



Indonesia's Personal Data Protection Law is Finally Passaged

On Tuesday, 20th of September 2022, Indonesia's House of Representative officially ratified the Personal Data Protection Bill ("PDP Bill"). which has been discussed since 2016. The final draft of PDP Bill consists of 371 Issues Inventory Lists and produced 16 chapters and 76 articles.

Information technology have increased people's awareness of entitlement to a fundamental human rights, it is necessary to understand that the protection of personal data is a part of privacy rights. Article 28 (G) of the 1945 Constitution stipulated that every person has the right to protection of their own selves.

As several cases in regards with the leak of personal data (data leakage) and exploitation of personal data rising in number,

PDP Bill has a real urgency to address this matter.

As of today, personal data protection is separated within several sectoral regulations. Currently, Law No. 19 of 2016 regarding amendment of Law No. 11 of 2008 concerning Information and Electronic Transactions and its implementing regulations have become the main reference for personal data protection in electronic systems, applicable to various sectors. However, specific and consistent regulatory regarding data protection has not been regulated.



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The number of articles in the PDP Bill has increased by 4 articles from the government's initial proposal at the end of 2019, which was 72 articles, it aims to give comprehensive protection on personal data online, as well as strengthen the country's cyber security.

The PDP Bill is expected to adopting certain European Union General Data Protection Regulations provisions. The PDP Bill has fully regulated the types of personal data, personal data subject rights, personal data processing, personal data transfer, administrative sanctions, international cooperation, public participation, dispute resolution and procedural law, including legal evidence,

prohibition on the use of personal data and also regulates criminal provisions related to data protection issues, and many more.

Conclusion

Indonesian's Personal Data Protection Law which officially ratified on Tuesday, 20th of September 2022 will certainly makes the PDP Bill as a legal umbrella for all regulatory aspects related to data protection in Indonesia. Especially considering that the PDP Bill reinforces the existing regulatory framework on personal data. The PDP Bill will be the first Indonesian law to provide a comprehensive set of regulations for personal data protection.

LEGAL UPDATE

Should you have any questions regarding this matter, please contact us at info@adplaws.com or any contacts provided below.

A proper legal advice should always be sought before exercising any legal action based on the information in this matter.

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