

ABSTRACT

Legal Aspects Of Trade Transactions Through Electronic Systems and Dispute Settlement Methods in The Indonesian Legal System

Technology development has been in existence since the creation of human being on earth. Technology enhancement has been entering all fields including trading system. Recent rapid development in trading system has been beyond time and distance borders. By this technology development, law has been behind it including the online sale and purchase transaction. The online sale and purchase transaction is basically similar to those traditional one, however the former uses the internet networking facility, so we are able to do an online sale and purchase transaction anywhere and any time we wish to. We are also able to buy the goods we need to have or simply see those goods easily. Nevertheless, beside the easiness of the online transaction, there is also its weakness which is due to the absence of a complete and clear regulations pertaining to that transaction activities. It is indeed the Government has applied laws and government regulations, however that has not been sufficiently providing a clear rule for an online transaction players. Those regulations have been scattered and there has been no a single specific regulation regulating the online trading activities comprehensively. Number of cases occur at several marketplace which end up in unsatisfactory settlement on the consumers' side showing that we still need a special regulation regulating the sale and purchase online transaction including its dispute resolution, so the existing applicable laws may facilitate and provide legal certainty for the online trading activities and the law really needed by Indonesia be attained. Through normative research, the author analyzes the position of consumers in cases experienced by Shopee, Tokopedia and Lazada consumers and it appears that consumers have not received legal protection and legal certainty.

Keyword : Online Transaction, Marketplace, Consumers

Pages : 166 pages, 20 references