

## **Consumer Protection in Live Shopping Transactions of Thrift Products on TikTok**

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### **ABSTRACT**

This study is grounded in consumer protection theory and the concept of asymmetric information in digital transactions, which explain the imbalance of information and bargaining power between business actors and consumers in electronic commerce. The research aims to analyze consumer protection in live shopping transactions of thrift products on TikTok, identify potential risks and violations of consumer rights, and examine business actors' legal responsibility and dispute resolution mechanisms under Indonesian law. This study employs a normative juridical approach through library research and document analysis of primary legal materials, including the Consumer Protection Law, the Electronic Information and Transactions Law, and regulations on electronic commerce, supported by relevant scholarly literature. Data were analyzed using qualitative normative analysis by interpreting legal provisions and relating them to the characteristics of live shopping practices. The results show that although the legal framework is comprehensive, the real-time and persuasive nature of live shopping increases the risk of information asymmetry, product misrepresentation, unilateral no-refund policies, and evidentiary difficulties. The novelty of this research lies in its specific focus on live shopping thrift transactions as a digital trade model that heightens consumer vulnerability.

**Keywords:** Consumer Protection; Live Shopping; Thrift Products; TikTok; Electronic Commerce

### **INTRODUCTION**

Digital platform-based commerce in Indonesia has experienced highly significant growth, in line with the increasing penetration of internet access and the widespread use of social media among the population. By the end of 2025, the number of internet users in Indonesia had reached approximately 230 million people, equivalent to 80.5% of the country's total population (DataReportal & We Are Social & Meltwater, 2025), indicating that the majority of citizens are now digitally connected and have the potential to participate in the digital economic ecosystem. In addition, social media usage has continued to increase dramatically. According to Digital 2026: Indonesia, the number of active social media user identities reached 180 million, or approximately 62.9% of the total population, reflecting an increase of around 26% compared to the previous year (Shaw Adam, 2025) These figures indicate that social media platforms have become a vast and dynamic space for digital interaction.

In this context, platforms such as TikTok play a strategic role not only as a medium of entertainment but also as a channel for commerce. According to independent statistics, TikTok was estimated to have approximately 108 million active users in Indonesia in 2025, making it one

of the social media platforms with the largest user base in the country (The Global Statistics, 2025).

The phenomenon of social commerce, particularly live shopping, has emerged as a new business model that leverages real-time user engagement. Through the live shopping feature, business actors can interact directly with potential buyers, visually showcase products, and facilitate instant purchases during the broadcast, reflecting increasingly real-time and interactive transaction patterns (Vedhitya Mavellyno, 2025). The growing number of internet and social media users has become a fundamental driver of this trade model, with platforms such as TikTok Shop reportedly recording tens of millions of active monthly users participating in digital commercial transactions.

Thus, the combination of a large user base, high internet penetration, and the shift in consumer behavior toward mobile-first usage and social commerce indicates that digital platform-based commerce in Indonesia is not only growing but also transforming into an essential part of national economic activity, creating both opportunities and new challenges, particularly in terms of consumer protection.

The practice of live shopping on TikTok, which combines live broadcasting with rapid transactions, makes buying and selling activities increasingly real-time, persuasive, and often lacking adequate verification processes before purchases are made. This condition becomes even riskier when the object of the transaction is thrift products, as the quality and condition of second-hand goods can generally only be confirmed after the items are received by consumers (experience goods). In such circumstances, information asymmetry occurs, where sellers possess full knowledge of the actual condition of the products, while consumers rely solely on visual displays and brief explanations provided during the live broadcast. As a result, consumers are vulnerable to losses such as receiving products that do not match the description, defective goods, or discrepancies between the actual condition of the products and what was shown during the live session, including unclear mechanisms for returns or refunds. This risk pattern is consistent with findings from the Indonesian Consumers Foundation in 2022, which reported that consumer complaints in e-commerce transactions were dominated by refund-related issues at 32% and non-conforming goods at 20% (Ningsih et al., 2023).

From a business law perspective, live shopping transactions on TikTok constitute a form of electronic transaction subject to the provisions of Law Number 8 of 1999 on Consumer Protection, particularly regarding consumers' rights to accurate information, guarantees of product conformity, and the responsibilities of business actors. Such transactions are also governed by Government Regulation Number 80 of 2019 on Trade Through Electronic Systems and Law Number 1 of 2024 (the second amendment to Law Number 11 of 2008 on Electronic Information and Transactions). Studies indicate that live shopping practices still face implementation challenges, particularly weak content supervision during live broadcasts and the lack of optimal dispute resolution mechanisms when product discrepancies or consumer complaints arise (Taufiqurahman et al., 2024).

Other studies have also examined TikTok Shop transactions, including those conducted through the live streaming feature, explaining that this method is highly popular because consumers can view products directly and receive real-time explanations and testimonials (Sulthonuddin & Muttaqin, 2025). However, the study also highlights crucial issues regarding the effectiveness of consumer protection in live shopping transactions, particularly when the transaction object involves thrift products. The characteristics of thrift goods, which vary in condition and lack uniformity, the difficulty of establishing proper standards for second-hand

product feasibility, and the potential differences in interpretation regarding product conformity claims shown in live videos place consumers in a vulnerable position. This condition is further exacerbated by the practice of implementing “no refund” or “no return” policies by thrift business actors, which may conflict with consumer protection principles, particularly the obligation of business actors to provide honest, clear, and non-misleading information regarding product conditions.

Based on these conditions, the phenomenon of live shopping transactions involving thrift products on TikTok is important to be examined in depth from the perspective of business law and consumer protection. The transaction mechanism, which is fast and interactive, is often not accompanied by adequate transparency of information, thereby increasing the risk of consumers receiving defective or non-conforming goods, while proving such discrepancies becomes difficult due to limited transaction documentation. Therefore, a comprehensive legal study is required to ensure legal certainty, balance the positions of the parties involved, and provide effective consumer protection in the practice of live shopping thrift transactions on TikTok.

Therefore, this study aims to analyze the forms of consumer protection in live shopping transactions of thrift products on TikTok based on the applicable legal provisions in Indonesia, particularly the Consumer Protection Law and regulations governing electronic transactions. In addition, this research seeks to identify the types of risks and violations experienced by consumers in such transactions, as well as to examine the legal responsibility of thrift business actors for consumer losses, including the available dispute resolution mechanisms in cases of product non-conformity or violations of consumer rights.

## **METHOD**

This study employs a normative juridical approach, which is a legal research method that emphasizes the examination of legal norms, principles, and applicable regulations through library research and document analysis, without conducting field research. This approach was chosen because the study focuses on analyzing consumer protection and electronic transactions in the practice of live shopping thrift products on TikTok, which is relevant to be examined through statutory regulations, legal doctrines, and scholarly literature (Penerbit Deepublish, 2024). The scope of the research includes an analysis of primary and secondary legal materials, with the object of study being the practice of live shopping thrift transactions on the TikTok platform from the perspective of business law and consumer protection. This research is conducted as a desk study, thus it does not require a specific field research location, but instead focuses on reviewing legal documents and SINTA-indexed academic journals.

Data collection was conducted through library research and document study by compiling primary legal materials in the form of statutory regulations, such as the Consumer Protection Law and electronic transaction regulations, as well as secondary legal materials including legal textbooks, scientific articles, and SINTA-accredited journals relevant to the research topic. The main materials and tools used in this study consist of written legal documents, a computer or laptop, internet access, and supporting tools for reference management. The collected data were then analyzed using qualitative normative analysis by describing the applicable legal norms (Muchtar, 2015), interpreting provisions concerning consumer rights and business actors' obligations, and linking them to the practice of live shopping thrift products on TikTok in order to address the research problems.

## **RESULT AND DISCUSSION**

### **Result**

#### **Forms of Consumer Protection in Live Shopping Transactions of Thrift Products on TikTok**

The results of this study indicate that consumer protection in live shopping transactions of thrift products on TikTok is not only based on Law Number 8 of 1999 on Consumer Protection, but is also supported by various other regulations governing electronic transactions and trade through electronic systems.

First, based on Law Number 8 of 1999 on Consumer Protection, consumers are entitled to the right to obtain accurate, clear, and honest information regarding the condition of goods, the right to comfort and safety in using the goods, and the right to receive compensation or reimbursement if the goods received do not conform to the agreement. In the context of thrift products, the right to information becomes the most crucial aspect, as the condition of second-hand goods heavily depends on the transparency of the information provided by business actors.

Second, since the transaction is conducted through a digital platform, live shopping transactions are also subject to the provisions of Law of the Republic of Indonesia Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008. This regulation provides the legal basis for the validity of electronic transactions, the recognition of electronic evidence, and the responsibility of electronic system providers in ensuring the security and reliability of transaction systems.

Third, pursuant to Government Regulation of the Republic of Indonesia Number 80 of 2019 on Trade Through Electronic Systems, business actors engaging in online commerce are required to provide complete and accurate information regarding the goods being traded, as well as to establish complaint and dispute resolution mechanisms. This provision reinforces the obligation of thrift business actors to ensure transparency when conducting sales through the live shopping feature.

Fourth, technical regulations in the field of electronic commerce, including the Minister of Trade Regulation governing the implementation of trade through electronic systems, emphasize the obligation of business actors to comply with information standards and consumer protection requirements in buying and selling activities conducted through digital platforms.

Moreover, in general, live shopping transactions constitute a form of sale and purchase agreement that is subject to the principles of civil law, particularly the principles of freedom of contract, consensualism, and good faith. Therefore, if there is a discrepancy between the goods promised and the goods received, such a situation may be classified as a breach of contract, giving rise to an obligation to provide compensation.

Based on the findings of this study, it can be concluded that consumer protection in live shopping transactions of thrift products on TikTok rests upon a comprehensive and multilayered legal foundation, encompassing consumer protection law, electronic transaction law, digital trade

regulations, and principles of civil law. Normatively, this legal framework provides safeguards for consumers, particularly concerning the right to accurate information, the right to secure transactions, and the right to compensation in the event of loss or damage.

### **Forms of Risk and Violations of Consumer Rights in the Practice of Live Shopping of Thrift Products**

The results of this study indicate that live shopping transactions of thrift products on TikTok involve a high level of risk regarding violations of consumer rights. This is influenced by the characteristics of the transactions, which take place in a real-time, fast, and persuasive manner, thereby encouraging consumers to make purchases without sufficient consideration. Such conditions place consumers in a vulnerable position, as the information they receive heavily depends on the explanations provided by business actors during the live broadcast.

Normatively, these transactions have legal implications for the fulfillment of consumer rights as regulated under Law Number 8 of 1999 on Consumer Protection, particularly the right of consumers to obtain accurate, clear, and honest information regarding the condition of goods, as well as the right to receive compensation if the goods do not conform to the agreement. In the context of digital trade, these provisions are further reinforced by Government Regulation Number 80 of 2019 on Trade Through Electronic Systems, which emphasizes the obligation of business actors to provide complete and non-misleading product information. The forms of risk and potential violations of consumer rights in the practice of live shopping thrift products on TikTok can be described as follows.

First, the non-conformity of goods with the description or appearance presented during the live streaming session. Consumers may receive products that differ from the information provided by the seller, such as color discrepancies due to lighting effects, incorrect sizing, or the presence of hidden defects that were not visible during the broadcast. Such non-conformity constitutes a violation of the consumer's right to accurate information and may also give rise to a breach of contract if the goods delivered do not correspond to the terms agreed upon in the transaction.

Second, the lack of transparency regarding the condition of thrift products. Thrift goods, as second-hand items, have non-uniform characteristics and varying levels of quality, including the possibility of stains, tears, zipper damage, or deterioration in fabric quality. The findings indicate that information related to such conditions is often not conveyed in detail by business actors. This practice may create information asymmetry, a situation in which business actors possess more complete information than consumers, thereby preventing consumers from making an objective assessment before purchasing.

Third, the implementation of unilateral "no refund/no return" policies. In practice, some business actors prohibit product returns on the grounds that the goods traded are second-hand items. Such policies may disadvantage consumers if the goods received do not match the description or contain defects that were not disclosed beforehand. Normatively, the compensation provisions under the Consumer Protection Law emphasize that business actors remain obligated to provide compensation for consumer losses; therefore, a "no refund" policy cannot be used as a basis to completely eliminate the legal responsibility of business actors.

Fourth, the difficulty of proof in dispute resolution. The characteristics of live shopping cause product information to be delivered orally and not always permanently documented. As a result, when a dispute arises, consumers face obstacles in proving the seller's claims or statements

made during the broadcast. Although the Electronic Information and Transactions Law recognizes electronic information as valid legal evidence, the fast-paced and dynamic nature of live streaming still makes it difficult for consumers to obtain sufficient evidence to assert their rights.

Fifth, consumer losses resulting from impulsive purchases. The live shopping model generally applies urgency-based marketing strategies, such as “first come, first served” systems or limited-time discounts during the broadcast. This pattern increases the likelihood of spontaneous purchases and reduces consumers’ opportunities to conduct rational evaluations of product conditions. Such circumstances pose greater risks in thrift product transactions, which inherently carry a higher probability of non-conformity compared to new goods.

Based on these findings, it can be concluded that the primary risks in live shopping transactions of thrift products on TikTok lie in the lack of transparency, the high potential for product non-conformity, and the complexity of evidentiary processes in the event of disputes. These conditions indicate that the inherent characteristics of live shopping transactions place consumers in a more vulnerable position, thereby necessitating stricter implementation of consumer protection measures within electronic commerce practices.

### **Liability of Business Actors and Dispute Resolution Mechanisms in Live Shopping Transactions of Thrift Products on TikTok**

The results of this study indicate that thrift business actors who conduct sales through the live shopping feature on the TikTok platform remain legally recognized as business actors; therefore, they are subject to consumer protection laws and regulations governing trade through electronic systems. The status of the goods as thrift or second-hand products does not eliminate the legal responsibility of business actors, as the legal relationship formed in such transactions remains a sale and purchase agreement between the business actor and the consumer.

Normatively, Law Number 8 of 1999 on Consumer Protection requires business actors to act in good faith, provide accurate, clear, and honest information regarding the condition of goods, and ensure that the goods conform to the information provided. In the context of thrift products, this obligation includes transparently disclosing the physical condition of the goods, including any defects, stains, or other shortcomings inherent in the items. If business actors provide false or misleading information during the live shopping process, such conduct may be classified as a violation of the consumer’s right to information and may give rise to legal liability.

These provisions are reinforced by Government Regulation Number 80 of 2019 on Trade Through Electronic Systems, which obliges business actors to provide accurate and non-misleading information and to ensure the availability of consumer complaint mechanisms. Furthermore, the Electronic Information and Transactions Law and its amendments recognize the validity of electronic information and documents as lawful evidence, meaning that statements made by business actors during live streaming may serve as a basis for liability if they are proven to cause losses due to product non-conformity.

Normatively, such dispute resolution mechanisms constitute an integral part of legal protection for consumers as regulated under the Consumer Protection Law, which grants consumers the right to advocacy, protection, and proper dispute resolution when they suffer losses arising from transactions involving goods or services.

Dispute resolution through non-litigation channels may be pursued through the internal mechanism of the TikTok Shop platform by utilizing the complaint or reporting features provided by the platform operator. This mechanism is generally the first step taken by consumers because

it is fast and practical. In the context of trade through electronic systems, this complaint mechanism is in line with Government Regulation Number 80 of 2019 on Trade Through Electronic Systems, which emphasizes that business actors and electronic commerce providers are required to provide consumer complaint facilities and respond to submitted complaints.

In addition to the platform-based mechanism, consumers may also submit disputes to the Consumer Dispute Settlement Agency (BPSK). BPSK is authorized to resolve consumer disputes outside the court system through mediation, conciliation, or arbitration. This avenue is considered more effective for consumers because the procedures are relatively simple, do not require substantial costs, and may result in binding decisions or agreements for the parties involved. Resolution through BPSK reflects the implementation of consumer protection principles that emphasize accessibility and efficiency in dispute settlement.

If non-litigation efforts fail to reach an agreement or if the consumer's losses are significant, dispute resolution may be pursued through litigation in court. Such disputes may be filed as civil claims on the grounds of breach of contract or unlawful act, given that live shopping transactions constitute legally valid sale and purchase agreements. In the context of electronic transactions, the Electronic Information and Transactions Law and its amendments provide a legal basis for recognizing electronic documents as valid evidence before the court.

However, the findings of this study indicate that dispute resolution in live shopping thrift transactions still faces a major obstacle in the form of limited evidentiary support, as the transaction process occurs rapidly and product information is conveyed orally during live streaming sessions that are not always permanently documented. This situation makes it difficult for consumers to prove the existence of the seller's claims when such claims do not correspond to the goods received.

## **Discussion**

The findings of this study indicate that consumer protection in live shopping transactions of thrift products on TikTok is founded on a multilayered legal framework, not solely on Law Number 8 of 1999 on Consumer Protection, but also on regulations governing electronic transactions and trade through electronic systems. This framework aligns with scholarly views asserting that consumer protection regulations in e-commerce must be integrated with electronic transaction law in order to effectively safeguard consumer rights within a dynamic digital environment (Romdoni, 2024).

Consumers' right to obtain accurate, clear, and honest information is a crucial aspect in thrift product transactions, as the condition of second-hand goods varies significantly and largely depends on the seller's transparency. This finding is consistent with previous studies indicating that unclear and incomplete information on e-commerce platforms is a major factor contributing to violations of consumer rights, thereby requiring regulations to ensure transparency and accuracy of product information (Fista et al., 2023).

The real-time and persuasive nature of live shopping increases the risk of consumer rights violations, particularly when goods do not match the description or contain hidden defects. Legal approaches such as the theory of asymmetric information emphasize that information imbalance between business actors and consumers is a major challenge in digital transactions, placing

consumers in a weaker position. This finding is supported by Dzuhriyan et al. (2024), who found that information asymmetry and weak legal supervision are primary causes of disputes between business actors and consumers in the e-commerce environment.

In practice, unilateral policies such as “no refund/no return” may eliminate consumers’ rights to compensation, even though such practices conflict with the principle of business actors’ liability as regulated under the Consumer Protection Law and the Government Regulation on Trade Through Electronic Systems. Rongiyati (2019) emphasized that unilateral clauses restricting consumer rights must be strictly monitored, as they have the potential to weaken consumers’ position and create unfairness in electronic transactions.

The liability of business actors in live shopping can also be analyzed from the perspective of contract law and consumer protection. Statements made during live broadcasts form part of the sale and purchase agreement; therefore, if the information provided is inaccurate, business actors remain responsible for providing compensation in accordance with civil law principles and consumer protection provisions. Research by Puspitasari & Setjoatmadja (2025) reinforces that business actors cannot evade liability merely because the traded goods are second-hand; the obligations of transparency and good faith continue to apply.

The available dispute resolution mechanisms, whether through non-litigation channels (such as platform-based complaints or the Consumer Dispute Settlement Agency) or litigation (courts), are consistent with consumer protection principles that emphasize access to justice and effective remedies for consumers. However, significant obstacles in proving claims persist, as live shopping transactions are often documented only orally, without comprehensive recorded evidence. This evidentiary issue is supported by findings from Subagyono et al. (2024), which indicate that the implementation of electronic evidence in e-commerce disputes still faces challenges due to the dynamic nature of digital transactions.

Based on the foregoing discussion, it can be emphasized that live shopping transactions of thrift products on TikTok constitute a form of digital commerce that places consumers in a vulnerable position due to the fast, persuasive nature of the transactions and the limited opportunity to verify the actual condition of the goods. Although Indonesia has established a multilayered legal framework for consumer protection through the Consumer Protection Law, the Electronic Information and Transactions Law, Government Regulation on Trade Through Electronic Systems, and civil law principles, the effectiveness of such protection largely depends on the implementation of information transparency by business actors and the supervision of electronic commerce practices. This situation becomes more complex when business actors apply unilateral policies such as no refund/no return, which may restrict consumers’ rights to compensation, and when dispute resolution faces evidentiary obstacles because transactions are often documented only orally. Therefore, strengthening regulatory enforcement, improving business actors’ compliance, and optimizing electronic evidence mechanisms are necessary to ensure more effective consumer protection and greater legal certainty in live shopping thrift transactions.

## CONCLUSION

Based on the results of the study and the discussion, it can be concluded that consumer protection in live shopping transactions of thrift products on TikTok normatively rests upon a comprehensive and multilayered legal foundation, encompassing the Consumer Protection Law, the Electronic Information and Transactions Law, Government Regulation on Trade Through Electronic Systems, as well as principles of civil law. However, the real-time, persuasive nature of such transactions and the lack of adequate documentation increase the risk of consumer rights violations, particularly concerning product non-conformity, insufficient information transparency, the implementation of unilateral policies such as no refund/no return, and evidentiary difficulties in dispute resolution. Thrift business actors remain legally responsible for providing accurate information and ensuring product conformity, and are obligated to compensate consumers in the event of loss. Although dispute resolution mechanisms are available through both non-litigation and litigation channels, the practical effectiveness of consumer protection still faces implementation challenges. Therefore, stronger supervision, enhanced transparency, and the optimization of electronic evidence mechanisms are necessary to ensure legal certainty and fairness for consumers.

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