

## Legal Protection for Consumers against Misleading Advertising According to the Perspective of the Laws in Force

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Article Info	ABSTRACT
<p><b>Keywords:</b> Legal Protection, Consumers, Misleading Advertising, Consumer Protection Act, National Consumer Protection Agency, Indonesian Broadcasting Commission.</p>	<p>Misleading advertising is an action that can harm consumers, both financially and psychologically, because the information conveyed is not in accordance with the facts or misleads public perception. Based on Law Number 8 of 1999 concerning Consumer Protection, consumers have the right to obtain correct, clear, and honest information regarding the conditions and guarantees of the goods and/or services purchased. This study aims to analyze legal protection for consumers who are victims of misleading advertising (misleading advertising) according to the perspective of the applicable laws and regulations in Indonesia. The results of the study indicate that legal protection for consumers from misleading advertisements in Indonesia is regulated by various laws, such as Law No. 8 of 1999 concerning Consumer Protection, Law No. 32 of 2002 concerning Broadcasting, and Law No. 40 of 1999 concerning the Press. However, although there are regulations prohibiting the dissemination of misleading information, the main challenge in its implementation lies in the fragmentation of regulations spread across various laws that are often unsynchronized and less detailed in providing sanctions. This makes the application of the rules inconsistent, so that business actors can take advantage of legal loopholes to spread inaccurate advertisements. Weak law enforcement by related institutions such as the National Consumer Protection Agency and the Indonesian Broadcasting Commission, as well as the lack of coordination between institutions, worsen the situation. In addition, low consumer legal awareness makes them less aware of their rights, so that misleading advertising practices continue without much challenge. The development of digital technology also adds to the complexity of supervision because advertisements are now distributed more widely and quickly through online platforms, which are not always easy to monitor by traditional regulators.</p>
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### INTRODUCTION

Developments in science and technology have experienced tremendous acceleration in recent decades, affecting various sectors of life, including the business world (Amarini, 2018). Digital innovation and communication technology have opened up new opportunities

for business actors to expand the reach of their product and/or service marketing through electronic media. Platforms such as websites, social media, and e-commerce applications are the main choices for interacting with consumers more efficiently and effectively (Pakarti et al., 2023). Marketing through electronic media offers advantages in the rapid dissemination of information, wide accessibility, and the ability to present products in a more attractive way through images, videos, or interactive features. The use of this technology also allows business actors to personalize advertisements and offers, making marketing more targeted (Sari, 2018).

Unfortunately, the development of electronic media, especially in terms of marketing and advertising, is not always accompanied by good intentions from business actors (Perwira & Winanti, 2020). Many companies and individuals are taking advantage of these technological advances to spread misleading advertising, both for goods and services. In this type of advertisement, the information conveyed is often not in accordance with reality or even deliberately exaggerated to attract consumers' attention (Pranda, 2022). For example, products are promoted through images that are made more attractive than their actual quality, or information related to the price and function of goods/services is hidden or disguised with confusing terms. This makes consumers vulnerable to fraud, because they do not get honest and complete information about the products they buy.

Advertisement, as regulated in various laws and regulations in Indonesia, has various definitions that reflect its function as a commercial communication tool (Fathanudien, 2015). According to the Indonesian Advertising Ethics, advertising is defined as a medium that contains information, influence, invitations, and promises or guarantees used by business actors to promote goods or services. The main purpose of advertising is to attract attention and persuade the public to be interested in the products or services offered (Safitri, 2021). Through advertising, business actors try to create emotional and rational appeal, and make certain promises regarding the benefits or advantages of their products. In addition, advertising also plays an important role in creating a brand image that can influence consumer decisions in choosing a product or service amidst increasingly tight market competition (Nugroho, 2014).

However, the differences in definitions and views on advertising in various regulations reflect the complexity of its regulation. Not only as a promotional tool, advertising is also recognized as a form of communication that has the power to influence the perception and behavior of society at large (Endrawati, 2006). Therefore, regulations regarding advertising are not only related to commercial aspects, but also aspects of ethics and social responsibility. Business actors are required to present accurate and unambiguous information so that consumers can make the right decisions based on clear facts (Dyah et al., 2017). With the increasing development of digital media, this responsibility becomes increasingly significant, because the impact of the dissemination of incorrect advertising information can spread quickly and widely, harming consumers and damaging public trust in certain industries (Ananda, 2020).

Consumers as users of goods and services have a weaker position compared to business actors in terms of access to information, bargaining power, and the ability to

understand advertised products (Tampubolon, 2016). This imbalance often places consumers in a vulnerable position to fraud or abuse, especially when faced with misleading advertisements. Misleading advertising, where the information conveyed does not correspond to reality, can result in financial loss, dissatisfaction, or even harm to consumers (Erika & Priyanto, 2021). Therefore, special protection for consumers is needed, including ensuring that advertisements received by the public are honest, clear, and not misleading. Strict regulations must ensure that every business actor is responsible for conveying information that is in accordance with the facts, so that consumers can make the right and intelligent decisions in choosing the products or services they need (Yuliska, 2024).

State intervention in consumer protection is very important to create a balance between the interests of business actors and consumer rights. Through regulations, such as the Consumer Protection Act and other related regulations, the state is responsible for ensuring that consumers are protected from unfair and misleading business practices (Paryadi, 2018). This protection includes the consumer's right to clear information, the right to security, and the right to sue business actors if a violation occurs. The state also plays a role in supervising the implementation of advertising, imposing sanctions on business actors who violate, and educating consumers about their rights (Barkatullah, 2007). With this intervention, it is hoped that consumers can be protected from the negative impacts of misleading advertising, while business actors are encouraged to run their businesses more ethically and transparently (Bernada, 2017).

Until now, Indonesia has not had any special regulations at the law level that specifically regulate advertising activities. The absence of specific regulations has led to legal pluralism in advertising regulations in Indonesia, where provisions related to advertising are spread across various sectoral laws. This condition creates confusion in the application of the law and creates loopholes for business actors to avoid responsibility for advertising that is misleading or detrimental to consumers. Various laws such as Law Number 8 of 1999 concerning Consumer Protection, and Law Number 32 of 2002 concerning Broadcasting, provide provisions regarding advertising in the context of consumer protection and broadcasting, but there is no single rule that comprehensively regulates all aspects of advertising.

This pluralistic situation is also reflected in a number of other laws such as Law Number 40 of 1999 concerning the Press, and the Electronic Information and Transactions Law which was updated by Law Number 19 of 2016. Each of these laws has a different approach to regulating advertising, depending on the sector being regulated, but does not provide consistent and integrated guidance. For example, the Press Law focuses more on freedom of the press and information, while the Broadcasting Law regulates the dissemination of information through electronic media. The absence of this specific law emphasizes the importance of reforming advertising regulations in Indonesia to create uniform and consistent standards, which not only protect consumers but also provide legal certainty for business actors. More holistic and integrated regulations are needed to address current legal pluralism and strengthen oversight of advertising practices in the digital era.

The purpose of this study is to analyze legal protection for consumers related to misleading advertising in Indonesia, as well as to evaluate the suitability of various existing laws and regulations in providing effective protection for consumers. This study also aims to identify gaps in existing regulations and provide recommendations for the development of more comprehensive policies in regulating advertising activities. The benefits of this research are expected to contribute to improving consumer protection from misleading advertising, as well as assisting the government and policy makers in improving existing regulations, thereby creating a more transparent and fair business climate in Indonesia.

## METHOD

This legal research uses the Normative Juridical method, which aims to analyze legal protection for consumers related to misleading advertising based on positive law in force in Indonesia. In this study, data will be obtained through a literature study covering various sources such as laws, official documents, books, articles in magazines, and other literature relevant to the issue of misleading advertising and consumer protection (Efendi et al., 2016). The main focus of this study is to examine the provisions of positive law relating to consumer protection from misleading advertising, as regulated in the Consumer Protection Law and other related regulations. This study will not only review existing regulations, but will also evaluate how these regulations are implemented in practice to protect consumers from inaccurate or misleading information disseminated through advertising.

In approaching the problem, the methods used are the statute approach and the conceptual approach (Soekanto, 2007). The statute approach is used to examine in depth the laws and regulations in force in Indonesia regarding consumer protection from misleading advertising, while the conceptual approach is used to understand the concept of consumer protection in the context of law and the theories underlying the formation of regulations in the field of advertising. By using these two approaches, the study is expected to provide a comprehensive picture of how the law in Indonesia regulates consumer protection, as well as identifying weaknesses and opportunities for more effective regulatory improvements in facing the challenges of misleading advertising in the digital era.

## RESULT AND DISCUSSION

### Legal protection for consumers from misleading advertising according to applicable laws in Indonesia

#### According to Law Number 8 of 1999 concerning Consumer Protection

Advertising is a form of promotion used by producers or business actors to convey information about the products or services they offer to the public. However, often the advertisements presented do not provide a complete and accurate picture or information about the product (Larasati, 2024). Business actors, in an effort to attract consumers' attention, sometimes ignore the clarity and completeness of information, which can ultimately cause consumers to receive information that is not in accordance with reality. The absence of complete information can cause consumers to make purchasing decisions based on erroneous understanding, which is known as misleading advertising (Arief, 2019).

This misleading advertising not only harms consumers financially, but also damages consumer trust in business actors and the market as a whole. In cases like this, consumers run the risk of purchasing products that do not meet their expectations, either in terms of quality, benefits, or features. This situation shows the importance of stricter regulations and greater responsibility from business actors in ensuring that the information conveyed through advertisements is honest, clear and reflects the actual product. Consumer protection must be a top priority in any promotional activity, so that advertising is not only a commercial tool, but also an ethical and responsible means of communication.

Legal protection for consumers against misleading advertisements has been firmly regulated in Law Number 8 of 1999 concerning Consumer Protection. In Chapter III, Articles 4 to 7, the rights and obligations of consumers, as well as the rights and obligations of business actors, are regulated. These articles emphasize that consumers have the right to obtain correct, clear, and honest information regarding the conditions and guarantees of advertised goods and/or services. Consumers also have the right to be treated or served properly and fairly, and to be protected from detrimental business practices. On the other hand, business actors are obliged to provide correct and responsible information regarding the products they market, and must not mislead consumers either through explicit or implicit statements contained in advertisements.

To further strengthen consumer protection from misleading advertising, Chapter IV of the Consumer Protection Act regulates prohibitions for business actors marketing their products. Article 9 of the Consumer Protection Act clearly prohibits business actors from producing or marketing goods and/or services that do not conform to the description or quality advertised. In addition, Article 10 prohibits business actors from promoting goods and/or services with false or misleading statements, which can cause harm to consumers. Article 12 and Article 13 further regulate the prohibition of advertisements that use words that are deceptive, misleading, or inconsistent with the facts regarding the materials, weight, volume, and other characteristics of the advertised product. Violations of these provisions may be subject to sanctions in accordance with applicable regulations.

In addition, Chapter VIII of the Consumer Protection Law emphasizes that the state also plays an active role in protecting consumers by establishing the National Consumer Protection Agency. This provision is regulated in Articles 31 to 43, where National Consumer Protection Agency is tasked with providing advice and recommendations to the government in efforts to formulate consumer protection policies, as well as supervising the implementation of consumer and business actor rights and obligations. BPN also functions as a liaison body that bridges the interests of consumers with business actors, ensuring that any form of violation that is detrimental to consumers can be immediately followed up. With the existence of National Consumer Protection Agency, it is hoped that consumers who are harmed by misleading advertisements can have access to a more effective complaint mechanism, so that their rights can be optimally protected.

Overall, Consumer Protection Law seeks to create a fair balance between the interests of business actors and consumers. Through detailed regulations regarding the rights and obligations of both parties and prohibitions on misleading advertising, this law serves as an

important instrument to maintain public trust in the market and ensure that business practices in Indonesia are carried out ethically and responsibly.

### **According to Law Number 32 of 2002 concerning Broadcasting**

Business actors have full responsibility for the content of the advertisements they display, especially if the advertisements are considered misleading and detrimental to consumers. This obligation is very important, because consumers who rely on information from advertisements have the right to get an accurate, honest, and realistic picture of the products or services offered (Zulva, 2023). When the advertisements presented do not reflect the actual condition of the product, consumers can experience losses in terms of finances, time, and personal satisfaction. In many cases, misleading advertising can cause consumers to make the wrong purchasing decisions, such as buying products with lower quality than promised, or even those that do not have the benefits as advertised (Rusdiana, 2010). Therefore, business actors must be responsible and ready to provide compensation to consumers who are harmed, in addition to ensuring that their advertising practices comply with applicable ethical and legal standards.

Law Number 32 of 2002 concerning Broadcasting aims to direct broadcasting to provide correct, balanced and responsible information to the public. These provisions also apply specifically to commercial advertisements broadcast through broadcast media, such as television and radio. In this context, every advertisement broadcast is required to contain honest and non-misleading information, so as to protect consumers from potential losses due to inaccurate information. The principle of honesty in advertising broadcasting is an important pillar in maintaining media integrity and public trust in the information they receive from commercial advertising.

Although the Broadcasting Law requires advertising providers to present correct information, this law does not explicitly provide sanctions for misleading advertisements as regulated in the Consumer Protection Law. However, the Broadcasting Law strictly prohibits forms of advertising broadcasts that contain certain content that is contrary to legal and moral norms. For example, promotions related to religious teachings, ideologies, or certain groups that can offend or degrade the dignity of others are strictly prohibited by this law. Likewise, advertisements that promote alcoholic beverages, addictive substances, and cigarettes that display the appearance of cigarettes are not allowed in order to maintain public health and prevailing social norms.

In addition, the Broadcasting Law also regulates restrictions on promotions that conflict with moral and religious values, as well as preventing the exploitation of children under 18 years of age in advertising. These provisions aim to protect vulnerable segments of society, such as children, from the negative influence of advertising content that is not in accordance with their moral and intellectual development. For example, the exploitation of children in commercial advertising, either directly or indirectly, is considered a serious violation because it can negatively affect the child's mental and psychological well-being.

Although the Broadcasting Law sets out a number of restrictions and prohibitions on certain advertising content, the regulation does not explicitly specify a prohibition on advertising that directly misleads consumers regarding the products or services being

promoted. As a consequence, supervision of misleading commercial advertisements relies more on other regulations, such as the Consumer Protection Law which more specifically prohibits misleading advertising practices. The absence of clear regulations on this matter in the Broadcasting Law poses challenges in law enforcement related to broadcasting advertisements that can harm consumers, so cooperation is needed between various supervisory institutions such as the Indonesian Broadcasting Commission and the National Consumer Protection Agency to ensure compliance with honest and responsible advertising standards.

Overall, although the Broadcasting Law provides a legal basis for enforcing ethics in advertising broadcasts, especially regarding moral and social issues, this law needs to be supplemented with stricter regulations regarding misleading advertising. This is important to provide more comprehensive protection for consumers and ensure that businesses are fully responsible for the advertising content they broadcast. Thus, both businesses and broadcasters must work together to create a more ethical, transparent, and consumer-oriented advertising climate.

#### **According to Law Number 40 of 1999 concerning the Press**

The display of advertisements in various mass media that have the potential to harm consumers because they are considered misleading can violate the provisions contained in several laws, including regulations related to the press. Misleading advertisements can be categorized as violations of the principles of journalistic ethics regulated in Law Number 40 of 1999 concerning the Press, especially if the advertisement does not comply with the press's obligation to provide accurate, honest, and responsible information to the public.

Law Number 40 of 1999 concerning the Press provides a legal framework for press freedom in Indonesia while also establishing the responsibilities that accompany it. One important aspect regulated in this law is about advertising, specifically in Article 13 which prohibits press companies from displaying advertisements that violate the law and ethics, such as advertisements that are misleading, deceptive, or detrimental to the interests of the public. Although the Press Law prohibits such practices, specific responsibilities related to misleading or unethical advertising content are not detailed in this law. There is no article that explicitly establishes a legal liability mechanism for advertising companies involved in such violations.

Article 12 of the Press Law explains that the party responsible for everything broadcast in the press, including advertisements, is the responsible party in the press company itself. In this context, responsibility does not only fall on the editors who manage editorial content, but also includes the business sector that manages advertising revenue. However, the boundaries regarding responsibility between editorial and business are often blurred, especially when it comes to problematic advertising. The editorial team may focus on journalistic content, while the business team is more oriented towards commercial aspects. As a result, when there is unlawful or misleading advertising, enforcement of responsibility becomes unclear, and there is often no firm accountability mechanism to address the problem.

This ambiguity regarding accountability poses challenges in ensuring that advertisements broadcast by the press comply with applicable laws and ethics. When there is a violation in advertising content, such as misleading advertising, consumers often do not know who to sue—whether the party that created the advertisement, the media that broadcast it, or the company involved in distributing the advertisement. In such cases, responsibility should be shared between the advertising company and the media that broadcasts it, thus ensuring a stronger protection mechanism for consumers.

Furthermore, although the Press Law seeks to protect the public interest from advertising misuse, law enforcement practices related to misleading advertising still require improvement. Legal provisions in Indonesia are still limited in terms of providing clear guidelines on who should be held responsible in each case of unlawful advertising. This underlines the importance of revising or adding more comprehensive legal regulations regarding advertising accountability, both from the perspective of advertising producers, media companies, and other parties involved in distributing advertising.

#### **According to the Law Number 19 of 2016 concerning Electronic Information and Transactions**

Law Number 11 of 2008 concerning Electronic Information and Transactions, which was later revised through Law Number 19 of 2016, explicitly regulates criminal sanctions against misleading advertising practices or false information spread through electronic media. In the context of advertising, the spread of false or misleading information, often known as misleading advertising, is considered a form of fraud that violates the law. The Electronic Information and Transactions Law provides a strong legal basis for taking action against business actors or individuals who intentionally spread false advertisements that have the potential to cause losses to consumers in electronic transactions.

Advertisements containing false or misleading information may be subject to criminal sanctions because such actions fall into the category of fraud which refers to the violation of spreading false news or hoaxes. In Article 45A paragraph (1) of the Electronic Information and Transactions Law, it is stated that anyone who intentionally spreads false and misleading news, which results in losses for consumers in electronic transactions, can be punished with a maximum of six years in prison and/or a fine of up to IDR 1 billion. This provision provides stronger protection for consumers, especially in the digital era where advertisements can easily be spread through various online platforms.

In addition, the existence of the principle of *lex specialis derogat legi generali* in Indonesian law also emphasizes that the criminal provisions regulated in the Electronic Information and Transactions Law, as special regulations, will override the general provisions contained in other laws. This means that in cases of spreading false news through electronic media, including in the form of false advertising, criminal liability will refer to Article 28 paragraph (1) in conjunction with Article 45A paragraph (1) of the Electronic Information and Transactions Law. This emphasizes that any perpetrator involved in spreading false information in online media can be subject to a maximum prison sentence of six years and/or a maximum fine of one billion rupiah.



This regulation poses a real threat to businesses that try to manipulate consumers through dishonest advertising. The use of electronic media as a means of distributing advertisements increases the potential for fraud, and therefore, the Electronic Information and Transactions Law is designed to provide broader protection for consumers. This is in line with the increasingly rapid digital development in Indonesia, where online business transactions and activities are increasing rapidly, so that regulations regarding electronic information and transactions are becoming increasingly relevant.

Law enforcement through the Electronic Information and Transactions Law is expected to provide a deterrent effect for irresponsible business actors. With the threat of severe penalties, it is hoped that business actors will be more careful in publishing advertisements or information about their products through electronic media. The government is also expected to continue to monitor and enforce the law firmly so that consumers are protected from the negative impacts caused by misleading advertising in the digital world. In this case, the Electronic Information and Transactions Law is not only an effective legal tool to protect consumers, but also maintains ethics in business practices in the digital era.

#### **Challenges of Legal Protection for Consumers from Misleading Advertising in Indonesia**

The increasing development of information technology has become a challenge for the government in providing legal protection to consumers from misleading advertising. There are a number of challenges that need to be overcome in order to provide maximum protection to the community. The challenges of legal protection for consumers from misleading advertising in Indonesia include several aspects. First, the absence of Special Regulations . Indonesia faces significant challenges in regulating advertising because it currently does not have a specific law that specifically regulates this activity. In the absence of comprehensive rules, regulations regarding advertising are scattered across different laws. For example, aspects of consumer protection are regulated in Law Number 8 of 1999 concerning Consumer Protection, while regulations regarding broadcasting and advertising in electronic media are regulated in Law Number 32 of 2002 concerning Broadcasting. In addition, advertising related to the press falls under the scope of Law Number 40 of 1999 concerning the Press, and digital information including online advertising is regulated in Law Number 11 of 2008 concerning Information and Electronic Transactions which has been amended through Law Number 19 of 2016.

The existence of various interconnected laws creates legal pluralism that causes ambiguity and inconsistency in the application of advertising regulations. For example, an advertisement that is considered to violate consumer rights may be regulated in the Consumer Protection Law, but the same problem can also be handled through provisions in the Broadcasting Law or the Press Law, depending on the medium used to broadcast the advertisement. This fragmentation of regulations makes law enforcement inefficient, because each regulation has a different focus and procedure, and its enforcement involves various institutions. This allows business actors to exploit legal loopholes, considering that there is no single law that regulates advertising as a whole, leaving consumers vulnerable to misleading advertising practices.

Second, Lack of Supervision and Law Enforcement . Supervisory institutions such as the National Consumer Protection Agency and other related institutions face serious challenges in carrying out their supervisory duties against business actors who engage in misleading advertising. One of the main problems is the lack of adequate resources, both in terms of budget, number of personnel, and supporting infrastructure. With these limited resources, the National Consumer Protection Agency often has difficulty carrying out comprehensive supervision, especially of advertisements spread across various media, including the increasingly developing electronic and digital media. In addition, effective supervision requires cross-sector involvement and coordination between institutions, but this does not always run optimally, resulting in gaps in supervision that can be exploited by business actors.

Weaknesses in law enforcement also exacerbate this situation, because business actors who commit misleading advertising often do not feel deterred. Lengthy legal processes and relatively light sanctions do not provide a sufficient deterrent effect to prevent similar violations in the future. As a result, consumers remain vulnerable to becoming victims of misleading advertising. In addition, consumer advocacy efforts are often hampered by a lack of access to adequate information and legal support, so that aggrieved consumers are often reluctant or unable to take legal action. This combination of weak supervision and law enforcement creates an environment that is less conducive to consumer protection, where business actors tend to neglect their responsibility to provide accurate and non-misleading information.

Third, Low Consumer Legal Awareness . Many consumers in Indonesia still do not fully understand their rights regarding protection from misleading advertising. Lack of adequate education and information regarding consumer rights, as well as mechanisms for reporting violations, is one of the main reasons behind this ignorance. Although laws such as the Consumer Protection Act have provided clear legal protection for consumers, their implementation in society is not yet evenly distributed. Consumers are often unaware that they have the right to receive honest and transparent information about advertised products or services. As a result, many consumers end up being trapped by promises that do not match reality without knowing that they have the right to demand accountability from business actors.

This lack of knowledge also discourages consumers from actively reporting misleading advertising practices or seeking compensation for losses they have experienced. They may not know how to report violations, or may be reluctant to engage in a legal process that is considered complicated and time-consuming. In addition, a sense of distrust in the effectiveness of law enforcement also plays a role, with many consumers feeling that their complaints will not be taken seriously by authorities. These factors mean that violations by business actors are often not handled properly, and misleading advertising practices continue without significant consequences. Therefore, increasing consumer awareness and education is an important key in strengthening legal protection from misleading advertising.

Difficulty of Proving : In cases of misleading advertising, proof is often the main challenge. Consumers must prove that the advertisement was misleading and detrimental to them, which often requires complicated legal processes and large costs.

Fourth, Rapid Technological Development . With the rapid development of digital technology, the distribution of advertising is now faster and wider through various online platforms such as social media, applications, websites, and streaming services. Business actors can easily reach consumers massively at a relatively low cost, but this also increases the risk of misleading advertising. Information conveyed in online advertising is often not adequately verified, and the lack of strict regulation of digital content creates opportunities for businesses to exploit legal loopholes. Misleading advertising that was previously only seen in print media or television can now be found on almost every corner of the internet, from pop-up ads to endorsements by influencers who are not always honest about the products they are promoting.

Unfortunately, existing regulations often lag behind in keeping up with the pace of technological change. Laws governing advertising in Indonesia, such as the Consumer Protection Law and the Broadcasting Law, still focus more on conventional media and have not fully addressed the complexities of digital advertising. The lack of specific regulations for online platforms creates legal uncertainty and complicates the monitoring process. Many businesses take advantage of this lack of clear rules to spread misleading ads, often quickly switching platforms or changing content before authorities can follow up on violations. In these conditions, consumers become increasingly vulnerable to false claims, and legal protection against misleading advertising becomes increasingly difficult to enforce in this digital era.

Fifth, Fragmented Protection. Consumer protection in Indonesia is regulated in various laws covering different sectors, such as Law Number 8 of 1999 concerning Consumer Protection, Law Number 32 of 2002 concerning Broadcasting, and Law Number 7 of 1996 concerning Food. However, this scattered approach causes the application of the law to be fragmentary. Each law provides specific protection for the relevant sector, but there is no law that comprehensively addresses the problem of misleading advertising in all sectors. This creates loopholes in the law, where businesses can avoid liability by exploiting different rules or by playing between the boundaries of sectors that are not fully regulated. Consumers, on the other hand, become confused about their rights, as they have to understand the various laws that apply depending on the type of product or service they consume.

The absence of unified regulations to protect consumers complicates the holistic law enforcement process. For example, misleading advertising in the food sector may be regulated by different laws than advertising in the broadcasting or print media sectors, so that business actors operating in several sectors can easily avoid stricter supervision. This process also complicates the supervisory agency, because they have to work with different rules to enforce consumer protection. As a result, the effectiveness of legal protection decreases, because enforcement efforts are fragmented and not focused comprehensively on consumer interests. To fix this problem, a more integrated approach is needed through

the establishment of a comprehensive legal framework and harmonization of cross-sectoral rules to ensure that consumers receive adequate protection, regardless of which sector the product or service originates from.

## CONCLUSION

Legal protection for consumers from misleading advertising in Indonesia is regulated in several laws, including Law Number 8 of 1999 concerning Consumer Protection. This law emphasizes that consumers have the right to receive correct, clear, and honest information about the products or services offered, and to be protected from detrimental business practices. Business actors are required to ensure that the advertisements they convey are not misleading and reflect the actual product. If they violate, they can be subject to sanctions. In addition, the National Consumer Protection Agency plays a role in supervising this practice and providing protection to consumers who are harmed. In addition, Law Number 32 of 2002 concerning Broadcasting and Law Number 40 of 1999 concerning the Press also regulate the responsibilities of business actors and the media in distributing advertisements. Both laws emphasize that broadcast advertisements must contain accurate and non-misleading information. However, the Broadcasting Law focuses more on social norms and public health, while the Press Law prohibits advertisements that violate the law and journalistic ethics. However, the rules regarding sanctions for misleading advertisements in the Broadcasting Law and the Press Law have not been clearly detailed, so that cooperation is often needed between institutions such as the Indonesian Broadcasting Commission and the National Consumer Protection Agency to enforce ethical and responsible advertising standards. The challenges of legal protection for consumers from misleading advertisements in Indonesia cover various aspects, including the absence of comprehensive specific regulations, the lack of effective supervision and law enforcement, low consumer legal awareness, and the rapid development of technology that complicates supervision. The fragmentation of regulations in various laws causes ambiguity and inconsistency in the application of the rules, so that business actors can exploit legal loopholes. In addition, weak law enforcement and lack of consumer education make misleading advertising practices difficult to prevent. To protect consumers effectively, integrated regulation, increased supervisory resources, and greater consumer awareness of their rights are needed.

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