



# Legal Protection for Consumers in E-commerce Transactions Based on the Consumer Protection Law

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## Abstract

Along with the rapid development of e-commerce, consumer protection is a very important issue considering the potential losses that can be experienced by consumers in online transactions. This research aims to analyze legal protection for consumers in e-commerce transactions based on the Consumer Protection Law (UUPK, *Undang-Undang Perlindungan Konsumen*) in Indonesia. The research method uses a normative approach with juridical analysis of regulations governing consumer rights and obligations, as well as the role of consumer protection institutions such as the National Consumer Protection Agency and the Non-Governmental Consumer Protection Agency (LPKSM, *Lembaga Perlindungan Konsumen Swadaya Masyarakat*). The results show that although GCPL has regulated various consumer rights, the implementation of consumer protection in the e-commerce sector still faces various challenges, especially the lack of supervision, regulations that are not fully adaptive, and low consumer awareness. This research implies the need to strengthen the role of consumer protection institutions and update regulations so that consumer protection in e-commerce transactions can be more effective.

**Keywords:** Consumer Protection, E-Commerce Transactions, Government Efforts.

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## INTRODUCTION

The growth of e-commerce transactions in Indonesia has experienced a significant increase in recent years, driven by technological developments and wider internet access. Data from Bank Indonesia shows that the value of e-commerce transactions in 2023 reached IDR 453.75 trillion and is projected to continue to increase along with the increasing number of users (TechinAsia, 2024). This surge not only reflects the huge potential of the e-commerce sector in driving economic growth, but also presents new legal challenges related to consumer protection, data security, and digital trade regulations that need to be addressed immediately to create a safe and sustainable transaction ecosystem.

E-commerce transactions offer convenience for consumers, but also come with various challenges and risks that need to be considered (Beauchamp & Ponder, 2020). Consumers often face cases of fraud, such as receiving products that do not match the advertised description or quality, as

well as the risk of misuse of personal data that can be misused by irresponsible parties (Hertanto, 2015); (Nur et al., 2024). In addition, not all e-commerce platforms have clear procedures regarding the right to return products or refunds that make consumers doubtful in terms of protecting their rights in case of problems. (Laksana, 2024); (Sally & Gultom, 2023). These challenges highlight the importance of more adequate legal protections in the e-commerce sector to ensure consumers' safety and convenience in online transactions, while increasing their trust in digital platforms (Kriswandaru, 2024).

Law Number 8 Year 1999 on Consumer Protection is the legal basis that guarantees consumers in Indonesia their rights in transactions, including in the context of e-commerce. This law underscores important principles, such as the consumer's right to convenience, security, and safety in consuming goods and services. The right to convenience includes the freedom of consumers to choose products according to their needs without pressure or fear of poor quality. The principle of security and safety emphasizes that the products offered must be of guaranteed quality and not endanger consumers. In the world of e-commerce, this Consumer Protection Law is particularly relevant because completely virtual transactions often make it difficult for consumers to ensure product safety and reliability. This law requires businesses, including e-commerce platforms, to maintain transparency of information, product quality, and take full responsibility if there is a violation of consumer rights (Barkatullah, 2019); (Maulana, 2024).

The urgency of this research lies in the effort to understand and address the various challenges faced by consumers in e-commerce and find effective solutions to improve their legal protection. With the increase in digital transactions, the risks for consumers also increase, thus requiring policies or regulations that are more responsive to the complexity of the digital world.

This study aims to evaluate the extent to which Law No. 8/1999 on Consumer Protection is effective in protecting consumer rights in Indonesia's rapidly growing e-commerce sector. The research focuses on identifying the strengths and weaknesses of the existing legal framework, especially in the face of unique challenges arising from digital transactions such as data security, fraud, and online dispute resolution mechanisms. In addition, the study also aims to analyze the role and effectiveness of relevant institutions, such as the National Consumer Protection Agency (BPKN, *Badan Perlindungan Konsumen Nasional*) and the Non-Governmental Consumer Protection Agency (LPKSM, *Lembaga Perlindungan Konsumen Swadaya Masyarakat*), in implementing and enforcing consumer protection in the e-commerce environment. Through this approach, the research is expected to provide comprehensive and adaptive policy recommendations, which not only strengthen legal protection for consumers but also increase consumer confidence in online transactions. Thus, the ultimate goal of this research is to support the creation of a safer, more transparent and fair e-commerce ecosystem for all parties involved.

## **METHOD**

This research uses the juridical-normative method to analyze legal protection for consumers in e-commerce transactions. This approach relies on literature study and analysis of relevant laws and regulations, particularly Law No. 8/1999 on Consumer Protection and related regulations that support

the implementation of consumer rights in digital transactions. The data collection techniques used include secondary data collection from legal documents, scientific journals, reports, and previous research results that provide a theoretical and normative overview of consumer protection in e-commerce.

The data analysis technique used is descriptive qualitative analysis to understand the weaknesses and challenges in the implementation of existing regulations. The data obtained is systematically analyzed to identify gaps between the rule of law and its application in the field, particularly in the context of e-commerce. In addition, this research also aims to formulate solutions that can be implemented by the government and e-commerce players to strengthen consumer protection in the digital era. Thus, this research method not only provides in-depth legal insights, but is also expected to be able to provide relevant recommendations for policymakers to improve the consumer legal protection framework in the e-commerce sector.

## **RESULTS AND DISCUSSION**

### **Principles and Objectives of Consumer Legal Protection**

Law No. 8/1999 on Consumer Protection in Indonesia emphasizes several important principles that form the basis for maintaining and protecting consumer rights, namely the principle of benefits, the principle of justice, the principle of balance, the principle of consumer security and safety, and the principle of legal certainty. These five principles serve as the foundation in guaranteeing consumer rights in various sectors, including in digital transactions or e-commerce that are growing rapidly in the modern era. These principles are not only intended to provide protection for consumers but also to create trust in the transaction ecosystem, especially in new sectors that are vulnerable to consumer rights violations such as e-commerce.

The principle of benefits emphasizes the main objective of consumer protection, which is to provide optimal benefits for consumers in every transaction of goods or services. With this principle, it is expected that every product or service sold must provide benefits that are in accordance with the needs of consumers, both functionally and in quality. In the context of e-commerce, this principle is important because products offered digitally can often only be assessed from descriptions and photos, so the benefits of the product must be as promised. This principle ensures that consumers obtain products or services that actually provide benefits as expected without worrying about fraud or misrepresentation.

The principle of fairness aims to ensure that both consumers and business actors have an equal position in the transaction. This principle demands equal rights and obligations between the two parties so that no one is disadvantaged in the transaction process. In e-commerce transactions, this principle of fairness faces challenges because consumers are often in a weaker position than sellers, especially if there are problems such as refunds or unsuitable products. With the principle of fairness, it is hoped that there will be fair and transparent legal remedies so that consumers can feel protected and business actors are responsible for the products or services they offer.

The principle of balance is a principle that keeps the rights and obligations between consumers and business actors in balance. This principle is important in building a healthy relationship between

the two parties, where consumers have the right to get appropriate products and businesses have the obligation to provide honest and accurate services. In e-commerce, the principle of balance is crucial because the gap between consumer rights and the responsibilities of e-commerce platforms often leads to consumers not being optimally protected, for example in terms of handling complaints or product returns that take a long time. With the principle of balance, it is expected to create comprehensive protection for consumers while providing clear guidelines for businesses in fulfilling their obligations.

The principle of consumer safety and security is a legal foundation that ensures that products or services offered by businesses do not harm consumers. This principle is very important in protecting consumers from products that may pose a risk to their health or safety. In the context of e-commerce, the challenge of this principle is heightened as products sold online often do not go through strict quality checks as in conventional markets. Therefore, this principle emphasizes the responsibility of businesses to maintain the safety and security of the products sold and requires government supervision to ensure product safety standards.

The principle of legal certainty guarantees that every transaction made by consumers has a clear and accountable legal basis. This principle is important to give confidence to consumers that they have definite legal protection in the event of a problem in the transaction. In e-commerce, the principle of legal certainty is important because of the many disputes that arise due to unclear rules in digital transactions. With legal certainty, consumers can feel more secure in conducting online transactions because they know that their rights are protected by clear laws that can be accessed if needed.

Previous research by (Fitriyani, 2023) which examines consumer protection in online transactions, found that there are still many violations of the principles of consumer protection, especially in e-commerce transactions that result in consumers feeling harmed, for example unilateral cancellation by the seller. Another study by (Syafitri, 2022) found that the problem faced was the lack of honesty about the condition of the product and also about the price of the product. These findings reinforce the importance of strictly applying consumer protection principles, especially in e-commerce transactions to provide more effective protection for consumers in this digital era.

Consumer protection principles are an important basis for building an effective protection system, which aims to ensure that consumers' rights are protected in every transaction. Principles such as the principles of benefit, fairness, balance, security, and legal certainty play a key role in creating a safe and fair climate for consumers (Marpi & Kom, 2020). In addition to discussing the principles that form the legal basis for consumer protection, the Consumer Protection Law also contains more specific objectives to protect consumer rights in various transactions.

The first consumer protection objective is to increase consumers' awareness, skills and independence in protecting themselves. This is important so that consumers have a better understanding of their rights and obligations in conducting transactions. This awareness is also expected to help consumers identify products or services that suit their needs and avoid various forms of fraud. With this independence, consumers are not only dependent on the authorities to protect their rights, but also proactive in protecting their own interests.

Furthermore, consumer protection aims to strive for the enhancement of consumers' self-esteem and dignity by avoiding negative impacts from the use of goods or services. When consumers are protected from potentially harmful products, they will feel more secure and valued in the consumption process. Consumer self-esteem and dignity can also be maintained through protection from harmful or substandard products. This protection includes preventive measures against products that could threaten the health, safety, or comfort of consumers.

Another goal is to empower consumers to make choices, determine and enforce their rights as consumers. Through this empowerment, consumers are given the freedom to choose the product or service that is best for them, based on clear and accurate information. Empowered consumers also have the ability to enforce their rights in the event of a breach in the transaction. Thus, this goal is expected to create consumers who are more critical and brave enough to demand their rights when facing problems in transactions.

In addition, the establishment of a consumer protection system that includes elements of legal certainty and information transparency is also an important goal. This system is expected to provide legal clarity for consumers so that they have a strong foundation if problems occur in transactions. Information transparency also ensures that consumers receive honest and accurate information about the products or services offered. With access to adequate information, consumers can make better decisions in choosing products, and feel more secure because there is legal certainty that protects their rights.

Raising awareness among business actors of the importance of consumer protection is also one of the objectives of consumer protection. By understanding the importance of protecting consumers, business actors are expected to develop an honest and responsible attitude in their business activities. This awareness not only benefits consumers, but also encourages the creation of a mutually beneficial relationship between businesses and consumers. Responsible business actors will be more respected by consumers, so the company's image will also improve.

The final objective is to improve the quality of goods and services to ensure business continuity, as well as for the health, comfort, security, and safety of consumers. With better quality, consumers can avoid health or safety risks that may arise from low-quality products. This goal is also beneficial for businesses because high-quality products will be more trusted and demanded by consumers. In addition to maintaining business continuity, improving the quality of goods and services is also a tangible manifestation of the responsibility of business actors towards consumers, which will provide long-term benefits for the economy as a whole.

The principles and objectives of consumer protection show that consumer protection is not just about protecting consumers from harmful products or services, but also forming consumers who are aware and empowered in making choices that are in accordance with their rights. The principles of benefit, fairness, balance, security, safety, and legal certainty provide a strong foundation for creating a safe and transparent transaction environment. Each of these principles aims to prevent consumers from exploitation and uncertainty, which often occurs in digital transactions or e-commerce, where information is often asymmetrical and consumers are in a weaker position than business actors. With

this principle, consumer protection regulation seeks to create a balance of interests between consumers and business actors, so that no party is harmed.

On the other hand, the objective of consumer protection shows a commitment to create consumers who are more independent, skilled, and empowered in protecting their rights. This goal includes empowering consumers to avoid negative impacts of products, improving access to information, and fighting for consumer interests. In addition, consumer protection also seeks to instill awareness among business actors to be more responsible in maintaining the quality of the products or services they offer. Thus, these principles and objectives emphasize the importance of building a comprehensive protection system, not only as a response to consumer problems, but also as a preventive measure to create a fair, safe, and sustainable business ecosystem.

Consumer protection laws play an important role in maintaining balance and fairness between producers or sellers and consumers. With this law, consumers have legal certainty and protection against harmful or unfair business practices, thus promoting a transparent and safe trading environment. Moreover, the law also underscores the importance of understanding consumer rights and obligations. As such, consumer protection laws provide a strong foundation for a fair and mutually beneficial relationship between consumers and sellers.

### **Consumer Rights and Obligations**

Consumer rights and obligations are two important aspects that complement each other in transactions and consumer protection (Chawla & Kumar, 2022). The regulation of these rights and obligations aims to create a balanced relationship between consumers and business actors, where consumers are protected from harmful business practices, while business actors also gain the trust of consumers. Awareness of these rights and obligations is very important in encouraging the creation of a fair and transparent market, especially in e-commerce transactions which are now growing rapidly.

The consumer rights that must be fulfilled in the sale and purchase transaction are:

- a. The fundamental right to feel comfortable, safe, and protected when consuming goods and/or services. This right ensures that any goods or services marketed to consumers meet established safety and convenience standards, so that they do not pose a risk to consumers' health or safety. With this protection, consumers can transact without worrying about dangerous products or inadequate services, and businesses are obliged to prioritize the quality and safety of their products.
- b. The right to choose goods and/or services and receive them at the promised exchange rate, conditions, and guarantees. This right allows consumers to choose freely without coercion, based on complete information about available products or services. This right guarantees that consumers get goods or services in accordance with the prices, conditions, and guarantees promised by business actors, so that consumers do not feel disadvantaged or deceived in the transaction process.
- c. The right to accurate, transparent and honest information about the conditions and guarantees of goods and/or services. This right is important so that consumers can make informed decisions based on clear and reliable information. Business actors are obliged to provide complete information about products, including benefits, risks, how to use, and guarantees. With transparent information, consumers can avoid products or services that do not meet expectations.

- d. The right to express opinions and complaints about the goods and/or services used. This right gives consumers the opportunity to provide input, criticize, or express dissatisfaction regarding the goods or services they receive. Thus, consumers have a channel to voice their opinions, and business actors are expected to respond to these complaints seriously and wisely as a form of responsibility.
- e. The right to obtain support, protection, and fair resolution of consumer protection disputes. This right allows consumers to obtain legal protection and assistance in resolving disputes if problems occur in the transaction. With this support, consumers can feel more protected and have fair options to resolve disputes, whether through mediation, conciliation, or more formal legal channels if needed.
- f. The right to consumer education and guidance. This right aims to improve consumers' understanding of their rights and obligations and to provide knowledge about products and services available in the market. This education helps consumers make wiser and more informed decisions, and can reduce the risk of being deceived or trapped in harmful transactions.
- g. The right to fair, honest and non-discriminatory treatment. This right ensures that in every transaction, consumers are not subjected to unfair or discriminatory treatment based on any factor, such as race, religion or social background. This right ensures that all consumers are treated equally, so that no party feels disadvantaged or mistreated in the transaction.
- h. The right to compensation, compensation, and/or replacement if the goods and/or services received are not in accordance with the agreement or do not meet the expected standards. This right guarantees that consumers have protection for the losses they experience due to goods or services that are defective or do not fulfill the promises made. This compensation can be in the form of a refund, product replacement, or other form of compensation, according to the initial agreement or applicable standards.
- i. Rights provided for in other laws and regulations. This means that in addition to the specific rights already mentioned, consumers are also protected by various additional rules provided for in other laws. These legal protections ensure that consumers have comprehensive rights and are constantly updated, in accordance with market dynamics and regulatory developments for consumer protection.

Consumer rights not only provide protection from potential loss or abuse, but also empower consumers to make smart and informed decisions. By understanding and upholding consumer rights, one can enjoy the benefits of technological developments and increasingly advanced trade in e-commerce transactions. In addition to having rights that must be fulfilled, consumers also have obligations that must be carried out, namely:

- a. Studying and following information instructions and procedures for the use of goods and/or services with the aim of maintaining the security and safety of themselves and those around them. This information and procedure is provided by businesses so that consumers understand how to use the product correctly and avoid potential risks or accidents. By complying with the instructions provided, consumers can maximize the benefits of the goods or services purchased and minimize the possibility of loss or harm.

- b. Act in good faith when conducting transactions to purchase goods and/or services, and pay according to the agreed exchange rate. This includes behavior that is honest and does not harm other parties, such as not misusing the products or services that have been purchased. Consumers are also responsible for paying in accordance with the exchange rate or price that has been mutually agreed upon with the business actor. This obligation aims to create fair, transparent, and mutually beneficial transactions between consumers and businesses, and support economic stability in the trade sector.
- c. Appropriately accompany legal resolution efforts in consumer protection disputes. This obligation involves consumers cooperating with businesses or authorities in resolving disputes through existing legal mechanisms, be it through mediation, conciliation, or litigation if necessary. By joining this process, consumers help create a safer and fairer trading environment, and contribute to more effective law enforcement in protecting the interests of both parties.

Consumer rights and obligations are important elements in maintaining balance in buying and selling transactions (Fauziah, n.d.). Consumer rights, such as the right to convenience, security, and clear information, protect consumers from various risks and uncertainties in transactions. However, the fulfillment of these rights often depends on the goodwill of business actors and the existence of strong regulations, so efforts to enforce consumer rights must also be supported by effective supervision from the authorities.

On the other hand, consumer obligations, such as studying and following product usage instructions and acting in good faith, also play an important role in creating fair transactions (MacMahon, 2014). However, in practice, compliance with these obligations can be challenging, especially in cases of low consumer literacy or limited access to clear and educative information.

Based on *transactional fairness* theory, this balance between rights and obligations is the basis for building a relationship of trust between consumers and businesses, which in turn increases consumer satisfaction and market stability (Lyons & Sugden, 2023). Research by (Chawla & Kumar, 2022) shows that in addition to factors such as security, privacy, warranty, customer service, and clear information on the website, the existence of laws governing the protection of consumer rights in e-commerce has a significant influence on customer trust. This trust is an important pillar for the development of e-commerce, which looks promising when supported by a strong legal framework and effective consumer protection measures. Thus, optimal consumer protection requires a synergy between rights secured, obligations fulfilled, and support from adaptive regulations and strict law enforcement.

### **Government Efforts to Enforce Consumer Protection**

The government seeks to uphold consumer protection in Indonesia by establishing the National Consumer Protection Agency (BPKN) and encouraging the existence of Non-Governmental Consumer Protection Organizations (LPKSM). BPKN functions as an advisory body to the government in formulating consumer protection policies and is tasked with disseminating information, receiving complaints, and conducting research to ensure the safety of goods and/or services for consumers. In addition, BPKN works with various agencies to build awareness of consumer rights and obligations in the community. (Fadhilah, 2023). On the other hand, LPKSM, a non-governmental organization, plays



an active role in supporting BPKN with a focus on consumer empowerment and advocacy. LPKSM functions to provide advice, receive consumer complaints, and assist consumers in fighting for their rights, especially in dealing with disputes with business actors (Nadhira et al., 2023).

The National Consumer Protection Agency (BPKN) was established as a strategic effort to develop consumer protection in Indonesia, as mandated in Article 31 of the Consumer Protection Law. In Article 33, BPKN has the main function of providing advice and considerations to the government to strengthen regulations and policies related to consumer rights. As an institution that plays a role in formulating the direction of consumer protection policies, BPKN also focuses on identifying evolving consumer issues and challenges, including those related to the digital era. With the suggestions and considerations provided by BPKN, the government is expected to formulate adaptive and effective policies that are able to protect consumers from various transaction risks, both conventional and digital. This role makes BPKN an institution that not only provides supervision and advocacy, but also acts as a counterweight in the relationship between consumers and business actors, so that consumer interests can be accommodated more optimally.

The National Consumer Protection Agency (BPKN) has a number of main tasks in carrying out its function to strengthen consumer protection, as stipulated in Article 34 of the Consumer Protection Law. First, BPKN is tasked with providing advice and recommendations to the government in the formulation of policies related to consumer protection covering various sectors including e-commerce and digital transactions. BPKN also conducts research and studies on applicable laws and regulations in the field of consumer protection with the aim of assessing the effectiveness of regulations and identifying potential improvements to optimize consumer protection. In addition, BPKN conducts research on goods and services related to consumer safety to ensure that products circulating in the market are safe and in accordance with standards. Another task is to encourage the development of non-governmental consumer protection organizations (LPKSM) that also play an active role in providing education and advocacy for consumers.

BPKN also plays a role in disseminating information through the media to socialize a pro-consumer attitude aimed at increasing public awareness of consumer rights and protection. By receiving complaints from the public, LPKSM, and businesses, BPKN can assess the problems that consumers often experience and provide recommendations for solutions. BPKN's additional duties include conducting consumer needs surveys that help the government understand consumer trends, behaviors, and expectations in Indonesia. To increase the effectiveness and scope of its activities, BPKN also has the authority to collaborate with international consumer organizations. Through this collaboration, BPKN can adopt best practices and strengthen consumer protection in Indonesia in line with global standards.

The Non-Governmental Consumer Protection Agency (LPKSM) has a role recognized by the government in realizing consumer protection in Indonesia, as stipulated in Article 44 of the Consumer Protection Law. LPKSM was established as a forum that provides opportunities for the community to actively participate in raising awareness and protection of consumer rights. In this case, these institutions play an important role in educating consumers about their rights and obligations and inviting consumers to be more careful in choosing and using products or services. Information

dissemination is one of the main tasks of LPKSM, which aims to sensitize consumers to the risks and safety of the goods or services they consume. Thus, consumers are expected to become more empowered and able to protect themselves from products or services that do not meet the established standards.

Apart from disseminating information, LPKSM also has various other tasks that support the creation of comprehensive consumer protection. LPKSM can provide advice and consultation to consumers, especially in matters relating to their rights in buying and selling transactions. It also cooperates with relevant agencies to realize more effective and systematic consumer protection efforts. In addition, LPKSM plays a role in helping consumers fight for their rights, such as receiving complaints or grievances and assisting them in the dispute resolution process. By conducting joint supervision with the government and the community, LPKSM helps to ensure that business actors carry out their obligations honestly and responsibly. This supervisory role is very important, especially in today's digital era where risks for consumers increase along with the increasing variety of products and services available online.

Based on a study by (Maharani & Dzikra, 2021) shows that the enforcement of Consumer Protection laws must involve many parties, especially the government and Consumer Protection Institutions and other supervisory institutions, and must be coordinated with related agencies so that there is harmony and no overlapping policies or decisions. This confirms that a strong legal framework, reinforced by the role of institutions such as BPKN and LPKSM is essential in building consumer trust and safety in the digital era.

The government's efforts to uphold consumer protection through the National Consumer Protection Agency (BPKN) and the Non-Governmental Consumer Protection Agency (LPKSM) are strategic steps to strengthen consumer rights in Indonesia. The collaboration of these two institutions shows the government's commitment to creating a holistic and sustainable consumer protection system, as well as fostering public trust in existing regulations.

## **CONCLUSION**

The conclusion in this study shows that legal protection for consumers in e-commerce transactions based on Law No. 8/1999 on Consumer Protection (UUPK) is very important to create justice and security for consumers in the digital era. UUPK provides a clear legal basis for consumer rights and obligations, and regulates effective dispute resolution mechanisms. However, despite the existence of this regulation, its implementation still requires the active role of institutions such as the National Consumer Protection Agency (BPKN) and the Non-Governmental Consumer Protection Agency (LPKSM) to ensure optimal protection, especially in the context of growing e-commerce transactions. For this reason, the government and consumer protection agencies need to more actively socialize consumer rights and protection procedures, improve regulations that are more specific to digital transactions, and strengthen the role of institutions that support the implementation of consumer protection.

Future research contributions can be directed to dig deeper into the implementation of consumer protection in the growing cross-border e-commerce sector, including in the face of different

legal jurisdictions between countries. Further research could also focus on the development of technology-based legal protection models, such as the utilization of artificial intelligence (AI) to detect consumer rights violations and increase transaction transparency. In addition, further studies could explore the role of e-commerce platforms as active partners in preventing unfair practices and proactively protecting consumers. With this approach, it is expected that the consumer protection system in the digital era can be more adaptive, innovative and responsive to the dynamics of technological development.

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