

**Consumer Dispute Resolution Due to Incomplete Information in *E-Commerce*  
(Study at the Medan City Consumer Dispute Resolution Agency)**

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**ABSTRACT**

The internet has brought the world economy into a new chapter that is more popular with the term *digital economy* or digital economy. Its existence is marked by the increasing prevalence of economic activities that use the internet as a communication medium. Trade, for example, increasingly relies on electronic commerce (*e-commerce*) as a transaction medium. However, this progress also raises various problems, one of which is regarding consumer disputes due to incomplete product information. Incomplete information has the potential to harm consumers and violate consumer rights as stipulated in Law Number 8 of 1999 concerning Consumer Protection. This research aims to find out the legal liability of business actors for incomplete information, find out the mechanism for resolving consumer disputes due to incomplete information in *e-commerce*, and find out the obstacles to dispute resolution at the Medan City Consumer Dispute Resolution Agency. This study uses an empirical legal method with a sociological juridical approach and is descriptive analytical.

Data was obtained through literature studies and field research, including interviews with related parties, then analyzed qualitatively. The results of the study show that business actors are responsible for providing compensation for consumer losses. At the Medan City Consumer Dispute Resolution Agency, mediation is one of the main options used in consumer dispute resolution. However, in its implementation, there are still obstacles, such as the lack of good faith from business actors, low consumer awareness of their rights and limited authority of the Consumer Dispute Resolution Agency in dealing with *cross-regional e-commerce* business actors. Therefore, it is necessary to increase consumer education and strengthen regulations to provide more effective legal protection.

**Keywords: Consumer Disputes, E-Commerce, Incomplete Information, Medan City Consumer Dispute Resolution Agency.**

**A. Introduction**

The internet has brought the world economy into a new chapter that is more popular with the term *digital economic* or digital economy. Its existence is marked by the increasing prevalence of economic activities that use the internet as a communication medium. Commerce, for example, increasingly relies on electronic commerce or *electronic commerce* (*e-commerce*) as a transaction medium. (Indrajit, 2001)

Trading based on advanced technology, *e-commerce* has reformed conventional trade where the interaction between consumers and companies that was previously carried out directly became an indirect interaction. *E-commerce* has changed the classical business paradigm by fostering models of interaction between producers and consumers in the virtual world. *E-commerce* It makes it easier for business actors to market their products because there is no longer a need to rent a place or store and operational staff in large numbers so that it is very economical to spend operational costs. Because *E-commerce* It has its own way in the world of trade, such as the wide distance that does not require the parties involved to meet in person and the parties involved are not required to make transactions directly. In addition, the operational hours contained in the (Berata, 2016)*e-commerce* This is very unlimited, namely 24 hours non-stop.

Regarding the goods purchased by consumers, there are often problems if the information provided by the seller does not match the specifications shown in the images. Buyers or consumers have the right to true, clear, and honest information about the condition and warranty of the goods sold, according to Article 4 letter e of the UUPK. As some people do who choose to shop online because it is considered more efficient and because the goods they are looking for are definitely available, But the use of internet technology to conduct online transactions can be harmful to consumers. This problem often occurs in society, namely complaints raised by buyers or consumers regarding their dissatisfaction with the products they have bought, so that consumers feel disadvantaged.(Endang, 2017)

Article 65 of Law Number 7 of 2014 concerning the Trade Law requires business actors in trade through electronic or *e-commerce* to provide complete and correct information. Law No. 11 of 2008 concerning Information and Electronic Transactions as amended by Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 concerning Information and Electronic Transactions (hereinafter referred to as the ITE Law) is the main legal basis for trade transactions that use electronic media.

In UUPK Number 8 of 1999 concerning Consumer Protection, there is an article about institutions that can be a place for consumers to solve their problems, namely through the courts (*Litigation*) and out of court (*Non-litigation*) or *Alternative Dispute Resolution*, namely in the Consumer Protection Law is through the Consumer Dispute Resolution Agency (called BPSK). The existence of BPSK can be part of equitable distribution, especially for consumers who feel disadvantaged by business actors, because disputes between consumers and business actors are usually nominal in small amount, so consumers do not need to resolve them through court. BPSK as born from the Consumer Protection Law was formed by the government under the Ministry of Industry and Trade and is not a court institution/part of the judicial power institution. BPSK as a non-structural institution that was born for consumers in the context of resolving small/simple/ cases (Bintoro, 2013) *Small Claim Court* with the principle of cheap, fast and simple dispute resolution.

However, in practice, BPSK also faces various challenges, such as limited authority, lack of public understanding of BPSK's functions, and low compliance of business actors in responding to BPSK decisions. Therefore, a study of the role of BPSK in resolving consumer disputes in Medan, especially those related to incomplete information, is very important to be carried out. This study is expected to provide an overview of the effectiveness of BPSK in resolving consumer disputes and finding solutions to overcome existing obstacles. Based on these conditions, a comprehensive study is needed on the responsibility of business actors, the mechanism for resolving incomplete information, and BPSK's obstacles in resolving consumer disputes.

## **B. Research Methods**

A study cannot be called research if it does not have a research method.<sup>1</sup> Research methods are one of the factors of a problem that will be discussed. The study was conducted using secondary data which was analyzed qualitatively using the Desk Research Method. The literature materials used in writing this research are several references originating from research results, studies, and reviews of several writings which are then summarized into a scientific paper.<sup>2</sup>

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<sup>1</sup> Hanifah, I., Hariyanto, H., Ginting, L., Koto, I., & Syafriana, R. (2026). Legal Protection of Indonesia's Fisheries from Foreign Investment: A Social-State Approach. *Jurnal IUS Kajian Hukum dan Keadilan*, 14(1).

<sup>2</sup> Simatupang, R. S. A., Hanifah, I., & Mansar, A. (2025). The Concept of Restitution as Legal Accountability in the Crime of Human Trafficking. *Pena Justisia: Media Komunikasi dan Kajian Hukum*, 24(1), 3554-3462.

## C. Discussion

### 1. Legal Liability of Business Actors for Incomplete Information in E-Commerce

Accountability is the responsibility or obligation of a person or a group of people to explain or take responsibility for actions or decisions taken. This accountability can be related to various things, such as personal actions, work, or decisions that impact others. This accountability is important because it involves accountability and honesty in acting, in addition to this accountability is the basis for building trust and integrity in relationships, both individuals and organizations.. (Julista, 2014)

There are two terms that refer to responsibility, namely: *liability (the state of being liable)* and *responsibility (the state or fact being responsible)*.

- 1) *Liability/Liability* is a broad legal concept (state law) which includes among other things that liability is intended in the broadest sense and includes almost any type of risk or liability, specific, conditional or possible. Responsibilities are defined in such a way that all signs of rights and obligations are visible. In addition, responsibility is also; actual or potential circumstances that are subject to liability; conditions that are responsible for actual or potential matters such as losses, threats, crimes, costs or expenses; Conditions create an obligation to apply the law now or in the future. *Liability* It also means an obligation to be liable under applicable law and to remedy or compensate for any damage caused. (HR, 2016)
- 2) *Responsibility* means (things that can be held accountable for tasks and include choices, abilities, skills and competencies). *E-commerce* transactions provide speed, convenience and practicality of transactions for the public which is an added value for consumers. But on the other hand, consumer rights are still often ignored by business actors. Because, many consumers are not aware of their own rights because there is little or even no information about consumer rights causing consumers to be in a weak position and vulnerable to seller deception. So consumers must find out the rights they have or get based on the laws related to *e-commerce* transactions. Cases of default carried out by business actors often appear in *e-commerce* because online buying and selling does not include direct meetings between a number of parties. Related to this, more protection is

regulated given to consumers than business actors, this is because consumers are always in a weak position so that it is related to consumer protection, the real form of legal protection provided by the government to protect a number of consumer rights is contained in Article 4 of the UUPK. On the other hand, the obligations of business actors according to Article 7 of the UUPK include providing clear, true, and honest information regarding the conditions and guarantees of goods and/or services and providing explanations of compensation, use, compensation and/or reimbursement if the goods and/or services received or used are not in accordance with the agreement.

Regarding business liability, it can be seen in Article 24 of the UUPK stating "Business actors who sell goods and/or services to other business actors are responsible for claims for compensation and/or consumer lawsuits if:

- a) Other business actors sell to consumers without making any changes to the goods and/or services;
- b) Other business actors, in the buying and selling transaction are not aware of any changes in goods and/or services made by the business actor or are not in accordance with the example, quality, and composition.

Business actors have an obligation to bear consumer losses caused by intentional or negligent actions. An example of negligence by business actors that causes losses to consumers is to include information related to the description of goods that is not correct or does not match the original. In fact, business actors also often make misleading advertisements because the advertisements are not supported by the actual quality of the goods offered (*false representation*), namely advertisements that portray as if an item has certain qualities, functions, or advantages, when in fact it is not in accordance with the actual conditions. This action not only harms consumers materially, but can also reduce the level of public trust in business actors, so it is appropriate for business actors to be held accountable in accordance with the provisions of applicable laws and regulations.

## **2. Consumer Dispute Resolution Mechanism for Incomplete Information in E-Commerce at the Medan City Consumer Dispute Resolution Agency**

The development of trade through electronic systems (e-commerce) has brought convenience for consumers in making transactions for goods and/or services. However, behind

this convenience, there are still many problems to be found, one of which is incomplete information by business actors, both regarding product specifications, prices or transaction terms. This condition has the potential to cause disputes. Therefore, an effective and fair consumer dispute resolution mechanism is needed to provide legal protection for consumers' rights in conducting e-commerce transactions.

In the process of resolving consumer disputes by BPSK, the burden of proof is on the business actor, but the consumer must also submit evidence to support his lawsuit. After considering the statements of both parties regarding the disputed matter and considering the results of the evidence and the requested applications of the parties, the BPSK panel gave a decision.

### **3. Obstacles to Dispute Resolution at the Medan City Consumer Dispute Resolution Agency**

The Consumer Dispute Resolution Agency (BPSK) is an institution tasked with resolving disputes between consumers and business actors outside of court. BPSK was formed based on Law Number 8 of 1999 concerning Consumer Protection (UUPK) and is further regulated in the Regulation of the Minister of Trade No. 72 of 2020. BPSK has the authority to resolve disputes through mediation, conciliation, or arbitration. This institution is a solution for consumers who suffer losses due to the actions of business actors who do not fulfill consumer rights. Although BPSK has an important role in consumer protection, there are still various obstacles that reduce its effectiveness. In order for BPSK to function more effectively, various improvement efforts need to be made. Thus, BPSK can carry out its functions optimally in protecting consumer rights and creating a fairer and more transparent trade ecosystem. (Yuliska, 2025)

The birth of BPSK (Consumer Dispute Resolution Agency) is a forum or institution that can help to resolve consumers outside of court. However, in practice, consumer dispute resolution through the Consumer Dispute Resolution Agency (BPSK) does not always run effectively and optimally. There are various obstacles that affect BPSK's performance in providing legal protection to consumers. These obstacles arise both from internal institutional factors and from external factors related to the community and business actors.

BPSK's authority in resolving consumer dispute cases is only limited to mediators who are only questioners to business actors and consumers related to dispute problems related to consumer protection, of course this authority is one of the things that affects the speed or

slowness of BPSK in making decisions. In addition, the obstacles that BPSK has in deciding a decision or resolving consumer disputes are also based on the fact that BPSK is not part of the judicial power and court institutions. Therefore, BPSK does not have a strong law in the decision it issues to carry out execution. Except for business actors and consumers themselves who have the self-awareness to follow the decisions or rules issued by BPSK. In addition to the reasons above, it was found that things that hinder BPSK from resolving consumer disputes include: (Hamidah, 2023)

#### **D. Conclusion**

Based on the results of research and discussion on the resolution of consumer disputes due to incomplete information in e-commerce, it can be concluded that the liability of business actors for incomplete information can be seen in article 19 of Law No. 8 of 1999, namely that business actors are responsible for providing compensation for consumer losses. Settlement mechanism At BPSK Medan City, mediation is the most preferred mechanism, because it is considered to be able to provide a fast, simple, and fair solution for the parties. The obstacle in resolving disputes between consumers and business actors due to incomplete information at BPSK Medan City is the lack of good faith from business actors, especially online business actors who do not have a clear business address or are difficult to contact. In addition, many business actors did not attend the BPSK trial, thus slowing down the resolution of disputes.

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