

Presence of Age Restrictions For Children to Have Social Media Accounts in Law Number 27 Of 2022 Concerning Personal Data Protection

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Abstract: Social media offers many offers to its users entertainment media, social media, life-styles media, business media, educational media. But despite the many attractions offered on social media there is danger. One social media user is a minor who is particularly susceptible to the dangers on social media. Thus was born the 27th 2022 year law on personal data protection, through which through these invitations it is hoped that children will be under the age of a minor and more fair protection from a child's parents. As for the method of research used in this study is normative-juridical. Studies have been found that birth rules regarding processing and the trial of the child's personal data should be subject to parental consent because the child is still vulnerable to social media hazards. But the application of child supervision in using social media is a challenge in itself because the parent of the child cannot possibly be ignorant of social media, therefore, in addition to the 27 year 2022 act on personal data protection, the child need to be given social media education so that the ease on social media can remain accessible to minors, More than that, a child's process for social media needs to be organized into an even more organized system, such as having a feature as creating an id card photo to join social media.

Abstrak: Media sosial menawarkan banyak hal bagi penggunaanya media hiburan, media sosial, media penentu gaya hidup, media bisnis, media pendidikan. Namun dibalik banyaknya hal menarik yang ditawarkan di media sosial terdapat bahaya pula didalamnya. Salah satu pengguna media sosial adalah anak dibawah umur yang tentunya rawan terhadap bahaya yang ada di media sosial. Oleh karena itu lahirlah Undang-undang Nomor 27 Tahun 2022 Tentang Perlindungan Data Pribadi, yang mana lewat Undang-undang ini diharapkan anak berada dibawah umur dapat diawasi serta di proteksi secara lebih baik yang tentunya dengan adil dari orang tua sang anak. Adapun metode penelitian yang digunakan dalam penelitian ini adalah yuridis normatif. Berdasarkan hasil penelitian diperoleh bahwa lahirnya aturan mengenai pemrosesan serta pengadilan data pribadi anak dibawah umur harus dibawah persetujuan orang tua karena anak masih rentan terhadap bahaya yang ada di media sosial. Namun penerapan pengawasan terhadap anak dalam menggunakan media sosial menjadi tantangan tersendiri karena orang tua dari sang anak bukan tidak mungkin tidak memahami media sosial, oleh karena itu selain mengandalkan Undang-undang Nomor 27 Tahun 2022 Tentang Perlindungan Data Pribadi, anak dibawah umur perlu diberikan pendidikan bersosial media sehingga kemudahan yang ada di media sosial tetap dapat di akses oleh anak dibawah umur, tak hanya itu proses sang anak untuk memiliki media sosial perlu dibuat sistem yang lebih rapi lagi seperti dibuat fitur harus berfoto bersama id card untuk bisa bergabung di media sosial.



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INTRODUCTION

Social media is one of the few instant media that currently performs multiple role roles. Besides serving as a means of communication, social media is also a way of digging into current information that is now one of the fastest growing media. About 70% of Internet users worldwide are active in social media (Anwar,2017). Social media has a role and effect on people's lives that have to be designed in such a way that social media stays on the function and purpose of social media itself and has a benefit in everyone's life (Syam, 2018). Social media is also useful because it can be used as a means of communication that is thought to be carrying away. Not only that, social media is no longer used to deliver messages to distant people but has now materialized as entertainment media, social media, life-styles, business media, educational media.

Indonesia is one of the most widely used social media among those using social media in Indonesia as minors, including what is considered to be the rights, protection and interest of a minor. The child in article 1, number 5 of the 1999 bill of human rights was declared to be any human under the age of 18 (eighteen) and unmarried, including the one still in the womb if it was in interest. It is undeniable that today the minors are growing and growing under the speed of technology, which is one of the advantages of its own technology is that it makes it easier for all concerned to reach the world where it can be done by surfing the Internet on social media.

These increasingly technologically advanced ages have, of course, made minors more literate today than

ever, so often children of relatively early age already have social media. Social media or social media itself is an online medium, with users who can readily participate, share, and create content through blogs, social networking, wiki, and the virtual world (Muslichatum, 2019). As an example of social media is facebook. That has either a guide or a prerequisite to set up an account in it. Which many minors have found that forging their age to join facebook has, of course, been in violation of the social media application's requirements, such as the facebook, for example, that requires all 13 years of age to create an account (in some jurisdiction, this age limit may be higher). Many children found under 13 years of age have signed up to facebook, where these children have set up an account with false information which is in violation of the conditions of facebook itself. As you know, the minimum age for facebook users is 13 years (Pangestu,2022).

In a study released some time ago by facebook, it was found that there are 7.5 million facebook users under 13 years of age, 11 years old. Children are naturally concerned that they are not able to shield themselves from the issues of the adult world inherent in social media. The rule of child restraint in social media is certainly not without cause. One of the restrictions on age rules is to protect children from information freely circulated on the Internet that could have a harmful effect on child development.

Behind the ease of access, social media has many dangers in it, ranging from such freely circulated negative content and information as this might be the case. Not only is social media also a

hive of crimes like fraud and so on. So it's very dangerous for minors to wear free social media. The safety of children on social media must not only be monitored because of the ill - minded nature of their fellow social media users, but the safety of the child's account as a social media user should also be noticed that children who do not understand privacy is not simply that sharing information on themselves is dangerous.

Therefore, a discourse was raised by the Ministry of Communication and Information (Kominfo) through the Personal Data Law (RUU PDP) or what is now called the Number Invitation. 27th, 2022 On Personal Data Protection. Indonesia through the PDP Bill proposes a limit of 17 years, under that age there must be consent from parents. Parents must be involved, which was conveyed by the Director General of Informatization Application of Kominfo, Samuel Abrijani Pengerapan.

METHOD

The method of research used in this study is normative juridical approach. Normatif juridical research, which is focused on the study of norms or rules of positive laws. The source of the data used in the study is a secondary data obtained from field research.

RESULTS AND DISCUSSION

Developments in information technology are clearly the development of human knowledge that can bring about changes in the course of human life today. Information technology provides some of the advantages in the world of work, communication, schoolwork, and

sales of goods, and so on, so that people can make good use of it where one of the convenient platforms is social media. In technological use such as social media has a negative side and is also positive depending on the user's use of it, the children are no exception. Hence, the role of parents is needed in supervision and instruction for the development and growth of the child.

At present he is socially rich with so much information about negative content that it is feared he can influence the children's mindset. It's not like children under 13 are not allowed to be exposed to digital technology. Social media is the exception to many technological adoptions. But for children of that age, it still has to be introduced into digital technology. The draft law (RUU PDP) has an age limitation proposal for a social media account (medsos) being 17 years old. The PDP bill was proposed for a 17 year restriction, which is expected for parents to have a part in child rearing in social media. Not only did they manage to run a 17 year old social media bill through the PDP bill it was agreed that children under the age of 17 should seek social media with the approval of parents. Now that the PDP bill is passed to invitation number 27 in 2022 on personal data no article specifically discusses the age of children in order to own social media, but there are rules that all of the child's personal records of processing, control should go through the parent/guardian (Nabila,2020).

In the process of processing personal data, personal data control is required to show evidence of approval given by the personal data subject. Child processing data is specifically arranged. The child's personal details are obliged

to receive approval from the child's parents and/or guardians according to the regulations of the legislation. It means that in the protection of a child's personal information there is an active role of a parent. Where it is expected that with this law being implemented, there will be more steps to go through when a minor is about to open up social media. The age limit to access social media accounts and the processing of the child's data constitutes adoption from the general protection fraud (parliament), which is the private Data Protection Act in the European Union. But, unlike Indonesia, which USES the age of 17 as part of the country's social media system has a 16-year limit, where children at the age of 16 are legally recognized to step into the digital world.

And under the age of 16 the child should have the consent of the parent or guardian which is similar to a PDP in Indonesia. But beneath the systems designed to protect minors from falling into the dark side of social media, the application of this system can be a bit of a hassle for some people, especially in this case, parents.

The process of a child having social media before age 17 that must have parental consent and be supervised by a parent is not easy, considering that there are still a lot of Indonesian parents with a lack of social media presence, it would be a new problem when a child feels the need for social media to register an account with a parent's control and consent that can't be a parent's own child's technologically or socially social media.

As of January 2021, Internet users in Indonesia have already touched

202.35 million, around 76.8% of the population. But this sizable figure needs to be known to all of us that not everyone on the Internet is digital, which is already being presented by the cominfo spokesperson, dedy permadi (Dewi, 2022) Polyemics from the age restrictions on minors to social media and manage their personal data to become a controversy. The presence of a PDP law provides an ambiguous remedy for how children's data are specifically regulated but it is not explained what if the child USES the data without his or her guardian's permission and how the child can benefit the social media.

The assumption that social media is dangerous is not public secret therefore before the birth of the no.27 in 2022 private Data Protection Act act first having an information law and electronic transaction or a 2008 11 year rule that regulates some of these risks. The ite law itself has clearly been prohibited or would be charged if one were to do so in surfing the Internet, such as contempt and/or libel, violating propriety, spreading false and misleading messages resulting in consumer harm, spreading or spreading particular individual and/or animosity on the basis of race, religion, race, and class (Sara).

So child protection or anyone on social media is actually present. The many dangers on social media are expected to be minimized by the birth of rules such as the PDP and the ite legislation, aside from the birth of invitations, it will require an agency that has been particularly alert to the safety of social media users, especially those that are known as personal data. Among the countries that are concerned about the protection of personal data is that the

Chinese state is that Chinese citizens' personal data cannot be transferred to countries that are lower data security standards than China's, rules that could create problems for foreign businesses.

Which we can apply to Indonesia for the personal safety of Indonesian citizens, especially we have social media users in it, which is a risk at any time that social media users can be accessed or used carelessly. Access to the media has become one of the principal needs of everyone, no doubt minors as a result of the need for information, entertainment, and access to knowledge from around the world. Social media is a medium on the Internet that allows the user to present himself or interact, cooperate, share, communicate with other users, and form a virtual social bond (Nasrullah, 2018).

While there are restrictions on age of social media to protect children from negative influence and influence on social media, some at the time have been less than favorable by the Indonesian solidarity party (psi), the minister of kominfo's plan to limit social media user (medsos) to a minimum of 17 years as an excessive measure. The government has been preparing for years since the era of minister tifatul Sembiring to minister rudiantara.

The PDP bill's final consists of a total of 371 inventory lists, actually (dim), and produces 16 chapters and 76 chapters. The GDP growth in the second quarter of 2008 was expected to reach 6.3 percent, he said. As of this moment, the conditions of the child's personal data are officially regulated under statute 27 of 2022 on personal data protection. The PDP act has arranged

that the child's data is one of the components protected as personal data specifically under the child's guardian/guardian consent.

CONCLUSION

Based on the above description, it can be concluded that social media is one of the few things that today play a role that will have an impact on growth and behavior of a person in particular is therefore a need for special attention to this. Cominfo gives rise to the narrative of the 27 year 2022 private Data Protection Act, restrictions on age for children to have a social media account that the basic purpose of birth, restrictions on age for minors to have power over their personal data is that we now know that many of the dangers are on social media, But a new problem arises as to how the mechanism of child supervision can be found in the future, given that parental involvement is also an important factor in child supervision.

The law of no. 27 in 2022 on personal data protection is a long-established ideal designed by the government, which is designed to create resolutions that are constantly emerging and will make it public as soon as possible. In addition to the 2022 27 year law on private data protection to protect a minor's personal history, one that might be chosen to provide social media education for minors so that all such positive effects as entertainment and breeding grounds on social media are subject to constant access to minors. Not only can it be done to protect children from access only to social media information based on age age is by making rules that cannot be passed over

when a child wants to have an account on social media, such as when he wants to have a social media photo with his id or id card and for children who do not have an id or id card will link directly to the application with the features that are sent to the child's youtube kids.

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