

# Legal protection of business doors in the concept of business to business through electronic transactions

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## ABSTRACT

Internet media as part of information technology has shown its role in various aspects of life, including as a means of conducting business transactions. E-commerce is a modern business that changes conventional/traditional transaction methods into transactions with non-face, non-sign, paperless and borderless characteristics. Trade through e-commerce transactions has its own advantages, therefore the Government should immediately complete the consumer protection law which regulates legal protection for business actors in e-commerce transactions, so that consumers and business actors have a balanced bargaining position. The purpose of this research is to find out the mechanism in the business to business concept, legal relations to business actors in business to business, and legal protection for business actors in business to business. The research conducted is normative legal research with a normative juridical legal approach using secondary data that processes data from primary legal materials, secondary legal materials and tertiary legal materials. Based on the research results it is understood that E-commerce can provide benefits for business people because by creating an online sales site, sellers can easily meet their consumers, even consumers often come by themselves. In this legal relationship there are rights and obligations of each party. Like transactions in general, the implementation of e-commerce involves two parties including sellers and buyers, each of the transaction actors has rights and obligations that must be carried out with full awareness.

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## 1. INTRODUCTION

Technology can be used as a medium that allows a person to learn independently, to understand something in an easy way. From the existence of information and communication technology, transactions carried out electronically can occur, because of electronic trading which is often called E-Commerce or buying and selling online.

E-Commerce is the process of doing business using electronic technology that connects companies, consumers and the public in the form of electronic transactions. Trading transactions via the internet are very profitable for many parties, so that trade transactions are in great demand, not only for producers, but also consumers.

E-Commerce businesses that can be accessed using the website are very unique businesses because with only one medium, companies can do business, either with fellow companies (business to business) or direct business processes between business people and consumers or sellers and buyers. They can carry out business processes, starting from product promotions, product offers and requests, questions and answers between consumers and producers or between buyers and sellers effectively. The website can support Business to Business applications and has a good level of security, especially when taking database backups from each database reseller server that has worked together.

Business to Business is an online business communication system between business people who bind themselves in an activity to do business with other business people. Business to business transactions are common in a typical goods supply chain, because companies buy components and products such as raw materials. raw materials for use in the product manufacturing process.

In the context of communication, business to business refers to methods by which employees of different companies can connect with one another, such as through social media. This type of communication between employees of two or more companies is called Business to Business communication.

In Business to Business transactions use Electronic Data Interchange, which is a method of exchanging business documents between computer applications - between companies/agencies electronically using a standard format agreed upon by the relevant parties. Business to Business E-commerce is regulated based on the provisions of Article 1 number 10 of Law Number 11 of 2008 Concerning Information and Electronic Transactions, which states that electronic transactions are legal acts carried out using computers, computer networks or other electronic media.

so that the sale and purchase agreement that occurs between the parties is also carried out electronically either via e-mail or other means, therefore there is no agreement file like in a conventional sale and purchase transaction. 19 Referring to Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia, it explains that everyone has the right to recognition, guarantees, protection and fair legal certainty and equal treatment before the law, meaning that legal certainty is mandatory and every person has the right to obtain it. citizen.

Based on the definition above, it can be concluded that legal protection is an act in terms of protecting the public in order to create safe and orderly conditions for society as a unit within the State in order to enforce the rule of law. The existence of violations of the law can arise when certain legal subjects are unable to carry out their obligations as they should. executed or for violating the rights of other legal subjects.

Legal protection is not only a right for anyone, but also the government's obligation to protect every form of legal protection for the general public. Hadjon there are 2 (two) forms of legal protection for the people, namely: 1) Preventive legal protection, namely legal protection where the people given the opportunity to submit objections or opinions before a government decision gets a definitive form.

Preventive protection aims to prevent the occurrence of disputes 2) Repressive legal protection, namely legal protection which is more aimed at resolving disputes. In the laws and regulations, forms of protection have been determined that are given to the community for the existence of arbitrariness from other parties, be it the authorities, or people who have a better economy than the victims.

In principle, legal protection for weak parties is always associated with protecting the rights of weak parties or victims, in this sense including manufacturers, wholesalers and professional retailers, namely any person/entity participating in the supply of goods and services to reach the consumers.

Thus, producers are not only interpreted as manufacturers of factories that produce products, but also those who are related to the delivery of product circulation to consumers. caused by his business to third parties. The consumer's needs are related to the goods/services traded by the business actor.

Conditions like that of course can lead to various legal consequences with all the consequences, such as in the case of PD Cross Tech which operates in the computer equipment industry. This case arose due to inefficiency in the duties of the Operational Manager and Marketing Manager divisions.

In the financial sector, there is no computerized procedure for calculating product shipping costs and a clear and precise division of regions for resellers, so that the company suffers losses due to inaccurate calculations. On the other hand, especially business transaction data involving other companies is not supported by a daily data updating process and there is no relational value based on time and Business to Business activities within the company, there are no effective and efficient

payment and delivery procedures for resellers, and there are still using a decentralized method which results in the company's Business to Business activities being less effective, efficient, and fast.

In the inventory process there is no computerized data collection process for purchasing product stock, there is no computerized process for recording guaranteed products (damaged and irreparable) by the company. Seeing the case above, the business actors are greatly disadvantaged where product sales are greatly decreased so that losses arise in the company. Therefore the importance of legal protection in the field of E-Commerce and protection for business actors who make transactions via the internet.

In Indonesia, it provides special protection for business actors as outlined in Law no. 8 of 1999 concerning consumer protection. Therefore, strong legal protection is still needed so that it can provide a deterrent effect on perpetrators.

## 2. METHOD

In accordance with the formulation of the problem and research objectives, the research method that will be carried out covers this type of legal research is normative law (normative juridical), meaning that research is carried out by studying and analyzing the substance of laws and regulations, literature that is theoretical in nature which is then linked with the issues that are the subject of discussion.

In this study, the authors used a normative juridical legal approach using secondary data which processed data from primary legal materials, secondary legal materials and tertiary legal materials. Through a conceptual and statutory approach where this research refers to legal principles and existing laws. Descriptive analysis research is research that uses objects, explains, and explains an event with the intention of knowing the state of the object under study.

Descriptive research is intended to provide as accurate data as possible about humans, conditions or other phenomena. The source of the data used is sourced from Islamic law and also secondary data that uses legal materials in the form of primary legal materials, secondary legal materials and tertiary legal materials. Next, it is explained that the data sources used in conducting this research consist of secondary data sources, namely data obtained through library materials consisting of: 1) Primary legal materials, namely binding legal materials in the form of statutory regulations, namely Law No. 8 of 1999 concerning consumer protection, and Law No. 2 Secondary legal material consists of books, scientific papers, scientific journals, and writings that have a relationship with the problems being studied.

Tertiary legal materials consist of materials that provide instructions and explanations of primary legal materials and secondary legal materials, namely legal dictionaries, Big Indonesian Dictionary and the internet. The data collection tools in this study were library research/documentation studies and analysis. existing data and laws and regulations. Documentation study is a study that examines various documents, both related to laws and regulations as well as existing documents. Data analysis is the most important and decisive stage in thesis writing.

Data analysis is the activity of focusing, abstracting, organizing data systematically and rationally to provide answers to problems. This study uses qualitative analysis, namely data analysis that does not use numbers, but provides descriptions in words of the findings, and therefore prioritizes the quality of the data.

## 3. RESULTS AND DISCUSSION

In Electronic Commerce (e-commerce) is the process of buying, selling or exchanging products, services and information through computer networks. E-commerce is part of e-business, where the scope of e-business is broader, not just commerce but also includes collaborating with business partners, customer service and business information. In addition to www network technology, E-commerce also requires database technology or databases, electronic mail (e-mail), and other forms of non-computer technology such as goods delivery systems and payment instruments for E-commerce today<sup>49</sup>.

E-commerce is a multidisciplinary field that covers engineering fields such as networks and telecommunications, security, storage and retrieval of data from multi-media, business areas such as marketing, sales and purchases, billing and payment, distribution network management, and

aspects -Legal aspects such as information privacy, intellectual property rights, taxation, making agreements, and other legal settlements.

In the practice of using and utilizing technology or internal networks through the E-commerce business, it has a wide and worldwide network, so that people can easily access it at any time without physical contact between users, buyers, customers and sellers. Data regarding production goods along with explanations about their quality and quantity are available, even direct payments via credit cards can be made directly through the internet network after everything related to the transaction is clear and accepted.

The history of e-commerce began in the early 1970s with the innovation of electronic fund transfer (EFT) followed by the emergence of Electronic Data Interchange (EDI) to send commercial documents such as purchase orders or invoices electronically, due to the development of the internet in the early 1990s and began the commercialization of the internet caused its customers to increase until the term Electronic Commerce (e-commerce) appeared, purchasing transactions for goods and services through the World Wide Web via a secure server (HTTPS), a special server protocol that uses encryption to keep customers' important data confidential. Every business activity needs a place like described by Turban in Suyanto (2003:12) it is shown that e-commerce applications are supported by various infrastructures while their implementation cannot be separated from 4 main areas (shown as four supporting pillars): Humans, public policies, technical standards and protocols and other organizations.

Pillars that symbolize humans consist of buyers, sellers, service intermediaries, actors in information and management systems. The pillars of technical standards consist of documents, security and network protocols as well as payment systems. E-commerce is run based on technological developments with a strategy of selling online with retail product. E-commerce is run on the basis of business, not solely based on technological innovation but involves business planning with products sold including high and complex retail products. Focus on customers and target market.

Because you already know the other party you are communicating with, the type of information sent can be arranged according to your needs and beliefs. One of the actors can take the initiative to send data, not having to wait for his partner. In business to business e-commerce generally uses an Electronic Data Interchange (EDI) mechanism. because many EDI standards are used, making intercommunication difficult between business people. In the world of e-commerce, many have advantages in everything from political discourse and higher education to the way we conduct ourselves and our business.

E-commerce removes the need for physical stores and allows businesses to expand their customer base. Digital products can be sold online with little or no overhead. E-commerce also allows businesses to expand more easily than physical retailers. Keep in touch with customers are often easier for e-commerce businesses. Despite the many advantages of e-business that can solve all problems, there are many limitations and pitfalls that go from a physical location to an online store with them often having to pay more for expedited shipping or Wait for a few days for the product to arrive.

The electronic transaction mechanism with e-commerce begins with the offer of a certain product by the seller on a website through a server located in Indonesia (for example detik.As for the method of transaction in e-commerce, customer requests are sent to the merchant, then after being received by the merchant and verified by the merchant, then the customer who makes the payment will then enter the payment server.

E-customers and e-merchants meet in cyberspace through a server rented from an Internet Server Provider (ISP) by the e-merchant. Acceptance of e-customers through the "click" mechanism is a manifestation of an agreement which is certainly binding on the e-merchant. When both parties reach an agreement, it is followed by a payment process, which involves two intermediary banks from each party, namely the acquiring merchant bank and the issuing customer bank.

### **3.1 Legal Relations of Business Actors in E-commerce**

They can carry out business processes, starting from promotions, offers and requests for products, questions and answers between them can be done online via the internet or mobile phones that have features for itu.com, which in fact is an advertiser company, is an internet phenomenon that has become part of from our insights in searching for information, ranging from the largest to the smallest product or service, seeing the outside world (eg Google Earth), listening (Google Alerts), and collaborating with colleagues (Google Docs, Gmail, Google Talk). Not only has it revolutionized the

information technology industry, Google has also changed many industrial settings, from the media (google news, YouTube or Google video) to libraries (google books, google scholar).

Google has become part of the life of the world community, a New wave that wants to find, track, and use information. Interaction with the community is becoming more possible because basically the real power of internet applications is wave 2. In order to increase the effectiveness and efficiency of companies, there are building trust is a prerequisite for a healthy and sustainable long-term relationship.

In terms of marketing, there is a need for efforts to build trust and credibility in companies where there is a need to identify several important dimensions so that trust between companies can be maintained. real experience will be influential for a real market growth. For example, a manufacturer that has capitalization in massive production techniques, of course, has been able to increase the importance of the number of massive advertising media.

There is an information asymmetry relationship between partners, especially in enhancing relationships that have generated profit, rather than partners who violate other company areas. There is asymmetric dependence, such as one partner can be more able to control or influence the behavior of another. There is a benefit that partners get from economies of scale and an advertising agency relationship gets those benefits through providing the same information from a variety of clients .

In this case, a research has found different buyer and supplier relationships according to factors, namely the availability of alternatives, the importance of supply, the complexity of supply, and the dynamics of supply markets. The relationship between buyer and supplier is simple. This is a regular exchange with a degree of cooperation or cooperation and exchange information. Simple real relationships are relationships that require more seller adaptation, and less emphasis on cooperation and information exchange. Contractual transactions, with exchanges formulated on the basis of formal contracts and generally have a low level of trust, cooperation and transactions.

Mutually adaptive, in which the buyer and seller make many special adaptive relationships without stressing the achievement of strong trust or cooperation. The customer is king, where the relationship is very close to cooperation, the seller accepts requests to fulfill customer needs, without expecting adaptations or changes in what is exchanged. Relationships with suppliers that are carried out can assist companies in growing profits and in achieving the company's positioning. This effort is to develop the customization process and the cost of coating components in manufacturing can be reduced.

The result is that the supplier has been able to receive increased sales volume and volume assurance, which is an understandable achievement, especially for meeting customer requirements and there is a strong position for Xerox for future sales. both customers and suppliers. With the use of detailed and often coordinated information exchange based on the design for the preparation of work changes, it is possible that the results can exceed the contract. This interaction will be able to reduce costs and improve quality, with improvements and the company's rapid response to changes in the market or market place. In the relationship According to this law, there are rights and obligations of each party. Like transactions in general, in the implementation of e-commerce involves two parties, including sellers and buyers, each of the transaction actors has rights and obligations that must be carried out with full awareness.

As a seller, you should be obligated to maintain consumer trust by providing the best service, starting from the offer until the goods sold reach the hands of consumers in good condition. The right to comfort, security and safety in consuming goods and/or services. The right to choose goods and/or services and obtain said goods and/or services in accordance with the exchange rate and conditions as well as promised guarantees, the right to correct, clear and honest information regarding the conditions and guarantees of goods and/or services, the right to be heard their opinions and complaints about goods and/or services, the right to receive proper advocacy, protection, and efforts to resolve consumer protection disputes, the right to be treated or served properly and honestly and not discriminatory.

### **3.2 Legal Protection for Business Actors in E-commerce**

The process that is carried out by consumers through social media generally has a fairly high level of money crime, so both consumers and sellers must have protection when making online transactions. Laws that protect both parties are contained in the law on E-Commerce Legal Protection Based on Law Number 11 of 2008 Law of the Republic of Indonesia Number 11 of 2008 concerning Information and Electronic Transactions (UU ITE)<sup>81</sup> is a legal basis that can be used as

reference in the event of misuse in the use of existing facilities on the internet including electronic transactions, along with the articles that regulate this: 82 Article 2 of this Law applies to every person who commits legal acts as stipulated in this Law, whether those who are in

The jurisdiction of Indonesia and outside the territory of Indonesia, which has legal consequences in the jurisdiction of Indonesia and/or outside the territory of Indonesia and harms the interests of Indonesia, Article 9 business actors who offer products through Electronic Systems must provide complete and correct information relating to contract terms, manufacturers and products offered and article 10 Every business actor who organizes Electronic Transactions can be certified by a Reliability Certification Agency. Provisions regarding the establishment of a Reliability Certification Agency as referred to in paragraph (1) shall be regulated by a Government Regulation.

#### 4. CONCLUSION

From the discussion that has been explained, it can be concluded as following: E-commerce can provide benefits for business people because by creating an online sales site, sellers can easily meet their customers, even consumers often come by themselves. Advertising with the help of the internet besides reducing expenses can also be updated anytime and anywhere. The existence of e-commerce today is more than a necessity for business people but has become a necessity for those seeking the convenience of shopping. Busy working consumers are the most promising market because of the limited time they have while the need for an item continues to make online shopping the best alternative. In this legal relationship, there are rights and obligations of each party. Like transactions in general, the implementation of e-commerce involves two parties including sellers and buyers, each of the transaction actors has rights and obligations that must be carried out with full awareness. E-Commerce Transaction Arrangements in Law No. 11 of 2008 can be described as the need for the existence of a Reliability Certification Agency to certify parties who will carry out electronic transactions (Article 10); Arrangements for the implementation of Electronic Transactions (Article 17 Paragraph (3)); Regulations regarding Electronic Contracts for Electronic Transactions (Article 18 Paragraph (1)); Settlement of Disputes over Electronic Transactions (Article 18 Paragraph (3)); Electronic System as a system for implementing Electronic Transactions (Article 19); Arrangements regarding Electronic Agents as intermediaries in conducting Electronic Transactions (Articles 21 and 22).

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The active role of the government is needed to immediately see developments in E-Commerce arrangements, especially contract issues, so that rules are made that every contract offered on the internet site must first be promulgated in the State Gazette or Regional Gazette. Besides that, the government must also immediately accept the registration of every business activity in Cyberspace (E-Business) so that business actors can be monitored, in addition to security and legal certainty in E-Commerce transactions so that it can run well. For parties who do not carry out their responsibilities in accordance with the agreement that has been mutually agreed upon, civil lawsuits may be filed by the injured party to obtain compensation payments as stated in Article 12 of the ITE Law.

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