



# International Conference on Law and Social Science

**Editorial Office:** postgraduate at Riau Islamic University, Universitas Islam Riau, Pekanbaru, Indonesia.

Phone: +62 85234073707, +62 85329106484

E-mail: [law\\_s3@uir.ac.id](mailto:law_s3@uir.ac.id)

Website : <https://pps.uir.ac.id/icls2024/>

## **Analysis of Legal Protection of *ShopeeFood* Driver Partners In Delivery Services According To Law Number 11 of 2008 Concerning Electronic Information and Transactions**

**Marnisya Octaviani Pratama<sup>a</sup>, Esy Kurniasih<sup>b</sup>**

<sup>a</sup>Islamic University of Riau

[marnisyaoctavianipratama@student.uir.ac.id](mailto:marnisyaoctavianipratama@student.uir.ac.id)

<sup>b</sup>Islamic University of Riau

[esykurniasih@law.uir.ac.id](mailto:esykurniasih@law.uir.ac.id)

### **Abstract:**

*The e-commerce industry in one of the factors in change that can make it easier for consumers to make purchase via online platform. In this development, one of the e-commerce applications that is currently popular among the public is ShopeeFood. ShopeeFood is a feature in the Shopee applications that offers food delivery services according to consumers request. ShopeeFood provides it's services through the Shopee platform, Website and Mobile Application. This research includes a problem formulation consisting of how to legally protect ShopeeFood driver partners for losses due to fake orders from consumers and how to revolve efforts from PT. Shopee Indonesia for fake orders experienced by ShopeeFood driver partners. The research method used in this thesis research is a type of sociological or empirical law which involves direct research in the field. This research was conducted using data collection tools such as interview, questionnaires and documentation. The nature of this research is descriptive, where the aim is to provide a detailed description of legal protection for driver partners and how to resolve problems related to fake orders. This research includes the use of primary data, secondary data and tertiary data. Based on research results, it shows that legal protection for drivers is not yet optimal from PT. Shopee Indonesia is mainly related to fake order cases. The solution to solving problems faced by drivers is to make a claim to PT. Shopee Indonesia provides proof in the form of photo of the handover to the orphanage and also submits a receipt.*

**Keywords:** *Legal Protection, Driver Partners, Partnership Agreement, ShopeeFood.*

### **I. Introduction**

At the present time, the advancement of electronic technology is growing rapidly and

has changed various aspects in the trade and service industry. The *e-commerce* industry is one of the sectors that is undergoing

changes, allowing consumers to make purchase more easily through *online* platforms.

An *e-commerce* platform refers to a telecommunication medium where the process involves means of transportation, both digital and physical, to deliver goods to a predetermined location. This *e-commerce* based trade reflects technological advances that have an impact on lifestyle changes. *E-commerce* applications allow people to shop *online* through smartphones without having to go to a store, making it easier for them to meet their daily needs. *E-commerce* offers convenience and advantages that are different from conventional commerce, as well as providing transactions opportunities without space and time limitations.

In this development, service quality is a factor that affects customer loyalty. *ShopeeFood* is one of the *e-commerce* applications that is currently popular with the public. *ShopeeFood* provides its services through the Shopee platform, the *Moblie Website* and the Application. The emergence of this service has caused a lot of discussion in the market, especially during the *Covid-19* pandemic which has led to an increase in the use of food delivery services. Shopee as one of the largest *e-commerce* in Indonesia has achieved wide popularity as intended on the official Shopee Indonesia website in 2021. Shopee has not only operated in Indonesia, but also throughout Southeast Asia and Taiwan since it was first launched

in 2015. *ShopeeFood* has now become one of the leading *e-commerce* platforms in Indonesia with significant traction.

*ShopeeFood* success can be seen from the increase in the number of active users and transactions that continue to increase over time. The food delivery services of this platform have proven to be very efficient and practical in terms of time and location, with a wide selection of restaurants and menus that are able to appeal to consumers. *ShopeeFood* is related to timely food delivery, accuracy in ordering, and ease of use of the platform. *ShopeeFood* users expect the ordering and delivery process to run smoothly without a hitch, with fast service. Good service quality is expected to significantly increase customer satisfaction, create a satisfying experience and meet their expectations.

Although *e-commerce* services provide convenience, several problems often arise, including *fake orders* caused by consumers. *Fake orders* involve making *fake orders*, for example food or beverages, by providing false information such as addresses, phone numbers or even other data that causes losses for *online* drivers.<sup>1</sup>

This *fake order* refers to food orders ordered by consumers as users of the Shopee application in the *ShopeeFood* service without any responsibility. In the context of

---

<sup>1</sup> Widya Nengsih, *Legal Protection for Online Drivers Due to Fictitious Orders Reviewed from Law No. 13 of 2003 (Case Study of PT. Maxim Kota Kendari)*, ( E-Journal IAIN Kendari; Vol.3, No. 2 , 2021) p.33.

the *ShopeeFood* service, *fake orders* occur when consumers order food in large quantities and then after the order is placed and delivered to a predetermined location, the address or house number cannot be found or even if the address is found, the consumer does not respond when contacted. Losses incurred by *ShopeeFood* drivers are not caused by their personal fault or negligence, but by irresponsible actions of consumers.

Consumer actions involved in *fake orders* can result in various legal consequences, including legal consequences from Unlawful Acts and legal consequences from Default actions. Perpetrators of fake orders who violate the provisions regarding rights and obligations, especially because of their intentionality, are obliged to compensate the driver for the losses caused to the driver.<sup>2</sup>

The act of *fake order* is a form of fraud committed by consumers without any responsibility to Shopee drivers in the *ShopeeFood* service, including in the category of unlawful acts. The act refers to an agreement derived from the Law as a consequence of human actions that are contrary to the law, as stipulated in Article 1365 of the Civil Code<sup>3</sup> which reads: "every act that violates the law and causes harm to another person, requires the perpetrator of

the wrongdoing to compensate for the losses caused."

Article 1365 of the Civil Code states that every person who commits an unlawful act must be responsible for losses incurred for other parties. Thus, the perpetrator of the *fake order* as an application user must compensate for the losses experienced by the driver. Drivers who are harmed by *fake orders* have the right to demand compensation from the perpetrators in accordance with the provisions of Article 1365 of the Civil Code concerning Unlawful Acts. Compensation for unlawful acts can be formed as follows:

#### 1. Nominal Compensation

In the event of a serious unlawful act, such as an intentional act that does not result in obvious losses to the victim, the victim can still receive compensation in the form of money as a form of justice without the need to calculate the amount of loss in detail.<sup>4</sup>

#### 2. Compensation Damages

Compensation damages is a payment given to the victim as compensation for the losses he actually suffered due to the unlawful act.<sup>5</sup>

The action of a consumer who makes a *fake order* can be considered a default because the consumer has agreed to the order and

<sup>2</sup> Rosmawati, *Principles of Consumer Protection Law*, Prenada Media, Depok, 2018. p. 91.

<sup>3</sup> Gunawan Widjaja and Kartini Muljadi, *The Alliance Born from Law*, Raja Grafindo Persada, Jakarta, 2003. p. 81.

<sup>4</sup> Indah Sari, *Unlawful Acts (PMH) in Criminal Law and Civil Law*, Journal of Aerospace Law, Vol.11, No.11, September 1, 2020, pp. 65-67.

<sup>5</sup> *Ibid*, p.135.

promised to pay, but in fact does not carry out its obligations. This default causes losses for the driver. Therefore, the perpetrator of default must be responsible for the demands submitted by the driver in the form of compensation or compensation, namely:

1. Reimbursement of Costs, Losses and Interest

Replacement costs, losses and interest incurred due to non-fulfillment of an agreement. Thus, the compensation is the result of default committed by the perpetrator of the *fake order*.

2. Cancellation of Agreement

The cancellation of the agreement aims to return both parties to their original position before the agreement took place. Services that are not in accordance with the previous discussion are considered to be in violation of applicable law, as stipulated in Article 17 paragraph 2 of Law Number 11 of 2008 concerning Information and Electronic Transactions. The article states that "the parties who conduct electronic transactions as referred to in paragraph (1) must be in good faith in interacting and exchanging electronic information and electronic documents during the transaction process."

Article 38 paragraph 1 of Law Number 11 of 2008 concerning Information and Electronic Transactions states that "every individual has the right to file a lawsuit against the party that operates the electronic

system and/or uses information technology that causes losses."

One of the phenomena experienced by a *ShopeeFood* driver named Safrizal he experienced 2 (two) different cases of *fake orders*, where he received the first order in the form of food in the amount of Rp. 30,000 and in the second order in the form of drinks in the amount of Rp. 29,000. This incident occurred when the driver didn't find the buyer at the delivery location that had been listed in the *Shopee* application. After Safrizal tried to contact the number listed in the buyer's profile account but there was no response at all from the buyer, in this incident Safrizal had suffered a loss. For refunds that will be borne by PT. *Shopee Indonesia* has several requirements, namely in the form of photo proof and receipts for the delivery of the order. In the photo evidence, the order must be given to the other party who receives it.<sup>6</sup>

PT. *Shopee Indonesia* as an application provider conducts business activities by using application technology to facilitate transactions, especially in order delivery services. PT. *Shopee Indonesia* acts as a business intermediary, connecting consumers with service providers. Through the partnership agreement, the relationship between PT. *Shopee Indonesia* and *ShopeeFood* drivers were formed as a partnership in the service.

---

<sup>6</sup> Interview with a *ShopeeFood* Driver named Safrizal, on Friday, February 16, 2024

*ShopeeFood* drivers do not have a direct working relationship with PT. Shopee Indonesia, because PT. Shopee functions as an intermediary in the service, while the working relationship occurs between the driver and PT. Shopee.

## II. Legal Materials and Methods

This research applies a sociological approach also known as field research. Where it focuses on primary data obtained through interview methods, questionnaire dissemination and documentation. The sociological approach aims to analyze the problems that arise in society, evaluate the applicable legal norms and relate them to relevant facts related to the problem being studied.

Meanwhile, in the nature of the research, it is descriptive, namely providing a detailed description of how legal protection for *ShopeeFood* drivers and how to solve problems regarding *fake orders*.

The analysis method in this study uses a qualitative method, which describes the phenomenon using words, sentences or narratives. The data is then arranged by category to reach a desired conclusion.

## III. Result and Discussion

### Legal Protection For *ShopeeFood* Driver-Partners For Losses Due To *Fake Orders* From Consumers.

According to Soerjono Soekanto, legal protection includes all actions taken to ensure the fulfillment of rights and provide

support to ensure the safety of witnesses and/or victims. In the context of community protection, legal protection for crime victims can be carried out through various mechanisms such as restitution, restoration and legal aid.<sup>7</sup> This legal assistance is provided by government agencies authorized in law enforcement to protect witnesses and/or victims.

Legal protection deals with the rights and obligations of individuals as legal subjects. The subject of this law is a human being who has rights and obligations related to the legal actions or activities they carry out. PT. Shopee Indonesia provides protection to drivers based on their occupation. Protection for *fake order* cases can be given to drivers who deliver orders through the *ShopeeFood* service. According to Philipus M. Hadjon, there are 2 (two) legal protection<sup>8</sup> theories that can be applied to protect *ShopeeFood* online drivers who suffer losses due to *fake orders*. The theories are:

#### 1. Preventive Legal Protection

Preventive legal protection gives legal subjects the opportunity to express objections or opinions before a final decision is taken with the aim of preventing conflicts or disputes. In Indonesia, there is no specific regulation to regulate preventive legal protection. Therefore, *ShopeeFood* drivers must remain vigilant and careful in carrying

<sup>7</sup> Soerjono Soekanto, *Introduction to Legal Research*, Ui Press, Jakarta, 1984, p. 133.

<sup>8</sup> Philipus M. Hadjon, *loc.cit.*

out their duties to avoid unwanted situations, such as *fake orders* from fake users.

## 2. Repressive Legal Protection

Repressive legal protection includes sanctioning violators to restore the legal situation to its original state, usually through court proceedings. The purpose of repressive legal protection is to resolve problems or conflicts that arise based on the concept of recognition and protection of human rights. One form of repressive protection carried out by PT. Shopee Indonesia is to enforce its responsibilities in accordance with the applicable legal provisions in the partnership agreement.

In the agreement between PT. Shopee Indonesia and Shopee drivers, there is no clause that establishes the responsibilities of the parties related to the use of *ShopeeFood* services in the event of an error by irresponsible consumers. However, in reality, Shopee drivers often suffer losses due to *fake orders* made by irresponsible parties. This loss is not the result of the driver's mistake or negligence, but due to unlawful actions and defaults committed by consumers when making *fake orders*. Based on the results of the study, it was found that *ShopeeFood* drivers who experienced *fake orders* also suffered losses, including:

1. Not receiving adequate wages from deliveries made due to irresponsible consumer actions.

2. Loss of time, fuel, mileage and energy due to waiting for consumers who do not show up during delivery and cannot be contacted.
3. Difficulty determining income because of the fear of receiving *fake orders* again.
4. Risk of losing the driver's account or having difficulty in obtaining a new order for a while.
5. Lack of cash because the driver has to bear the cost of purchases made by irresponsible consumers. Once an order is placed through Shopee, the driver cannot cancel the order and must complete the delivery, even if it is a *fake order* made by an irresponsible consumer.

In this study, the author conducted a method by interviewing parties from PT. Shopee, whose is Aan as the admin of *ShopeeFood* on Wednesday, the resource person are in the form of PT. Shopee for the act of *fake orders* and legal protection for the driver.

How is the action of PT. Shopee against drivers who experience *fake orders*?<sup>9</sup>

"The actions taken by PT. Shopee is by sanctioning irresponsible consumers, the sanction can be in the form of freezing the account or suspending the account which makes consumers unable to order through an account that has been used previously."

---

<sup>9</sup> Interview with the Admin of PT. Shopee, named Aan, on Wednesday, February 21, 2024

What is the legal protection for drivers for *fake orders* from consumers?<sup>10</sup>

"From the results of the interviews conducted by the researcher, PT. Shopee gave an answer that for legal protection from Shopee itself, there is no such thing. It's just that if the driver experiences involvement in a problem that is not in accordance with his job, then the Shopee Task Force team immediately intervenes to investigate the problem."

In this research, the author conducted a method by interviewing a driver named Agus as a *ShopeeFood* driver who had only worked for about 1 (one) month on Tuesday, February 6, 2024, the results of the interview conducted by the author with the resource person were in the form of questions.

How do *ShopeeFood* drivers earn in doing their jobs?<sup>11</sup>

"For the income itself, it is adjusted to the points that have been set in the respective driver's account, so that sometimes the driver also gets a bonus from PT. Shopee."

A *ShopeeFood* driver named Rozi who has only been working for 1 (one) month on Tuesday, February 6, 2024, the results of the interview conducted by the author with the resource person are.

What are the requirements needed to become a *ShopeeFood* driver?<sup>12</sup>

---

<sup>10</sup> *Ibid*

<sup>11</sup> Interview with the *ShopeeFood* driver, named Agus, on Tuesday, February 6, 2024

"The requirements needed to register as a driver are in the form of a Driver's License (SIM), Vehicle Number Registration Letter (STNK), Identity Card (KTP) and M-Banking. And for this registration can be done *online*."

A *ShopeeFood* driver named Putra who has only worked for about 1 (one) month on Friday, February 16, 2024, the results of the interview conducted by the author with the resource person are in the form of.

When the driver does his work and finishes the implementation gets a bonus from the company?<sup>13</sup>

"This bonus income is usually obtained when the orders received are in accordance with the targets contained in the driver's account, so that the driver gets a bonus in the form of additional points that can make the driver's income increase."

A *ShopeeFood* driver named Irvan who has been working for approximately 2 (two) months on Tuesday, February 6, 2024, the results of the interview conducted by the author with the interviewees are. During working as a *ShopeeFood* driver, how many orders did the driver receive in a day?<sup>14</sup>

"For a day, it usually depends on the orders obtained, in a day it can reach 5 (five) orders and usually the most orders,

---

<sup>12</sup> Interview with the *ShopeeFood* driver, named Rozi, on Tuesday, February 6, 2024

<sup>13</sup> Interview with the *ShopeeFood* driver, named Putra, on Friday, February 16, 2024

<sup>14</sup> Interview with a *ShopeeFood* driver named Irvan, on Tuesday, February 6, 2024

namely at night, can reach around 6 (six) orders."

A *ShopeeFood* driver named Firman who has been working for approximately 6 (six) months on Monday, February 19, 2024, the results of the interview conducted by the author with the interviewees are.

Have you ever experienced difficulties in doing your job as a *ShopeeFood* driver?<sup>15</sup>

"While working as a *ShopeeFood* driver, things that are usually an obstacle in carrying out tasks can be in the form of difficulties in finding the address from the consumer or even the unclear statement conveyed by the consumer to the driver so that the driver feels difficult."

In the results of the interview that has been conducted by the researcher gave an answer that from the side of PT. *Shopee Indonesia* itself does not have definite legal protection. It's just that if the drivers experience a problem that is not in accordance with their work, then the task force team from *Shopee* immediately intervenes in dealing with the problem and provides the responsibilities that have been regulated in the partnership agreement in accordance with applicable laws and regulations.

### **Settlement Efforts From PT. *Shopee Indonesia* For *Fake Orders* Experienced By *ShopeeFood* Driver-Partners.**

*Fake Orders* is an order from an irresponsible consumer where after the order

is successful, the consumer does not respond and cannot be contacted. In addition, the address provided was unclear, making the driver confused in completing the order. After realizing that the order is a *fake order*, the driver has to spend a long time to be able to contact *Shopee* customer service to report the incident, so they cannot find another order until the problem is resolved.

The difference between a *fake order* and a unilateral cancellation is, if the *fake order* occurs after the driver receives the order, communicates with the consumer via chat and then finds out that the delivery address listed in the application is different after the order is placed. Meanwhile, unilateral cancellation occurs when a consumer orders a service through an application but suddenly cancels the order without providing a clear reason or even explanation. In the case of unilateral cancellation, *ShopeeFood* drivers have placed orders and are waiting for their orders. It is not uncommon for some consumers to unilaterally cancel orders even though the order has been purchased and is on its way to the address that has been provided by the consumer.

In the case of *fake orders*, 7 (seven) out of 10 (ten) *ShopeeFood* drivers have experienced it, both in the form of food and drinks. This experience does not only happen once but several times. Based on the study, the average driver chose to donate the order to an orphanage, while others chose to take it home.

---

<sup>15</sup> Interview with a *ShopeeFood* driver named Firman, on Monday, February 19, 2024

Losses experienced by *ShopeeFood* drivers due to irresponsible consumer actions are not due to deliberate fault on the part of the driver. In this context, PT. Shopee Indonesia is responsible for the occurrence of *fake orders* as the application manager. The principles of such responsibilities include:<sup>16</sup>

1. Principle of Responsibility Based on Elements of Error

According to this principle, every business actor who makes a mistake in running his business must be responsible for compensating for all losses caused by the mistake.<sup>17</sup>

2. The Presumptive Principle of Always Being Responsible

This principle states that business actors must be responsible for all losses related to their business. However, if the business actor can prove that they are innocent, they are exempt from the responsibility to pay compensation.<sup>18</sup> The burden of proof in this principle lies with the business actor, not on the aggrieved party.

3. Principle of Absolute Responsibility

This principle stipulates that business actors must be responsible for all losses arising from their business, without the need to prove any errors. The burden of proof and the element of error do not need to be questioned.<sup>19</sup> Business actors

must immediately pay compensation because their responsibility is based on the losses caused, not on the fault.<sup>20</sup>

Drivers who experience *fake orders* on the *ShopeeFood* service can report it directly to PT. Shopee Indonesia by providing complete and detailed information. Here are the steps that drivers can use in applying for compensation:

1. After completing the delivery of the order according to the location listed on the Shopee application, the driver can immediately report the problem related to the *fake order* to PT. Shopee Indonesia.
2. Before applying for a refund, the driver must prepare several documents required for PT. Shopee Indonesia can immediately process refunds that have been used to pay for *the order*. The required documents include a receipt or receipt of purchase, proof of communication between the driver and the irresponsible consumer and a photo of the delivery of the order to the orphanage manager.
3. After meeting all these requirements, the driver can apply for a refund to PT. Shopee Indonesia.
4. The refund process usually takes about 3 (three) to 4 (four) days or maybe more.
5. The refunded funds will be sent directly by PT. Shopee Indonesia through M-Banking drivers.

<sup>16</sup> Celine T.S. Kristiyanti, *loc.cit.*

<sup>17</sup> Abdulkadir Muhammad, *loc.cit.*

<sup>18</sup> *Ibid*, p.54.

<sup>19</sup> *Ibid*, p.56.

<sup>20</sup> Rezky Wulandari, *loc.cit.*

Shopee has reduced the risk of loss by providing non-cash payments through the *ShopeePay* service. With *ShopeePay*, drivers can make cashless payments by topping up their balance, so they don't need to use personal money to pay for orders to restaurants. If the payment is made in cash by the consumer, the driver must pay in advance according to the order listed on the application and will be replaced by the consumer when the order reaches the destination. Through *ShopeePay*, money from consumers goes directly to the driver's account, allowing the driver to immediately use the funds.

Although *ShopeePay* makes it easier for consumers to shop, there are several reasons that make some people reluctant to use it, such as laziness to do top-ups or feeling that top-ups are too complicated. But the main purpose of *ShopeePay* is to protect drivers from losses, especially in the case of *fake orders* where consumers do not reimburse the money that the driver has paid to the restaurant. Therefore, *ShopeePay* is very important to prevent irresponsible actions from consumers. The various promos available on the Shopee application are steps to ensure the rights and obligations of drivers, as well as reduce the risk of losses that may occur.

The losses experienced by *ShopeeFood* drivers are not the result of their mistakes or negligence, but rather due to irresponsible consumer actions. To resolve this problem,

the method used is out-of-court dispute resolution or called non-litigation such as arbitration and mediation. This is in accordance with Article 39 paragraph 2 of the Constitution of the Republic of Indonesia Number 19 of 2016 concerning amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions.

The cases of *fake orders* highlighted in this study show a negative impact on drivers and consumers, with incidents like this often occurring in the field. However, Shopee certainly does not just remain silent in facing the problems caused by *fake orders*. Various steps have been taken by Shopee to deal with this problem, including applying sanctions to consumers who make *fake orders* such as freezing or suspending accounts. It should be noted that this action was not carried out carelessly by Shopee, but rather a response to mistakes made by consumers in making *fake orders*, which is the core of the problem in this study.

In this study, the author conducted a method by interviewing parties from PT. Shopee, whose name is Aan as the *ShopeeFood* admin on Wednesday, February 21, 2024, the results of the interview conducted by the author with the resource person, namely in the form of efforts to settle and submit compensation for PT. Shopee.

What are the settlement efforts of PT. Shopee for drivers who experience *fake orders*?<sup>21</sup>

"What is done from Shopee is to provide the conditions that are in accordance with the Standard Operating Standards (SOP) so that drivers can make refunds." How do drivers report and apply for reimbursement due to *fake orders* made by consumers to PT. Shopee?<sup>22</sup>

"Drivers can report directly to Shopee by providing proof of receipts and photo evidence of feeding to the orphanage, after which the evidence is submitted to Shopee, it's just that the process is not carried out immediately, depending on whether the evidence that has been submitted is proven to be genuine and there is no act of fraud."

In this research, the author conducted a method by interviewing a driver named Safrizal as a *ShopeeFood* driver who had only worked for approximately 3 (three) months on Friday, February 16, 2024, the results of the interviews conducted by the author with the interviewees were in the form of.

What do drivers do when they get *fake orders* from irresponsible consumers?<sup>23</sup>

"Drivers usually immediately submit a report to Shopee that the driver has

experienced a fake order and made the conditions to get a refund."

A *ShopeeFood* driver named Yoga who has been working for 7 (seven) months on Tuesday, February 6, 2024, the results of the interview conducted by the author with the resource persons are in the form of.

How to divide the results of the driver's work with PT. Shopee?<sup>24</sup>

"For this revenue sharing, for example, the price in the Shopee application is increased from the original price at the available restaurant, so that the driver gets more revenue from the share."

In this second discussion, the researcher found out how the solution in solving the problem experienced by *ShopeeFood* drivers was by providing a claim to PT. Shopee Indonesia by providing photo evidence, receipts and even order receipts. Another action taken by Shopee to deal with this problem is by applying sanctions to consumers who make *fake orders*, for example such as freezing the account or even suspending which causes the consumer to be unable to use the account.

---

<sup>21</sup> Interview with the Admin of PT. Shopee, named Aan, on Wednesday, February 21, 2024

<sup>22</sup> *Ibid*

<sup>23</sup> Interview with a *ShopeeFood* Driver named Safrizal, on Friday, February 16, 2024

---

<sup>24</sup> Interview with a *ShopeeFood* Driver named Yoga, who is named Yoga on Tuesday, February 06, 2024

| No.    | Type of Respondent                     | Population | Respondent | Data Collection Techniques |
|--------|--|------------|------------|----------------------------|
| 1      | <i>ShopeeFood</i> Admin Pekanbaru City | 1          | 1          | Interview                  |
| 2      | <i>ShopeeFood</i> Driver Partners      | 10         | 7          | Interview                  |
| 3      | <i>ShopeeFood</i> Platform Customers   | 70         | 68         | Questionnaire              |
| Amount |  | 81         | 76         |                            |

Source of pre-survey data in February 2024.

#### IV. Conclusion and Suggestion

##### Conclusion

1. From the results of the interview conducted by the researcher, PT. Shopee Indonesia gave an answer that legal protection from Shopee itself does not yet exist. It's just that if the driver experiences involvement in a problem that is not in accordance with his job, the Shopee Task Force team immediately intervenes to investigate the problem. PT. Shopee Indonesia protects drivers by providing the responsibilities stipulated in the partnership agreement in accordance with applicable laws and regulations.
2. The solution to solve the problems faced by drivers who get *fake orders* is to make a claim to PT. Shopee Indonesia by providing evidence in the form of a photo of the submission to the orphanage and also submitting a receipt. Other actions taken by Shopee to deal with this problem are to impose sanctions on consumers who make *fake orders* such as freezing accounts or even

suspending the accounts of irresponsible consumers.

##### Suggestion

1. PT. Shopee Indonesia needs to tighten the account registration process to ensure that consumer identities can be better identified. This step will make it easier for companies to handle cases such as *fake orders* and allow for strict action against the accounts of consumers involved. This approach is expected to reduce risks for all parties using the platform.
2. Drivers should not delay the compensation application process and Shopee should immediately provide compensation without having to wait for 3 (three) to 4 (four) days or more. This action will help reduce the disruption and inconvenience experienced by drivers due to such losses.

## References

### Book:

- Buana Library Team, Collection of Legal Codes, Buana Library, Bandung, 2019.
- Celine T. S. Kristiyanti, 2008, *Consumer Protection Law*, PT. Sinar Grafika, Jakarta.
- Gunawan Widjaja and Kartini Muljadi, *Alliance Born from Law*, Raja Grafindo, Persada, Jakarta, 2003.
- Rezky Wulandari, 2014, *Commercial Law Textbook*, Mitra Wacana Media, Jakarta.
- Rosmawati, *Fundamentals of Consumer Protection Law*. Media Prenada, Depok, 2018.
- Satjipto Rahardjo, 2006, *Legal Science*, Citra Aditya Bakti, Bandung.
- Soerjono Soekanto, 1984, *Introduction to Legal Research*, Ui Press, Jakarta.
- UIR Press Publishing Team, Guidebook for Completing the Final Project of the Faculty of Law, Universitas Islam Riau, UIR Press, Pekanbaru, 2021.

### Journal Article:

- Widya Nengsih, *Legal Protection for Online Drivers Due to Fictitious Orders Reviewed from Law Number 13 of 2003 (Case Study of PT. Maxim Kota Kendiri)*, (E-Journal IAIN Kendari, Vol.3, Number 2 of 2021).
- Indah Sari, *Unlawful Acts (PMH) in Criminal Law and Civil Law*, *Journal of Aerospace Law*, Vol.11, No.11, September 1, 2020.
- M. Fuad Dzulqornain, *Legal Protection for Online Motorcycle Taxi Driver Partners in the Practice of Renting Services (Ijarah) in Shopee Foovivid Transactions*. Pekanbaru Thesis: Syarif Hidayatullah State Islamic University. Jakarta City.2022.
- Muhammad Isyhadilfath, *Legal Protection for Partners (Drivers) in the Partnership Cooperation Agreement between Application Provider Companies (GOJEK) and Partners (Drivers)*. Sebelas March University. Semarang City.2019.