

Proposed Concept of Establishing an Oversight Institution in the Implementation of Personal Data Protection to Achieve Beneficial Value for Legal Purposes



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ABSTRACT: Crime and misuse of personal data cause significant losses to individuals and community groups who own data. The absence of an institution that organizes personal data protection weakens the optimization of achieving the value of benefits for legal purposes that guarantee citizens' fundamental rights related to personal data protection. This study aims to find answers to how the proposed concept of forming a supervisory agency to protect personal data is to achieve the value of benefits for legal purposes of personal data protection. This research is normative juridical research with a comparative legal approach method. The study results show that the proposed establishment of an independent supervisory body with an honorary council can achieve the goals of personal data protection law in Indonesia.

KEYWORDS: Institution, Oversight, Independent, Honorary Council

1. INTRODUCTION

Every legal Regulation is formed based on a specific value and has a goal to be achieved. This value is worth fighting for or being realized to fulfill human rights protection. Protecting personal data is a manifestation of recognizing and protecting fundamental human rights. This right to protect personal data develops from the right to respect private life. The aim is to ensure that a person's fundamental rights and freedoms to data are protected. This goal is in line with the Universal Declaration of Human Rights (UDHR) statement that everyone has the right to life, liberty, and security. More specifically, it is emphasized that everyone is given the right to control privacy rights for the benefit of individuals or other people with an agreed agreement (General Assembly Resolution 217 A (III), 1948).

The General Explanation of Law Number 27 of 2022 concerning Personal Data Protection describes the purpose of establishing this law: to protect and guarantee the fundamental rights of citizens related to the protection of personal data. Ensuring the public gets services from corporations, public bodies, international organizations, and Government. Another goal is to encourage the growth of the digital economy and the information and communication technology industry and to support the increased competitiveness of the domestic industry. It is a form of acknowledgment of the importance of protecting personal data as a fundamental human right. According to Makarim, there are 3 (three) main principles regarding personal rights, namely: (1) The right to private life that other people do not want to disturb; (2) The right to confidentiality regarding himself any sensitive information, and; (3) The right to control from other parties over the use of personal data. Protection of every personal right - private rights will increase human values, improve relations between individuals and groups, increase autonomy in exercising control and gaining decency, increase tolerance, avoid forms of discrimination, and limit government power (Budhijanto, 2010). Thus, personal data protection arrangements constitute all efforts to protect personal data in the personal data processing series to guarantee the constitutional rights of personal data subjects. This Regulation on protecting personal data will significantly contribute to creating order and progress in the information society.

Regulations regarding the protection of personal data, which were previously scattered sectorally in various regulations in Indonesia, have now been accommodated with Law No. 27 this year, 2022. This Regulation is *sui generis* in nature and applies to every individual, private, public body, and international organization. It is considered a glimmer of hope in responding to the urgent need of the Indonesian people for the presence of a legal umbrella in the widespread misuse of personal data, which is detrimental to society. Moreover, there are social facts in Indonesian society that there have been various cases related to crime and misuse of personal data. Including buying and selling personal data for commercial purposes without the consent of the data owner (Luthfi, 2022), embezzlement of customer accounts (Sandi, 2019), and fraud others who use other people's data (Enny Nurbaningsih, 2015).

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A number of these cases are just the tip of the iceberg, and there are still many other cases that may still need to be identified amidst the lack of awareness of the owners of personal data making it easy to be exploited by irresponsible parties.

One of the mandates of Law No. 27 of 2022 is establishing an agency to protect personal data. More specifically, the provisions are regulated in Article 58 to Article 61 of Law No. 27 of 2022. This institution will be responsible to the President and regulated in a Presidential Regulation. The function and authority of this institution are very strategic because, in addition to acting as a regulator, supervisor, facilitator, and law enforcer for any personal data violations. Legal discrepancies occur because the existence of the institution in question has yet to be established in Indonesia. It is also a gap, a weakness, and even a void in legal arrangements that urgently need to be followed up on protecting personal data in Indonesia. One of the essential functions of the institution is to supervise the implementation of personal data protection. In addition, there is also a high risk of abuse of power in violation of human rights unless these personal protective oversight institutions are provided.

Thus, there are 2 (two) fundamental reasons for the importance of the existence of a personal data protection supervisory agency to be formed. Namely: (1) Without an institution overseeing the implementation of personal data, it has an impact significant losses for individuals and community groups who own the data; (2) The existence of this supervisory agency is an order from Law No. 27 of 2022 itself, which the Government of Indonesia has not realized. It is because the law was created with the aim of the welfare of society. The benefits and purposes of this rule must be felt in everyday life so that the Indonesian people do not feel worried that their data will be used or known by other parties that they do not want. Indonesia, until now, does not have a particular institution that oversees personal data protection.

The absence of a supervisory body for the protection of personal data will undermine the optimization of the achievement of beneficial values and legal objectives to protect and guarantee the fundamental rights of citizens regarding the protection of personal data in Indonesia. Protecting personal data concerning digital transformation is one of the priority issues discussed and became a common understanding at the G20 Summit on 15-16 November 2022 in Bali. Digital transformation is mainly concerned with connectivity, digital literacy and skills, and healthy digital space (G20 Bali Leaders Declaration, 2022). A healthy digital space will be realized if one of them is supported by the existence of a supervisory agency to protect personal data.

The novelty and differences of this research can be compared with previous research. Namely, personal data protection related to the digital economy (Ayu et al., 2019). Corporate personal data in the era of disruption (Juaningsih et al., 2021) and related to public perception (Delphia & Harjono K, 2021). The three previous studies examined personal data protection with a different focus. Still, they used the old positive legal basis spread across various regulations before the new provision, Law No. 27 of 2022. Apart from that, the methods used in this study were also different: a comparative approach: law, and the value of legal effectiveness.

The discussion in this study will describe the proposed concept of forming a supervisory body for personal data protection from value, benefits, and legal purposes to help implement the mandate of Articles 58-61 of Law No. 27 of 2022. The regulated provisions are related to establishing a supervisory institution to protect personal data from achieving beneficial values for legal purposes in fulfilling guarantees for the protection of human rights for the public in terms of their data. The form of the proposed concept is to prioritize the context of the idea of legal purposes. Thus, legal adoption has found proposals based on a comparison of Indonesian and Malaysian personal data protection arrangements, which becomes a concrete application in this study. The description in this discussion becomes the application of the comparative law method in the context of legal reform and policy development by adopting foreign laws that will affect the legal politics of a country regarding the legal order that will be enforced and the direction in which the law will be developed.

The purpose of this study is to find answers to how the concept of forming a supervisory body for the protection of personal data is proposed to achieve the value of benefits for legal purposes of personal data protection in Indonesia. Hopefully, this proposal will contribute conceptually to proper arrangements for policymakers. It regards the personal data protection supervisory agency that will be formed and can be a positive input as knowledge, understanding, and legal awareness to every individual and society, public institutions, practitioners, and observers of data administration. Personal. Given the significance of this institution's function and authority, a supervisory body for the protection of personal data must be established immediately. Presidential Regulation as a positive law that applies to the implementation of personal data protection must be issued as soon as possible to support the achievement of the goals of regulating personal data protection in Indonesia.

2. RESEARCH PROBLEMS

Given the urgency of establishing a supervisory agency for the implementation of personal data protection, the formulation of the legal problem in this research is: how is the proposed concept of establishing a supervisory agency for personal data protection to achieve the value of benefits for legal purposes of personal data protection in Indonesia?

3. RESEARCH METHOD

This type of normative juridical research uses secondary data (Soekanto Soejono & Sri Mamuji, 2003) with a comparative law approach method. The approach is taken by comparing the laws of a country with the laws of one or more other countries regarding

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the same matter. In addition to understanding the similarities and differences between these laws, the benefits of this approach (Peter Mahmud Marzuki, 2022) can also be used to adopt laws. Legal adoption is using a foreign legal system as a model for a country's legal system to reform or change the law (E. Sundari, 2014). The data sources used are secondary data in the form of primary legal materials with binding power. Namely, regulations related to the protection of personal data in Indonesia and Malaysia, while secondary legal materials are in the form of legal opinions, documents, and related literature. The reason for choosing this type of research and approach is to answer the legal issues raised and become the objective of this research as a proposed concept for the establishment of a supervisory institution that is needed to achieve the value of the benefits and legal objectives of regulating personal data protection in Indonesia.

4. RESULTS AND DISCUSSION

4.1 Personal Data Protection Arrangements as a Guarantee of Human Rights

Every legal Regulation is formed to determine human behavior and the welfare of society. Radbruch wrote that in law, there are 3 (three) fundamental values, namely: (1) Justice (Gerechtigkeit); (2) Expediency (Zweckmassigkeit); and (3) Legal Certainty (Rechtssicherheit). According to Radbruch, these values are interpreted by conditions where the law can function as rules that must be obeyed (Theo Huidjbers, 1982). Indicators of achieving the goals and benefits of the law can be seen from guaranteeing each individual's rights and obligations and the society's response to the law.

Regulations on personal data protection aim to guarantee citizens' rights to personal protection, raise public awareness, and guarantee recognition and respect for the importance of personal data protection. Protection of personal data as part of personal rights in Indonesia is a state obligation as the rule of law. The state constitution has regulated protection related to personal rights in Article 28 G paragraph (1) of the 1945 Constitution of the Republic of Indonesia. It states that "everyone has the right to protection of himself/herself, family, honor, dignity, and property under his control, and has the right to a sense of security and protection from threats of fear to do or not do something that is a human right." Article 28H paragraph (4) states that everyone has the right to personal property rights, which cannot be taken over arbitrarily by anyone.

An understanding of the concept of personal data needs to be understood to provide context for the importance of guaranteeing personal data protection. UU No. 27 of 2022 concerning the Protection of Personal Data defines that "Personal data is data about individuals who are identified or can be identified by individuals or combined with other information either directly or indirectly through electronic or non-electronic systems. International instruments mean that data is understood as personal data if it is linked to a person's information so that it can be used to identify the person owning the data (European Union Agency for Fundamental Rights & Council of Europe, 2014). At the same time, protecting personal data is all efforts to protect personal data in processing personal data to guarantee the constitutional rights of personal data subjects.

If we look at its history, Warren and Brandeis were the first to develop the concept of the right to privacy in their research entitled "The Right to Privacy." They argue that "privacy is the right to enjoy life and the right to be alone, and the development of this law is inevitable and requires legal recognition (Warren et al., 1929). The basic idea, motive, or intention that drives the practice of human rights is the 'universal demand' to protect humans from negative experiences in modernity, namely from the arbitrariness of foreign powers outside of themselves, whether from the state, market, social groups, or technology. (F. Budi Hardiman, 2011).

Law concerning "purposes" and "benefits" of law is attached to Jeremy Bentham's utilitarianism theory with the motto "the greatest happiness of the greatest number" (Sudikno Mertokusumo, 2016). This adage is identified as happiness determined by most people so that the "majority level of happiness" becomes the benchmark that determines how the law is formed. Jeremy Bentham argues that maximizing a legal objective means that the law must be formed in such a way and arranged as best as possible for maximum happiness for each individual. This maximum happiness becomes an ethical and juridical standard in social life. Individual rights must be protected within the framework of meeting their needs. Social institutions are said to be fair if their goals and benefits are devoted to maximizing the benefits of as many people as possible (Satjipto Rahardjo et al., 2013). This term can be interpreted as a guarantee for each person that the state must give to its citizens. Moreover, to eliminate suffering for the community through a legal instrument.

Happiness and suffering are the benchmarks of the legal instrument. In simple terms, the basic concept of Jeremy Bentham's theory is: how to maximize the utility of action so that, based on this process, we can enjoy benefits, profits, happiness, or enjoyment (Endang Pratiwi et al., 2022). The purpose of the concept of classical utilitarianism is not only regarding "actions used to achieve benefits" but also to calculate "actions that have benefits" and how many "actions are used to support the welfare and happiness of society." If the action generates benefits, it will automatically be helpful for the community, and vice versa. Jeremy Bentham's theory can and should be used as an ethical-ethical evaluation tool related to law formation. The measure of the optimization/effectiveness of the law that is formed, whether it is considered successful for the wider community or not, is by looking at the condition that the goal of calculating people's happiness and suffering has been achieved.

Thus, setting personal data protection is a human right and part of personal self-protection. The aim is to ensure that a person's fundamental rights and freedoms to data are protected. Personal data protection aims to ensure that these rights and freedoms are

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not violated by other people, institutions, or institutions without rights following statutory provisions. Maximizing the usefulness of this law is expected to prevent or minimize suffering and unhappiness that impede people's welfare. The state must protect personal data as a form of state responsibility to its people. This legal construction shows that all the authorities' policies and actions are aimed at protecting human rights.

4.2 Establishment of Oversight Institutions for Value Benefit from Legal Purposes of Personal Data Protection

Almost every country that regulates personal data has a supervisory authority to ensure that the law is implemented effectively (Djafar, 2019). Indonesia itself accommodates this as stated in Articles 58-61 of Law No. 27 of 2022 that the Government has a role in implementing personal data protection, the implementation of which is through an institution, one of which is carrying out supervision of the implementation of personal data protection. In this case, this institution will be responsible to the President and regulated in a Presidential Decree. The fact is that the existence of the said institution has not been established as ordered by the law.

The absence of a personal data protection supervisory agency has an impact on weakening the optimization of the benefits and objectives of regulating personal data protection in Indonesia. It has been proven by several cases of crime and misuse of personal data that have occurred in Indonesian society. Therefore, establishing this supervisory institution is urgent because, based on its function and authority, it is one of the pillars that support the implementation of personal data protection and compliance of data controllers and processors, both individuals or private and public bodies and international organizations. The absence of a personal data protection supervisory institution in Indonesia has become a weakness, gap, and legal vacuum. As a result, optimizing the usability and regulatory objectives will not be achieved.

Personal data protection regulations aim to protect and guarantee the fundamental rights of citizens regarding personal data. Apart from being a manifestation of recognition of the importance of protecting personal data as a fundamental human right, another goal is to ensure that the public gets services from corporations, public bodies, international organizations, and the Government. This Regulation effectively drives the growth of the digital economy and the information and communication technology industry and supports the increase in the competitiveness of the domestic industry. This explanation aims to explain the certainty or benchmark of the "benefits" of establishing this law. It is the protection of personal data concerning the privacy rights of each individual and society. Given the importance of the position of this supervisory agency in administering personal data, the absence of this institution indicates that the benefit aspect as a legal objective intended by Jeremy Bentham has yet to be achieved.

The purpose of this Regulation is in line with Jeremy Bentham's theory that the measure of the happiness of the majority in question is the interest of protecting individual rights, where everyone has these rights to be protected. This urgency encourages government legislation efforts to achieve a measure of the happiness of the majority. Bentham further argued that the purpose of the law would be visible and achieved if it had dominating efficiency to minimize people's suffering. The role of domination can be supported through a legal instrument. The state allows its citizens to maximize the effectiveness of law in society. In that context, the components of legal figures and institutions have an essential role in achieving the desired legal goals (Bernard Arief Sidharta, 2018). In this case, the legal instrument for personal data protection is to establish a "special institution" as a supporting factor for personal data protection. The law, in the end, will automatically be "maximally efficient" for society, and Bentham's theory of "goals and benefits" will be achieved.

Rudolf Von Jhering developed Jeremy Bentham's "benefit and purpose of law" thinking and aspects of John Austin's Positivism. Jhering contributed more specific thoughts that explained the characteristics of law and the purpose of the law. Jhering argues that in Legal Positivism, it is stated that law is an order from the authorities, which means that orders come from those who have and hold power or sovereignty. This power is assigned to regulate living things (society), combined with the flow of utilitarianism, which achieves maximum happiness and suppresses suffering, giving birth to the recognition of goals as the general principle of the world. The principle states that law must serve "social goals." "Social goals contain individual interests, link "personal goals" with "other people's interests" with "same goals," and make these goals "common interests." "The oversight agency for protecting personal data is a "form of social goals" referred to by Jhering. It means that the urgency of establishing this institution is based on "individual goals," in which the right to privacy wants to be protected and becomes a "shared goal" when other individuals have the same right to be given protection.

The ideas of Jeremy Bentham and Rudolf Von Jhering provided a basis for drawing a critical conclusion about the value or usefulness of law. In terms of the purpose for which the law was formed. The law will be fair and efficient if the law is formed based on a "common goal" to "maximize welfare and reduce suffering." "It has become a proposed concept to establish a monitoring and protection agency for personal data in the form of a particular state institution that is independent and will be directly responsible to the President. Establishing a supervisory body to protect personal data means that the state is optimal in providing guarantees for protecting privacy rights and suppressing suffering for vulnerable people who are threatened as victims of personal data misuse.

4.3 Independence of the Supervisory Agency for Personal Data Protection: *Condition Sine Qua*

The problem of institutional formation in Indonesia is often debated: the institution's status, its accountability, the budget, and who

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is in the institution (Denico Doly, 2021). It is what causes the mandate of Articles 58-61 in Law No. 27 of 2022 so that the state immediately forms a particular institution in implementing personal data protection in Indonesia through a Presidential Regulation that has yet to be realized. State institutions manifest the completeness of the state, which aims to exercise power and realize the ideals of the state. This state institution was established by the state, from state to state, and aimed at developing the state itself. The establishment of this state institution is a development of state organizations that are required to meet the needs of the state. Meanwhile, an independent state institution can be interpreted as an institution formed by the Government which hands over its authority to establish or form its own body. So, this independent state institution can be interpreted as a state decision to establish a new institution whose membership is drawn from non-state elements and is given power and facilitated by the state without having to become a state employee (Irma & Rosyid, 2022).

The existence of a personal data protection supervisory agency is mandated in several international instruments through international arrangements and agreements. For example, the existence of an independent supervisory body is a minimum requirement for the protection of personal data in a country (United Nations General Assembly, 1990); the need to establish one or more institutions responsible for enforcing and complying with convention materials, both with investigations and imposition of sanctions (Council of Europe, 2018). Then the APEC Privacy Framework emphasizes the need to establish an agency or agency to enforce personal data protection, with the model of each country (APEC Secretariat, 2015). These provisions indicate that an independent oversight institution is essential in determining the equality of personal data protection laws that apply in the European Union and other countries.

The formation of the institution is due to specific goals to be achieved so that the institution is formed. One of the characteristics of state auxiliary organs is independence. Ideally, this independent state institution is separate from the executive, legislative, or judicial powers. Because basically, independence is defined as freedom, independence, and autonomy, not under personal or institutional domination. The characteristics of the independent state institutions are as follows, (1). Independence in carrying out its duties and functions; (2). Independent means outside the clutches, supervision, or executive power branches; (3). Procedures for appointments and dismissals are regulated more specifically, not at the will of the President; (4). Leaders of independent institutions do not come from members of any political party; (5). Leadership positions in independent state institutions are also definitive in that when their term of office ends at the same time, for the next period, they are taken back for a maximum of one period; (6). This independent state institution aims to balance representation with a non-partisan nature (Iswandi & Prasetyoningsih, 2020).

Based on the scope of its functions and authorities regulated in personal data protection regulations in Indonesia, supervisory agencies act as regulators, supervisors, facilitators as well as law enforcers for any violations of personal data of individuals or private bodies and public bodies, including the Government and international organizations. Here, one of the essential functions of the institution is to supervise the implementation of personal data protection. In connection with these personal data protection arrangements binding on the private and public sectors, independence is essential in overseeing the implementation of personal data protection arrangements.

The nature of independence is a condition *sine qua* or a condition. It must exist for the implementation of supervision of this institution. The goal is to be free from various conflicts of political interests, government interests, and private interests. Therefore, this institution must be independent and free from conflicts of political interests, government interests, and private interests. The implementation of the objectives of this personal data protection regulation will not work in harmony if it only protects from an "individual goal" perspective without an institution that oversees and protects,

The presence of an independent (impartial) institution as a supervisor will realize common goals as a common interest and ensure the goals are achieved. Thus, establishing an independent supervisory institution is a means to achieve "the same goals and the same interests" in implementing personal data protection in Indonesia. Guaranteeing that this institution is of independent quality is an absolute price if the international community wants to judge that Indonesia is serious about protecting personal data and considers it capable of conducting cross-border data transfer cooperation. This assessment is critical if the Indonesian Government is committed to the success of the current digital transformation agenda.

4.4 Adoption of Legal Establishment of Advisory Committee on Personal Data Protection Oversight Agency

Comparative law as a scientific discipline is a science that studies two or more positive legal systems in countries or legal environments in which the studied legal systems apply. At the same time, the comparison is a method of conducting legal research and scientific studies to obtain legal knowledge. The comparative legal method is distinguished from (law) comparison as an independent scientific discipline (Bernard Arief Sidhartha, 2009). Sundari stated that comparative law is a legal discipline that studies law as a reality in various countries, with comparative methods as a process for studying it. This comparative law method is for legal reform and policy development by adopting foreign laws. It will affect the legal politics of a country because it is the will of the authorities regarding the legal order that will be enforced and in which direction the law will be developed (E. Sundari, 2014). Legal adoption is using a foreign legal system as a model for a country's legal system to reform or change the law. Foreign legal institutions that have been adopted by Indonesia such as Leasing, Factoring, Franchising, Legal Standing, and Class Action.

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Indonesia and Malaysia have different forms of state and government systems. The state of Malaysia is a Constitutional Monarchy with the head of Government being a Prime Minister. The state of Indonesia is in the form of a Republic with the head of Government being a President. However, on the other hand, the existence of differences will allow the adoption of legal institutions. Adoption, in this case, focuses on establishing a Council or Advisory Committee to the Personal Data Protection Supervisory Agency in Malaysia.

Establishing another institution can be adopted from the Regulation of the Malaysian personal data protection agency. The establishment of an Advisory Council or Committee as contained in Article 70 of the Personal Data Protection Act 2010 or the Regulation of personal data protection in Malaysia is not regulated in the Indonesian personal data protection regulation. The function and authority of the Advisory Board or Committee are to provide advice and advice to oversight institutions related to the protection of personal data and administration and enforcement as a regulation of personal data protection in Malaysia. Based on this comparison, the proposed concept for formulating a model for forming a Council or Advisory Committee on Personal Data Protection in Indonesia could be an "Honorary Council."

The Honorary Council, as referred to in its role, has the function and authority to examine complaints and reports of alleged violations of the code of ethics committed by members of an independent supervisory body to protect personal data. Maintaining public trust in supervisory institutions in protecting personal data in Indonesia is essential. This Honorary Council should have a "neutral and impartial" character. It is essential to maintain the honor of the institution. In addition, it has the nature of "public information openness" to achieve the principle of public openness, which reflects the independence of an institution.

Adopting the concept of an Honorary Council is also a form of a proposal for establishing a "model" Council or Advisory Committee for a supervisory body for the protection of personal data in Indonesia. References regarding this matter refer to a similar institution. In the form of this Committee was formed earlier in Malaysia. The Advisory Board or Committee for a personal data protection oversight agency in Malaysia can be used to establish a similar institution in Indonesia. The agency can become one of the legal instruments to maximize efficiency in regulating personal data protection. The formation of the Honorary Council for a personal data protection supervisory agency from Malaysia is a form of the practice of the principle of "benefit" of law to support society's welfare and happiness. In addition, human resources with quality and integrity are a requirement for every individual who is mandated to administer personal data protection oversight agencies so that they are free from various conflicts of political interests, government interests, and private interests.

5. CONCLUSION

Based on the juridical facts mandated by Articles 58-61 of Law No. 27 of 2022 and the social fact that there is widespread misuse of personal data which causes harm to the community, the establishment of a personal data protection supervisory agency is urgent to implement it immediately. The conceptual proposal for establishing a personal data protection supervisory agency can be structured from several aspects. Namely: Aspects of its position: The personal data protection supervisory agency is independent of influence and power, as well as other parties in implementing its functions and authorities. The position of the supervisory body for the protection of personal data is under and responsible to the President. It is headquartered in the Capital of the Republic of Indonesia. If necessary, it can open a representative office in the provincial city. This institution can further regulate requirements and office work procedures. Human resources in the membership of this personal data protection supervisory agency do not come from members of any political party and are not under personal or institutional domination. Its leadership selection must go through an objective Fit and Proper Test mechanism. The nature of independence is a condition sine qua or a requirement. It must exist in the implementation of this institutional oversight in order to avoid conflicts of interest. Aspects of its functions and authorities: The function of the supervisory agency for the protection of personal data is to implement Law no. 27 of 2022 and its implementing regulations in supervising the implementation of personal data protection carried out by individuals, data controllers, and processors, both private and public individuals or bodies, international organizations and the Government. The authorities of the personal data protection supervisory agency are: (a) to supervise and review the compliance of Personal Data Controllers and Personal Data Processors; (b) give orders in order to follow up on the results of supervision to the Personal Data Controller and Personal Data Processor; (c) provide advice and regular reports on the results of supervisory work to the President; (d) publish the results of the implementation of supervision on allegations of breaches of personal data protection; (e) cooperating with other countries' data protection supervisory agencies in the framework of resolving allegations of violations of cross-border personal data protection; (f) receive complaints and reports regarding alleged violations of personal data protection; (f) assist law enforcement officials in handling criminal acts of personal data as referred to in Law no. 27 of 2022. Aspects of the need for an Honorary Council: One of the crucial aspects that can maintain the integrity, honor, and dignity of this personal data protection supervisory agency is to have an Honorary Council within its institution. The Honorary Council has the authority to examine complaints and reports and determine any alleged violations of the code of ethics by supervisory members. The existence of the Honorary Council will support public trust in the supervisory agency for the protection of personal data so that the principles of accountability and balance as referred to in Law no. 27 of 2022. The proposed concept of establishing a personal data protection supervisory agency was made to realize the

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legal goal of obtaining benefits for the happiness of the majority, as stated by Jeremy Bentham

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