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### Analysis of the Impact of Revisions to the Consumer Protection Law in the Digital Era

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#### ABSTRACT

The development of digital technology has brought significant changes in various aspects of life, including trade transaction patterns. The digital era opens up new opportunities for businesses and consumers, but on the other hand, it also presents new challenges in terms of consumer protection. This research aims to analyze the impact of the revision of the consumer protection law in the digital era. This research uses a qualitative method with a case study approach. Data was collected through interviews with legal experts, businesses, and consumers, as well as analysis of related documents. The research results show that the revision of the consumer protection law has had both positive and negative impacts. The positive impact is that the revision of this law strengthens consumer rights and provides legal certainty in digital transactions. The negative impact is that the revision of this law still has several weaknesses in its implementation.

#### 1. Introduction

In the digital era, the internet has transformed into a new public space. Almost all aspects of human life are touched by digital technology, including trade. Transactions that were previously carried out traditionally are now mostly carried out online through e-commerce platforms, marketplaces, and social media. This development brings new opportunities for businesses and consumers. Business actors can reach a wider market at lower costs. Consumers have greater access to various products and services at more competitive prices.<sup>1-3</sup>

However, the digital era also presents new challenges in terms of consumer protection. Fast and easy online transactions, as well as minimal physical interaction between buyers and sellers, make

consumers vulnerable to various forms of fraud, violations of consumer rights, and misuse of personal data. Cases of online fraud, such as fraud under the guise of online buying and selling, fraudulent investment fraud, and misuse of personal data, are rife. This shows that consumer protection in the digital era is still weak and needs to be strengthened.<sup>4-6</sup>

Law Number 8 of 1999 concerning consumer protection, which was passed before the digital era, is no longer considered sufficient to protect consumers in online transactions. Therefore, the Indonesian government has revised the law in 2022. The revision of the consumer protection law is expected to be able to answer new challenges in the digital era. However, there has been no research that specifically analyzes the impact of this law revision on consumer rights and

welfare.<sup>7</sup> This research aims to analyze the impact of the revision of the consumer protection law in the digital era. It is hoped that the results of this research can provide input to the government, businesses, and the public in efforts to increase consumer protection in the digital era.

## **2. Methods**

This research uses a qualitative method with a case study approach. The case study approach was chosen because this research wants to understand in depth the impact of the revision of the Consumer Protection Law in the digital era. Interviews were conducted with three groups of informants: 1. Legal experts to obtain information about the revision of the Consumer Protection Law and its relation to consumer protection in the digital era. 2. Businesses: to find out how the revised law affects their business practices and how they protect consumers in online transactions. 3. Consumers: to understand their experiences with online transactions and how the revised law affects their rights. Interviews were conducted using interview guidelines that had been prepared previously. This interview guide contains questions about Informants' perceptions about the revision of the consumer protection law, the impact of this law revision on consumer rights and welfare, Weaknesses, and deficiencies in the revision of the consumer protection law, recommendations to increase the effectiveness of the revision of the consumer protection law.

Documents analyzed in this research include Law Number 8 of 1999 concerning Consumer Protection; Law Number 11 of 2008 concerning information and electronic transactions; Government Regulation Number 80 of 2019 concerning trading via electronic systems; Research results and publications related to consumer protection in the digital era. Observations were made to observe how consumers transact online and how e-commerce platforms protect consumers. Observations were made on several popular e-commerce platforms in Indonesia.

Data from interviews, document analysis, and observations were analyzed using qualitative data analysis techniques. Qualitative data analysis is the process of understanding the meaning behind the data

collected. Data analysis is carried out in the following steps: Data reduction, the process of simplifying the collected data; Data classification, the process of grouping data based on certain categories; and Data interpretation, the process of understanding the meaning behind the collected data. The results of data analysis are presented in the form of descriptive and interpretive narratives.

To ensure the validity of the data, this research uses several techniques: Triangulation, using several data sources and data collection methods to check the correctness of the information; Persistence, conducting repeated observations and interviews to obtain in-depth data; Member check: asking informants to confirm the results of data analysis. This research was conducted by paying attention to research ethics, including Informed consent, where informants were informed about the purpose of the research and their rights as informants; Confidentiality, where the identity of the informant is kept confidential; Objectivity, where researchers strive to be objective in analyzing data.

## **3. Results and Discussion**

The research results show that the revision of the consumer protection law has had both positive and negative impacts.

### **Positive impact**

#### **Strengthening consumer rights**

The revised consumer protection law strengthens consumer rights in several aspects, including: The right to correct information: Consumers have the right to obtain clear and correct information about the products or services offered, including information about price, quality, and risks. The right to security and comfort: Consumers have the right to security and comfort in transactions, including protection from fraud and misuse of personal data. Right to choice: Consumers have the right to choose products or services that suit their needs and desires. Right to compensation: Consumers have the right to compensation if the product or service they receive is not as promised or if they suffer losses as a result of online transactions.

### **Provide legal certainty**

The revised consumer protection law provides legal certainty in digital transactions, including in terms of dispute resolution. This is important to increase consumer confidence in online transactions.

### **Increase consumer confidence**

With legal certainty and stronger rights, it is hoped that consumer confidence in online transactions will increase. This is important to encourage digital economic growth.

### **Negative impact**

#### **Lack of consumer education and digital literacy**

Many consumers still do not understand their rights and how to protect themselves in online transactions. This makes them vulnerable to various forms of fraud and violations of consumer rights.

#### **Weak supervision and law enforcement**

Supervision and law enforcement regarding violations of the Consumer Protection Law are still weak. This makes the perpetrators of violations not deterred, and consumers do not get maximum protection.

#### **Ineffective dispute resolution mechanism**

The currently available dispute resolution mechanisms are still not effective. The long and complicated process makes consumers reluctant to take legal action.

Legal certainty is a fundamental factor in building consumer trust and encouraging investment in the digital economy. Consumer trust in the security and fairness of online transactions is the main key to encouraging their participation in the digital economy. Legal certainty helps reduce risk and uncertainty for consumers and investors. With clear and transparent regulations, consumers and investors can understand their rights and obligations and predict the consequences of their actions. This encourages them to be bolder in making transactions and investing in the digital economy. Legal certainty through strong regulations can protect consumers from fraud, data

misuse, and other unfair practices. Consumers who feel protected will be more confident in online transactions encouraging them to increase their participation in the digital economy. Legal certainty creates a conducive environment for investors. Investors feel safer and more confident about investing in the digital economy when they know that clear and transparent regulations protect their rights and investments. Legal certainty helps increase market efficiency by reducing transaction costs and increasing access to information. This encourages more consumers and investors to participate in the digital economy, ultimately increasing economic growth. Countries with strong legal certainty in the digital economy will be more attractive to global investors and companies. This increases the country's competitiveness in attracting investment and the best talent in the field of digital technology.<sup>8-12</sup>

Consumers who do not understand their rights will easily be harmed in various situations, both in offline and online transactions. Lack of knowledge about their rights as consumers makes them vulnerable to various forms of violations. Consumers who do not understand their right to correct information can easily be deceived by misleading advertising or promotions. Consumers who do not understand the right to privacy and security of personal data can become victims of data misuse by irresponsible parties. Consumers who do not understand the right to choice and the right to fair treatment can be harmed by unfair practices such as monopoly and price discrimination. Consumers who do not understand the right to fair and transparent dispute resolution may experience difficulties in obtaining compensation or solutions when problems occur in transactions. Increasing consumer education about their rights is an important step in protecting consumers from various forms of violations. Education helps consumers understand their rights and how to protect themselves from violations. Consumers who understand their rights will be more confident in making transactions, which encourages them to be more active in the economy. Education helps create a fair and transparent market where consumers and business actors have clear rights and obligations.

Education helps consumers understand and utilize existing regulations to protect themselves from violations. The government, business actors, and civil society can work together to improve consumer education through various efforts. Providing education about consumer rights through various media such as seminars, workshops, and publications. Building an online platform that provides information and education about consumer rights. Develop regulations regarding consumer protection in language that is easy for ordinary people to understand. Involving civil society organizations in consumer education and advocacy efforts.<sup>13-20</sup>

#### 4. Conclusion

The revision of the consumer protection law has both positive and negative impacts. The positive impact is that the revision of this law strengthens consumer rights and provides legal certainty in digital transactions. The negative impact is that the revision of this law still has several weaknesses in its implementation.

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