

## **Legal Protection for Consumers in E-Commerce Transactions: A Case Study of the Grab Toko Platform**

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### **ABSTRAK.**

Kajian ini menganalisis bentuk perlindungan hukum yang diberikan kepada konsumen dalam aktivitas jual beli berbasis daring, dengan menjadikan Grab Toko sebagai studi kasus di Indonesia. Kasus ini muncul setelah banyak pembeli mengalami kerugian akibat pesanan yang tidak dikirimkan, sehingga menimbulkan persoalan hukum baik dalam aspek perdata maupun pidana. Penelitian dilakukan melalui pendekatan hukum normatif dengan menganalisis ketentuan perundang-undangan dan berbagai sumber literatur yang relevan. Hasil penelitian memperlihatkan bahwa Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen mengharuskan pelaku usaha untuk memberikan informasi yang akurat, jelas, dan terbuka serta menjamin perlindungan atas hak-hak konsumen. Namun demikian, penerapan perlindungan hukum di sektor e-commerce belum sepenuhnya efektif karena lemahnya penegakan hukum dan kurang optimalnya mekanisme penyelesaian sengketa. Hasil kajian ini menekankan urgensi penguatan regulasi digital dan

**Kata Kunci: Consumer Protection, E-Commerce, Grab Store**

## ABSTRACT.

This study analyzes the legal protection provided to consumers in online buying and selling activities, using Grab Toko as a case study in Indonesia. This case arose after many buyers suffered losses due to undelivered orders, giving rise to legal issues in both civil and criminal aspects. The research was conducted using a normative legal approach by analyzing statutory provisions and various relevant literature sources. The results show that Law Number 8 of 1999 concerning Consumer Protection requires businesses to provide accurate, clear, and transparent information and guarantees the protection of consumer rights. However, the implementation of legal protection in the e-commerce sector has not been fully effective due to weak law enforcement and suboptimal dispute resolution mechanisms. The results of this study emphasize the urgency of strengthening digital regulations and increasing consumer awareness as strategic steps to create fairer and more trustworthy e-commerce institutions, and increasing public legal awareness to create a fair balance between businesses and consumers in the e-commerce system.

**Keywords:** Consumer Protection, E-Commerce, Grab Toko

## BACKGROUND

The development of information and communication technology in the modern era has brought about major changes to the global trade system. The shift from conventional transaction patterns to digital-based commerce (e-commerce) is one tangible impact of this transformation. This trade model makes it easier for consumers to obtain goods and services more quickly, practically, and efficiently. However, behind this convenience, new challenges also arise, particularly related to potential violations of consumer rights.

One case that captured public attention in Indonesia was the Grab Toko case. This online shopping platform was reported to have engaged in fraudulent practices by failing to deliver goods purchased by consumers, even though payment had been made. This situation gave rise to complex legal issues, both in the civil realm related to claims for compensation, and in the criminal realm concerning allegations of fraud by the business actor.

Within the national legal framework, consumer protection is regulated through Law Number 8 of 1999 concerning Consumer Protection (UUPK). This regulation guarantees every consumer a sense of security, comfort, and safety when using goods and services. Furthermore, the UUPK also emphasizes that business actors are obliged to provide accurate, honest, transparent, and responsible information regarding the products they offer. However, the implementation of this regulation still faces several obstacles, particularly in the area of law enforcement in the digital realm, which is dynamic, complex, and difficult to monitor comprehensively.

The Grab Toko case is relevant for further study because it demonstrates the weak effectiveness of regulations and oversight mechanisms in the e-commerce sector. Consumers who suffer losses not only lose their economic rights but also face obstacles in obtaining fair legal protection. Furthermore, supervisory institutions and law enforcement officials remain limited in their ability to provide swift and targeted resolutions.

Therefore, an academic analysis of this case is crucial for assessing the effectiveness of consumer protection regulations in the digital era. This study is also expected to provide strategic recommendations for strengthening the legal function of businesses and improving oversight systems to prevent fraudulent practices that harm consumers, while simultaneously realizing a safe, transparent, and equitable e-commerce ecosystem in Indonesia.

## RESEARCH METHODS

This research uses a normative juridical method, an approach that focuses on analyzing the positive legal norms applicable in Indonesia. This approach was chosen because the research aims to assess the effectiveness of the implementation of consumer protection regulations in e-commerce transactions, focusing on a case study of the Grab Toko platform.

The data used in this study is entirely secondary, and is divided into several main categories:

- 1) Primary legal materials, namely laws and regulations relevant to the research issue, such as Law Number 8 of 1999 concerning Consumer Protection, the Civil Code (KUHPperdata), the Criminal Code (KUHP), and Law Number 11 of 2008 concerning Electronic Information and Transactions (UU ITE).
- 2) Secondary legal materials, including legal literature, previous research results, scientific articles, proceedings, and various academic publications discussing consumer protection issues in a digital context.
- 3) Tertiary legal materials, in the form of legal dictionaries, encyclopedias, and other supporting documents that provide additional understanding of the legal concepts used.

The collected data was then analyzed using a descriptive-analytical method, namely by describing the legal facts that occurred, then linking them to theories, legal principles, and applicable statutory provisions. This approach aims to assess the extent to which consumer protection principles are effectively applied in the Grab Toko case, both from a civil law perspective—which relates to business actors' responsibility for consumer losses—and from a criminal law perspective, which highlights the element of fraud in online transactions.

## RESULTS AND DISCUSSION

The Grab Toko case began when several consumers purchased electronic products through the online platform. After payment was made in full, the promised goods were never received. This situation resulted in material losses and deep disappointment for consumers, which escalated into legal issues in both civil and criminal courts.

### 1. Civil Aspect

From a civil law perspective, the relationship between consumers and Grab Toko is based on a sales agreement as stipulated in Article 1320 of the Civil Code (KUHPperdata). If a business fails to fulfill its obligation to deliver goods paid for by the consumer, this can be considered a form of default or a violation of the agreed agreement.

According to Law Number 8 of 1999 concerning Consumer Protection (UUPK),

every consumer has the right to claim compensation if they suffer losses due to the negligence or actions of a business actor. Although this provision is clearly stated, in practice, resolving disputes between consumers and businesses still faces several obstacles. The dispute resolution process is often time-consuming, expensive, and demonstrates the relatively weak bargaining position of consumers compared to businesses.

Furthermore, dispute resolution mechanisms through litigation (court) and non-litigation (outside the court) have not been optimal. The limited effectiveness of dispute resolution institutions and consumers' lack of knowledge of legal procedures often result in their rights not being fully fulfilled. As a result, even though consumer protection rights have been guaranteed by laws and regulations, their implementation has not been able to provide results commensurate with the losses experienced.

## 2. Criminal Aspect

From a criminal law perspective, the actions committed by Grab Toko can be classified as fraud as defined in Article 378 of the Criminal Code (KUHP). The element of fraud in this provision is met if the perpetrator intentionally makes false promises regarding the delivery of goods that are never realized after receiving payment from the consumer.

Furthermore, such actions may also violate Law Number 11 of 2008 concerning Electronic Information and Transactions (ITE Law), specifically the article governing the dissemination of false or misleading information in electronic transactions. Therefore, Grab Toko's actions not only cause harm to consumers but also have the potential to constitute a serious violation of criminal law in the digital realm.

However, in practice, criminal law enforcement in cases like this often faces significant obstacles. This is due to limited electronic evidence, difficulties in tracing the perpetrator's identity, and lengthy investigation processes that often hinder the pursuit of justice for victims. These factors demonstrate that the Indonesian legal system still needs to strengthen its cyber law enforcement mechanisms to provide effective protection for consumers in online transactions.

## 3. Effectiveness of Consumer Protection

The analysis shows that although legal protection for consumers is normatively

regulated through various regulations, such as the Consumer Protection Law (UUPK), the Civil Code (KUHP), the Criminal Code (KUHP), and the Electronic Information and Transactions Law (UU ITE), its implementation in the field is still less than optimal. Several factors contribute to the weak effectiveness of legal protection in practice, including:

- 1) Lack of supervision and weak law enforcement regarding e-commerce activities.
- 2) Low levels of consumer understanding and courage in asserting their rights.
- 3) Dispute resolution mechanisms that tend to be slow and do not provide adequate legal certainty for injured parties.

These conditions demonstrate that the existence of regulations alone is insufficient without alignment between the legal system, business actors, and consumers. Concrete steps are needed to strengthen the function of supervisory institutions and improve consumer legal literacy so that the protection system can operate more effectively and fairly.

#### 4. Academic and Practical Implications

The Grab Toko case serves as an important reflection for the development of legal science and public policy in Indonesia. This case demonstrates the need for reform and strengthening the role of regulatory bodies in overseeing e-commerce activities. Legal protection for consumers must be designed to be more adaptive to the dynamics of digital technology, both in terms of regulatory substance and resolution mechanisms.

Furthermore, the legal system needs to ensure that dispute resolution processes are faster, more transparent, and provide legal certainty for consumers. These efforts are expected to increase public trust in digital commerce activities in Indonesia, while

strengthening the role of business law in maintaining the fairness and security of electronic transactions.

#### CONCLUSION

The Grab Toko case demonstrates that the development of e-commerce in Indonesia not only brings significant economic opportunities but also poses significant legal challenges for consumers. From a civil law perspective, the actions of business actors who

fail to deliver goods after payment is made constitutes a form of breach of contract that is contrary to the principles of the sales and purchase agreement and violates the provisions of Law Number 8 of 1999 concerning Consumer Protection. Meanwhile, from a criminal perspective, this act can be categorized as a criminal act of fraud as regulated in Article 378 of the Criminal Code and also violates Law Number 11 of 2008 concerning Electronic Information and Transactions (UU ITE), specifically regarding the dissemination of false information in online transactions.

Although various consumer protection regulations are in place, their implementation has not shown adequate results. The main obstacles lie in the slow dispute resolution process, weak oversight of digital businesses, and low levels of legal awareness among the public. As a result, many consumers who have suffered losses struggle to obtain justice and adequate redress.

Therefore, the Grab Toko case underscores the importance of strengthening business legal instruments and regulations in the digital sector. Efforts to increase the capacity of supervisory institutions and empower consumers are also crucial to increase public awareness of their rights. These steps are expected to ensure that legal protection for consumers is not merely normative in regulations, but is truly realized in practice, thus creating a fair, safe, and trustworthy e-commerce ecosystem in Indonesia.

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