

EVALUATION OF LAW ENFORCEMENT ON CONSUMER PROTECTION IN ONLINE SALES AND PURCHASE AGREEMENTS

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Abstract: *Online buying and selling activities are now increasingly widespread, especially as the sites used for conducting online buying and selling transactions are becoming better and more diverse. However, in the online buying and selling system, the products offered are only in the form of explanations of product specifications and images, the truth of which cannot be guaranteed. For this reason, Consumer Independence is needed in conducting Online Buying and Selling Transactions as an effort to protect themselves as mandated by Law Number 8 of 1999 concerning Consumer Protection. The objectives of this research are to examine and analyze: 1). Legal Protection for consumers in Online Buying and Selling Transactions; 2). Evaluation of the Effectiveness of Consumer Protection Law Enforcement in Online Sales and Purchase Agreements. This research goes through 3 stages, namely: 1). The initial stage, consisting of the initial meeting of the Research Team and the division of tasks; 2). The Implementation Stage, namely: Data collection, Monitoring, Discussion of the results of data collection; 3). The Final Stage, namely: Preparation of Research Results. As for the literature, empirical data collection was also carried out using tools. The research approach method used in this study is the Empirical Juridical approach. Data collection techniques, in addition to using a Juridical approach, were obtained through research in the form of interviews. Furthermore, data analysis in this study was carried out qualitatively. The results of this research describe the Evaluation of Law Enforcement in Online Buying and Selling Transactions.*

Keywords: *Law Enforcement; Consumer Protection; Online Buying and Selling*

1. INTRODUCTION

The development of information technology has changed the pattern of community transactions from conventional systems to digital. The increasingly advanced information technology has changed habits in conducting buying and selling transactions (Rizkita Dinar Anggraini & Sinarianda Kurnia Hartantien, 2024) whose study highlights that digital transformation has shifted consumer behavior from face to face transactions to platform-based digital transactions. In the current era of digitalization, accompanied by advancements in technology and communication, many people choose to shop through online sites; now all parties use electronic commerce (e-commerce) more widely as a medium for buying and

selling the products they offer.(Srisadono, 2018) indicating that digitalization and e-commerce not only expand transactional options but also significantly reshape consumer preferences. Online transactions are now used as a buying and selling method frequently carried out by the community nowadays in Indonesia (Nugraha & Mukhtar, 2014) and have become a common transactional pattern among Indonesian consumers. Nevertheless, the use of internet technology to conduct online transactions has negative impacts on consumers (Aco & Endang, 2017).

The phenomenon of online buying and selling (e-commerce) makes it easier for consumers to obtain goods and services without limitations of space and time. However, this convenience also gives rise to various legal problems, such as online fraud, goods not matching their descriptions, theft of personal data, and difficulties in complaint mechanisms and dispute resolution. Various studies and reports from consumer protection institutions have also shown an increase in complaints related to fraud and product mismatches in e-commerce transactions, reinforcing the urgency of stronger regulation and oversight.

A general explanation of Article 29 of the Consumer Protection Law (UUPK) states that the main factor contributing to consumer vulnerability is the low level of consumer awareness of their rights. In the context of e-commerce, this lack of awareness often stems from consumers' limited understanding of digital transaction procedures, platform policies, and potential risks associated with online purchases. Therefore, consumer empowerment is needed through increasing consumer awareness of their rights. This awareness improvement is carried out through consumer guidance and education. Furthermore, consumers' ability to choose, determine, and defend their rights can become the beginning of achieving consumer independence.

Article 2 of Government Regulation Number 58 of 2001 concerning the Guidance and Supervision of Consumer Protection Implementation states that the government has the responsibility for guiding the implementation of consumer protection, which ensures the fulfillment of the rights of consumers and business actors as well as the implementation of the obligations of consumers and business actors. This provision emphasizes the government's role in ensuring that the rights and obligations of all parties particularly within digital marketplaces—are properly fulfilled. This responsibility is intended to empower consumers to obtain their rights, which is carried out through education, training, and skills development. There is a concern that business actors, with their economic principles, may cause consumers to suffer losses. This consumer empowerment, in accordance with the principles of justice and balance, must not harm the interests of business actors. In the digital environment, this balance can be maintained through regulations that promote transparency, platform accountability, and fair dispute-resolution mechanisms for both consumers and businesses.

In order to increase awareness of consumer rights and consumer prudence in consuming goods and/or services, Article 4 of Government Regulation Number 59 of 2001 concerning Community-Based Consumer Protection Institutions states that information dissemination includes spreading various knowledge regarding consumer protection, including laws and regulations related to consumer protection issues. The information referred to includes production processes, standards, labels, promotion and advertising, standard clauses, and others. In the context of e-commerce, such information dissemination is increasingly essential, as consumers need to understand platform policies, personal-data security, and digital advertising and promotion

standards. Meanwhile, the dissemination of information can be carried out through educational activities, training, counseling, information services, and other methods.

In relation to this, the problems to be studied in this research are:

1. How is Legal Protection for consumers in Online Buying and Selling Transactions?
2. How is the Evaluation of Law Enforcement on Consumer Protection in Online Sales and Purchase Agreements?

The objectives of this research are:

1. To examine and analyze Legal Protection for consumers in Online Buying and Selling Transactions
2. To examine and analyze the Evaluation of the Effectiveness of Law Enforcement on Consumer Protection in Online Sales and Purchase Agreements

This research is very important as it can serve as a contribution of thought for all relevant parties regarding Consumer Independence in establishing Law Enforcement of Consumer Protection.?

2. METHODS

This research uses a normative juridical method, which is legal research that focuses on the study of norms, principles, and legislation. Although the primary framework of this study is normative juridical, it is complemented by empirical data collection to understand how legal norms operate in practice, making this research a normative-empirical (socio-legal) study. The research approach consists of: statute approach, which examines regulations related to consumer protection and electronic transactions; and conceptual approach, which studies the concepts and legal theories of consumer protection as well as digital rights.

The population in this study consists of central government officials, regional government officials, business actors, and local communities. The sampling technique is determined using purposive sampling as follows: 15 (fifteen) Regional Government Officials; 10 (ten) Business Actors; 25 (twenty-five) Consumers; and 50 (fifty) members of the Community. This empirical component is used to support the normative analysis by providing factual insights into the implementation and effectiveness of consumer protection in online transactions.

The sources of legal materials include: primary legal materials such as the Consumer Protection Law (UUPK), ITE Law, Government Regulation 71/2019, Minister of Trade Regulation 50/2020, and the Personal Data Protection Law; secondary legal materials such as books, legal journals, and previous research results; and tertiary legal materials such as legal dictionaries, encyclopedias, and online scientific sources. Data collection techniques are carried out in several ways, including interviews, which involve direct question-and-answer sessions with respondents; questionnaires, which involve providing structured questions to respondents; and documentation or literature study, which involves reviewing

journals, reports, and various documents or written texts related to law and other information connected to the research object. The use of interviews and questionnaires serves as empirical support within the socio-legal framework and is not intended to replace or dominate the normative legal analysis.

The data obtained in this study are then processed and analyzed through qualitative analysis. The qualitative analysis is conducted on both legal materials (normative data) and the empirical findings obtained from respondents, allowing the research to interpret legal norms alongside real-world practices.

3. RESULTS AND DISCUSSION

3.1. Legal Protection for Consumers in Online Sales and Purchase Transactions

Legal protection is the essence of a state based on the rule of law (rechtsstaat), which places law as the primary instrument in ensuring certainty, justice, and benefits for society. In the digital marketplace, this principle requires the state to ensure that consumer rights remain protected despite the shift from traditional to online transaction mechanisms. In the context of Indonesia, legal protection is a constitutional mandate as stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which declares that Indonesia is a state based on the rule of law. This constitutional basis reinforces the government's responsibility to address emerging risks in digital transactions, including fraud, misuse of data, and unfair business practices. Therefore, the state has an obligation to provide protection against all forms of rights violations, abuse of authority, and injustice.

The rapid economic growth has produced a wide variety of goods and/or services. With the support of technology and information, the expansion of the movement and/or transactions of goods or services has crossed national boundaries, and consumers are ultimately faced with various types of goods and/or services offered in a variable manner (Zulham, 2013). In e-commerce, this abundance is accompanied by risks such as information asymmetry, lack of product verification, and increased exposure to misleading digital advertising.

Along with the development of technology, social and political conditions, as well as the increasingly complex dynamics of economic transactions, the forms of legal protection have also evolved. It is not only in the form of normative protection but also institutional, procedural, and substantive protection. Normative protection appears in legislation governing online transactions; institutional protection is reflected in the role of agencies such as the Ministry of Trade and the National Consumer Protection Agency (BPKN); procedural protection includes mechanisms for filing online complaints and dispute resolution; while substantive protection ensures that consumers obtain remedies such as refunds, replacements, or compensation when harmed in digital transactions.

The main factor that contributes to consumer vulnerability is the level of consumer awareness of their rights as consumers. Therefore, Law Number 8 of 1999 concerning Consumer Protection serves as a strong legal foundation for the community to carry out consumer guidance and education efforts. In the digital context, however, awareness alone is insufficient without accessible information on platform policies, data security risks, and online transaction procedures, making the role of the UUPK crucial in strengthening both digital literacy and legal remedies for consumers.

The forms of legal protection for consumers in Indonesia are based on several aspects, namely:

3.1.1. Consumer Protection through Legislation, namely:

1. Law Number 8 of 1999 concerning Consumer Protection (UUPK)
 - a. Article 1 paragraph (1): "Consumer protection is all efforts that ensure legal certainty to provide protection for consumers."
 - b. Article 4 letters a–j regulate consumer rights, such as the right to comfort, security, safety, and accurate information.
2. Law Number 11 of 2008 concerning Electronic Information and Transactions (ITE Law), as amended by Law No. 19 of 2016
 - o Article 9: "Business actors who offer products through electronic systems are required to provide complete and accurate information regarding contract terms, producers, and the products offered."
3. Government Regulation Number 71 of 2019 concerning the Implementation of Electronic Systems and Transactions (PSTE)
 - o Regulates the obligations of business actors in maintaining consumer data security and the reliability of electronic systems.
4. Minister of Trade Regulation Number 50 of 2020 concerning Provisions on Business Licensing, Advertising, Guidance, and Supervision of Business Actors in Trade through Electronic Systems

Consumer Protection through Regulations in Online Buying and Selling, namely:

1. Law No. 8 of 1999 concerning Consumer Protection (UUPK)
 - a. Consumer Rights in Online Transactions, namely: accurate, clear, and honest information about goods/services; protection of security and comfort in transactions; the right to receive goods as ordered/described; the right to dispute resolution and compensation; the right to be treated fairly by business actors or marketplace platforms.
 - b. Obligations of Online Business Actors, namely: providing information on the business actor's identity, price, quality, and product specifications; ensuring the security of the transaction system; providing after-sales service and complaint facilities; not using standard clauses that harm consumers (e.g., "products cannot be returned under any circumstances"). However, in practice, the fulfillment of these obligations remains inconsistent. Many online business actors fail to provide clear

business identity information, present inaccurate or incomplete product descriptions, or continue to use unfair standard clauses that limit consumers' rights. Moreover, after-sales services and complaint mechanisms are often ineffective—particularly on marketplace platforms where sellers and buyers interact indirectly making it difficult for consumers to obtain refunds, replacements, or compensation when transactions do not meet expectations.

- c. Prohibitions in Online Buying and Selling, namely: disseminating false or misleading advertisements; selling illegal, unlabeled, or non-SNI certified goods; offering goods that are unavailable (misleading stock).
2. ITE Law and Its Derivative Regulations (Law No. 11/2008 jo. 19/2016)
The ITE Law regulates aspects of electronic transactions.
 - a. Legal Recognition of Electronic Transactions: All online agreements are valid and binding if they meet the requirements of a valid agreement (Article 1320 of the Civil Code).
 - b. Obligations of Digital Business Actors: provide complete information regarding transaction terms and conditions; ensure data security and consumer privacy; ensure the reliability of electronic systems.
 - c. Personal Data Protection: Referring to Law No. 27/2022 on Personal Data Protection, which regulates consumers' rights to privacy, consent, limitation of data processing, and the right to delete data.
 3. Government Regulation No. 80 of 2019 concerning Trade through Electronic Systems (PMSE)
This regulation is the most technical in e-commerce.
 - a. Consumer Protection: Platforms and business actors are required to provide complaint features; ensure the process of product returns and refunds; prevent the circulation of counterfeit and illegal goods on the platform; maintain transaction data security.
 - b. Obligations of Marketplaces/Online Sellers: provide clear identity information (name, address, business license number); ensure the accuracy of product information; provide a transaction history; comply with product safety standards and advertising regulations.

3.1.2. Consumer Protection through the Consumer Dispute Settlement Agency (BPSK)

The form of consumer protection through the Consumer Dispute Settlement Agency (BPSK) in online sales disputes is:

1. Legal Basis
 - a. Articles 49–58 of the Consumer Protection Law (UUPK)
 - b. Minister of Trade Regulation No. 72/2020 concerning the Consumer Dispute Settlement Agency (BPSK)
2. Role of the Consumer Dispute Settlement Agency (BPSK) in Online Disputes
The Consumer Dispute Settlement Agency (BPSK) receives complaints when:
 - a. The goods do not match the description.
 - b. The seller does not deliver the goods.

- c. The seller refuses a refund.
 - d. Losses occur due to false advertising.
 - e. Consumers are harmed by e-commerce platforms.
3. Types of Dispute Resolution
- a. Mediation
 - b. Conciliation
 - c. Arbitration by the Consumer Dispute Settlement Agency (BPSK)
All decisions of the Consumer Dispute Settlement Agency (BPSK) are final and binding, and can be requested for execution through the court if the business actor does not comply.
4. Brief Procedure
- a. Consumers submit complaints.
 - b. Document examination & summoning of the parties.
 - c. Dispute hearings (mediation/conciliation/arbitration).
 - d. Decision & determination of compensation.
 - e. Execution of the decision if necessary.

3.1.3. Consumer Protection through the Public Service Law, Financial Services Authority (OJK), and Related Supervisory Institutions in Online Transactions

Although online buying and selling is a private activity, some services supporting digital transactions fall under public services.

1. Law No. 25 of 2009 on Public Services
Relevance in e-commerce:
 - a. Marketplaces are obliged to provide fast and transparent consumer services.
 - b. Consumers have the right to know service standards (SLA), shipping status, and refund procedures.
 - c. Consumers can file complaints regarding the success of payment systems or delivery.
2. Role of the OJK
In online transactions involving:
 - a. Digital wallets (e-wallets),
 - b. PayLater (digital credit),
 - c. Internet banking,
 - d. Online financial institutions.
 OJK provides complaint channels (Consumer Portal Application – APPK) and can require resolution through mediation.
3. Role of the Ministry of Communication and Information (Kominfo)
 - a. Supervises digital advertisements and misleading content.
 - b. Shuts down online fraud sites.
 - c. Regulates electronic system providers.
4. Role of the Police and Cyber Police (Siber Polri)

If there is fraud (Article 28 paragraph (1) and Article 45A of the ITE Law), consumers can report it to the police.

Forms of Legal Protection for Consumers in Online Sales and Purchase Transactions:

1. Preventive Legal Protection:

Protection provided before consumers' rights are violated, including:

- a. Obligations of business actors to provide true, clear, and honest information about offered products (Article 7 UUPK).
- b. Obligations of e-commerce platforms to ensure the security of consumers' personal data (PP 71/2019).
- c. Consumer education by the government and consumer protection institutions to make consumers more intelligent in digital transactions.

2. Repressive Legal Protection:

Protection provided after consumers experience losses, such as:

- a. The right to file complaints with business actors or through the National Consumer Protection Agency (BPKN) and Community-Based Consumer Protection Institutions (LPKSM).
- b. Dispute resolution efforts through mediation, arbitration, or general courts (Article 45 UUPK).
- c. Administrative, civil, and criminal sanctions for business actors who violate the law (Articles 62–63 UUPK and Articles 45–52 ITE Law).

Strengthening Legal Protection Efforts for Consumers, namely:

- a. Strengthening personal data protection regulations through the implementation of Law No. 27 of 2022 on Personal Data Protection (PDP Law).
- b. Enhancing government supervision and law enforcement on e-commerce platforms, including strict sanctions for violators.
- c. Digital literacy for the public, so consumers understand their rights and risks in electronic transactions.
- d. Increasing international cooperation, especially in tracking and addressing cross-border cybercrime.

Regulations regarding consumer protection in the digital business era can also be governed by the ITE Law, which has undergone several amendments to adapt to legal changes in society. However, the protection provided by the ITE Law is repressive in nature, as its provisions are based on acts classified as criminal offenses with sanctions in the form of imprisonment and fines (Tumbel, 2020). [REVISED: Added analysis on preventive limitation] This repressive approach, while necessary for penalizing violations, limits the law's effectiveness in preventing consumer harm before it occurs. In the fast-paced environment of digital transactions, risks such as fraud, data misuse, and misleading product information can happen rapidly, and legal remedies under the ITE Law are only available after the harm has been suffered. Therefore, additional preventive measures such as mandatory transparency by online platforms, stricter data protection, monitoring of digital advertisements, and early detection systems for suspicious transactions are essential to complement the law and provide consumers with proactive protection.

3.2. Evaluation of the Enforcement of Consumer Protection Law in Online Sales and Purchase Agreements

Before presenting the evaluation of the enforcement of consumer protection law in online sales and purchase agreements, this study first outlines several types of online shopping based on data from the Indonesian Consumers Foundation (YLKI). This classification is not merely descriptive; rather, it serves as an empirical foundation to demonstrate the increasing complexity and diversity of online transactions faced by consumers. These variations in online shopping practices have significant implications for consumer vulnerability and dispute potential, thereby underscoring the urgency of assessing how effectively consumer protection laws are enforced in the context of online sales and purchase agreements.

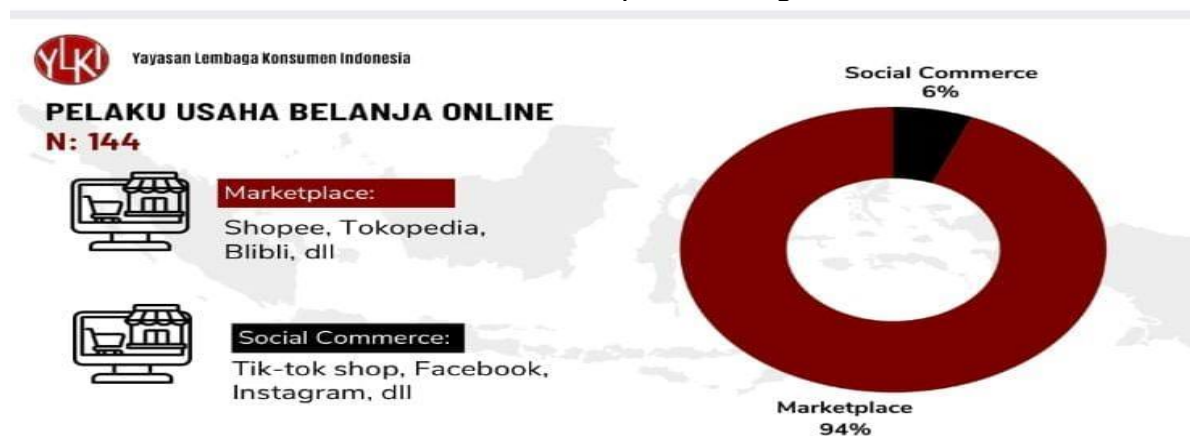


Table 1, Data from the Indonesian Consumers Foundation (YLKI) 2024

Several types of online shopping obtained by the researcher from data from the Indonesian Consumers Foundation (YLKI) are as follows:

- Online shopping from marketplaces, namely: Shopee, Tokopedia, Blibli, and others.
- Online shopping from social commerce, such as TikTok Shop, Facebook, Instagram, and others.

Online shopping through marketplaces accounts for 94%, while online shopping through social commerce accounts for 6%.

These transactions are regulated by Law No. 11 of 2008 on Electronic Information and Transactions (ITE Law), Law No. 8 of 1999 on Consumer Protection (UUPK), and Government Regulation No. 80 of 2019 on Trade through Electronic Systems (PMSE). Although the legal framework is available normatively, in practice, violations of consumer rights still often occur, such as delayed delivery, goods not matching descriptions, or online scams.

In this regard, based on interviews conducted by the researcher with the Indonesian Consumers Foundation (YLKI), the researcher obtained data from YLKI regarding several consumer complaints, namely:



Yayasan Lembaga Konsumen Indonesia

MARKETPLACE	SELLER	SISTEM PEMBAYARAN	EKSPEDISI
Penipuan/Pembobolan	Barang Tidak Sesuai	Refund	Estimasi Pengiriman
Pemblokiran Akun	Informasi	Pembatalan Transaksi	Barang Tidak Sampai
Handling Complain	Barang Tidak Dikirim		
Aplikasi Eror	Garansi		

Table 2. Data from the Indonesian Consumers Foundation (YLKI) 2024

From the table above, several violations in online buying and selling are outlined, including:

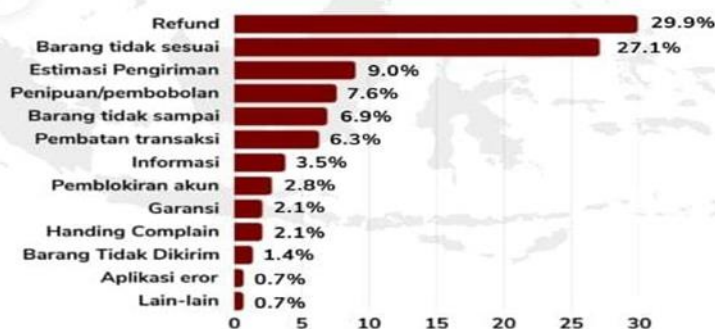
- Fraud
- Handling complaints
- Goods not as described
- Goods not delivered
- Transaction cancellation
- Goods not matching
- Account blocking
- Application errors
- Incorrect information
- No warranty
- Goods not received



Yayasan Lembaga Konsumen Indonesia

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HAN BELANJA ONLINE



Indonesian Consumers Foundation (YLKI) 2024

The table above illustrates the level of violations in percentage terms.

Based on the data above, the evaluation of the Enforcement of Consumer Protection Law in Online Sales and Purchase Agreements can be conducted by looking at several indicators, namely:

- a. Compliance of Online Sellers: Evaluation can be carried out by examining the extent to which online sellers comply with consumer protection laws, such as providing clear and complete information to consumers, ensuring the security of consumers' personal data, and guaranteeing the quality and authenticity of the products sold. YLKI data indicate that consumer complaints frequently arise from misleading product descriptions, discrepancies between advertised and delivered goods, and the sale of counterfeit products in online marketplaces. Nevertheless, many provisions in the Consumer Protection Law (UUPK) are still violated by business actors, for example Articles 8 and 9 (Nugrahaningsih, 2017). These recurring complaints demonstrate that non-compliance by online sellers is not merely normative in nature but constitutes a concrete and systemic problem in practice.
- b. Speed of Law Enforcement Response: Evaluation can be done by assessing how quickly law enforcement responds to complaints or reports from consumers regarding violations committed by online sellers. The faster the response, the more effective consumer protection can be implemented. This indicator should be linked to existing complaint mechanisms, such as reports submitted through YLKI, the Consumer Complaint Information System (SP4N-LAPOR!), the Ministry of Trade, or platform-based complaint features provided by online marketplaces. Delays or lack of follow-up in these mechanisms may indicate weaknesses in the responsiveness of law enforcement institutions.
- c. Dispute Resolution Rate: Evaluation can also be carried out by looking at the rate of dispute resolution between consumers and online sellers through available dispute resolution mechanisms, such as mediation or arbitration. A high dispute resolution rate indicates the effectiveness of law enforcement in protecting consumer rights.
- d. Consumer Satisfaction Level: Evaluation can also be carried out by considering the level of consumer satisfaction with the enforcement of consumer protection laws in online sales agreements. If consumers feel that their rights are well protected, this indicates the effectiveness of law enforcement.

In addition to the above explanation, the Evaluation of the Enforcement of Consumer Protection Law in Online Sales and Purchase Agreements can be viewed through the Evaluation Table Based on the Dimensions of Regulation, Institutions, Enforcement, and Consumers as follows:

Tabel 4. Evaluasi Penegakan Hukum Perlindungan Konsumen

Aspect	Strengths	Weaknesses	General Evaluation
Regulation	a. The UUPK provides a clear legal basis for protection. b. The ITE Law and PMSE Government Regulation govern the legality of electronic contracts and the obligations of marketplaces.	a. No specific e-commerce law b. Platform responsibility is still open to interpretation c. No national standard for returns/refunds.	The legal framework is adequate but not specific, leaving many gaps in consumer protection

Government Institutions	<ul style="list-style-type: none"> a. The Ministry of Trade & Ministry of Communication have supervisory authority.. b. BPOM and Customs support the supervision of goods. 	<ul style="list-style-type: none"> a. Supervision of illegal goods is still weak b. Enforcement against fictitious merchants is not yet optimal. 	Supervision is not proactive and still depends on complaints
BPSK	<ul style="list-style-type: none"> a. Dispute resolution is fast and inexpensive. b. Decisions are final and binding 	<ul style="list-style-type: none"> a. Weak enforcement of decisions b. Not available in all regions. c. Many decisions are challenged in District Courts 	Low effectiveness because it cannot compel businesses to comply.
Courts	Strong enforcement power.	The process is long and costly	Not ideal for small claims disputes
Marketplace / Platform E-Commerce	<ul style="list-style-type: none"> a. Quick response to complaints b. 24/7 customer service. 	<ul style="list-style-type: none"> a. Dispute resolution mechanisms are not transparent b. Not legally binding. c. Tends to favor large merchants. 	Effective for technical resolution but does not guarantee legal fairness.
Consumers	Easy access to store digital evidence	<ul style="list-style-type: none"> a. Low digital literacy b. Many consumers do not know their rights or complaint institutions. 	Legal protection is weak due to consumer unpreparedness.

Satjipto Raharjo argues that law enforcement is a process to realize the desires of the law, namely the thoughts of the legislative body formulated in legal regulations into reality (Raharjo, 1983).

Factors Influencing Law Enforcement

According to Soerjono Soekanto, there are five main factors that influence law enforcement:

- a. The Law Itself: Related to the content or substance of the laws or regulations in force.
- b. Law Enforcement Officers: Parties involved in the formation and application of the law, such as police, judges, and prosecutors.
- c. Facilities or Infrastructure: The availability and smooth operation of infrastructure that supports law enforcement, such as equipment, infrastructure, and technology.
- d. Society: The social and cultural conditions of society, including the level of legal awareness.
- e. Culture: The function of culture in regulating human attitudes and behavior within society.

According to Jimly Asshiddiqie, fundamentally, law enforcement is an effort deliberately undertaken to realize the ideals of law in order to create justice and peace in social, national, and state life (Asshiddiqie, 1998).

Law enforcement is the activity of harmonizing relationships between values that are outlined in norms or established value assessments and attitudes, not as a mere sequence of value derivations, in order to create social engineering, maintain, and uphold social control and peace in communal life (Soekanto, 1983).

There are three elements that must be considered in law enforcement:

1. Legal Certainty (Rechtssicherheit): Legal certainty provides judicial protection against arbitrary actions, meaning that a person can obtain what is expected under certain circumstances. Society expects legal certainty to create greater order.
2. Usefulness (Zweckmäßigkeit): Law is for humans, so the law or law enforcement must provide benefits or utility to society and must not create unrest due to the implementation or law enforcement.
3. Justice (Gerechtigkeit): Law is not identical to justice. Law is general, binding on everyone, and uniform. In contrast, justice is subjective, individualistic, and not uniform.

4. CONCLUSION

Legal protection for consumers in online buying and selling transactions is the State's effort to guarantee consumers' rights so they are protected from losses arising from misuse in electronic commerce. Normatively, such protection has been regulated through Law Number 8 of 1999 on Consumer Protection (UUPK), Law Number 11 of 2008 on Electronic Information and Transactions (UU ITE) and its amendments, as well as Government Regulation Number 80 of 2019 on Electronic Commerce (PMSE). However, the implementation of such legal protection still faces various challenges, such as the low level of legal awareness among consumers.

The enforcement of consumer protection law in online sales agreements in Indonesia essentially has a strong legal basis, namely through Law Number 8 of 1999 on Consumer Protection, Law Number 11 of 2008 on Electronic Information and Transactions (UU ITE) and its amendments, as well as Government Regulation Number 80 of 2019 on Electronic Commerce (PMSE). However, the effectiveness of such law enforcement has not been fully optimal. Several influencing factors include: the low level of legal awareness among society as consumers, weak supervision over online business actors, and limitations in law enforcement mechanisms in the digital sphere, which often involve cross-jurisdiction issues..

5. SUGGESTION

Ensuring the Legitimacy of Online Stores: Consumers should ensure that the online store where they shop has clear legality, such as a complete address, a contactable phone number, and an email address. In addition, consumers must make sure that the online store uses security certificates such as SSL to protect their personal information.

Monitoring Law Enforcement: The government or institutions responsible for enforcing consumer protection laws need to conduct regular monitoring of violation cases occurring in online buying and selling activities. This aims to ensure that law enforcement is carried out effectively and fairly.

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