

## CHAPTER V

### CLOSING

#### A. Conclusion

Based on the results of research and data analysis in the Tarakan District Court Decision Number 3/Pdt.G/2021/Pn Tar, conclusions can be drawn which include:

1. Customer legal protection related to loss of customer funds in decision number 3/PDT.G/2021/PN TAR which consists of preventive legal protection and repressive legal protection. Preventive legal protection is regulated in consumer protection law no 8 of 1999 article 4, Article 25 POJK No.1/POJK.07/2013 which contains safeguarding the security of deposits, funds, or assets belonging to the Plaintiff as a customer of PT Bank Rakyat Indonesia (Persero) Tbk. (Defendant III) relating to the Plaintiff's account at PT Bank Rakyat Indonesia (Persero) Tbk, as well as Law no 10 of 1998 concerning the principles of bank secrecy. Meanwhile, the repressive law in accordance with decision 3/PDT.G/2021/PN TAR has been fulfilled with the defendant III having compensated material losses in the amount of IDR 249,015,826 and immaterial losses in the amount of IDR 100,000,000. In this case, preventive legal protection and repressive legal protection have provided legal protection to customers.
2. The bank's responsibility in compensating losses to customers or plaintiffs in decision number 3/PDT.G/2021/PN TAR according to researchers

is appropriate. The judge's legal considerations in granting compensation based on the requirements for applying for compensation based on Article 1365 of the Civil Code have been fulfilled. Based on the conviction of the judge, the material damages of the bank or Defendant III to the customer amounted to 80% of the total loss suffered by the plaintiff because the bank played a major role in the loss of the plaintiff's money due to the leaking of the username and password which was only known by the bank admin and the customer, and exceeded the limit that had been agreed together and the defendant III must compensate Immateril in the amount of Rp 100,000,000 because the plaintiff incurred considerable costs in tracing the cause of the events experienced by the plaintiff himself and looking for data to trace this case.

## **B. Advice**

1. Banks as financial institutions that are a place for individuals, private business entities, state-owned business entities, and even government institutions to store funds, should have a good system for storing information such as customer identity, so that the loss of customer funds that fall to others does not happen again.
2. Related parties such as the government, banks, ojk must strive to improve rules and security systems in prevention efforts in the current digital era which involves a lot of Online Banking, in the form of socialization of skimming prevention, maintaining confidential data and so on.

As well as creating regulations that encourage banks to improve data security, including tightening security standards and strictly monitoring their implementation.

