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Legal Protection for Digital Bank Customers Without Branch Offices in Resolution of Banking Complaints and Disputes in Indonesia

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Abstrak: *The development of digital technology has given rise to a banking service model that allows customers to access various banking services without having to visit a branch office. Digital banks offer the convenience of opening accounts, transferring funds, making payments, depositing funds, and other services through applications or electronic means. However, the characteristics of digital banks, which do not rely on conventional branch offices, pose unique challenges in terms of legal protection for customers, particularly when customers experience problems and require in-person service or complaints. These issues become more complex when unauthorized transactions, account blocking, loss of funds, system disruptions, transaction failures, misuse of personal data, or other issues requiring immediate resolution occur. This study aims to analyze the legal protection for customers of digital banks without branch offices and analyze the complaint and dispute resolution mechanisms that customers can use when experiencing problems. This study uses a normative juridical method with a statutory and conceptual approach. The results show that the absence of physical branch offices does not eliminate the obligation of digital banks to provide customers with access to complaints and dispute resolution. Digital banks are required to provide effective, accessible, transparent, and accountable complaint channels. If complaints to the bank are not resolved, customers can use dispute resolution mechanisms in the financial services sector in accordance with applicable regulations. Therefore, legal protection for digital bank customers must ensure that limited physical interaction does not become an obstacle for customers to obtain justice and resolution when experiencing losses.*

Keywords: Digital Bank, Customers, Legal Protection, Complaints, Dispute Resolution.

INTRODUCTION

Digital transformation in the banking sector has transformed the relationship between banks and customers.[1] In conventional banking, customers generally receive services through head offices or branch offices. If a problem arises, customers can come directly to the bank to file a complaint, request an explanation, or obtain assistance from a bank officer. This is different with digital banks. Digital banks provide services by utilizing digital technology as the primary means of conducting banking activities.[2] Customers can open accounts, conduct transactions, view balances, make payments, and access various banking services through applications or electronic means.

This model offers convenience and efficiency. Customers no longer need to visit a bank branch to conduct transactions.

However, this convenience creates new challenges when customers encounter problems. Where can customers go if a digital bank doesn't have a branch office they can visit? This question is crucial because problems with

[1] Republic of Indonesia, Law Number 7 of 1992 concerning Banking, as amended by Law Number 10 of 1998.; Hermansyah, Indonesian National Banking Law (Jakarta: Kencana, 2020).

[2] Financial Services Authority Regulation Number 12/POJK.03/2018 concerning the Provision of Digital Banking Services by Commercial Banks.

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banking services can arise at any time. Customers can experience balance reductions without making transactions, blocked accounts, failed transactions but with balance deductions, account inaccessibility, personal data misuse, or become victims of digital fraud.[3]

In conventional banks, customers still have the option of visiting a branch. Meanwhile, in digital banks that don't rely on branch offices, customers generally have to use the electronic complaint facilities provided by the bank.[4]
Problems then arise if the digital complaint channel does not provide an adequate response or the customer does not receive a resolution.

Customers can be in a weak position because they do not know who to contact, where to submit complaints, how long it will take for complaints to be resolved, and who the customer can hold accountable if the bank does not provide a resolution.

This issue demonstrates that banking digitalization is not only about ease of transactions, but also about access to justice and legal protection. Consumer protection will be ineffective if consumers only have normative rights but lack effective channels to exercise those rights.[5] In the context of digital banking, customers' right to protection must be accompanied by the bank's obligation to provide a clear complaints mechanism.

Therefore, the absence of physical branches should not result in customers losing access to services, filing complaints, seeking accountability, and resolving disputes. This issue is increasingly important because the relationship between digital banks and customers is almost entirely electronic. In the event of a dispute, most evidence is also electronic, such as transfer receipts, transaction notifications, transaction history, customer service conversations, emails, and system data.[6] Therefore, a legal protection mechanism appropriate to the characteristics of digital banks is needed.

This research specifically focuses on where digital bank customers should complain when problems arise and how legal protection is provided if the complaint is not resolved

METHODOLOGY

This research is a normative juridical legal research using a statute approach and a conceptual approach. The statutory approach is used to analyze provisions regarding banking, consumer protection, personal data protection, the provision of digital services, and complaints and dispute resolution in the financial services sector. A conceptual approach is used to analyze the concept of legal protection, the position of customers as consumers, bank responsibilities, and access to dispute resolution. Primary legal materials consist of laws and regulations in the financial services sector. Secondary legal materials include books, scientific journals, legal articles, and research findings related to digital banking and customer protection.

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[3] D. Sinta, S.P. Zakia, and U. Safitri, "Analysis of Legal Protection for Bank Customers in the Digitalization of Banking Services in Indonesia," Wahana Pendidikan Scientific Journal 11, no. 6.A (2025): 185–192.; A. Farizal, S. Sudaberi, F. Aulyandra, F. Daeli, and A. Khalidy, "Legal Protection for Consumers in Digital Banking Transactions: Bank Responsibilities and Customer Rights," SYARIAH: Journal of Legal Studies 2, no. 4 (2025): 1–6.

[4] H.A.A.B. Tarigan and D.H. Paulus, "Legal Protection for Customers in the Provision of Digital Banking Services," Journal of Indonesian Legal Development 1, no. 3 (2019): 294–307.; H.A.A.B. Tarigan and D.H. Paulus, "Protection of Customers for Management of Digital Banking Services," Hang Tuah Law Journal 3, no. 2 (2019): 170–179.

[5] Republic of Indonesia, Law Number 8 of 1999 concerning Consumer Protection.; Shidarta, Indonesian Consumer Protection Law (Jakarta: Grasindo, 2006).; Ahmadi Miru and Sutarman Yodo, Consumer Protection Law (Jakarta: Rajawali Pers, 2019).

[6] Republic of Indonesia, Law Number 11 of 2008 concerning Electronic Information and Transactions, as last amended by Law Number 1 of 2024.

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The analysis was conducted qualitatively by linking legal provisions with practical problems faced by digital bank customers.

DISCUSSION

Customer Protection Issues for Digital Banks Without Branch Offices

A key characteristic of digital banking is the use of technology as the primary means of service.[7] Customers no longer have face-to-face contact with bank staff. This provides efficiency, but also creates service gaps when issues arise. For example, a customer experiences a Rp20,000,000 transaction that was never made. The customer then attempts to contact customer service through the app. If the complaint does not receive an adequate response, the customer will be asked the following questions:

Do customers have to come to the bank office?

If the bank does not have a branch office that can provide direct services to customers, then the next question is:

Where should customers complain?

This issue is the key point in legal protection for digital bank customers.

Customer rights should not stop at the right to use the application. Customers should also have the right to receive service when the application or system causes problems.[8]

First Complaint Mechanism: To Digital Bank

When experiencing problems, the first step a customer must take is to submit a complaint to the bank concerned through the official channels provided.[9]

The channels can be:

1. *call center*;
2. in-app services;
3. *live chat*;
4. electronic mail;
5. help center;
6. other electronic complaint channels.[10]

Customers must keep evidence of complaints, including the report number, complaint date, screenshots, and communication with bank officers.

This is important because if the complaint is not resolved, the evidence can be used in the next complaint or dispute resolution process.

Banks must provide clear information regarding complaint procedures, including how to submit complaints and follow-up mechanisms.[11]

If the Bank Doesn't Resolve Complaints, Where Do Customers Go?

This is the main issue that needs attention in protecting digital bank customers. If a customer has submitted a complaint to the bank but has not received an adequate resolution, the customer can use the complaint

[7] Financial Services Authority Regulation Number 12/POJK.03/2018 concerning the Provision of Digital Banking Services by Commercial Banks.; Kasmir, Banks and Other Financial Institutions (Jakarta: Rajawali Pers, 2018).

[8] Republic of Indonesia, Law Number 8 of 1999 concerning Consumer Protection.; Financial Services Authority Regulation Number 6/POJK.07/2022 concerning Consumer and Public Protection in the Financial Services Sector.

[9] Financial Services Authority Regulation Number 22 of 2023 concerning Consumer and Public Protection in the Financial Services Sector.

[10] Financial Services Authority Regulation Number 12/POJK.03/2018 concerning the Provision of Digital Banking Services by Commercial Banks.; Financial Services Authority Regulation Number 22 of 2023 concerning Consumer and Public Protection in the Financial Services Sector.

[11] Financial Services Authority Regulation Number 22 of 2023 concerning Consumer and Public Protection in the Financial Services Sector.

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and dispute resolution mechanism in the financial services sector in accordance with applicable regulations.[12]

In the Indonesian context, the Financial Services Authority (OJK) has an important role in regulating and supervising the financial services sector, including consumer protection.[13]

Customers can use the consumer complaints channels provided by the Financial Services Authority (OJK) in accordance with established procedures.[14] Furthermore, dispute resolution in the financial services sector can also be pursued through the Alternative Financial Services Sector Dispute Resolution Institution (LAPS SJK) if the applicable requirements and mechanisms are met.[15]

Thus, the absence of digital bank branches does not mean that customers have no place to seek protection.

Conceptually, there are several levels of engagement: First, customers can file a complaint with the digital bank. Second, if they don't receive a resolution, they can use the complaint mechanism with the appropriate authority/regulator. Third, customers can use alternative dispute resolution mechanisms available in the financial services sector. Fourth, if necessary, dispute resolution can be pursued through the courts in accordance with legal provisions. With this mechanism, customers don't lose their rights simply because the bank doesn't provide a physical branch office.[16]

OJK as a Customer Protection Instrument

The Financial Services Authority (OJK) plays a crucial role in consumer protection in the financial services sector. In the context of digital banking, the OJK's role is even more crucial because the relationship between banks and customers takes place digitally.[17] The OJK not only has a supervisory function but also provides a platform for consumers to obtain information and submit complaints in accordance with established mechanisms.[18] The presence of a regulator is crucial to prevent an imbalance between digital banks as financial service providers and customers as consumers.

However, filing a complaint with the regulator does not automatically mean that all issues fall under the regulator's responsibility. The bank remains the primary party responsible for handling customer complaints. The regulator's role is more related to oversight, facilitation, and the exercise of authority in accordance with legal provisions.[19]

LAPS SJK as an Alternative Dispute Resolution

If a dispute between a customer and a bank cannot be resolved through the bank's internal mechanisms, the dispute can be

[12] Republic of Indonesia, Law Number 21 of 2011 concerning the Financial Services Authority.; Financial Services Authority Regulation Number 22 of 2023 concerning Consumer and Public Protection in the Financial Services Sector.

[13] Republic of Indonesia, Law Number 21 of 2011 concerning the Financial Services Authority.

[14] Financial Services Authority Regulation Number 22 of 2023 concerning Consumer and Public Protection in the Financial Services Sector.

[15] Republic of Indonesia, Law Number 4 of 2023 concerning the Development and Strengthening of the Financial Sector.

[16] D. Rachmawati and B. Hariyanto, “Legal Protection of Customers in the Provision of Digital Banking Services,” Jurnal Rechts Vinding (2024).

[17] Republic of Indonesia, Law Number 21 of 2011 concerning the Financial Services Authority.

[18] Financial Services Authority Regulation Number 22 of 2023 concerning Consumer and Public Protection in the Financial Services Sector.

[19] Financial Services Authority Regulation Number 12/POJK.03/2018 concerning the Provision of Digital Banking Services by Commercial Banks.

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resolved through alternative dispute resolution mechanisms in the financial services sector, in accordance with applicable regulations.[20] The existence of out-of-court dispute resolution institutions is crucial for customers, as resolving disputes through the courts can be time-consuming, costly, and lengthy. In digital banking disputes, alternative mechanisms can be an option for achieving a more efficient resolution.[21]

Legal Protection for Customers Who Do Not Have Access to a Physical Office

The absence of physical branch offices should not result in a reduction in customer rights.[22]

Digital banks, in fact, must have stronger complaint mechanisms because customer relationships are conducted electronically. At least five forms of protection must be in place.[23]

1. Right to Complain
   Customers must have clear channels to convey complaints.
2. Right to a Response
   Complaints must receive a response from the bank within the mechanisms and timeframes determined by applicable provisions.
3. The Right to an Explanation
   Customers have the right to obtain information regarding the results of the examination of the problems they report.
4. Right to Obtain Resolution
   If there is an error or bank obligation based on applicable regulations, the customer has the right to obtain a resolution according to the law.
5. Right to Use Dispute Mechanism
   If an internal complaint does not resolve the problem, the customer must have access to available dispute resolution mechanisms.

The Ideal Legal Protection Model

Based on the characteristics of digital banks, the ideal legal protection model no longer centers on branch offices. It must center on access to complaints and digital dispute resolution.[24]

Ideally, a digital bank should provide a complaint system that is: easily accessible, accessible 24/7 for initial reporting, provides a report number, allows customers to monitor the progress of their complaint, provides proof of communication, provides information on the results of investigations, and provides an escalation mechanism if the complaint is not resolved.[25] With such a system, the absence of a physical office is no longer a barrier to customer access to protection.

CONCLUSION

Digital banks differ from conventional banks in that they provide services electronically and do not rely on physical branches. This situation raises specific customer protection issues, particularly in the event of unauthorized transactions, lost funds,

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[20] Republic of Indonesia, Law Number 4 of 2023 concerning the Development and Strengthening of the Financial Sector.

[21] F.A. Kawulusan, "The Legality of Digital Banks in Banking Practices in Indonesia," Lex Administratum 11, no. 3 (2023).

[22] Republic of Indonesia, Law Number 8 of 1999 concerning Consumer Protection.

[23] Republic of Indonesia, Law Number 8 of 1999 concerning Consumer Protection.; Celina Tri Siwi Kristiyanti, Consumer Protection Law (Jakarta: Sinar Grafika, 2019).; Ahmadi Miru and Sutarman Yodo, Consumer Protection Law (Jakarta: Rajawali Pers, 2019).

[24] D. Rachmawati and B. Hariyanto, "Legal Protection of Customers in the Provision of Digital Banking Services," Jurnal Rechts Vinding (2024).

[25] Financial Services Authority Regulation Number 21 of 2023 concerning Digital Services by Commercial Banks.; F.A. Kawulusan, "The Legality of Digital Banks in Banking Practices in Indonesia," Lex Administratum 11, no. 3 (2023).

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system disruptions, account lockouts, data misuse, or other issues.[26]

The absence of branch offices does not eliminate customers' right to legal protection. Digital banks remain obligated to provide a simple, clear, effective, and accountable complaints mechanism.[27]

If the problem cannot be resolved through the bank, customers can utilize consumer protection mechanisms in the financial services sector in accordance with applicable regulations, including utilizing the OJK complaint channel and the dispute resolution mechanism through the Financial Services Authority (FSA) LAPS (Laps) if they meet the requirements. As a last resort, customers can resort to court.[28]

Thus, the main issue lies not in the existence or absence of a physical digital bank office, but in whether the bank provides effective access for customers to complain, get answers, get resolution, and obtain justice when experiencing losses.[29]

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[26] Financial Services Authority Regulation Number 12/POJK.03/2018 concerning the Provision of Digital Banking Services by Commercial Banks.; Republic of Indonesia, Law Number 27 of 2022 concerning Personal Data Protection.

[27] Republic of Indonesia, Law Number 8 of 1999 concerning Consumer Protection.; Financial Services Authority Regulation Number 22 of 2023 concerning Consumer and Public Protection in the Financial Services Sector.

[28] Republic of Indonesia, Law Number 21 of 2011 concerning the Financial Services Authority.; Republic of Indonesia, Law Number 4 of 2023 concerning the Development and Strengthening of the Financial Sector.

[29] D. Rachmawati and B. Hariyanto, "Legal Protection of Customers in the Provision of Digital Banking Services," Jurnal Rechts Vinding (2024).

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