DAFTAR ISI

LEGAL REVIEW OF THE DEVELOPMENT OF E-COMMERCE AS AN ELECTRONIC TRADING MEDIA IN INDONESIA

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Abstract: E-Commerce is a new concept that is commonly described as the process of buying and selling goods or services on the Word Wide Web Internet or the process of buying and selling or exchanging products, services and information through information networks including the internet. E-commerce is a business activity that is carried out electronically through an internet network or the activity of buying and selling goods or services through digital communication channels. E- Commerce is doing business online. The existence of E-Commerce is a promising business alternative to be implemented at this time, because E-Commerce provides a lot of convenience for both parties, both from the seller (merchant) and from the buyer (buyer) in conducting trade transactions, even though the parties are on two different continents though. In this research, the method used is the normative legal method with the specifications of the research results used, namely deduction. The purpose of this research is to understand the development of commerce as a trading medium in Indonesia. For e-commerce entrepreneurs, it is necessary to build trust that starts from the reliability of the service system. For consumers, it is necessary not to worry anymore about shopping on the internet. Before buying, you also need to read carefully the existing policies and need to pay attention to whether there is a security system.

Keywords: E-commerce, buying and selling, and online business.

1. Introduction

With the development of information technology today, it has created new types and business opportunities where business transactions are increasingly carried out electronically. In connection with the development of information technology, it is possible for everyone to easily carry out legal acts such as buying and selling. The development of the internet is indeed fast and has a significant influence on all aspects of our lives. The internet helps us so that we can interact, communicate, and even trade with people from all over the world cheaply, quickly and easily. In recent years, the spread of internet media has caused

many companies to start trying to offer a variety of products using this medium. And one of the benefits of the existence of the internet is as a medium for promoting a product. A product that is online through the internet can bring great profits to entrepreneurs because the product is known all over the world.

The use of the internet is not only limited to the use of information that can be accessed through this media, but can also be used as a means to conduct trade transactions which now in Indonesia has begun to be introduced through several seminars and has begun to be used by several companies, namely electronic commerce or better known as E-Commerce, which is a form of electronic commerce through internet media. E-Commerce is basically a contact of trade transactions between sellers and buyers using internet media. So the process of ordering goods is communicated through the internet.

The existence of E-Commerce is a business alternative that is quite promising to be implemented at this time, because E-Commerce provides a lot of convenience for both parties, both from the seller (merchant) and from the buyer side in conducting trade transactions, even though the parties are on two different continents. With E-Commerce, every transaction does not require a meeting in the negotiation stage. Therefore, this internet network can penetrate geographical and territorial boundaries including its legal jurisdiction. The problems discussed in this study are as follows:

1. How is the development of e-commerce as an electronic commerce medium in Indonesia?
2. How is the legal arrangement in Indonesia positive in providing legal certainty for e-commerce transactions that are currently growing rapidly?

In line with the main problem, the purpose of the research is:

1. To know and understand the development of e-commerce as a medium of trade in Indonesia.

2. To find out and understand how the legal arrangements in Indonesia are positive in providing legal certainty for e-commerce transactions that are currently growing rapidly.

2. Research Methods

The approach method used in this study is a normative legal method with the specification of the research results used, namely deductive. Normative is to use only secondary data sources, namely laws and regulations, court decisions, legal theories and the opinions of leading legal scholars. Deduction means the drawing of conclusions from a general circumstance or a specific discovery from a common one. Thus, the method of deduction is the process of reasoning from one or more general statements to arrive at a certain logical conclusion. Law No. 7 of 2014 concerning Trade (Trade Law) and Law No. 8 of 1999 concerning Consumer Protection (Consumer Protection Law) are references for every business actor in conducting trade transactions, both conventional trade and trade through online or e-commerce.[1]

3. Analysis or Discussion

3.1. The Development of E-commerce as an Electronic Commerce Media

At the beginning of the emergence of Ecommerce, many merchants used the internet as a means to display their goods, while the buying and selling process was still carried out manually and face-to-face, which was considered less effective due to the lack of time efficiency. With the passage of time research and trials, to maximize the use of the internet in the world of commerce, the first step to start ecommerce is the number of startup

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[1]   https://www.jogloabang.com/pustaka/uu-7-2014-perdagangan#:~:text=Undang%2DUndang%20Republik%20Indonesia%20Nomor,berkeadilan%2C%20ber kelanjutan%2C%20berwawasan%20lingkungan%2C

businesses. In 2010-2011 it is said to be the middle era for Ecommerce, one of the proofs of successful startups in the Ecommerce business is Gojek which is engaged in transportation, Thanks to the innovations carried out by gojek is an opening for the general public to technology in daily life, With the emergence and success of gojek is also a spur for other startups such as Shopee, Bukalapak, Zalora and Pomelo.[2]

In implementing e-commerce, there is an integration of the value chain of its infrastructure, which consists of three layers. First, distribution system infrastructure (flow of good); second, payment infrastructure (flow of money); and third, information system infrastructure (flow of information). E-commerce (electronic commerce) is a term used by companies to sell and buy a product online.

This very rapid development made E-commerce achieve glory in 2014, because of this Ecommerce has its own celebration day called National Online Shopping Day (Harbolnas), in 2014 many Ecommerce sprang up from various fields ranging from technology, fashion, property, accommodation, general trade and many more. The presence of Ecommerce is very important for the country because of the large number of foreign investments into the country, and the smooth trade can increase the country's money. This very rapid development is supported by smartphones, people use smartphones more Because they are faster and more accessible, smartphones are easier to reach compared to laptops and computers, almost 70% of Indonesian people use smartphones for online shopping and daily needs, people in the country can spend hours looking at smartphones.

The convenience of online shopping is supported by sophisticated payment systems such as Mobile Banking through smartphones, so that people no longer need to go to ATMs or supermarkets such as Indomaret,alfamart to make payment.

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[2] "aspek hukum bisnis dan e-commerce", https://libera.id/blogs/aspek-hukum-bisnis- ecommerce

Types of E-commerce

E-commerce can be divided into several types that have different characteristics.[3]

Business to Business (B2B)

Business to Business e-commerce has characteristics:

There are hundreds of Ecommerce in Indonesia today that compete to get consumers, a powerful way to attract consumers is shopee men's sale, shopee 11.11, shopee 12.12 selling online to get consumers. The Millennial generation is the highest consumer in Ecommerce, most millennials spend their time playing in cyberspace, this is a supporting factor for the millennial generation to be the most active customers. E-commerce will change all marketing activities and also cut operational costs for trading activities. The processes in E-commerce are as follows:

1. Electronic presentation (website creation) for products and services.

2. Direct booking and billing availability.

3. Secure automation of customer accounts (both account numbers and Credit Card numbers).

4. Payments made directly (online) and transaction handling.

5. Trading partners who are known and generally have a long relationship. Information is only exchanged with that partner. Because you already know the communication opponent, the type of information sent can be arranged according to your needs and trust (trust).).

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[3] Anastasia Diana dan Fandy Tjiptono, 2007, E- Business, Yogyakarta: ANDI. Onno W. Purbo, 2001, *Buku Pintar Internet Membangun Web Ecommerce*, Jakarta: PT. Elex Media Komputindo

6. Data exchange takes place repeatedly and periodically, for example every day, with a mutually agreed data format. In other words, the services used are already determined. This makes it easy to exchange data for two entities that use the same standard.

7. One of the actors can take the initiative to send data, not having to wait for his partner.

8. The commonly used model is peer-to-peer, where processing intelligence can be distributed across both businesses

Business to Business e-commerce generally uses the Electronic Data Interchange (EDI) mechanism. Unfortunately, many EDI standards are used, making it difficult to intercommunicate between business people. Current standards include: EDIFACT, ANSI X.12, SPEC 2000, CARGO-IMP, TRADACOMS, IEF, GENCOD, EANCOM, ODETTE, CII. In addition to the standards mentioned above, there are other formats that are proprietary. If you have multiple business partners who already use different standards, then you should have a system in place to convert from one format to another. Currently, there are products that can do this kind of conversion.

Another approach that is now quite popular in standardizing data delivery is to use the Extensible Markup Language (XML) developed by the World Wide Web Consortium (W3C). XML stores the structure and type of data elements in its document in the form of tags such as HTML tags so that it is very effective to use for different systems. The groups that take this path include the XML/EDI group.

Initially, EDI used a separate network which is often called VAN (Value Added Network). The popularity of Internet computer networks spurred EDI initiatives through Internet networks, otherwise known as EDI over the Internet. Topics that may also be included in business to business e-Commerce are electronic/Internet procurement and Enterprise Resource Planning (ERP). This is the implementation of the use of information technology in

companies and in manufacturing. For example, Cisco is rapidly advancing because it uses information technology so that it can carry out just-in-time manufacturing for the production of its products.

Business to Consumer (B2C)

Business to Consumer eCommerce has the following characteristics:

1. Open to the public, where information is disseminated to the public.
2. The services provided are generic with mechanisms that can be used by the public. For example, since Web systems are commonly used, services are provided using a Web base.
3. Services are provided on request. Consumers take the initiative and producers must be ready to respond according to the request.
4. The client/server approach is often used where the assumption is taken that the client (consumer) uses a minimal system (Web-based) and the processing (business procedure) is placed on the server side.

Business to Consumer e-commerce has different problems. The mechanism to approach consumers at this time uses various approaches, for example by using "electronic shopping mall" or using the concept of "portal". Electronic shopping malls use websites to sell products and services. Sellers of products and services create a storefront that provides a catalog of products and services (services) they provide. Potential buyers can browse the products and services available just like in everyday life by doing window shopping. The difference is, potential buyers can make this shopping anytime and from anywhere without being limited by store opening hours. Examples of using websites to sell their products and services include:

1. Amazon http://www.amazon.com, Amazon is a virtual bookstore that sells books through its web site.Amazon's tremendous success has caused other bookstores to do the same.

   1. eBay http://www.ebay.com, is an online auction site.
   2. NetMarket http://www.netmarket.com, which is the direct marketing of Cendant (the result of the merger of HFC, CUC International, Forbes projects). NetMarket will be able to sell 95% of daily household needs.

The concept of a portal is a bit different from an electronic shopping mall, where the portal manager provides all the services on his portal (which is usually web-based). For example, a portal provides free Web-based e-mail to its customers so that it is expected that the customer always returns to the portal. Examples of portals include:

1. Netscape Home
2. My Yahoo

Collaborative Commerce

In c-commerce, business partners collaborate (instead of buying or selling) electronically. This kind of collaboration often occurs between and within business partners along the supply chain.

Consumen to consumen (C2C)

In C2C, a person sells a product or service to someone else. It can also be referred to as a customer to customer, i.e. a person who sells products and services to each other.

1. C2C auctions, In dozens of countries, C2C sales and purchases on auction sites are numerous. Most auctions are conducted by intermediaries, such as eBay.com, auctionanything.com; Customers can also use specialized sites such as buyit.com or

bid2bid.com. In addition, many customers conduct their own auctions such as greatshop.com provide software to create online C2C reverse auction communities.

2. People sell to other people every day through classified ads in newspapers and magazines. Internet-based ads have one big advantage over the more traditional types of ads: they offer a national readership rather than just a local audience. Ads are available through internet service providers such as AOL, MSN, etc..

3. Personal Service. Many personal services (lawyers, handymen, tax reporters, investment advisors, dating services) are available on the internet. Some of them are available in small ads, but others are listed on websites and dedicated directories. Some are free and some are paid.

Comsumen to Business (C2B)

In C2B, consumers disclose the need for a particular product or service, and suppliers compete to provide those products or services to consumers. For example, in priceline.com, where the customer mentions the desired product and price, and the priceline tries to find a supplier that meets those needs.

Intraorganisasional

In this situation, the company uses e-commerce internally to improve its operations. The special condition in this case is referred to as B2E e-commerce (business to its employees) which is described in an open case study.

Goverment to Citizen—G2C

In this condition, a government unit or institution provides services to the community through Ecommerce technology. Government units can do business with various other government units as well as with various companies (G2B). E-government is the use of internet technology in general and e-commerce specifically to deliver public information and

services to citizens, business partners, and suppliers of government entities, as well as those working in the public sector. E-government offers a number of potential benefits: E-government improves the efficiency and effectiveness of government functions, including the provision of public services. E-government allows the government to be more transparent to the public and companies by providing more access to government information. E-government also provides an opportunity for the public to provide feedback to various government agencies and participate in various institutions and democratic processes. e-government can be divided into three categories:

1. Government to Citizen, Government to Citizen, more and more government agencies are using the internet to provide services to citizens.
2. Government to Business, The government uses the internet to sell and buy from companies.
3. Government to Government. Includes intra-government eCommerce (different intergovernmental transactions). as well as various services between different government agencies.Implementation of E-Government. The transformation from traditional government service delivery to the full implementation of online government services can be a time-consuming process.

There are six stages in the transformation to e-government:

1. Publication of information dissemination;
2. "officially" two-way transactions, with a department at the same time;
3. portal multiguna;
4. Portal Personalization;
5. Public Service Grouping;
6. Full integration and transformation of the agency

Mobile Commerce— M-Commerce

When e-commerce is done in a wireless environment, such as by using a cell phone to access the internet and shop, it is called m-commerce.

Benefits and Challenges of Using E-commerce in Electronic Commerce Media

In many cases, an e-commerce company can survive not only on the strength of the product, but also with a reliable management team, on-time delivery, good service, a good business organizational structure, network infrastructure and security, good website design, some of the factors that include:

1. Provide competitive pricing
2. Provide responsive, fast, and friendly purchasing services.
3. Providing complete and clear information on goods and services.
4. Provides many bonuses such as coupons, special offers, and discounts.
5. Paying special attention such as purchase proposals.
6. Provide a sense of community for discussions, feedback from customers, etc..
7. Makes trading easier.[4]

The benefits that companies feel, especially for the benefit of customers, show that e-commerce can provide benefits, among others:

1. Acquire new customers. Studies that mention that the benefit of using e-commerce in business is getting new customers were put forward by Hamill da Gregory, 1997 and Swatman, 1999 and Hoffman and Novak, 2000. The use of ecommerce allows the company to get new customers, both from the domestic market and foreign markets.
2. Attract consumers to stay around. A study conducted by Daniel & Storey, 1997 in the banking industry found that the existence of ebanking services makes customers not

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[4] Rahmati. 2009. Pemanfaatan E-commerce Dalam Bisnis Di Indonesia http://citozcome.blogspot.com/2009

move to other banks. In addition, banks will also get new customers from banks that survive with old technology.

3. Improve service quality. With the existence of e-commerce, companies can improve services by conducting more personalized interactions so that they can provide information according to what consumers want. Studies that state that the use of ecommerce can be beneficial to improve the quality of this service was put forward by Gosh, 1998.

4. Serving consumers indefinitely. A study conducted by Daniel & Storey, 1997 found that customers can make transactions and utilize the services of a company without having to be bound by the closing or opening times of a company.

By using e-commerce, manufacturers can change the price list or customize the products or services offered and informed quickly through the website. Something that usually takes a long time to implement or integrate, with ecommerce becoming faster. Conducting innovative business models or reengineering, carrying out a high degree of specialization or increasing productivity and attention to customers, is not something impossible with e-commerce. Ecommerce is also beneficial in building a comprehensive customer database. Manufacturers can have information about the ordering patterns that customers make and manage it as valuable information. The database will help manufacturers when marketing and promotional strategies so that they can be on target.

Although it has several advantages, the use of e-commerce also faces obstacles. Conducting transactions online means that customers will be forced to provide a certain amount of personal information required by the seller. These requirements can certainly interfere with confidentiality and raise issues about the security of the information provided. Protocols for certain processes that are not yet standardized, limited telecommunication bandwidth and limited software used, are some of the technical issues that result in e-

commerce still not being integrated with contemporary IT systems. In addition to technical obstacles, non-technical issues are also obstacles in the use of e-commerce. There are still many buyers who do not trust and find it difficult to change their habits to transact without meeting the seller in person and using limited paper (paperless)

The emergence of e-commerce has had several positive impacts on marketing activities, including:

1. Facilitate the promotion of products and services interactively and in real time through direct communication channels via the internet.
2. Creating new distribution channels that can reach more customers in almost all parts of the world.
3. Provide significant savings in terms of information receiver costs and digitized products (e.g. software and music)
4. Reduce cycle time and administrative tasks (especially for international marketing) from ordering to product delivery.
5. More responsive and satisfying customer service, as customers can get more detailed information and respond quickly online.
6. Facilitating mass customization that has been applied to a number of products such as cosmetics, cars, homes, computers, greeting cards, and various other products.
7. Facilitate one-to-one or direct advertising applications that are more effective than massa advertising.
8. Saves costs and time in handling orders, as electronic ordering systems allow for faster and more accurate processing.
9. Presenting a virtual market (marketspace) as a complement to the traditional market (marketplace).

Success Factors of E-commerce in E-commerce

In creating a successful and sustainable ecommerce company, in general, companies must find ways to build satisfaction, loyalty, and good relationships with customers online so that they keep coming back to our company's web store. The key to the success of an e-commerce company is when the company is able to optimize several e-commerce success factors as follows:

1. Selection and Value include attractive product selection, competitive prices, satisfaction guarantees, and after-sales customer support.

2. Performance and Service, including navigation, shopping, and purchasing processes as well as fast and easy delivery confirmation. Look and Feel, Display and Taste Factors include web displays, websites, shopping areas, multimedia products, catalog pages and attractive shopping features.

3. Advertising and incentives, Advertising factors and incentives include: web and targeted email promotions and special offers, including advertising on various affiliate sites.

4. Personal attention factors include personal web pages, personalized product suggestions, web ads and e-mail notifications, and interactive support for all customers.

5. Community relationships, Factors related to the community include virtual communities of customers, suppliers, company representatives, and others through newsgroups, chat rooms, and various relationships to related websites..

6. Security and Reliability, Security and reliability factors include the security of customer information and transactions on the website, trustworthy product information, and reliable order fulfillment.

Disadvantages and Constraints of E-commerce

According to a survey conducted by CommerceNet, shoppers have not put their trust in e-commerce, they can't find what they're looking for in e-commerce, there's no easy and simple way to pay yet. In addition, surfing in e-commerce is not yet smooth at all. E-commerce customers are still afraid of credit card thieves, the secrets of their personal information being exposed, and poor network performance. Generally buyers are still not sure that it will be profitable to connect to the Internet, search shopping sites, wait for images to download, try to understand how to order something, and then have to fear if their credit card number is taken by hackers[5]. It seems that to convince these customers, e-merchants have to do a lot of scanning processes.

However, Gail Grant, head of research at CommerceNet, predicts that most buyers will be able to overcome the barrier in the next few years. Grant said that if only a Web page could be made a label that provides information about the product and its price, it would be very easy to search (search engines) find a product online. This has not happened because most merchants want people to find only their products but not their competitors, especially if it turns out that the prices given by other competitors are cheaper. For the business-to-business system, the existing issues are not as complicated as above, but there are still serious issues. As entrepreneurs do not have a good model of how to set up their e-commerce site, they have difficulty sharing information obtained online with other business applications.

The problem that may be the main obstacle is the idea of sharing business information to customers and suppliers, this is the main strategy in the business-to-business e-commerce system. The main key to solving problems is that merchants must stop thinking that by supporting themselves on Java applets, all problems will be solved, when in reality

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[5] Rizal, Palil. 2011. *The Effect of E -commerce on Malaysian tax System : An Empirical evidence from academicisns and Malaysian tax Practitioners.* http://dewey.petra.ac.id/jiunkpe_dg_78 52.html

merchants must restructure their operations to take maximum advantage of ecommerce. Grant says, "Ecommerce is just like any automation – it amplifies problems with their operation they already had".

3.2 Positive legal arrangements in Indonesia in providing legal certainty to e-commerce transactions

Legal certainty in e-commerce transactions in Indonesia is not born from a vacuum, but the result of the adaptation of classical treaty legal principles (lex generalis) into cyberspace (lex specialis). Theoretically, legal certainty demands that regulations must be clear, predictable, and enforceable. In the Indonesian context, this is realized through regulatory convergence:

1. Principle of Digital Consensualism: Based on Article 1320 of the Civil Code, an agreement is a valid condition of an agreement. In e-commerce, this certainty is emphasized by the ITE Law, where "clicking" on the "Buy" or "Agree" button is recognized as a legally valid form of declaration of intent.

2. Acknowledgment of Evidence: One of the biggest obstacles to legal certainty in the past has been proof. However, with Article 5 of the ITE Law, Electronic Information and/or Electronic Documents and their printed results are valid legal evidence and have an equivalent position to letter evidence in court.

Government Regulation (PP) No. 80 of 2019 is a "backbone" that provides technical guidance for business actors. There are three main pillars in this regulation that guarantee legal certainty:[6]

a. Clear Identity of Legal Subjects

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[6] Barkatullah, Abdul Halim. (2019). Hukum Transaksi E-Commerce: Perlindungan Kepentingan Konsumen dalam Transaksi Bisnis Internasional. Bandung: Nusa Media.

Legal certainty is impossible to achieve if the identities of the parties are anonymous. Therefore, Indonesia's positive law requires:

1. Legality of Business Actors: Every e-commerce platform (PPMSE) must have a business license and be registered with the relevant ministries.

2. KYC (Know Your Customer) obligations: Platforms are required to verify the identity of merchants to prevent fraud. This provides assurance to consumers that they are transacting with a real and legally chargeable entity.

b. **Transaction Objects and Information Transparency**

Legal certainty also includes the conformity between what is promised and what is received. PP PMSE strictly regulates that business actors must provide:

1. Specification of Goods/Services: Technical details that are not misleading.

2. Price Certainty: The price listed must be final or include additional cost components (such as shipping or taxes).

3. Payment Mechanism: Must use a secure and encrypted system.

c. **Binding Electronic Contracts**

Contracts in e-commerce often take the form of shrink-wrap contracts or click-wrap agreements. Indonesia's positive law provides certainty that the contract is binding on both parties from the moment of the "electronic agreement", provided that the clauses in it do not violate the basic rights of consumers (e.g., it is forbidden to include a standard clause stating that the business actor is not responsible for consumer losses). [7] With the enactment of Law No. 27 of 2022 concerning Personal

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[7] Makarim, Edmon. (2020). Pengantar Hukum Telematika: Suatu Kompilasi Kajian. Jakarta: RajaGrafindo Persada

Data Protection (PDP Law), legal certainty has shifted from just economic transactions to digital human rights protection. [8]

1. Data Controller's Obligations: E-commerce platforms as data controllers are obliged to ensure the confidentiality of consumers' credit card, address, and phone number data.

2. Legal Information: The existence of administrative and criminal sanctions for data leaks provides a sense of security (psychological and juridical certainty) for the public to transact digitally.

Legal certainty is tested when a dispute occurs (default or default). Indonesia provides a line:

1. Litigation: Lawsuit through the District Court using electronic evidence.

2. Non-Litigation: Through the Consumer Dispute Resolution Agency (BPSK) or using the Online Dispute Resolution (ODR) mechanism provided by the platform (e.g. the resolution center feature).

3. Lex Loci Contractus Principle: For international transactions, in the event of a dispute, the ITE Law provides the basis that Indonesian law can apply if the transaction has an adverse impact in Indonesia (extraterritorial principle).[9]

4. Conclusion

1. E-commerce in Indonesia has transformed from just an information medium to a vital means of electronic transactions, where the period 2010-2011 became a turning point through Gojek's innovation that introduced technology to the general public and

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[8] Mansur, Dikdik M. Aritonang & Elisatris Gultom. (2018). Cyber Law: Hukum Dunia Maya. Refika Aditama
[9] Sujayanthi, N. W. M. (2021). "Kepastian Hukum terhadap Konsumen dalam Transaksi E-Commerce di Indonesia". Jurnal Ilmiah Hukum, Vol 5 (2).

triggered the emergence of other major platforms until reaching its heyday in 2014 with the presence of National Online Shopping Day (Harbolnas). Success in this ecosystem does not only rely on product strength, but also on the integration of reliable management, precision delivery, strong security infrastructure, and the company's ability to continuously innovate business models and service specializations for customer satisfaction. However, behind these rapid developments, e-commerce still faces major challenges related to technical limitations such as limited telecommunications bandwidth, integration of IT systems that are not yet standardized, as well as psychological constraints in the form of low consumer confidence and the unavailability of a payment system that is simple enough for a wide range of users. The regulation of e-commerce transactions in Indonesia has a comprehensive legal basis through synchronization between the ITE Law (and its amendments), the Trade Law, the Consumer Protection Law, and specifically regulated in Government Regulation No. 80 of 2019 concerning PMSE and the Personal Data Protection Law (PDP Law). This regulation has provided legal recognition of electronic contracts and digital evidence. Legal certainty for parties in e-commerce transactions is realized through the legality obligations of business actors, product information transparency standards, and personal data protection guarantees. The existence of a joint account mechanism (escrow) and an online dispute resolution system (Online Dispute Resolution) provides a guarantee of security for consumers against the risk of default. Although regulations are well established, the main challenge still lies in cross-border transactions and transactions outside of official platforms (such as social commerce). The effectiveness of legal certainty is highly dependent on strict government supervision and the level of digital literacy of the community.

2. For e-commerce entrepreneurs, it is necessary to build trust that starts from the reliability of the service system. Trust determines opportunities for future relationships between parties. Together, various e-commerce entrepreneurs need to foster public trust in the internet and e-commerce, for example by actively participating in discussions, dialogues, seminars and two-way communication. Thus, more members of the public will be interested in visiting stores on the internet and then shopping or transacting with these stores. For consumers, it is necessary to not worry anymore when shopping on the internet. It is recommended that consumers choose online stores that already have a name (branded) because they usually have high credibility and are there to record store information such as addresses, phone numbers, and emails, just in case problems occur. Before buying, it is also necessary to read the existing policies carefully and it is necessary to pay attention to whether there is a security system or not. In this development, it is necessary to strengthen coordination across ministries (Kominfo, Ministry of Trade, and BSSN) in supervising the operation of the PMSE platform, especially related to the protection of personal data and the legitimacy of foreign merchants to be on par with domestic legal standards. Business actors are expected to continue to improve the reliability of cybersecurity systems and comply with the principle of transparency in electronic contract clauses to minimize disputes with consumers. The public also needs to increase caution in transactions, be more careful in reading terms and conditions, and prioritize the use of platforms that have been officially registered and have a good security reputation.

References

Barkatullah, Abdul Halim. (2019). Hukum Transaksi E-Commerce: Perlindungan Kepentingan Konsumen dalam Transaksi Bisnis Internasional. Bandung: Nusa Media.

Diana, Anastasia dan Fandy Tjiptono. (2007). E-Business. Yogyakarta: ANDI.

Makarim, Edmon. (2020). Pengantar Hukum Telematika: Suatu Kompilasi Kajian. Jakarta: RajaGrafindo Persada.

Mansur, Dikdik M. Aritonang & Elisatris Gultom. (2018). Cyber Law: Hukum Dunia Maya. Bandung: Refika Aditama.

Purbo, Onno W. (2001). Buku Pintar Internet Membangun Web Ecommerce. Jakarta: PT Elex Media Komputindo

Journal Article:

Palil, Rizal. (2011). The Effect of E-commerce on Malaysian Tax System: An Empirical Evidence from Academicians and Malaysian Tax Practitioners. Diakses dari: http://dewey.petra.ac.id/jiunkpe_dg_7852.html.

Sujayanthi, N. W. M. (2021). "Kepastian Hukum terhadap Konsumen dalam Transaksi E-Commerce di Indonesia". Jurnal Ilmiah Hukum, Vol. 5 (2)

Other Source:

Jogloabang. (2014). "UU 7 tahun 2014 tentang Perdagangan". https://www.jogloabang.com/pustaka/uu-7-2014-perdagangan

Libera.id. (2021). "Aspek Hukum Bisnis dan E-commerce".

Rahmati. (2009). "Pemanfaatan E-commerce Dalam Bisnis Di Indonesia". http://citozcome.blogspot.com/2009/05/pemanfaatan.