



Legal Protection of Consumers in Electronic Transactions: Challenges and Future Prospects

Nanda Dwi Rizkia¹, Wahab Aznul Hidayah², Diah Turis Kaemirawati³,
Rica Regina Novianty⁴, Yenny Febrianty⁵

Universitas Nasional Jakarta, Muhammadiyah Sorong,

Universitas Krisnadwipayana Jakarta,

Universitas Hang Tuah Pekanbaru,

Universitas Pakuan Bogor

Email: nanda.dwi.rizkia@civitas.unas.ac.id,

wahabaznulhidaya@um-sorong.ac.id,

diahturis@unkris.ac.id,

Ricareginanovianty@htp.ac.id,

yenny.febrianty@unpak.ac.id

Abstract - The primary goal of this study is to examine how effectively consumer protection legislation in Indonesia has kept pace with the evolution of digital technology and its application to online transactions. In this age of ubiquitous electronic transactions, the significance of consumer protection has never been greater, as this study shows. Analysis of statutes, regulations, and other relevant legal documents is part of the normative research literature review methodology. Included in the literature review are the following statutes and regulations: Law 8 of 1999, which deals with consumer protection; Government Regulation 71 of 2019, which deals with the implementation of electronic systems and transactions; and Regulation 5 of 2020, which deals with the implementation of private scope electronic systems, which is ministerial decree. While the current standards are thorough, there are still several challenges to putting them into practice, according to the report. Consumers' ignorance of their rights, ineffective dispute resolution processes, and lax law enforcement are all factors contributing to this problem. Furthermore, this study delves into the significance of enhancing consumer safety via education and bolstering monitoring, as well as the need of revising rules to account for ever-evolving technology advancements.

Keywords: Consumer Protection, Electronic Transactions, Digital Technology, Regulation, Law Enforcement

I. INTRODUCTION

Changes to many parts of life, including financial transactions, have resulted from advances in information and communication technology (Naue dkk., 2024). The expansion of trade via the internet and other digital platforms has led to the rise of electronic transactions, which are now fundamental to international trade. With the advent of lightning-fast e-commerce around the turn of the century, this phenomena started to show itself (Rahman dkk., 2024). Customers are drawn to this approach for its convenience and the speed of transactions, which has led numerous company players to include it into their operations (Puluhulawa dkk., 2023).

With the rapid rise of e-commerce platforms like Tokopedia, Alibaba, and Amazon, and the widespread use of digital payment systems such as Dana, OVO, and GoPay, how effectively are consumer protection regulations being implemented in Indonesia? As digital technology continues to evolve, how can these regulations adapt to ensure robust consumer protection in electronic transactions? What measures are needed to keep up with the dynamic landscape of digital commerce and safeguard consumer rights effectively?

Nevertheless, new obstacles concerning consumer protection in electronic transactions have surfaced alongside technological advancements. Electronic transactions are more complicated and susceptible to dangers like fraud, identity theft, and privacy breaches than traditional face-to-face purchases. Protecting consumer rights requires thorough and efficient regulation (V. S. Putri dkk., 2023). Law 8 of 1999 on Consumer Protection is one of the statutes in Indonesia that govern consumer protection in online purchases, and there are a number of additional rules pertaining to digital commerce and online transactions (Setiyawan & Muhtar, 2023).

The implementation of electronic systems and transactions is governed by Government Regulation Number 71 of 2019 and the implementation of private scope electronic systems is governed by Minister of Communication and Information Technology Regulation Number 5 of 2020. Other important regulations pertaining to digital trade and electronic transactions include these. electronic. The purpose of these rules is to provide a reliable system for resolving disputes, safeguard customers' personal information, and guarantee the safety of financial transactions. Consistent law enforcement and raising consumer understanding of their rights are two areas where these policies currently face obstacles in implementation.

An early idea on consumer protection in online transactions was based on the tenets of consumer protection generally, which state that buyers have a right to accurate information, a right to a safe product, and a right to compensation in the event of a loss. When discussing online purchases, this idea is taken a step further to include things like data privacy, openness about the products and services offered, and efficient methods for resolving disputes. Since the digital world is ever-changing, legal experts contend that consumer protection in online transactions must also be flexible (Muhtar, 2023).

Consumer protection in electronic transactions is an evolution of the general consumer protection concept that has long been recognized in law. The basic concept of consumer protection is rooted in the fundamental rights that every consumer has, such as the right to obtain accurate and correct information regarding the products or services they purchase, the right to product safety to ensure that the goods or services received do not pose a danger to consumers, as well as the right to obtain compensation if they experience losses due to products or services that do not comply with promises or established standards. In the realm of electronic transactions, this concept has experienced significant expansion along with the development of digital technology which has changed the way consumers and business people interact.

In the context of electronic transactions, consumer protection must cover more specific aspects, such as the security of personal data. With the increasing number of transactions carried out online, consumers' personal data has become a very valuable asset and is vulnerable to various threats, including data theft and misuse of information. Therefore, strong regulations and effective data security mechanisms are very important to protect consumers. Apart from that, transparency of information regarding products and services is also a crucial aspect. Consumers must be given clear and complete information about product specifications, prices, terms of use, and return policies. This transparent information helps consumers make more informed decisions and reduces the risk of fraud.

A crucial component of consumer protection in the digital age is an efficient dispute resolution process. Traditional dispute resolution methods may fail in certain cases involving electronic transactions due to the geographically dispersed nature of the parties involved. Consequently, customers want an online dispute resolution process that offers swift and equitable resolutions (Imran dkk., 2022). Due to the ever-changing nature of the internet, legal professionals contend that consumer protection laws pertaining to online purchases must be flexible enough to accommodate new technologies. New technology developments and

shifting consumer behavior patterns need constant revisions to consumer protection legislation and policy.

Even while there is a reasonably solid legal foundation in place thanks to current rules, a big obstacle in the way of consistent application and enforcement of the law is the difficulty of protecting consumers in online transactions. The majority of the problems stem from the fact that current rules do not correspond with actual events, particularly when it comes to the ineffectiveness of law enforcement. Even today, many buyers have little idea what their legal rights are or how to protect themselves in the dynamic online world. Rapid technology advancements also need rules that may be flexible and adaptable to new breakthroughs and future threats.

The purpose of this writing is to analyze the effectiveness of current consumer protection regulations in electronic transactions within Indonesia and to propose ways in which these regulations can evolve to address the continuous advancements in digital technology.

II. METHOD

This study will use normative research methodologies to examine how successfully consumer protection measures in Indonesian electronic transactions have been put into place and how well these policies have been able to adapt to the evolution of digital technology. The literature reviews that make up normative research will center on a variety of legislative rules, court papers, and other relevant literature (Syarif dkk., t.t.). A literature review will be conducted to gather data, which will cover topics such as consumer protection laws, regulations, and policies. These laws and policies include the following: law number 8 of 1999, government regulation number 71 of 2019, and regulations number 5 of 2020 from the minister of communication and information technology. The criteria for selecting legislative rules, court papers, and other relevant documents will be clearly defined to ensure relevance and comprehensiveness. Selection will be based on their applicability to current consumer protection issues, their role in regulating electronic transactions, and their impact on the implementation of digital technology. A qualitative descriptive analysis will be conducted to identify and assess different aspects of the rules and the challenges to their implementation. This study will also explore ways in which current legislation can be revised and updated to address new issues arising from developments in digital technology, using change-responsive legal concepts.

III. RESULT AND DISCUSSION

1. Effectiveness of Implementing Consumer Protection Regulations in Electronic Transactions in Indonesia

In order to ensure the safety and convenience of customers, electronic transactions in Indonesia are governed by a number of supplementary laws. Every customer has the right to feel safe, secure, and comfortable while purchasing products and services, as outlined in Law No. 8 of 1999 Concerning customer Protection (UUPK). Additionally, the UUPK governs the responsibilities of commercial actors to be forthright and accurate while advertising products and services, as well as to provide services in line with the stated exchange rate and terms and guarantees. These laws provide a solid foundation for safeguarding consumers from harmful activities in the context of electronic transactions (Indriani, 2017).

The primary issue with applying and enforcing consumer rights in the digital sphere is the framework of Law Number 8 of 1999 for Consumer Protection (UUPK). The implementation of UUPK in electronic transactions often encounters hurdles, despite the fact that it offers a thorough legal foundation for consumer protection. A large portion of the consumer population is still in the dark about their legal protections, and there is a chasm in understanding between businesses and their customers about who is responsible for what. Furthermore, irresponsible corporate actors might take advantage of the fact that current monitoring and law enforcement systems are not well equipped to deal with instances of consumer rights abuses in cyberspace (Gobel dkk., 2023).

To further safeguard consumers, the government has issued Regulation No. 71 of 2019 on the implementation of electronic systems and transactions, which governs the nuts and

bolts of electronic transaction processing. Operators of electronic systems are obligated under this PP to safeguard customers' personal information by keeping it secret, intact, and accessible at all times (Vania dkk., 2023). Electronic system operators are also required by government regulations on PSTE to ensure the security of transactions and to provide efficient methods for resolving disputes. Customers will hopefully feel more at ease making purchases online and know that their personal information is well-protected thanks to this rule.

Problems with technological implementation and consumer data protection have arisen in relation to Government Regulation No. 71 of 2019 about the Implementation of Electronic Systems and Transactions (PP PSTE). A large number of businesses have not really adhered to the strict security requirements that this PP has imposed on operators of electronic systems (Attirmidzi & Rizka, 2022). The inadequacy of current monitoring and penalty systems in encouraging complete compliance from operators of electronic systems is shown by the persistence of incidents involving the leaking and abuse of personal data of consumers. Another factor that hinders the intended efficiency of protection is the lack of simple access or enough information for customers about how to report breach occurrences.

In addition, for more extensive restrictions on how the private sector may install electronic systems, see Minister of Communication and Information Technology Regulation Number 5 of 2020 about the Implementation of Private Scope Electronic Systems (Permenkominfo 5/2020). Data security and customer privacy are major concerns for this minister of communication and information regulation, who has mandated that private electronic system providers adopt sufficient security measures and promptly disclose any events involving information security. In addition to establishing clear procedures for customers to follow in the event of a dispute arising from an electronic transaction, this rule governs the operator's responsibilities to guarantee that customer information is accurate, complete, and not misleading (D. D. F. Putri & Fahrozi, 2021).

Various technical and operational issues have arisen during the implementation of Regulation No. 5 of 2020 by the Minister of Communication and Information Technology for the Implementation of Private Scope Electronic Systems (Permenkominfo 5/2020) (Rahardjo & Afifah, 2022). It is still challenging for many private electronic system providers, particularly smaller and medium-sized businesses that may lack the necessary resources, to achieve the necessary security requirements. Noncompliance is also common due to a lack of knowledge about one's legal responsibilities and the necessary processes (Disemadi, 2021). Another ongoing issue is the lack of clarity and accessibility of information provided to customers, since many businesses have not yet completely implemented best practices in this area.

When it comes to putting the rules in place to safeguard consumers' interests in online purchases, Indonesia encounters a number of obstacles. Customers' ignorance on their legal protections is a major issue. The rights of consumers to accurate information, safe products, and compensation in the case of injury are often misunderstood (Putranto & Harvelian, 2023).

Business actors' lack of candor, in which they don't always provide customers precise and clear information about the goods and services they offer, makes the situation worse. On top of that, the effectiveness of law enforcement in preventing regulatory infractions is still low. While penalties for regulatory infractions do exist, their uniform application means that they fail to adequately discourage noncompliant corporate actors (Rongiyati, 2019).

Electronic transactions have significantly transformed commerce in Indonesia, necessitating robust consumer protection measures. Despite having a solid legal framework in place, there are several challenges in the implementation and enforcement of these laws. The main issues revolve around consumer awareness, corporate compliance, and the adequacy of current regulations in addressing the evolving digital landscape. Key Issues:

1. Consumer Awareness:

- 1) Many consumers are unaware of their legal rights and protections in the context of online transactions.
- 2) There is a significant gap in understanding between businesses and consumers regarding responsibilities and protections.

2. Corporate Compliance:
 - 1) Irresponsible corporate actors often exploit weak monitoring and enforcement systems, leading to consumer rights abuses.
 - 2) Businesses frequently fail to adhere to stringent security requirements mandated by regulations, resulting in data breaches and misuse of personal information.
3. Regulatory Challenges:
 - 1) Existing laws such as Law No. 8 of 1999 and Government Regulation No. 71 of 2019 provide a strong foundation but face hurdles in practical application.
 - 2) There is a lack of clear and efficient processes for consumers to file complaints and seek redress.
 - 3) The enforcement of penalties for non-compliance is inconsistent, reducing their deterrent effect.
4. Technical and Operational Issues:
 - 1) Small and medium-sized businesses often struggle to meet the security requirements due to limited resources.
 - 2) Implementation of best practices in data security and customer privacy is incomplete.
 - 3) Dispute resolution mechanisms provided by electronic system operators are often inaccessible or too complex for consumers.

Technically speaking, many operators of electronic systems still have a hard time fulfilling the security requirements set forth by PP PSTE and Permenkominfo 5/2020. Small and medium-sized businesses may struggle to afford the substantial investments needed to implement security measures like data encryption, identity verification, and security incident reporting. Data breaches and privacy invasions often affect customers because of this. Not to mention that appropriate methods for resolving disputes have not been properly put into place. Electronic system providers are required to provide dispute resolution channels; yet, many customers still have trouble using these channels, either because they don't know how or because they find the procedure too onerous or time-consuming.

Keeping an eye on things and making sure everyone follows the rules is another problem the government has. Supervising the compliance of business actors is not as effective as it might be due to a lack of resources and technical ability in connected authorities. Also, there are frequently holes in the enforcement of rules because of poor interagency collaboration. Improved interagency collaboration, along with increased training and capability for law enforcement, is necessary to address this issue. Along those lines, it's important to work on raising people's digital literacy so that they can better understand and avoid scams while making online purchases.

In short, there are a number of significant challenges to the effective execution of Indonesia's consumer protection rules pertaining to online transactions. To conquer this obstacle and safeguard consumer rights in the dynamic digital age, the government, corporate players, and society as a whole must work together.

2. Adaptation of Consumer Protection Regulations in Electronic Transactions to the Development of Digital Technology

Changes in consumer habits and trading strategies have resulted from the dramatic shift in the nature of electronic transactions brought about by the exponential growth of digital technology. Electronic commerce, smartphone apps, and other digital services have greatly expanded the reach of online transaction platforms in the modern day. But new problems with consumer protection have arisen alongside this development. Uncertainty about their legal rights in online transactions, privacy invasions, and fraud are just a few of the new dangers that consumers confront (Matompo, 2020).

Changes in consumer habits and trading strategies have resulted from the dramatic shift in the nature of electronic transactions brought about by the exponential growth of digital technology. Electronic commerce, smartphone apps, and other digital services have greatly expanded the reach of online transaction platforms in the modern day. Businesses benefit from this shift since it opens up new markets to serve customers and makes products more

accessible. Nevertheless, new consumer protection-related concerns have emerged alongside this progress and need immediate and substantial action.

The potential for fraud in online purchases is one of the biggest obstacles. Many other types of online fraud exist, including the selling of fake items, delayed or non-existent product delivery, and manipulation of prices. Furthermore, privacy invasions are becoming a major concern. It is common for digital platforms to utilize consumers' personal information for commercial gain without their knowledge or permission. The confidence that consumers have in digital platforms might take a hit due to this invasion of privacy (Tan, 2016).

Another major hurdle to electronic transactions is the absence of clear legal guidance. Law 8 of 1999 on Consumer Protection and Government Regulation 71 of 2019 on Implementation of Electronic Systems and Transactions are two of the many laws in Indonesia that address online purchases; however, the laws are seldom enforced or put into practice. Many buyers are susceptible to deceitful methods because they do not know their rights when it comes to online purchases. Law 8 of 1999 on Consumer Protection and Government Regulation 71 of 2019 on Implementation of Electronic Systems and Transactions are two of the legislation that have been enacted to ensure the safety of online shoppers in Indonesia. Regardless, the lack of strong implementation and enforcement often results in considerable legal confusion. The major reason for this is that some items still have some work to do before they can completely adapt to new technologies and the complexities of online transactions. It is important to examine problematic articles and think about changing rules to make consumers more protected for this reason (Setiawan dkk., 2020).

A study of provisions in Indonesian legislation pertaining to consumer protection in electronic transactions is presented in the following table, along with suggestions for adjustments:

Table 1
Analysis and Recommendations for Adjusting Consumer Protection Regulations in Electronic Transactions

No	Regulations	Chapter	Description	Problem	Adjustment Recommendations
1	Law Number 8 of 1999 concerning Consumer Protection	Article 4	Consumer rights (comfort, security, safety)	The implementation might be better, and the process for filing complaints is unclear.	Incorporate a user-friendly and efficient system for filing complaints
2	Law Number 8 of 1999 concerning Consumer Protection	Article 19	Responsibilities of business actors	Electronic transactions are not secure, and personal data is not protected.	Business actors' duties should be broadened to include the protection of personal data and the security of transactions.
3	Government Regulation Number 71 of 2019 concerning Implementation of Electronic Systems and Transactions	Article 11	Data privacy, security, and availability are of the utmost importance.	There has been no improvement to the security system.	Raise security requirements to bolster responsibilities.
4	Government Regulation Number 71 of 2019 concerning Implementation of	Article 13	Requirement to notify of security events	The consequences for not reporting an occurrence are not severe.	Organizers who do not disclose security issues will now face harsh penalties.

No	Regulations	Chapter	Description	Problem	Adjustment Recommendations
	Electronic Systems and Transactions				
5	Law Number 8 of 1999 concerning Consumer Protection	New article (proposal)	Empowering consumers with education	Online shoppers tend to be less informed about their legal protections.	Creating new articles to govern consumer education and empowerment
6	Government Regulation Number 71 of 2019 concerning Implementation of Electronic Systems and Transactions	New article (proposal)	Monitoring and enforcement of the legislation	Law enforcement and oversight are inadequate.	Creating a separate regulatory body to deal with electronic consumer protection concerns

More research on the legal grey areas surrounding online purchases in Indonesia is necessary, particularly with regard to consumer protection. According to the data in the table, there are gaps in consumer protection laws and regulations that require updating. These laws and regulations are Law No. 8 of 1999 and Government Regulation No. 71 of 2019, respectively, and they deal with the introduction of electronic systems and transactions.

Rights of consumers, including ease, security, and safety, are governed by Article 4 of Law No. 8 of 1999. But these rights aren't always put into practice in the best way possible when dealing with online purchases. Disputes that consumers encounter are often not resolved via a transparent and efficient complaint process. As a result, a simple and effective method of filing complaints about issues with online purchases is required. So that customers may rest easy, this system needs a way to deal with concerns in a timely and open manner.

Although it addresses the duties of businesses in Article 19 of Law No. 8 of 1999, the security of customers' private information and online transactions is still not addressed. Companies in the modern digital age have a dual responsibility to ensure the security of their customers' personal information and the quality of the products or services they provide. Because of the importance of safeguarding customers' personal information and preventing other security breaches, the scope of responsibility for business actors must be broadened to include these areas.

Data privacy, availability, and integrity are responsibilities of operators of electronic systems that are outlined in Article 11 of Government Regulation No. 71 of 2019. Unfortunately, many organizers lack a sufficient security system, which often causes hurdles while attempting to execute this item. Tightening laws by establishing stricter security standards and mandating compliance from operators of electronic systems is important to tackle this challenge.

The accountability of operators of electronic systems to disclose security occurrences is governed by Article 13 of the same rule. The usefulness of this item is called into doubt due to the lack of harsh punishments for organizers who do not disclose security problems. To enhance accountability and promote regulatory compliance, it is recommended to implement strong penalties for organizers who fail to meet these requirements.

Not only are revisions to current articles necessary, but new articles governing consumer empowerment via education are also required. Customers are more likely to fall prey to deceitful activities when they do business online because they lack knowledge about their rights. Many are hoping that by reading this article, which governs consumer education and awareness efforts, people would have a better grasp of their rights and be better able to protect themselves.

Increasing oversight and enforcement of the law is another necessary change. One possible way to improve the efficiency of monitoring and law enforcement is to establish a separate agency whose only purpose is to deal with consumer protection concerns related to online purchases. This organization needs the power to punish rulebreakers and make sure all businesses and people using electronic systems follow the rules.

The goal of these changes is to strengthen consumer protections and reduce legal ambiguity around electronic transactions. In order to make customers feel more at ease and secure while making electronic transactions, a more robust and flexible regulatory framework is needed.

IV. CONCLUSION

This study has identified key challenges in protecting consumers in electronic transactions in Indonesia, despite having a comprehensive legal framework, such as Law No. 8 of 1999 and Government Regulation No. 71 of 2019. The main issues include a lack of consumer awareness, leaving them vulnerable to fraud and data breaches, and significant enforcement gaps that allow non-compliant businesses to evade penalties. To address these, the study recommends implementing nationwide consumer education campaigns, enhancing enforcement mechanisms with a dedicated regulatory body, and improving interagency collaboration. Additionally, regular updates to legislation are crucial to keep pace with technological advancements and emerging threats. Simplifying the complaint process through a centralized online portal and ensuring accessible and efficient dispute resolution channels are also essential. By adopting these measures, Indonesia can better protect consumers in the digital age, ensuring legal frameworks are robust and consumers are well-informed and safeguarded in their online transactions.

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