



Legal Protection For Consumers In Consumers Electronic Transactions

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ABSTRACT

The presence of electronic commerce or electronic commerce, not only has a positive impact on the world of trade, especially in Indonesia, but has also given birth to laws against consumers for electronic commerce users. Consumer protection is a term used to describe the legal protection provided to consumers in an effort to meet their needs from things that can harm consumers themselves. By understanding the understanding of the consumer itself, it will be able to know what things are the rights and obligations of the consumer and also the relationship between the consumer and the business actor. Consumer protection in Indonesia is regulated in the Law of the Republic of Indonesia Number 8 of 1999 concerning Consumer Protection. The writing method used is a normative legal research method, namely through library research or library research, namely research conducted by examining library materials related to the problems to be studied. Library materials that are used as sources of research are also called secondary data. The payment system used in electronic commerce must be paid through an electronic system as well, either by using a credit card or debit card. Security by using this system is protected by Law Number 11 of 2008 concerning Information and Electronic Transactions.

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1. Introduction

In recent times, with the spread of internet media everywhere, especially in Indonesia, and with the proliferation of internet cafes or what is usually abbreviated as warnet, which is almost the same as wartel, it turns out that many companies have started trying to offer a variety of services. kinds of their products by using this one media.

Electronic commerce are business activities involving consumers (consumers), manufactures (manufactures), service providers and trade intermediaries (intermediaries), using computer networks, namely the internet.

Advances and developments in technology, especially telecommunications, multimedia and information technology (telematics) will eventually change the organizational structure and social relations. Those who have been able to enjoy the benefits of telematics have proven to have increased economic power and become a relatively prosperous group of people, and conversely those who have not had the opportunity to use telematics technology are generally low-income and even in some countries they live in poverty. Phenomena like this further strengthen the hypothesis that the winner takes all, which more or less implies the meaning that the rich will get richer while the poor will remain poor.

Electronic commerce is one of the forms of trade transactions that is most influenced by the development of information technology. Through this trade transaction the concept of traditional markets (where sellers and buyers physically meet and face to face) has changed to the concept of telemarketing (distance trade using communication media, namely the internet), electronic commerce has changed the way consumers obtain the products and services they want.

The development of the internet which later gave rise to electronic commerce is one of the promising business alternatives. In some literature, the term electronic commerce is often equated with the term electronic business or online transaction. Even for some people with adequate skills have been able to change the data on the computer very easily without leaving a trace. In addition, in transaction activities, it is very difficult to determine and ensure the status of legal subjects, in this case the authenticity and authority of the parties involved, both consumers and producers, apart from what is mentioned above, proving the origin of data or information is quite a problem. quaint.

Indonesia in implementing the law for internet users, especially to protect consumers who use electronic services, has experienced many problems. This is due to the fact that many of the characteristics of the electronic commerce system whose network is wide and also worldwide have clearly made legal protection for consumers to be really less guaranteed.

Even if these problems can be overcome technically, the construction of legal protection will not be that simple. Business activities, the interaction between producers and consumers are phenomena that can be assumed to be ongoing and direct. Technological innovation, in this case the use of networks and information technology will continue to change, in line with the increasingly sophisticated efforts to thwart it.

2. Method

The writing method used in this scientific paper is a descriptive method, namely by describing and also systematically describing the legal protection for consumers in conducting electronic commerce transactions.

As for the research data used in this scientific work, it consists of primary data, secondary data, and also tertiary data. The primary data used is the Law of the Republic of Indonesia Number 8 of 1999 concerning Consumer Protection and also the Law of the Republic of Indonesia Number 11 of 2008 concerning Information and Electronic Transactions. The secondary data used in the writing of this scientific paper is in the form of references from several books, newspaper articles, discourse magazines presented by legal experts and also political experts, and the last, of course, through websites from the internet. While the tertiary data that is the supporting material for writing this thesis is a dictionary, both a language dictionary and a dictionary of legal terms.

The data analysis used in the writing of this scientific paper is qualitative analysis, where the data are collected, then separated according to their respective categories, and then interpreted in an effort to find answers to the problems contained in the scientific paper.

3. Analysis and Results

3.1. Payment System In Electronic Ecommerce

Consumers who want to choose the service product to be purchased can use the 'shopping cart' to store data about the goods that have been selected and will be ready to be paid for. This 'shopping cart' concept imitates the shopping carts that people usually use to shop at

supermarkets. 'Shopping carts' are usually web forms, and are created with a combination of CGI, databases, and HTML. Items that have been added to the shopping cart can still be cancelled, if the buyer intends to cancel the purchase of the item. If the buyer wants to pay for the goods that have been selected, they must fill out the transaction form.

If paper documents used in transactions can be converted into electronic or digital form, then of course paper money can also be converted into electronic form as long as the function of existence and use is the same. In transactions through the internet network, you can use "digital cash", which is displaying money in digital form on electronic media that can be used to make payments or withdraw money from the account number of someone who has previously saved at the bank.

For payments in electronic commerce transactions provide many alternatives. The trick is to first register as a customer on the website. Payment systems that already exist and have been used at this time include: 46

- a. By using a debit card or debit card.
- b. By using a credit card or credit card.
- c. By using cash, money orders, or transfers.

If you want to make payments using a debit card or debit card as a means of payment after shopping on the internet, the consumer is required to first have an account at a bank. And when the consumer is about to make a payment, the payment for the goods that have been selected will be taken from the account number in the bank by debiting the savings deposited by the buyer at the bank concerned.

3.2. Consumer Data Protection

To overcome this security problem various efforts have been made. In the United States, for example, introduced 3 security systems, which are as follows:

- a. Digital signature (digital signature).
- b. Public key cryptography (general randomization key).
- c. Digital certificate issued by certification authority.

Security systems in the internet media were created to realize the objectives of information security, namely:

- a. Authentication (authentication)
- b. Confidentiality (confidentiality)
- c. Data Integrity (data integrity)
- d. etc.

Until the early 21st century, cryptography is still the best way to protect data from the possibilities change who do not desired (undesirable modification). However, in an electronic environment, the validity of a message is difficult to prove, this is because:

- a. the message is not much different from the copy of the message itself,
- b. in the message itself there are signs (signature),
- c. the message does not fit on a piece of paper (paperless).

The possibility of fraud becomes very large, because the interception and alteration of information contained in electronic form can be carried out without being detected.

The process of this randomization is as follows: if someone wants to communicate with someone they don't know and have never been in touch with, then they can exchange their respective public key texts. Then, the party sending the message scrambles the message it sent with the other party's public key and only the recipient can reorder the received message with their secret key. The security of this system will be reduced if the secret key pair of their public key is known by others. So, if they want to communicate by sending secure e-mail messages,

then they have to use a paired encryption key program. Thus, they can send each other e-mail messages on the internet.

3.3. Electronic Ecommerce Consumer Confidentiality Guarantee

To maintain security, parties who transact using internet media use digital certificates issued by a certification authority (CA). Each party will provide information about their identity to the certification authority and certification authority who will check the authenticity of the identity of the seller and buyer before finally ratifying the digital certificate. For example, the certification authority will check with the issuer, whether the name, credit card number, expiry date, and also the address of the cardholder who requested the digital certificate to be made is authentic and not fictitious. The certification authority will then generate a digital certificate containing the cardholder's identity information and public key, along with the "hidden" credit card number information.

Parties who wish to exchange information via the internet will secure transactions using cryptography technology or public key encryption, symmetric keys and hash functions. Almost all messages exchanged also use digital signatures. This extensive use of cryptography makes SET transactions very secure.

Out of the fairly secure SET system, electronic commerce consumers must remain vigilant about their credit card data. Irresponsible third parties are always there and want to abuse other people's credit cards, and they are still able to get credit card data in various ways, including by:

- a. Chat, which is a powerful way while chatting is done in the exchange of credit card numbers.
- b. Bill or credit card charges. Looking for a bill or bill from the trash or it can happen that the shop (merchant) or cashier holds a copy of the bill and copies the credit card number or it can also use a device to record the data on the credit card magnetic tape.
- c. Gift traps are often used to attract people to mention their credit card numbers. This trap can be done by calling or sending messages via Short Message Service (SMS). Then the carder asks for the credit card number and traps the cardholder.
- d. Stealing data over the phone. For example, by calling someone and telling them that the card usage has reached the limit. The cardholder of course immediately complained and this was used by the caller by asking for the card number and other data to be checked in his database. The cardholder who complained earlier rarely thought about it and immediately informed him of the card number and other data because he felt that this was in accordance with the procedure.
- e. The last way is to use a surveillance device to get the credit card number of the potential victim. In addition, by logging into databases belonging to internet service providers or commercial sites, hundreds or even thousands of credit card numbers will be obtained.

3.4 Transaction Failure In Electronic Commerce

This electronic commerce trade also gives birth to negative risks that often arise in the form of frauds that tend to harm consumers in conducting electronic commerce or electronic commerce, including:

- a. In the event that the product ordered does not match the product offered,
- b. Error in payment,
- c. Timeliness in delivering goods or delivery of goods,
- d. Other things that are not in accordance with the previous agreement.

In matters involving payment transactions in electronic commerce using a credit card or debit card, the bank will be involved. It is often a problem that if there is a failure in an electronic commerce transaction, whether the card owner or cardholder will still be charged for a bill that actually never happened.

3.5 International Arrangements In Elcetricon Ecommerce

United Nations in its Resolution no. 39/248 of 1985 provides a formulation on consumer rights that must be protected by producers/entrepreneurs. The formulation of consumer rights is based on the results of a long study of 25 member countries of the United Nations. The consumer rights in question are: 88

- a. Protection of consumers from hazards to health and safety;
- b. Promotion and protection of the social, economic interests of consumers;
- c. Availability of adequate information for consumers;
- d. Consumer education;
- e. Availability of effective redress efforts;
- f. Freedom to form consumer organizations or other relevant organizations and provide opportunities for these organizations to voice their opinions in the decision-making process that concerns their interests.

In the current development of electronic commerce, one of the commissions under the United Nations called the United Nations Commission on International Trade Law (UNCITRAL), has made a guide and guide for conducting business transactions electronically and other matters under the name UNCITRAL Model Law on Electronic Commerce, and has been approved based on General Assembly Resolution No. 51/162 dated December 16, 1996.

The UNCITRAL model has become the basis for making electronic commerce or cyber laws from many countries, including the Electronic Transaction Act of Singapore, Malaysia Digital Signature Act 1997, Philippines E-Commerce Act No. 8792, and last but not least, the Law of the Republic of Indonesia Number 11 of 2008 concerning Information and Electronic Transactions.⁹¹

3.6 Regulation of Electronic Commerce Transactions in Law Number 11 of 2008 concerning Information and Electronic Transactions

Given the increasing use of the internet, including for trade, the government is also required to issue laws regarding this matter. And finally the Law of the Republic of Indonesia Number 11 of 2008 was passed concerning Electronic Information and Transactions. The Law on Information and Electronic Transactions (UITE) is a law that regulates various legal protections for activities that use the internet as a medium, both transactions and the use of information. The Information and Electronic Transactions Law also regulates various threats of punishment for crimes through the internet. This Law on Information and Electronic Transactions accommodates the needs of business people on the internet and society in general in order to obtain legal certainty,

4. Conclusion

Electronic commerce comes from two words, namely electronic and commerce. Where electronic is defined as electronics. While commerce is defined as trade or commerce. Which when combined, it can be interpreted that electronic commerce is a dynamic set of technologies, applications and business processes that connect companies, consumers, and certain communities through electronic transactions and trade in goods, services, and information carried out electronically. Electronic commerce transactions are transactions carried out via the internet without presenting business people. The payment system used in electronic commerce is definitely electronic, namely by using payment instruments : Debit card or debit card and Credit card or credit card. The security system in transactions using the internet consists of several systems, namely as follows: (a) cryptography, cryptography (cryptography) is a field of knowledge that uses mathematical equations to perform the process of encrypting and decrypting data. This technique is used to convert or convert data into the form of certain codes, with the aim of storing information or data transmitted over an

insecure network (e.g. the internet), cannot be read by anyone except by authorized persons. (b) Digital signatures, Schneier provides a definition of digital signature which is a number of alphanumeric characters generated from mathematical operations of cryptography and issued from a computer to an electronic document. So, in short, a digital signature is an ordinary signature on a paper document. So signatures are very useful to ensure the authenticity of securities or documents, including securities or electronic documents, it is necessary to have a signature, namely a digital signature or digital signature. In Indonesia, the legal power of digital signatures or digital signatures has not been regulated, both in laws and government regulations regarding the law of evidence. This does take a relatively long time, as well as the acknowledgment of the validity of the evidence from tele and facsimile. However, to support business development through internet media, the authorities should have started to direct their attention so that the legal aspects for internet media are not left behind from other aspects, such as technical and business developments that are growing very rapidly. (c) digital certificate or digital certificate. *Digital certificate* or a digital certificate is something that can be used to determine that someone has used the real (real) public key that was addressed to a specific person. Inside the digital certificate it is very important to have a digital signature (digital signature), the purpose of which is to have a digital signature on the digital certificate to show that the validity of the digital certificate really belongs to the party concerned, namely the owner of the digital signature. Consumer protection is all efforts to ensure legal certainty to provide protection to consumers. Consumer protection is a shared responsibility between the government and the community, therefore, the government ratified Law No. 8/1999 on Consumer Protection and also Law No.11 of 2008 concerning Information and Electronic Transactions. These two laws are the guarantee of legal protection for electronic commerce users, especially protection for consumers who are often the most disadvantaged parties.

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