

ABSTRACT

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LEGAL LIABILITY OF INFLUENCERS IN MISLEADING PRODUCT PROMOTION THROUGH SOCIAL MEDIA

(x + 81 Pages, 2 attachments)

The development of science and technology causes changes in various aspects of social life, especially trade. This has led to the emergence of various innovations, one of which is by utilizing influencers in promoting on social media. Nowadays, many Influencers are promoting their products misleadingly on social media. However, there have been no cases where sanctions have been given to these Influencers due to legal uncertainty regarding Influencers. So, the researcher wants to examine how the legal arrangements for Influencers who promote on social media are, and what is the legal responsibility if Influencers make misleading promotions on social media. The purpose of this study is to find out the legal arrangements for Influencers who promote on social media, as well as how the legal responsibility is if Influencers make misleading promotions on social media. This study uses a normative legal method with a statutory approach, namely the 1945 Constitution, Broadcasting Law, Consumer Protection Law, ITE Law, and Indonesian Advertising Ethics. Primary data was collected through interviews and secondary data was collected through library research. Data analysis is deductive. The results of the study, namely (1) there is a dualism of opinion regarding the legal position of Influencers in Indonesia, but based on the applicable law, it is more emphasized that Influencers who promote on social media are not Advertising Business Actors. (2) Due to the legal vacuum related to Influencers, the legal liability of Influencers who conduct promotions on social media is misleading by using a lawsuit against the law with the principle of liability based on fault.

References: 49 (1986-2021)

Keywords: legal liability; Influencers; Misleading promotion, social media.