

ABSTRAK

Penelitian ini mengkaji tanggung jawab hukum penyelenggara *fintech lending* terhadap pemberi pinjaman setelah pencabutan izin usaha, dengan studi kasus TaniFund. Pencabutan izin operasional TaniFund dilakukan oleh Otoritas Jasa Keuangan (OJK) melalui Surat Keputusan Nomor KEP-19/D.06/2024. Metode penelitian menggunakan pendekatan hukum normatif, termasuk analisis peraturan perundang-undangan seperti POJK No. 10 Tahun 2022 tentang Layanan Pendanaan Bersama Berbasis Teknologi Informasi dan POJK No. 22 Tahun 2023 tentang Perlindungan Konsumen dan Masyarakat di Sektor Jasa Keuangan. Selain itu, penelitian ini juga menggunakan pendekatan kasus terkait pencabutan izin usaha TaniFund. Hasil penelitian menunjukkan bahwa setelah pencabutan izin, TaniFund memiliki tanggung jawab untuk melaksanakan proses likuidasi secara transparan dan bertanggung jawab. TaniFund harus mengembalikan dana yang belum disalurkan, memfasilitasi proses penagihan, serta menyelesaikan sengketa antara pemberi pinjaman dan penerima pinjaman. Penyelenggara *fintech lending* tidak berkewajiban memberikan ganti rugi atas gagal bayar. Namun, penyelenggara memiliki kewajiban untuk memastikan transparansi dalam transaksi dan pengelolaan dana sesuai ketentuan hukum. Apabila penyelenggara terbukti lalai atau melakukan pelanggaran hukum, mereka dapat dikenakan sanksi berupa ganti rugi.

Kata kunci: tanggung jawab hukum, *fintech lending*, pencabutan izin

ABSTRACT

This research examines the legal responsibility of fintech lending providers to lenders in the aftermath of the revocation of business licences, using a case study of TaniFund. The revocation of TaniFund's operational licence was carried out by the Financial Services Authority (OJK) through Decree Number KEP-19/D.06/2024. The research method employs a normative legal approach, encompassing the analysis of pertinent laws and regulations, including POJK No. 10 of 2022 concerning Information Technology-Based Joint Funding Services and POJK No. 22 of 2023 concerning Consumer and Community Protection in the Financial Services Sector. Moreover, this research employs a case approach related to the revocation of TaniFund's business licence. The findings indicate that following the revocation of its business licence, TaniFund is obligated to undertake the liquidation process in a transparent and responsible manner. This entails the return of undistributed funds, facilitation of the collection process, and resolution of disputes between lenders and loan recipients. Fintech lending organisers are not bound by the requirement to provide compensation for defaults; however, they are under an obligation to ensure transparency in transactions and fund management in accordance with legal provisions. In the event that an organiser is found to be negligent or in violation of the law, they may be subject to sanctions in the form of compensation.

Keywords: *legal liability, fintech lending, licence revocation*