

# Analysis of Electronic Transaction Cancellation in the Context of Cyber Law

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**Abstract.** Electronic trading agreements are crucial in the context of rapid information technology development and online transactions. However, there are instances where such agreements are unilaterally canceled without clear reasons, posing challenges in cyber law. This study explores the role of cyber law in safeguarding consumers and traders in digital transactions, particularly in addressing unilateral cancellations. It assesses the legal framework and proposes measures to ensure fairness in e-commerce. The research highlights the potential financial losses and distrust caused by unilateral cancellations. It emphasizes the need to understand and regulate these issues as online transactions increase. The findings underscore cyber law's significance in maintaining fairness and balance in electronic transactions. This study aims to provide insights into the importance of cyber law in e-commerce regulation, protection, and justice for all parties involved.

**Keywords:** Cancellation of Electronic Transactions, Ecommerce, Marketplace

## 1 Introduction

In the digital era that continues to develop rapidly, electronic transactions have become an important part of everyday life, speeding up and simplifying business processes and consumer interactions. The very rapid advances in technology in the contemporary era have an impact on almost all dimensions of human life. The resulting transformation not only affects us in communicating, shopping, working, or carrying out routine activities, but also the way we interact as individuals living in a social environment. Nowadays, electronic transactions have become an inseparable part of our daily lives, allowing us to carry out transactions without having to leave the house. Thanks to the existence of electronic transactions, we are able to access various products and services from various corners of the world easily and efficiently.[1] Without realizing it, technology has changed traditional standards and pushed us in new and often unexpected directions.

However, behind the convenience and efficiency offered by current technological advances, legal challenges arise that cannot be ignored. One aspect that attracts attention in this issue is the cancellation of transactions that occur in electronic transactions. This can cause conflict

between the parties involved in electronic transactions. Therefore, it is important to understand electronic transactions currently occurring and the implications related to cancellations made in electronic transactions in the realm of cyber law.

Cancellations made in electronic transactions can raise complex legal questions, such as the rights and obligations of the parties involved, consumer protection, and law enforcement in the scope of electronic transactions. In this context, it is important to identify emerging problems and their impact on cyber law. This research will limit itself to cancellations made by consumers or buyers in electronic transactions on the Shopee marketplace platform. Focus will be given to the legal aspects related to the implementation of electronic transaction cancellation and its implications in cyber law, while the technical aspects of electronic transactions will be ignored.

The main objective of this research is to analyze the implementation of cancellation of electronic transactions carried out by consumers or buyers. In addition, this research also aims to provide a better understanding of the rights and obligations of parties involved in electronic transactions as well as legal protection for consumers. It is hoped that this research can contribute to the development of literature on cyber law and electronic transactions in Indonesia, providing a better understanding for the parties involved. Based on the context of the problems faced, the author formulated the title of this research as "Analysis of Electronic Transaction Cancellation in the Context of Cyber Law".

Current technological advances have made electronic transactions increasingly a trend among society. This is a direct impact of the acceleration and innovation of information technology which is changing almost all aspects of people's daily social life, including economic and business life. This cannot be denied because of the convenience and efficiency offered in carrying out electronic transactions such as online shopping, electronic payments and digital delivery of goods.[2] This gives rise to various forms of activities that are more efficient, time-saving and energy-saving compared to conventional methods which require us to interact directly or physically travel.

One of the most prominent forms of electronic transactions is *online shopping*. *E-commerce* platforms have improved the way we shop and do business. With this platform, consumers can access various types of products from anywhere and at any time, while sellers can reach a wider market digitally. Not only that, *online* transactions also facilitate fast and safe payments, as well as timely and efficient delivery of goods. Electronic transactions also stimulate economic growth by creating more jobs and business opportunities.[3]

However, electronic transactions must also be balanced with increased sustainability and protection for consumers. However, it is very important to continue to maintain and ensure the security of user data by improving technology so that it can continue to grow and develop healthily. Thus, it is clear that the development of electronic transactions has changed our world and will continue to influence the way we interact in the global economy. Technology,

with all the convenience and efficiency it offers, has opened new doors for our economic and business activities, and improved our quality of life.

However, as with every technological development, there are certainly challenges and implications that we will face. One of the challenges we need to face in electronic transactions is cancellation electronic transactions . Cancellation of an electronic transaction is a situation where one of the parties involved in the transaction decides to stop or cancel a transaction that has been carried out electronically.

Every transaction that occurs in *e-commerce* begins with the formation of an electronic trade agreement, which is defined as a form of agreement or contract that is made and executed electronically between the parties, in this case the seller and the buyer. According to Subekti, an agreement is a legal act carried out by two or more parties to create, change or delete rights and obligations related to the legal relationship that is the object of the agreement.[4]

Meanwhile, the requirements for the validity of an agreement are regulated in Article 1320 of the Civil Code (KUHPerdata), which stipulates that there are four conditions that must be met for the agreement to be considered valid. Namely:[5]

1. Those who bind themselves agree;
2. Ability to create an agreement;
3. A certain thing;
4. A lawful cause.

If we look closely at electronic transactions that occur on the Shopee marketplace platform, it can be concluded that these transactions basically involve an agreement between two parties, just like conventional transactions.[6] The most common example that we can give an overview of this type of agreement is a sale and purchase agreement.

It is important to understand that even though the Shopee marketplace platform provides the means to carry out electronic transactions, the basic principles of the agreement remain the same as in conventional transactions. This agreement involves at least two parties agreeing to exchange goods or services with a written or implied agreement.

A sale and purchase agreement involves legal responsibility and commitment from both parties. The seller is responsible for providing goods or services according to the description and standards promised, while the buyer is obliged to pay according to the agreement.

Looking at the Shopee marketplace platform, the first party is a seller who offers goods or services, while the second party is a buyer who expresses his desire to buy. The platform functions as an intermediary to facilitate the transaction process and provide security for both parties.

In the case of electronic transactions, this agreement may be expressed through an electronic agreement, such as a “Buy” button or digital signature. Therefore, even though the medium is different, the legal substance of the sale and purchase agreement still applies in electronic

transactions carried out on the Shopee marketplace. By understanding these principles, users can optimize the benefits of the platform while remaining compliant with the legal aspects involved in every electronic transaction.

Similar to agreements executed conventionally, the cancellation of electronic transactions carried out on the Shopee marketplace platform has its own regulations which are regulated in Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Electronic Information and Transactions or abbreviated as UU - ITE.

Electronic transactions are legal acts carried out using computers, computer networks and/or other electronic media. In terms of marketplace platforms, electronic transactions function to provide convenience and accessibility for consumers to shop virtually. Electronic transactions are the core of economic activity in the digital realm and are the main basis for buying and selling goods or services online. This phenomenon does not only include financial processes, but also ease and accessibility which is very important in the context of marketplace platforms, such as Shopee.

Shopee Marketplace provides infrastructure to support interaction between sellers and buyers. With electronic transactions, this platform facilitates consumers to explore various products, compare prices, and make decisions about whether consumers will make a purchase or not.

In this digital era, consumers are increasingly critical in choosing shopping options without being bound by geographical or time constraints. In this way, electronic transactions on the marketplace platform are able to create an environment that allows consumers to participate in the electronic commerce ecosystem more effectively and pleasantly. Shopee, as one of the marketplace platforms that dominates the market, is an important focus in the context of the electronic commerce ecosystem.

Transaction cancellation is very important in influencing performance and consumer trust in the platform. Transaction cancellation analysis will explore the reasons behind transaction cancellations, both from a consumer and seller perspective, with the aim of identifying patterns and trends that may emerge. Transaction cancellation is important in assessing the effectiveness of a marketplace platform in transactions, especially in the context of electronic commerce.

Legal regulations and electronic transaction policies have an important role in forming the regulatory basis governing transaction cancellation on marketplace platforms like Shopee. The importance of understanding and analyzing regulations regarding this matter is not only related to compliance, but also to aspects of protecting the rights and obligations of all parties involved in the transaction. An understanding of these laws will provide context for the existing regulatory framework, as well as enable the identification of potential impacts on transaction cancellation.

Cancellation of this transaction can occur for various reasons, for example errors in data input, changes in decisions by one of the parties, technical problems, or others. The consequences of this cancellation can vary, depending on the seller's policy and the transaction system used.

The types of electronic transaction cancellations that can be made on the Shopee marketplace platform are as follows:

1. Instant Cancellation

Cancellations made by the Buyer before the Seller arranges delivery or enters the no. receipt, without needing to wait for a response from the Seller. After the Buyer selects Cancel Order in the application, the system will cancel automatically.

*Sample case:*

Buyers place orders with the Shopee Xpress Instant delivery service at pk. 10:00 WIB then cancel it at 10:00 p.m. 10:50 WIB before the Seller arranges delivery. So, the order will be canceled instantly and does not require a Seller response. Buyers place orders with the Shopee Xpress Standard delivery service at pk. 10:00 WIB then cancel it at 10:00 p.m. 12:00 WIB before the Seller arranges delivery. So, the order will be canceled instantly and does not require a Seller response.

2. Non-Instant Cancellation

Cancellation is made by the Buyer by waiting for the Seller's response first. Buyers can choose Cancel Order in the application (for all delivery services after the Seller has arranged delivery or entered the receipt number, as long as the package has not been received by the delivery service) and wait for the Seller's response within 1 x 24 hours. If the Seller does not respond, the system will cancel automatically within the next 1x24 hours.

*Sample case:*

Buyers place orders with the Shopee Xpress Instant delivery service at pk. 10:00 WIB then cancel it at 10:00 p.m. 10:50 WIB after the Seller arranges delivery. Therefore, requesting an order cancellation by the Buyer requires a response from the Seller.

Buyers place orders with the Shopee Xpress Instant delivery service at pk. 10:00 WIB then cancel it at 10:00 p.m. 12:00 WIB before the Seller arranges delivery. Therefore, requesting an order cancellation by the Buyer requires a response from the Seller. Buyers place orders with the Shopee Xpress Standard delivery service at pk. 10:00 WIB then cancel it at 10:00 p.m. 13:00 WIB after the Seller arranges delivery. Therefore, requesting an order cancellation by the Buyer requires a response from the Seller.

Automatic Cancellation

Orders will be automatically canceled if:

- Seller does not arrange shipping or enter no. receipt within the permitted Packaging Period (Delivered Within).
- The seller does not *log in* to the Shopee application for 7 (seven) days after the buyer pays for the order.

- The seller does not hand over the package to the courier who picks up the order/delivers the package to the delivery service counter, so the delivery receipt is not verified within 2 (two) days from the end of the Packaging Period (Sent in).

*Sample case:*

The buyer makes an order with a packaging period that ends on August 23, 2021. If the seller does not complete the delivery process by that date, the order will be automatically canceled the following day.

On the Shopee marketplace platform, consumers can only submit 1 (one) cancellation request for each order. If your cancellation request is rejected by the Seller, you cannot request a cancellation again for the same order.

## **2 Method**

The author uses normative legal research methods in this research,[7] which involves analysis of applicable laws and regulations. In the context of sources of legal materials, there are two main categories, namely primary legal materials which are the main basis for writing this article.

Secondary legal materials are legal materials that are used as support or assistance to obtain understanding, descriptions and legal theories that support the analysis and resolution of problems that will be explored in scientific research. Tertiary legal materials, on the other hand, refer to legal materials that provide guidance and interpretation of legal materials at the first and second levels.

The method for collecting materials in this research adopts library study techniques, which involve reading, taking notes, quoting, summarizing and reviewing data information from regulations or literature that is relevant to the problem being studied. After successfully collecting legal materials through the literature study process, the author uses a technical approach, systematization, argumentation and legal interpretation. Analysis of legal materials is carried out by applying deductive and inductive logic.

Adapted to needs, the author will adopt a qualitative approach. After successfully collecting primary and secondary legal materials, the author will carry out processing and analysis using a structured legal material handling method.

## **3 Results and Discussion**

### **3. 1. Cancellation of Electronic Transactions on the Shopee Marketplace Platform**

Electronic transaction cancellation is a process where a transaction that has been carried out online is canceled or withdrawn.[8] This may involve a refund or cancellation of delivery of goods or services. The cancellation process may vary depending on the policy of the seller or service provider.

Cancellation of electronic transactions is usually done on the basis of customer dissatisfaction, errors in transactions, or changes in purchasing decisions.[9] These factors may trigger the desire to cancel the transaction and request a refund or change in order.

In law number 11 of 2008 concerning Electronic Information and Transactions, article 22 paragraph 1 states that certain Electronic Agent Operators must provide features on the Electronic Agents they operate that enable users to make changes to information that is still in the transaction process.

In the Government Regulation of the Republic of Indonesia Number 71 of 2019 concerning the Implementation of Electronic Systems and Transactions, article 47 paragraph 3 states that electronic contracts contain at least:

- identity data of the parties;
- objects and specifications;
- Electronic Transaction requirements;
- price and cost;
- procedures in the event of cancellation by the parties;
- provisions that give the injured party the right to return the goods and/or request a product replacement if there are hidden defects; And - choice of law for Electronic Transaction settlement.

It is important to note that the inclusion of these cancellation procedures is a proactive step to protect the rights and interests of all parties involved in electronic transactions. By including these provisions in electronic contracts, the parties involved can have clear guidance regarding how the cancellation process can be carried out, thereby reducing the potential for conflict and ambiguity in the future.

This cancellation procedure may include the steps to be followed, a set time limit, and any other relevant provisions to ensure that the cancellation can be carried out fairly and transparently. Apart from that, the existence of this provision can also be a factor in increasing trust in electronic transactions, because the parties feel they have clear and binding guidelines.

Thus, Article 47 Paragraph 3 Letter e of this Government Regulation provides a strong legal basis for creating electronic contracts that are fair, transparent and accountable, in line with the increasingly rapid development of information and communication technology.

This highlights the importance of ethical considerations and consumer responsibility in canceling electronic transactions, especially when involving marketplace platforms such as Shopee. Although consumers have the right to cancel transactions in accordance with applicable policies, it is important to consider the impact on other parties, especially sellers.

Consumers who decide to cancel electronic transactions via platforms such as Shopee should be expected to utilize this opportunity wisely. Some considerations that can be taken are:

1. **Appropriate Reason:** Consumers should ensure that the reason for canceling the transaction is in accordance with the specified provisions. This will not only support cancellation claims, but also respect platform policies and sellers' rights.
2. **Open Communication:** Consumers should provide open communication to the seller regarding the reasons for cancellation. By providing clear explanations, consumers can help minimize any inconvenience the seller may feel.
3. **Impact Considerations:** Before canceling a transaction, consumers should consider the impact on the seller, especially if the transaction relates to products or services that have special preparations or limited availability.
4. **Honesty in Transactions:** The principle of honesty in carrying out transactions is very important. If consumers have the intention to buy a product or service, it is best to carry out the transaction in good faith.
5. **Understanding Policy:** Before canceling, consumers should properly understand the cancellation policy implemented by the marketplace platform. This will help avoid potential conflict and inconvenience.

It is important to remember that consumer rights and seller disappointment can be two dynamic things. In exercising their rights, consumers are expected to balance the interests of other parties and act responsibly to create a fair and respectful transaction environment.

#### 4 Conclusion

From the discussion that has been carried out, conclusions can be drawn based on the problem formulation that has been discussed. This conclusion is based on theoretical studies and the description of the discussion above that the implementation of Electronic Transaction Cancellation on the Shopee Marketplace Platform, is in accordance with Government Regulation Number 71 of 2019 concerning the Implementation of Electronic Systems and Transactions, Article 47 Paragraph 3 Letter e states that electronic contracts must at least include cancellation procedures by the parties. Consumers can cancel transactions by sending a cancellation request. To do this, consumers can select the 'Cancel Order' option on the order details page and select the reason for cancellation. After that, cancellation confirmation can be made. There are three types of cancellations provided by the Shopee marketplace platform, namely instant cancellation, non-instant cancellation and automatic cancellation.

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