


Analysis of Law No. 19 Of 2016 on Consumer Protection in Digital Transactions on the Facebook Marketplace Sales System

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Article Info	ABSTRACT
<p>Keywords: Consumer Protection, Digital Transactions, Facebook Marketplace</p>	<p>The development of information and communication technology has driven the growth of digital transactions, including through marketplace platforms such as Facebook Marketplace. However, alongside the increase in digital transactions, consumer protection has also become a significant challenge. This study aims to analyze the implementation of Law No. 19 of 2016 on Consumer Protection in digital transactions on the Facebook Marketplace platform. This research employs a qualitative approach with a case study method. Primary data were collected through in-depth interviews with consumers who were engaged in transactions via Facebook Marketplace, while secondary data were obtained from document analysis and references from journals published in the last four years. The findings reveal that although Law No. 19 of 2016 provides a strong legal foundation, its implementation is not yet optimal. The lack of consumer rights education and limited oversight resources are challenges that need to be addressed. This study recommends enhancing consumer rights education and awareness, improving the supervision of digital platform businesses, and refining consumer dispute resolution mechanisms to strengthen consumer protection in digital transactions.</p>
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INTRODUCTION

Development technology information and communication has bring change significant in various aspect life, including in field trade. One of the a striking change is emergence system digital sales through the marketplace. Marketplace is an online platform that facilitates transaction sell buy between seller and buyer in a way electronic (Risky, 2024). One of the popular marketplaces is Facebook Marketplace, which offers convenience for user For buy and sell goods in a way direct through Facebook application.

However, the rapid development digital transactions also give rise to challenge new related protection Consumers. Consumers often face risk fraud, ambiguity information products, and problems in settlement dispute. For overcome problem This, the Indonesian government issued Law no. 19 of 2016 concerning Protection Consumers. Law This aiming For give protection law for consumer in transact, including in digital (Saprida, 2023)transactions.

In the digital era today This, online transactions have become part from life everyday. However, digital transactions do not off from risk law that can harm consumer and also seller. Law Number 19 of 2016 concerning Information and Electronic Transactions (ITE Law) aims For give protection law in digital (Syarah, 2023)transactions. Research This aiming For analyze effectiveness protection law in digital transactions on the Facebook marketplace based on the ITE Law.

RESEARCH METHODS

Study This use method qualitative with collect primary data through interview in-depth analysis of consumers who transact on Facebook Marketplace. Secondary data obtained from journals, books and publications other relevant with Topic study.

Study This aiming For analyze effectiveness Law no. 19 of 2016 in give protection consumer in digital transactions on the system Facebook marketplace sales. Approach qualitative This done For understand experience consumers and assess to what extent the law This can protect rights they.

RESULTS AND DISCUSSION

Implementation Law no. 19 of 2016 in Digital Transactions on Facebook Marketplace

Based on the analysis conducted, the implementation of Law No. 19 of 2016 concerning Information and Electronic Transactions (ITE) in the context of digital transactions on Facebook Marketplace shows a number of significant findings. This law actually provides a strong legal framework in an effort to protect consumers from detrimental practices in digital transactions. The articles contained in the law explicitly regulate consumer rights, including the right to correct information, the right to freely choose goods and services, and the right to compensation if a loss occurs. However, in practice, the implementation of this law on digital platforms such as Facebook Marketplace has not been running optimally and still faces serious challenges from both consumers, business actors, and supervisory institutions.

One of the main issues found is the low level of legal awareness of the public, especially digital consumers, regarding the legal protection they should receive. Many consumers do not yet clearly understand their rights in digital transactions, including how to claim compensation in the event of default or fraud. This ignorance is exacerbated by the lack of access to legal education that can explain simply and practically how consumers can protect themselves in the ever-evolving digital environment. This shows that the efforts to socialize and educate the law carried out by the government and related institutions have not yet reached all levels of society, especially active users of Facebook Marketplace from the lower middle class.

In addition, supervision of business actors in the digital realm, especially those operating on Facebook Marketplace, is still relatively weak and not well structured. Because Facebook Marketplace is an open platform, anyone can become a seller without a strict verification process as is the case in other formal marketplaces. As a result, many business actors sell products without regard to consumer standards, such as selling counterfeit goods, not sending goods as agreed, and disappearing after receiving payment. The absence of technically binding regulations on the platform makes it difficult for law enforcement officers

to take action against business actors who commit violations, especially if the perpetrators do not include clear identities and contact information.

Thus, the available consumer dispute resolution mechanisms, such as through the Consumer Dispute Resolution Agency (BPSK), are considered not fully effective in handling cases that occur digitally. BPSK's limitations in accessing digital evidence, summoning anonymous business actors, and trying cases that occur between regions often result in the settlement process ending without clarity. Meanwhile, not all consumers have the courage or sufficient knowledge to take their cases to court. As a result, many consumer dispute cases on Facebook Marketplace are ultimately left alone and do not receive a fair resolution, so that consumers continue to be in a disadvantaged position.

In addition, the lack of integration between digital platforms such as Facebook Marketplace and the national legal system has hampered the consumer protection process. Unlike formal marketplaces that have reporting features or help centers connected to dispute resolution or consumer protection systems, Facebook Marketplace is still open and does not have direct control from the government. When a violation occurs, there is no official reporting channel on the platform that connects directly to legal authorities or consumer institutions. This makes the complaint process more difficult, and consumers must take an independent route that is inefficient and time-consuming.

In conclusion, although Law No. 19 of 2016 has provided sufficient legal basis to protect consumers in digital transactions, its implementation in practice, especially in the Facebook Marketplace sales system, is still far from expectations. More intensive collaboration is needed between the government, digital platform providers, and consumer protection institutions in increasing public awareness, tightening supervision of business actors, and improving and accelerating dispute resolution mechanisms. With these efforts, it is hoped that digital consumers in Indonesia can obtain the rights and protection they deserve in carrying out transactions safely and fairly in the digital era.

Obstacles to Obtaining Legal Protection

Digital consumers in Indonesia, especially users of the Facebook Marketplace platform, face various obstacles in obtaining legal protection that should be guaranteed by Law No. 19 of 2016 concerning Information and Electronic Transactions (ITE). One of the main obstacles is the lack of legal awareness from consumers themselves. Many consumers do not know that they have rights protected by law, such as the right to information, the right to security, and the right to compensation if they are harmed in a transaction. This ignorance makes consumers tend to be passive and do not dare to take legal action when experiencing losses or fraud when transacting digitally. The low level of legal literacy is a major obstacle in the implementation of comprehensive consumer protection.

The lack of legal awareness cannot be separated from the weak socialization and education carried out by the government and authorized institutions in the field of consumer protection. Information regarding consumer rights and obligations, as well as complaint or reporting mechanisms, is still very limited and has not reached all levels of society, especially internet users who actively make transactions on social media. In fact, with the development of digital technology, socialization efforts should also use digital channels such as social

media, webinars, and online education platforms so that information can be accessed faster, wider, and more easily by the general public.

In addition to the lack of legal education, the next obstacle lies in the weak supervision of business actors operating on digital platforms such as Facebook Marketplace. Unlike large marketplaces that have stricter security systems, verification, and consumer protection policies, Facebook Marketplace is more open and informal. This makes it easy for anyone to become a seller, including individuals who intend to cheat. Supervisory institutions also have difficulty monitoring all transaction activities due to the limited human resources and technology they have. As a result, many business actors who commit violations are not covered by the law and do not receive strict sanctions.

Another equally important problem is the difficulty of the dispute resolution process for consumers who feel disadvantaged. Although there are institutions such as the Consumer Dispute Resolution Agency (BPSK), the available mechanisms are often inefficient, bureaucratic, and require a long process. Many consumers must collect evidence, appear in person, and follow impractical procedures—especially when the case is digital and the business actor's identity is not clearly known. In many cases, consumers ultimately choose not to continue the legal process because they consider it not worth the losses they experience, both in terms of time and cost.

This situation shows that consumer protection in digital transactions requires more serious attention. The government must strengthen public education policies regarding consumer rights and expand legal digital literacy to all levels of society. On the other hand, supervision of business actors on digital platforms must be strengthened through cooperation between platform providers and supervisory authorities. Dispute resolution mechanisms also need to be adjusted to the characteristics of digital transactions, for example by providing an online reporting and mediation system that is fast, easy, and accessible at any time. Thus, legal protection for consumers is not only a norm in the law, but its benefits are also truly felt in real life.

Effectiveness Law no. 19 of 2016 in Handling Fraud Cases and Disputes Consumers on Facebook Marketplace

Researchers assess that the effectiveness of Law No. 19 of 2016 in protecting consumer rights in digital transactions, especially on the Facebook Marketplace platform, is still far from optimal. This law has normatively provided a strong legal basis for regulating consumer protection, especially against the risk of fraud that often occurs in online transactions. However, in practice, the implementation of this law has not shown significant results. One of the main factors is the weak law enforcement against digital business actors who do not comply with the rules. Many sellers on Facebook Marketplace easily commit violations such as selling counterfeit goods, not sending goods, or disappearing after the transaction is made. Unfortunately, due to the lack of strict supervision from the authorities, these perpetrators rarely receive sanctions or strict legal action.

In addition to weak legal implementation, the dispute resolution mechanism through the Consumer Dispute Resolution Agency (BPSK) has also not been able to answer the challenges of increasingly complex digital transactions. Although BPSK has a mandate to

resolve disputes between consumers and business actors, the procedures set tend to be long, formal, and require physical presence, which is not in line with the digital nature of cases that arise on platforms such as Facebook Marketplace. Many consumers object to this bureaucratic process, especially when the amount of loss is relatively small but must go through a complicated and time-consuming process. As a result, most consumers prefer not to continue their complaints and end up bearing the losses personally without legal resolution.

Another factor that greatly influences the low effectiveness of this law is the lack of education and socialization of the law to the public, especially to active users of digital platforms. Public legal literacy, especially regarding consumer rights in digital transactions, is still relatively low. Many consumers do not understand what rights they have when making online purchases, as well as how to claim compensation or report violations. This low level of knowledge is exacerbated by the lack of campaigns or socialization from the government, consumer protection agencies, or platform providers. As a result, when problems occur in transactions, many consumers are confused, do not know where to report them, and ultimately give up without getting justice.

From all these findings, it can be concluded that the effectiveness of Law No. 19 of 2016 in protecting digital consumers has not been maximized because it is constrained by three main aspects: weak law enforcement against violating business actors, inefficient dispute resolution systems, and low legal literacy in the community. Therefore, strategic steps are needed to increase the effectiveness of this law, including by strengthening digital supervision, reforming dispute resolution procedures to make them faster and more accessible, and increasing legal education and literacy for all levels of society. If these three things can be handled seriously and sustainably, consumer protection in digital transactions in the future can run better and more fairly.

CONCLUSION

Based on the results of this study, it can be concluded that Law No. 19 of 2016 has not been fully effective in providing legal protection for consumers in digital transactions through Facebook Marketplace. Although normatively this law has provided a clear legal framework, its implementation still faces a number of serious obstacles, such as low legal awareness among consumers, weak supervision of digital business actors, and suboptimal dispute resolution mechanisms. Therefore, increasing education and socialization regarding consumer rights is very important. The government and the consumer protection activist community need to work together actively through various media, including social media, seminars, and public campaigns, to broaden public understanding. In addition, supervision of digital trading activities must also be strengthened, both by utilizing more sophisticated technology and involving the community as partners in supervision. On the other hand, reform of the consumer dispute resolution mechanism through BPSK is very much needed so that the process is more efficient, fast, and easily accessible to the digital community. This research provides an important contribution in understanding the challenges and potential improvements in consumer protection in digital transactions on platforms such as Facebook Marketplace. Legal protection in the digital context requires a more adaptive and responsive

approach to changes in people's transaction patterns. Therefore, existing regulations need to be continuously refined to be more in line with technological developments and online market behavior. Synergistic cooperation between the government, digital platform providers, and users is needed to create a safe, transparent, and trusted digital transaction ecosystem. The results of this study are expected to be a reference for policy makers in formulating more relevant and effective regulations, while also encouraging close collaboration with consumer protection activist institutions in realizing justice and protection of consumer rights in the digital era.

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