Global Data and Cyber Handbook - Indonesia

Key Data & Cybersecurity Laws

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# How are data and cybersecurity laws/regulations implemented?

*Last review date: 13 January 2025*

☒ omnibus – all personal data

☒ sector-specific — e.g., financial institutions, governmental bodies

☒ constitutional

# What are the key data privacy laws and regulations?

*Last review date: 13 January 2025*

[Law No. 11 of 2008](https://jdih.kominfo.go.id/produk_hukum/view/id/167/t/undangundang+nomor+11+tahun+2008+tanggal+21+april++2008) as lastly amended by [Law No. 1 of 2024 on Electronic Information and Transactions](https://jdih.kominfo.go.id/produk_hukum/view/id/884/t/undangundang+nomor+1+tahun+2024) (EIT Law)

[Law No. 27 of 2022](https://jdih.kominfo.go.id/produk_hukum/view/id/832/t/undangundang+nomor+27+tahun+2022) on Personal Data Protection (PDP Law)

[Government Regulation No. 71 of 2019 on the Implementation of Electronic Systems and Transactions](https://jdih.kominfo.go.id/produk_hukum/view/id/695/t/peraturan+pemerintah+nomor+71+tahun+2019+tanggal+10+oktober+2019) (GR 71)

Minister of Communication and Informatics (now known as Minister of Communication and Digital - MOCD) [Regulation No. 20 of 2016 on Personal Data Protection in Electronic Systems](https://jdih.kominfo.go.id/produk_hukum/view/id/553/t/peraturan+menteri+komunikasi+dan+informatika+nomor+20+tahun+2016+tanggal+1+desember+2016) (MOCD Regulation 20)

(Together, Data Protection Regulations)

Please note that all regulations are in the Indonesian language.

# What are the key cybersecurity laws and regulations?

*Last review date: 13 January 2025*

Indonesia does not currently have a specific cybersecurity law. Provisions on cybersecurity are mainly covered in the EIT Law and GR 71. There are also some further implementing regulations issued by the National Cyber and Code Agency (Badan Siber dan Sandi Negara - BSSN).

# What are the key laws and regulations relating to non-personal data?

*Last review date: 13 January 2025*

In general, there is no specific regulation on non-personal data in Indonesia. Consequently, the treatment of non-personal data largely depends on contractual arrangements between parties (e.g., confidentiality, sharing, and disclosure agreements).

That said, there are several regulations that touch upon non-personal data or cover general provisions that apply to non-personal data. For example:

The EIT Law

[Law No. 8 of 1997 on Corporate Documents](https://peraturan.bpk.go.id/Details/45929)

In addition, sector-related regulations cover specific treatments or restrictions towards non-personal data, such as regulations in the e-commerce, financial, healthcare, and natural resources sectors.

# Are new or material changes to those key data and cybersecurity laws anticipated in the near future?

*Last review date: 13 January 2025*

**Yes**

The Indonesian government has enacted the PDP Law, which took effect on 17 October 2022 with a two-year transitional period ending on 17 October 2024. During this period, all parties that conduct personal data processing must carry out adjustments to conform with the PDP Law.

The PDP Law aims to provide greater certainty and clarity on personal data protection in Indonesia, enhancing protection for data subjects. It will impact how businesses process personal data.

The PDP Law does not apply to personal data processing by individuals for private or household matters. There is no further guidance on this yet, and we await the authorities’ interpretation and implementation in practice.

Ideally, during the transitional period, the Government would establish the data protection authority and issue the mandatory implementing regulations. However, even after the end of the two-year transitional period, the Government has not yet established the data protection authority or issued any implementing regulation.

We are aware that at least one implementing regulation of the PDP Law is currently being finalized by the Government. The regulation will address the following issues:

Automatic processing of personal data

Data subject's rights to seek damages for any violation of data processing requirements

Data subject's rights to use and transmit personal data to other data controllers

Technical implementation of data processing

Data privacy impact assessment

Data storage, transfer and deletion issues when a data controller is dissolved as a company

Data protection officer

Personal data transfer

Procedures for imposing administrative sanctions by the data protection authority

The scope of authority and functions of the data protection authority

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