

# Affiliate Activities on the Tiktok Shop Platform in Consumer Protection Law and Sharia Economic Perspective

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## Abstract

This study seeks to analyze the conformity of business practices on TikTok Shop with Law Number 8 of 1999 concerning Consumer Protection and the principles of Islamic economics. The research adopts a qualitative approach with a normative juridical method, focusing on a literature review of Islamic economic law, consumer protection regulations, and relevant studies on electronic transactions. Data analysis was conducted thematically using the Miles and Huberman interactive model to capture recurring patterns and core issues. The findings demonstrate several weaknesses in current practices, including inadequate product information disclosure, limited transparency of additional costs, and underdeveloped consumer complaint mechanisms. From the perspective of Islamic economics, the study also identifies the presence of gharar (uncertainty), riba (usury), and exploitation, which contradict the values of justice, transparency, and accountability. This research contributes to the broader discourse on digital consumer protection by integrating legal and sharia perspectives. It provides both theoretical insight and practical recommendations for strengthening regulation, enhancing consumer awareness, and building a fairer and more ethical e-commerce ecosystem aligned with Islamic principles.

**Keywords:** Affiliate, consumer protection, sharia economy, tiktok shop.



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## INTRODUCTION

In the rapidly growing digital era, e-commerce platforms have become the main driving force in the transformation of the global economy. One of the innovations that stole the spotlight was TikTok Shop, a feature of the social media platform TikTok that incorporates e-commerce elements into its social interactions. By leveraging a huge user base and superior algorithms, TikTok Shop can support buying and selling transactions on a global scale. However, this progress is inseparable from a number of challenges involving consumer protection, transparency, and fairness in digital transactions, which are significant issues in various countries, including Indonesia (Aneka Rahma et al., 2024).

In Indonesia, the issue of consumer protection on platforms such as TikTok Shop is increasingly relevant to be raised. Criticism is often directed at aspects of product quality control, misleading presentation of information, and limitations of dispute resolution mechanisms. The study by Rahman (2024) shows that there are gaps in the implementation of e-commerce regulations, especially related to the aspects of fairness in transactions and consumer protection. This indicates the need for a more thorough evaluation approach to understand business practices on these platforms.

Additionally, it is important to review TikTok Shop through an Islamic economic perspective, which emphasizes the values of fairness, transparency, and responsibility in every economic transaction. This approach provides a distinctive evaluation framework to assess the extent to which TikTok Shop's business practices are in line with these principles. Previous research by Shara found that Muslim consumers' perception of the platform is strongly influenced by its level of adherence to sharia values, which is an important element in building user trust.

The urgency of this research lies in the increasing use of TikTok Shop in Indonesia, which has major implications for consumer protection. With a very wide user base, the trading practices on this platform pose a risk of misinformation, fraud, and weak dispute resolution mechanisms. Syuhada emphasized that government regulations, such as the Regulation of the Minister of Trade No. 31 of 2023, still need in-depth evaluation to ensure their effectiveness in protecting the interests of digital consumers (Rena et al., 2023). This suggests that further research is needed to examine the extent to which consumer protection regulations and principles can be applied optimally in the context of TikTok Shop.

The novelty of this research is also seen in the effort to integrate a positive legal perspective with Islamic economic principles. Most previous research has only highlighted the consumer protection aspect from the perspective of e-commerce regulation, without considering the increasingly important sharia values for the majority of Indonesians. By linking Law No. 8 of 1999 on Consumer Protection with the principles of transparency, fairness, and responsibility in the Islamic economy, this study offers a more comprehensive and contextual framework of analysis for the Muslim-majority Indonesian market (Wahyuni et al., 2023).

In addition to making theoretical contributions, this research also emphasizes the novelty aspect in the practical realm which is directed to produce strategic recommendations for

regulators and digital business actors. This is important considering that there are still limited scientific studies that specifically highlight the relationship between social commerce practices – especially through platforms such as TikTok Shop – and the issue of compliance with consumer protection regulations as well as the application of sharia principles. The gap in the literature shows that there is a large space that needs to be bridged, so this research is present as an effort to expand academic understanding while providing an empirical basis for policy development. Thus, the benefits of research are not only limited to enriching discourses in the field of law and digital economy, but also present practical guidelines that can be used as a reference in the formulation of public policies that are more adaptive, contextual, and responsive to the dynamics of consumer needs in an increasingly complex era of digital transformation.

Although various studies have discussed the issue of consumer protection and the Islamic economy in the context of e-commerce, there are still limitations in the literature that examines the application of Law Number 8 of 1999 concerning Consumer Protection on platforms such as TikTok Shop (Septyaningsih et al., 2023). This shortcoming creates a need for further research, especially one that integrates sharia law and economics perspectives in evaluating digital business practices.

This study aims to analyze the suitability of TikTok Shop's business practices with the provisions regulated in the Consumer Protection Law in Indonesia and assess the level of compliance with sharia economic principles. This study focuses on the value of responsibility, transparency, and responsibility which are at the core of the Islamic economy and are very relevant in the context of consumer protection in the digital era.

Through this approach, this research is expected to make a theoretical contribution by expanding insights into consumer protection in the digital realm from the perspective of sharia law and economics. Practically, the findings of this study can be a guideline for regulators, business actors, and consumers in encouraging more fair, transparent, and sharia principles in Indonesia.

## **METHOD**

This study adopts a qualitative research design with a normative juridical approach, emphasizing the interpretation of laws and regulations in the context of Islamic economic principles. The primary data sources consist of statutory regulations, including Law Number 8 of 1999 concerning Consumer Protection and regulations governing electronic transactions. Secondary sources include sharia economic law literature and previous academic studies on e-commerce and digital business practices. Data collection was carried out through an in-depth literature review to obtain comprehensive insights into the application of fairness, transparency, and accountability in TikTok Shop transactions (Alfarisi & Suhedi, 2023).

The data were analyzed using a thematic approach following the Miles and Huberman interactive model, which includes data reduction, data display, and conclusion drawing. To ensure the validity and reliability of findings, triangulation of sources was employed by comparing legal literature, regulatory documents, and academic studies, and supported with audit trails to maintain transparency in the research process (Saal, 2021). This methodological

structure provides a rigorous foundation for examining the alignment of TikTok Shop practices with sharia economic law and consumer protection principles.

## **RESULTS AND DISCUSSION**

### **Implementation of Law Number 8 of 1999 in the TikTok Business**

#### *Conformity of Business Actors with Consumer Rights*

Law Number 8 of 1999 concerning Consumer Protection emphasizes that business actors have an obligation to fulfill consumer rights as stated in Article 4. These rights include the right to comfort, security, and safety in using goods or services, and the right to receive accurate, clear, and honest information. In business operations on the TikTok platform, business actors, both sellers and affiliates, are required to provide complete product information, including details of specifications, prices, and return policies. If business actors fail to provide adequate information, this is considered a violation of the principle of transparency set by law and has the potential to harm consumers.

As a platform provider, TikTok is also responsible for ensuring that all business partners in its ecosystem comply with these legal provisions. Compliance with Law No. 8 of 1999 is a very important element in building consumer trust while maintaining market integrity, especially in the midst of the rapid development of the digital environment. This move not only supports consumer protection but also strengthens a transparent and sustainable trading ecosystem (Tantaru et al., 2023). Compliance with this regulation also has an important role in increasing consumer protection in online transactions, as regulated in Law Number 11 of 2008 concerning Information and Electronic Transactions. Consistent implementation of these provisions not only strengthens consumer rights, but also creates trust in the digital commerce ecosystem (Muliana et al., 2022).

#### *TikTok's Responsibilities as a Facilitator*

As a facilitator in digital commerce, TikTok has an indirect responsibility to ensure that businesses operating on its platform comply with the provisions of consumer protection laws. This responsibility includes screening sellers and affiliates to ensure that the products they offer meet the standards set and do not mislead consumers. In addition, TikTok can take proactive steps by strengthening the product verification mechanism so that only legitimate and regulated goods are traded. Another step is to provide training for business actors related to consumer rights, so that they can operate ethically and responsibly in meeting consumer needs (Guarda et al., 2021).

Through the implementation of this mechanism, TikTok contributes to creating a safe and transparent business environment for consumers. In addition, the platform needs to demonstrate a real commitment to educating users about the importance of understanding consumer rights in digital commerce. This kind of education not only makes users smarter in transactions, but also reduces the risk of fraud in the digital realm. With these measures, TikTok plays a strategic role

in building a digital commerce ecosystem that benefits businesses while protecting consumers from harmful practices.

As a platform that is very popular among Generation Z, TikTok has great potential to become an effective medium in disseminating information related to consumer rights and digital ethical principles in commerce. Through an innovative approach that is appropriate to the characteristics of young audiences, TikTok can help raise awareness about the importance of digital ethics and consumer rights. This role not only supports consumer protection, but also encourages the development of more responsible and sustainable digital commerce (N. A. Putri et al., 2023).

### *Consumer Supervision and Complaints*

The Consumer Protection Act gives consumers the right to file a complaint if they feel aggrieved by the actions of business actors. In the context of business on TikTok, complaints related to defective products, fraudulent practices, or information manipulation are some of the issues that often arise. To address these issues, TikTok needs to provide a complaint channel that is easily accessible to consumers, responsive, and designed to handle complaints quickly and efficiently. As a follow-up step, TikTok can strengthen consumer protection through the implementation of strict internal oversight mechanisms. This includes the development of a reporting system that allows users to report problematic business actors directly, as well as the implementation of periodic audits of seller activities on the platform. This approach not only aims to minimize violations of consumer rights, but also contributes to increasing users' trust in TikTok as a reliable and responsible digital trading platform (Zhu, 2020).

Strengthening regulations and implementing firm and clear policies is a crucial step in improving consumer protection on digital platforms such as TikTok. This step is designed to ensure fairness and transparency for all users, both consumers and business actors. In addition, adequate education about consumer rights is also an important need for users. This education aims to help them understand their rights and recognize potentially harmful business practices, so that they can take preventive measures. Through the implementation of solid policies and comprehensive education programs, users are expected to actively participate in maintaining the integrity and security of the TikTok ecosystem. Such active participation not only increases trust in the platform, but also builds a collective awareness of the importance of consumer protection in the ever-evolving digital trade. With this approach, it is hoped that the e-commerce ecosystem can be more fair, transparent, and friendly to all parties (Niu & Hong, 2021).

Therefore, TikTok needs to show a real commitment to implementing consumer protection practices that are in line with the provisions of the Consumer Protection Law. This effort aims to create a safer and fairer digital environment for all users, while strengthening TikTok's image as one of the innovation leaders in the digital industry. With a responsible approach, TikTok has the opportunity to transform into a platform that is not only oriented towards economic profit, but also puts consumer protection and satisfaction as a top priority. As an additional step, TikTok can establish strategic partnerships with consumer protection agencies to increase the

effectiveness of the complaint system and resolve issues faced by users. This kind of collaboration not only accelerates the conflict resolution process, but also demonstrates TikTok's commitment to user trust and well-being in an ever-evolving digital ecosystem. Thus, TikTok can strengthen its position as a responsible and trusted digital platform (Senevirathna et al., 2022).

### *Sanctions for Violating Business Actors*

Law Number 8 of 1999 stipulates that business actors who violate the provisions must be subject to sanctions, including the obligation to provide compensation to consumers who suffer losses. In the context of business on TikTok, business actors proven to have committed violations, such as selling counterfeit goods or providing misleading information, must be held accountable in accordance with applicable legal regulations (Dudi Badruzaman, 2025; Puspitasari & Setjoatmadja, 2025) The enforcement of this regulation is essential to ensure legal certainty and protect consumers from fraudulent practices in the increasingly complex e-commerce landscape.

Furthermore, consumer protection in the era of digital trade is not only centered on compensation but also on the prevention of fraudulent practices through the enforcement of principles of transparency, fairness, and accountability. This effort aligns with the state's role in upholding the law and supervising digital platforms so that they do not become a means for distributing illegal goods or misleading information (Dudi Badruzaman, 2025). Thus, the existence of Law Number 8 of 1999 remains relevant and crucial in maintaining a balance between business actors' interests and consumer rights.

As a platform provider, TikTok has a significant responsibility in supporting law enforcement to protect consumers. Steps that can be taken include restricting access for problematic business actors, deleting accounts that are proven to be violating, and implementing a blacklist to prevent these business actors from operating on the platform again. This action not only helps maintain consumer trust in TikTok, but also contributes to creating a safer, more transparent, and free shopping environment from harmful practices (Aisya Kamila et al., 2023).

It is imperative for TikTok to collaborate with government agencies to increase transparency and accountability in the trading practices on their platform (Tantaru et al., 2023). This collaboration has the potential to create a fairer ecosystem for consumers and business actors on digital platforms, as well as strengthen legal protection as stipulated in Law Number 8 of 1999 (Sihombing & Sihotang, 2024). This kind of collaboration also has an important role in raising awareness among business actors about the importance of consumer protection and compliance with applicable laws (Bashir et al., 2023).

### *Consumer Education and Awareness*

In addition to the supervision aspect, consumer education is a key element in the implementation of the Consumer Protection Law. TikTok may cooperate with government agencies or consumer protection agencies to provide users with relevant information regarding their rights as consumers. This education can include guidance on identifying genuine products, steps in filing

a complaint, and an understanding of the terms and conditions of purchase on digital platforms. With consumers being more aware and critical, the potential for violations of consumer rights can be minimized, resulting in a fairer, more transparent, and integrity digital trading environment. This collaboration between TikTok and the government not only strengthens consumer protection but also encourages businesses to run their businesses in a more ethical and responsible way. This kind of joint effort contributes to the development of a more trusted and sustainable e-commerce ecosystem (Putriani et al., 2023).

Effective education plays an important role in increasing consumers' understanding of their rights, thereby encouraging active participation in reporting violations and supporting better law enforcement processes. With an integrated education program, TikTok can proactively strengthen consumer protection, which not only increases user satisfaction but also strengthens its reputation as a platform that cares about consumer rights (E. R. Putri & Octarina, 2024).

Through this initiative, TikTok can strengthen relationships with its users and build greater trust in the platform. This trust will ultimately have a positive impact on consumers' purchasing decisions, while also driving their loyalty to the brands that advertise on TikTok. The comprehensive educational program also contributes to reducing the risk of fraud and creating a safer trading environment.

Thus, TikTok has an important responsibility in creating a safe, transparent, and mutually supportive digital ecosystem between consumers and business actors. This step not only strengthens the integrity of the platform but also supports the sustainability of the e-commerce ecosystem as a whole (S Rajah, 2025).

With these measures, TikTok can make a real contribution to the development of a more ethical and sustainable business environment, while supporting consumer protection efforts in the digital era. As a platform with great influence, TikTok has a responsibility to ensure that the business practices that take place within it are not only profit-oriented, but also uphold the values of fairness and transparency for all users. Through this commitment, TikTok can position itself as more than just an entertainment platform. TikTok can also serve as a means of supporting the creation of fairness and transparency in digital commerce, having a widespread positive impact on the e-commerce ecosystem. This step not only strengthens user trust, but also builds TikTok's image as a responsible platform with integrity in supporting the sustainable development of digital businesses (Guarda et al., 2021).

### **Sharia Economic Study on Consumer Protection in the Tiktok Business**

From the perspective of sharia economics, there are a number of business practices on TikTok that are considered not in line with sharia principles, such as *gharar* (ambiguity), usury, exploitation, and fraud. One of the main issues is the presence of *gharar* in transactions, which often arises due to unclear information related to the product. For example, product descriptions on TikTok Shop don't always reflect true quality, so consumers feel disadvantaged after making a purchase. In addition, less transparent return policies exacerbate uncertainty, leaving

consumers at risk of unforeseeable losses. In *Islam*, the principle of fair transactions requires clarity and transparency to ensure that no party is harmed. Therefore, TikTok needs to improve its business practices by improving the accuracy of product descriptions and implementing a clearer and more consistent return policy. This step not only supports compliance with sharia principles but also increases consumer trust in the platform (Rochmah, 2022). Therefore, it is important for businesses on TikTok to apply clear and transparent sharia principles in their every transaction.

In addition to the *gharar* problem, the existence of *riba* is also a significant issue in TikTok Shop's business practices. One example is the high-interest installment payment option offered by TikTok Shop's financial service provider partners. This scheme has the potential to involve Muslim consumers in transactions that are contrary to Islamic law. In the principles of sharia economics, *riba* is prohibited because it is considered a form of exploitation of the financial needs of weaker parties, thereby harming the value of justice in transactions (N. D. Putri & Sandy Rizki Febriadi, 2022).

This kind of practice not only inflicts direct harm on consumers, but it can also negatively impact the reputation of businesses operating on platforms like TikTok Shop. To overcome this, businesses can consider implementing payment models that are in line with sharia principles, such as a profit-sharing system or *murabahah*. A profit-sharing system allows both parties to share risks and profits fairly, while *murabahah* offers a buy-in scheme with an agreed profit margin without involving interest (Ahmad et al., 2022). By adopting this system, businesses not only ensure compliance with sharia principles, but can also increase consumer trust in the platform. This at the same time creates a stronger and more transparent relationship between sellers and buyers, which ultimately supports the growth of a sustainable and ethical business ecosystem (Fadel et al., 2023).

Therefore, it is crucial for businesses to understand and implement Islamic economic values, such as fairness and transparency, in every aspect of their operations (Heriyanto & Taufiq, 2024). By applying these principles, businesses not only ensure compliance with sharia, but also support the creation of a more ethical and sustainable business system. This step not only provides benefits for consumers in the form of trust and convenience of transactions, but also strengthens the business's reputation in the eyes of the public who prioritize the values of fairness and integrity in trade.

To improve TikTok's compliance with the principles of the sharia economy, strategic measures designed to ensure adherence to Islamic values are needed. The first step is to increase transparency in every aspect of the transaction, from product descriptions, pricing information, to return policies. This transparency can help reduce ambiguity or *gharar* which is often a major problem in e-commerce. In addition, TikTok can introduce *halal* labels on products that are in accordance with Islamic values, thus providing a sense of security and increasing the trust of *Muslim* consumers. In terms of payment systems, TikTok should work with Islamic financial institutions to offer payment options that are in accordance with sharia principles. In lieu of credit interest, a fixed profit margin scheme or interest-free installment system, such as *murabahah* or profit-sharing system, can be implemented (Rochmah, 2022).

TikTok also needs to improve its algorithmic system to provide fairer opportunities for small creators, so that all parties have an equal opportunity to make a profit. The sharing of profits on this platform must be carried out proportionally, based on real contributions from each party, in order to create a sense of fairness and transparency in its business ecosystem. To ensure business practices that are in accordance with Islamic principles, TikTok can involve the Sharia Supervisory Board in the supervision and evaluation process. This board functions to ensure that all operational processes, including profit sharing, promotion, and transactions, run in accordance with sharia values. In addition, TikTok can organize educational programs aimed at users and business partners, to increase understanding of the importance of *halal* transactions. This step not only helps create a business ecosystem that is compliant with sharia, but also increases users' trust and loyalty to the platform. By implementing this approach, TikTok can contribute to creating a more equitable, inclusive, and ethical digital trade. (Husna et al., 2023). With these measures, TikTok can become a platform that is not only economically profitable, but also in line with sharia principles that emphasize fairness and ethics in doing business.

## CONCLUSION

This research makes an important contribution in understanding the implementation of Law Number 8 of 1999 on the TikTok Shop e-commerce business, especially in evaluating its suitability with sharia economic principles. The results of the study show that, although TikTok Shop has provided certain mechanisms to support consumer rights, such as complaint features and the presentation of product information, its implementation is still not optimal. Some of the issues identified include inaccuracies in product information, lack of transparency regarding additional costs, and minimal response to consumer complaints. This condition shows that there is an urgent need to strengthen regulation and supervision of e-commerce platforms. From the perspective of sharia economics, there are indications of *gharar*, usury, and exploitation practices in transactions, which violate the values of justice, transparency, and responsibility.

This study theoretically enriches the literature on consumer protection in the digital era by introducing a sharia economic perspective, which holds particular relevance in a Muslim-majority country like Indonesia. It establishes an initial framework for evaluating digital business practices grounded in sharia values—an area that has received limited scholarly attention. Practically, the study provides recommendations for improving TikTok Shop's policies and systems, including educating business actors on sharia economic principles and enhancing transparency in product information and transaction fees. At the policy level, the findings emphasize the importance of strengthening e-commerce regulations to ensure compliance with the Consumer Protection Law, suggesting that data-driven surveillance could effectively minimize violations and enhance accountability. Moreover, the study encourages further research to broaden its scope through comparative analyses of user experiences across different e-commerce platforms or cross-border studies to uncover best practices in consumer protection. Overall, this research contributes substantially to understanding consumer protection challenges in the digital era, particularly regarding the integration of sharia economic values, and offers a foundation for developing more equitable, transparent, and ethical digital business frameworks.

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