023**

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The Panel of Examiners declare that the undergraduate thesis entitled “**Legal Responsibility Upon Data Protection To Ensure The Consumer Rights and The Implementation of Data Protection Officer Based on Personal Data Protection Law In Case of Tokopedia Company.**” that was submitted by Reza Putra Rahmaditya majoring in Law from the Faculty of Humanities was assessed and approval to have passed the Oral Examination on 04 August 2023.

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## ABSTRACT

Name : Reza Putra Rahmaditya  
Title : Legal Responsibility Upon Data Protection To Ensure The Consumer Rights and The Implementation of Data Protection Officer Based on Personal Data Protection Law In Case of Tokopedia Company.

A personal data breach is a violation faced by businesses, particularly those directly tied to technology. In Indonesia, there are numerous incidents of personal data breach E-Commerce Businesses such as Tokopedia. This study attempts to assess the legal responsibilities of perpetrators of consumer data security along with the implementation of Data Protection Officer roles within companies such as Tokopedia. This is a normative legal research analysis with a statue approach and a conceptual approach. The data was gathered through library research and examined prescriptively. The study's findings are: 1. Legal protection for clients in the event of misuse of their personal data. Protecting customers data in advance of a failure to do so might hurt customers; hence, preventative measures include legal protection that is preventative in nature. As a result of the losses suffered by customers as a result of the failure to secure the confidentiality of their personal data, repressive protection is carried out in the protection of consumer personal data by involving the role of the business and the government in providing legal protection. 2. The Data Protection Officer can provide valuable assistance to the company in conducting assessment of the potential impact on personal protection with regard to new policies. Conclusion of this topic are: 1. In the event of a Breach of Personal Data in Company, it is mandatory for the company as a company involved to inform the Data Owner related to the breach, and assume of full responsibility for mishandling related to the existing data. 2. The implementation of Tokopedia has implements a data protection officer to maintain all process in protecting personal data in accordance with the applicable PDP Law.

**Key Words: Personal Data Protection, Cyber Security, E-Commerce Company**

## ABSTRAK

Nama : Reza Putra Rahmaditya  
Judul : Tanggung Jawab Hukum Atas Perlindungan Data Untuk Menjamin Hak-Hak Konsumen Dan Implementasi Petugas Perlindungan Data Berdasarkan Undang-Undang Perlindungan Data Pribadi Dalam Kasus Perusahaan Tokopedia

*Pelanggaran Data Pribadi adalah Pelanggaran yang banyak dialami oleh Perusahaan, terutama Perusahaan yang bersinanggungan langsung dengan teknologi, di Indonesia banyak terjadi kasus Pelanggaran Data Pribadi pada perusahaan E-Commerce seperti Tokopedia. Penelitian ini bertujuan untuk*



*mengetahui pengaturan hukum terhadap perlindungan data pribadi di Indonesia dan untuk mengetahui bagaimana penerapan Data Protection Officer dalam e-commerce company seperti Tokopedia. Jenis penelitian yang digunakan adalah penelitian normative dengan menggunakan pendekatan perundang-undangan dan pendekatan konseptual. Metode pengumpulan data yang digunakan adalah studi kepustakaan dan dianalisis secara perspektif. Hasil penelitian menunjukkan bahwa:*

- 1. Bentuk Perlindungan hukum terhadap konsumen apabila terjadi penyalahgunaan data pribadi. Upaya preventive dalam perlindungan data pribadi yaitu perlindungan hukum yang bersifat pencegahan sebelum terjadinya kegagalan terhadap perlindungan data pribadi yang dapat menimbulkan kerugian khususnya konsumen. Upaya repressive dalam perlindungan data pribadi dilakukan dengan melibatkan Para Pelaku Usaha dan Peran Pemerintah dalam memberikan perlindungan hukum akibat adanya kerugian yang dialami oleh konsumen atas kegagalan perlindungan kerahasiaan data pribadi miliknya,*
- 2. Petugas Perlindungan Data Pribadi dapat memberikan bantuan yang berharga kepada perusahaan dalam melakukan penilaian potensi dampak perlindungan pribadi sehubungan dengan kebijakan baru. Kesimpulan penelitian menunjukkan bahwa:*

- 1. Dalam hal terjadi Pelanggaran Data Pribadi dalam suatu Perusahaan, maka wajib bagi Perusahaan selaku pelaku usaha yang terlibat untuk menginformasikan kepada Pemilik Data tersebut mengenai kebocoran data, dan memikul tanggung jawab penuh atas kesalahan penanganan terkait dengan kebocoran data yang ada.*
- 2. Keberadaan Data Protection Officer adalah wajib bagi Perusahaan sesuai dengan Undang-Undang, Tokopedia telah menerapkan Petugas yang berdedikasi tinggi yang bertanggung jawab untuk memastikan perlindungan dan keamanan data pribadi dalam struktur Perusahaan.*

**Key Words: Personal Data Protection, Cyber Security, E-Commerce Company.**

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The Thesis work remains with the title “Legal Responsibility Upon Data Protection To Ensure The Consumer Rights and The Implementation Of Data Protection Officer Based On Personal Data Protection Law In Case of Tokopedia Company.” However, it would be disingenuous to claim that its completion relied solely on my own efforts. The achievement reached today was made possible due to immense support received not only from those near but also those distant who have honored me with their consistent prayer. On this occasion, I seize opportunity to external heartfelt thanks towards these remarkable individuals:

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