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**CONSUMER PROTECTION IN MOTORCYCLE SALE AND PURCHASE TRANSACTIONS ON FACEBOOK MARKETPLACE**

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**Abstract:**

The development of information technology has transformed conventional sale and purchase transactions into electronic-based commerce through digital marketplaces, including Facebook Marketplace. This platform is widely used for motorcycle transactions due to its accessibility and broad market reach. However, the absence of identity verification systems and integrated payment mechanisms increases the risk of fraud, causing consumer losses. This study aims to analyze the legal regulation of fraud in motorcycle transactions conducted through Facebook Marketplace and to examine the forms of legal protection provided to consumers. This research employs a normative legal method with statutory, conceptual, and case approaches. The findings indicate that fraudulent acts may be prosecuted under Article 378 of the Indonesian Criminal Code and Article 28 paragraph (1) in conjunction with Article 45A paragraph (1) of the Electronic Information and Transactions Law. Consumer protection remains predominantly repressive and has not been optimally implemented preventively. Strengthening regulations, enhancing platform responsibility, and increasing public legal awareness are necessary to ensure effective consumer protection.

**Keywords:** Consumer Protection, Fraud, Electronic Transactions, Motorcycle Sale and Purchase, Marketplace Facebook.

**INTRODUCTION**

The development of information and communication technology has brought significant changes to the national trade system. Transactions that were previously conducted face-to-face have now shifted to digital platforms that enable interaction without the constraints of space and time. Facebook Marketplace has become one of the most widely used platforms for motor vehicle transactions. Ease of access, wide reach, and the absence of commission fees are the main attractions of this platform. However, the nature of peer-to-peer systems without strict oversight raises the risk of fraudulent acts that harm consumers. This phenomenon demonstrates the imbalance between sellers and buyers in electronic transactions. This situation demands a comprehensive legal analysis to provide legal certainty and protection.

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## METHODS

This research uses a normative legal method that focuses on the study of applicable positive legal norms. The approaches used include a legislative approach to examine the provisions of the Criminal Code, the Civil Code, the Electronic Information and Transactions Law, and the Consumer Protection Law; a conceptual approach to understand consumer protection theory and the concept of electronic transactions; and a case-based approach to analyze fraudulent motorcycle sales practices on Facebook Marketplace. The legal materials are analyzed descriptively and analytically using systematic interpretation and deductive legal argumentation methods.

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## RESULT AND DISCUSSION

**Legal Regulations for Criminal Acts of Fraud.** Legal regulations for criminal acts of fraud in motorcycle sales transactions on Facebook Marketplace refer to Article 378 of the Criminal Code, which stipulates the elements of deception and a series of lies to obtain unlawful gain. In the context



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of electronic transactions, this element is fulfilled when the perpetrator intentionally spreads false information about a motor vehicle to induce the victim to make a payment. In addition to the Criminal Code, Article 28 paragraph (1) in conjunction with Article 45A paragraph (1) of the Electronic Information and Transactions Law provides additional legal basis for the dissemination of false information that harms consumers in electronic transactions. These two provisions demonstrate the duality of regulations between general criminal law and special criminal law, which complement each other in prosecuting perpetrators of digital-based fraud.

The legal provisions for the crime of fraud in motorcycle buying and selling transactions on Facebook Marketplace refer to Article 378 of the Criminal Code, which regulates the elements of trickery and a series of lies to obtain unlawful profits. In the context of electronic transactions, these elements are fulfilled when the perpetrator intentionally spreads false information about motor vehicles to encourage victims to make payments. In addition to the Criminal Code, Article 28 paragraph (1) in conjunction with Article 45A paragraph (1) of the ITE Law provides an additional legal basis for the dissemination of false information that is detrimental to consumers in electronic transactions. These two provisions demonstrate the dualism of regulations between general criminal law and special criminal law, which complement each other in ensnaring perpetrators of digital-based fraud.

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**Legal Protection for Consumers.** From a consumer protection perspective, Law Number 8 of 1999 guarantees consumers' right to obtain correct, clear, and honest information regarding traded goods. However, in practice, this protection on Facebook Marketplace is not optimal because the platform does not provide an identity verification system or secure payment mechanisms. The available legal protection is more repressive, involving criminal reporting or civil lawsuits after losses occur. A preventative approach is needed through consumer education, increased platform oversight, and government policies that adapt to developments in digital technology.

From a consumer protection perspective, Law Number 8 of 1999 guarantees consumers' right to obtain correct, clear, and honest information about traded goods. However, in practice, this protection on Facebook Marketplace has not been optimally implemented because the platform does not provide an identity verification system or secure payment mechanism. The available legal protection is more repressive, through criminal reporting or civil lawsuits after losses occur. A preventative approach is needed through consumer education, increased platform oversight, and government policies that adapt to developments in digital technology.

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**CONCLUSION**

Fraud in motorcycle buying and selling transactions on Facebook Marketplace fulfills the elements of a criminal act as stipulated in Article 378 of the Criminal Code and Article 28 paragraph (1) in conjunction with Article 45A paragraph (1) of the ITE Law. Consumer protection has been normatively regulated in the Consumer Protection Law, but its implementation is still predominantly repressive. Strengthening regulations, increasing the responsibility of digital platforms, and increasing public legal awareness are important steps to create safe and fair electronic transactions.

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