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IMPLEMENTATION OF DIGITAL ECONOMY POLICY IN INDONESIA

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ABSTRACT

The rapid development of technology has affected various aspects of life as well as the business sector which then triggers the development of the digital economy which is marked by the rapid growth of online-based businesses such as e-commerce. The increasingly rapid development of the digital economy today, of course, requires regulations that can regulate the economic processes that occur in it so as to minimize the negative impacts that may arise. One of the policies issued by the government in response to this phenomenon is the issuance of Government Regulation Number 80 of 2019 concerning Trading Through Electronic Systems (PMSE). The enactment of this rule certainly reaps pros and cons from several parties, so this paper aims to analyze the implementation of PP No. 80 of 2019 through the implementation model approach of Edward III where there are four elements that influence the implementation of public policies including communication, resources, disposition, and bureaucratic structure. This study uses qualitative research that is a literature study where the data used and needed are data that are ready to be used and utilized directly in the form of books, literature, notes, reports and others related to the topic being researched. So the results of this study were reviewed through four aspects, namely communication, disposition, resources, and bureaucracy, showing that the elements of communication and disposition still face obstacles and cons from related parties, however, if the elements of resources and bureaucracy it can be considered quite good in supporting the implementation of the policy.

KEYWORDS

E-commerce, Implementation, Public Policy.



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I. Introduction.

The rapid development of technology has influenced many aspects of life, especially in the economic field which has given birth to innovations in the economic process itself. In the business sector, this is very influential in marketing, sales and transactions. Economic development is also accompanied by technological advances today, the digital economy is the result of technological advances. The digital economy continues to develop from time to time and makes people get used to using information and communication technology in carrying out their economic activities because it is considered easier and more practical. As quoted in Setiawan (2018), the term digital economy was introduced for the first time by Don Tapscott who suggested that the digital economy is a phenomenon that occurs where the internet can change human behavior in conducting business transactions that affect the economic system with various access to information instruments, information and information processing capacity. Digital technology and the internet have finally shifted conventional economic practices and become a digital-based economy. The business sector has also experienced significant developments with the digitization process which gave birth to many new business models. Advances in technology have succeeded in making business processes more accessible. In Indonesia, the digital economy is considered very potential, seeing from data from the Association of Indonesian Internet Service Providers that Indonesian internet users in the 2019-Q2 2020 period increased 8.9% to around 73.7% or equivalent to 196.7 million users of the Indonesian population (APJII, 2020). A report from Sea e-Economy in 2021 shows that the Indonesian internet economy as a whole has a Gross Merchandise Value (GMV) of US\$ 70 billion in 2021 this report also provides a 10-year outlook to 2030 and highlights that the region is moving forward into a digital economy worth US\$ 1 trillion (in GMV) led by the e-commerce and online department stores. By 2030, Indonesia is estimated to grow 5 times into a digital economy worth US\$ 330 billion (Andi, 2021). On this basis, Indonesia is one of the countries with the largest digital economy power in the world. This is because the growth of the digital economy is developing along with the increasing use of the internet which will have an impact on the micro and macro economy. Then the increase in the digital economy will be accompanied by an increasing contribution to stable macroeconomic growth. Because macroeconomic stability is the dominant factor that constructively affects Economic Growth (Saputro & Meirinaldi, 2021).

As in the study (Prastyaningtyas, 2019) there are three sectors of digital economic growth in Indonesia that are experiencing rapid growth, namely, first, on-demand service, which is a business that offers services based on consumer orders that will immediately receive a response, an example of this business is Gojek. Where Gojek through its application offers various services such as transportation, delivery services, ordering food, ordering tickets and others. The second is financial technology (fintech) which is a technology-based use to provide financial solutions (Arner et al., 2015). The most popular fintech service in the payment sector among Indonesian consumers is Go-Pay (Satria, 2018) and the third is e-commerce which according to Jony Wong (2010) the definition of E-Commerce (Electronic Commerce) is buying, selling, and marketing. Goods and services through electronic systems. Examples of e-commerce such as Tokopedia, Bukalapak, Shopee and others. Using online business with e-commerce can help companies to expand their market reach and expand their business across countries. This online business has its own advantages compared to businesses that are still traditional or offline, the use of technology in business can make it easier for beginners to start their businesses so that new entrepreneurs can develop their businesses (Testa, 2017). This shows that Indonesia is also participating in the development of the digital economy and is growing.

The level of competition between business people is getting tougher considering that more people will enter the economic ecosystem in the digital era and this is a natural thing to happen. Because every producer will definitely do something about how their products can provide better value for customers and can be an option in meeting their needs. Therefore, every actor in the digital economy is required to be able to provide the best convenience and innovation for the market so as to create a competition-oriented business environment. The increasingly rapid development of the digital economy today, of course, requires regulations that can regulate the economic processes that occur in it so as to prevent unwanted things from happening and their creation.

Government support for E-Commerce business actors is contained in the Economic Policy Package XIV: E-Commerce Roadmap in which the policy will be integrated with the UMKM and Creative economy

empowerment programs that are already running and become the mainstay of the strength of national economic growth (Pudhail & Baihaqi, 2017). This also further triggered the issuance of Government Regulation Number 80 of 2019 (PP 80/2019) concerning Trading Through Electronic Systems (PMSE). This policy regulation contains a fairly broad scope regarding current electronic commerce such as delivery mechanisms, payment systems, electronic advertising, dispute resolution, guidance and supervision and protection of personal data. Therefore, this study aims to describe how the implementation of Government Regulation Number 80 of 2019 (PP 80/2019) regarding Trading Through Electronic Systems (PMSE) has been established by the government to support the national economy based on the theory of Edward III.

II. RESEARCH METHODS

This research will be a qualitative research using the study of literature or literature. Literature research is a data collection technique by conducting a review study of books, literatures, notes, and reports related to the problem being studied (Nazir, 2003). The available library data is data that is ready to be used and utilized directly and also researchers are not required to go directly to the field. The steps in literature research according to Kuhlthau (2002) are as follows:

1. Topic selection
2. Information exploration
3. Determine the research focus
4. Collection of data sources
5. Preparation of data presentation
6. Report preparation

The data collection technique in this study is a documentation technique, which is looking for data and collecting data about things in the form of notes, books, papers, articles, journals and so on (Arikunto, 2010), while the theory used is the implementation theory of Edwards III. Which looks at policy implementation from four aspects, namely communication, resource, disposition and bureaucracy.

RESULTS AND DISCUSSION

Policy Implementation

The term implementation is usually synonymous with the word implementation or application which is often associated with an activity carried out to achieve certain goals. The action of implementation usually refers to the process of implementing a plan or rule to achieve the intended goal. This is in line with what was stated by Gordon in Mulyadi (2015) which states that implementation relates to various implementation of activities directed at the realization of programs or plans that have been made. While the policy itself is a decision made by the government or authorized institution to solve problems or realize the goals desired by the community (Abidin, 2012).

The term policy is generally related to the rules or activities carried out by the government which are contained in the form of regulations such as laws, presidential regulations and others which are often known as public policies. As stated by David Easton (1965) explains that public policy is made as a forced allocation of values to the community. Public policy can also be a bridge that connects the government to the community to realize government goals as the basis for actions taken in order to regulate and serve the public.

After the policy is made and approved, the next task is to implement the policy to the intended target. Basically, policy implementation is an activity that is also important when viewed from the perspective of the policy cycle (Subarsono, 2005). As explained by Ripley and Franklin in Winarno (2016), implementation is something that is done after regulations or laws are enacted that will give program authority, policies, benefits, or tangible outputs. Implementation itself includes actions taken by the government as an actor, as well as bureaucrats to make program plans work well in the community. Ripley and Franklin suggest that there are three ways that implementation can be implemented properly, namely:

- a. The level of compliance with the provisions that have been set
- b. There is a smooth implementation of the function it should be and the minimum number of problems that arise
- c. Implementation and risks that have been calculated and clearly directed

The approach described by Ripley and Franklin focuses on community compliance in responding to the policies set so that it can be said that the pattern of relationships is top-down. Because basically what Grindle in Winarno (2016) states with implementation is to build a relationship (linkage) that facilitates the achievement of the objectives of the policy that can be applied as a result of a government policy. Therefore, the implementation of public policy must be a concern when after the policy is established, which is accompanied by the readiness of the facilities and infrastructure to support the implementation of public policy, it can run and be implemented properly.

Implementation Model

In accordance with its objectives, public policy is born from government actions in overcoming problems that arise from problems or phenomena that occur in society. Every phenomenon that occurs in society does not always have a good or bad impact, therefore the need for regulation in responding to new things that occur in society so as to minimize obstacles that may occur in the future. In response to this, the government can issue regulations in the form of policies to regulate things. Such as the phenomenon of the conventional economy shifting towards a digital economy which is marked by an increase in online transactions such as e-commerce.

Policies regarding sales transactions through e-commerce are not much different from conventional ones, only the media is different. One of the policies issued by the government in responding to the rise of electronic-based transactions is the issuance of Government Regulation Number 80 of 2019 (PP 80/2019) concerning Trading Through Electronic Systems (PMSE). This regulation explains the provisions on trading practices through electronic e-commerce systems, such as parties involved in e-commerce, requirements, and the existence of consumer protection. The implementation of PP PMSE is intended to ensure security and facilitate government supervision of online business actors. Furthermore, to assess how the implementation can be carried out, according to Edward III, implementation has several elements which include communication, resources, disposition and bureaucratic structure.

Implementation of Government Regulation Number 80 of 2019 concerning Trading Through Electronic Systems (PMSE)

1. Policy implementation targets

Implementing policies is not an easy matter, especially in achieving common goals. It will be difficult to make good and fair public policies that can please all parties because of the difficulty of meeting all the demands put forward. The PMSE Government Regulation regulates matters related to e-commerce, starting from who can be legally recognized as a business actor in e-commerce, business licensing requirements, consumer protection and personal data protection. As explained in Government Regulation No. 80 of 2019 (PP 80/2019) concerning Trading Through Electronic Systems (PMSE), the targets of the enactment of this regulation are parties and business actors involved in trading through e-commerce electronic systems. The regulation in PP PMSE is not only about buying and selling transactions, but also includes the mechanism for sending, paying, advertising, and others, so it needs to be done comprehensively considering the many aspects in this regulation.

According to PP PMSE, a business actor is any person or business entity in the form of a legal entity or non-legal entity which can be in the form of domestic business actors and foreign business actors and conduct business activities in the PMSE sector. There are several categories of business actors involved in PMSE activities, namely sellers (merchants), providers of Trading Through Electronic Systems and providers of intermediary services. The existence of this rule is expected to have a positive impact on electronic system trading activities as well as provide convenience for the government in supervising the running of digital

businesses that can be reached by applicable law. This is important considering how Cyber Crime began to bloom in Indonesia, even Indonesia was ranked ninth based on the publication of the Financial Service Information Sharing and Analysis Center in the second quarter of 2020 (Lydiana, 2020). This indicates that Indonesia is vulnerable to cyber attacks and cannot be separated from the digital economy which is developing rapidly, and the need for strict rules regarding regulations to anticipate threats that may occur.

2. Communication

Communication on the delivery of public policies needs to be known by understanding the purpose of the regulations that are made clearly and correctly so that they can achieve the intended targets. In the aspect of communication, Edwards mentions that there are three important things in the policy communication process, namely the first transmission or distribution of communication, clarity, and consistency.

- Transmission of public policies is conveyed not only to policy implementers, but also to policy target groups and other interested parties, either directly or indirectly.
- Clarity of policies transmitted to implementers and other interested parties clearly so that they understand the aims, objectives, targets, and substance of the public policy, as well as know what must be prepared and implemented in carrying out the policy effectively and efficiently.
- Consistency is needed so that the policies taken are not confusing, thus confusing policy implementers and interested parties.

In this case, in terms of government communication regarding the implementation of the PP PMSE policy, it is considered to tend to be one-way where according to the chairman of the Indonesian E-commerce Association (IdeA) the government is less clear in conducting socialization to online business actors (Makkl, 2019). Basically, this rule is issued to provide protection related to the implementation of online buying and selling transactions. The regulation requires the parties in PMSE to have and include or identify a clear legal subject. Activities in PMSE can be carried out in several schemes such as business actors with business actors, business actors with consumers, individuals with individuals, and state institutions with business actors. This shows that the government is serious in making regulations regarding electronic commerce, which then consistently makes derivative regulations from the PP PMSE in the Minister of Trade regarding further provisions. Because if the implementation of the policy is to be effective, then the order in its implementation must be consistent and clear.

3. Resources

According to Edward III (1980) the resource factor has an important role in policy implementation which includes human resources, budget resources, and equipment resources and authority resources. One of the successes in implementing a policy is also determined by how well the available resources are managed. Human resources are the first factor in the implementation process that has an influence in determining the performance quality of the implementation. Other factors in budgetary/financial resources include how much funds are needed and where the funds are obtained from. Furthermore, equipment/facility resources and authority are the basic things that the government has in determining a policy that is supported by adequate facilities.

The enactment of PP PMSE makes electronic system business actors must immediately have a business license to make it easier for the government to carry out supervision and guidance. Technical matters from PP PMSE are then submitted to the Ministry of Trade by containing the Regulation of the Minister of Trade of the Republic of Indonesia Number 50 of 2020 concerning Provisions for Business Licensing, Advertising, Guidance, and Supervision of Business Actors in Trading Through Electronic Systems. The government in its efforts to facilitate regulations in the process of consumer protection, cyber security, preparation of a national supervision system in e-commerce transactions, preparation of SOPs related to consumer data storage, and development of a national payment gateway system. All of this is done so that every party in PMSE can transact safely and protected.

4. Disposition

Disposition or attitude in the implementation can affect the implementation of a policy because the attitude of acceptance or rejection can occur towards the policy made. This may be because the policies implemented are not the result of the formulation of all local communities regarding a perceived problem. But public policies are usually top-down in nature which allows decision makers not to know in detail and even unable to touch the needs, desires or problems that must be resolved (Masriani, 2017). There are three attitudes or responses of the implementer to the policy, namely the awareness of the implementer, the instructions for the implementation direction to respond to the program towards acceptance or rejection, and the intensity of the response. Policy implementers may understand the purpose of the program's goals but often experience obstacles and failures in practice because there is a rejection of the policy objectives so that they secretly transfer and avoid implementation of the policy program (Tuti, 2020).

The PP PMSE does not only regulate domestic business actors but also foreign business actors in which they are also obliged to register the number, name, and agency issuing business licenses from the country of origin that are still valid to the domestic PPMSE. PMSE business activities also apply tax provisions and mechanisms in accordance with the provisions of the applicable laws and regulations. The PP PMSE requires that trade through domestic and/or foreign e-commerce prioritize the use of high-level domain .id (dot id) for electronic systems in the form of internet sites. This is certainly not easy to do, especially for PMSE parties who already exist and are already using the dot com domain. The cost of changing a domain is certainly not cheap, and the technical implementation is not simple either. Because with the change of course it will affect the rebranding. In formulating this policy, the government also tends to be less involved in associations or e-commerce actors in conducting discussions related to regulations that will be made (Larasati, 2019). Therefore it is important to involve related parties in formulating policies so that the results of the policies made can be right on target and in accordance with what is needed.

5. Bureaucratic structure of policy implementation

Policy implementation will certainly not be separated from the bureaucratic structure that surrounds it. Bureaucracy itself is a structure in the organizational structure, hierarchy and pattern of relationships that exist in an institution to be able to carry out tasks correctly and regularly. The presence of PP 80/2019 regarding PMSE provides legal certainty for electronic commerce activities such as e-commerce in Indonesia. Every business actor is required to have a business license which is divided into traders, providers through the electronic system (PPMSE), and providers of intermediary facilities (PSP).

Technical instructions regarding the PMSE licensing mechanism have been prepared by the Ministry of Trade in the Regulation of the Minister of Trade Number 50 of 2020 concerning Business Licensing, Advertising, Guidance, and Supervision of Business Actors in Trading through Electronic Systems. This PP also regulates consumer protection if PMSE activities harm consumers, consumers can report the loss to the Minister. Henceforth, the reported Business Actor must complete the report. If this is not done, the Business Actor may be included in the Priority List for Supervision by the Minister which is accessible to the public. In terms of tax collection, business actors in electronic commerce must have a legal entity that makes them a Taxable Entrepreneur (PKP). This is because it requires the submission of valid and clear transaction data so that data for tax collection becomes easier and more accurate which is further emphasized through Law no. 20 of 2020 which aims to provide legal certainty in collecting VAT on intangible taxable goods (BKP) and taxable services (JKP) from abroad through PMSE. The imposition of this tax rule is intended to create equal treatment for conventional and digital business actors.

CONCLUSIONS

The existence of PP number 80 of 2019 concerning Trading Through Electronic Systems (PMSE) has provided clarity on the electronic trading system so that it can make it easier for business actors and consumers to transact with clear rules. Transactions through e-commerce have become more secure and safe for consumers as well as for the government to provide convenience in collecting tax data. In the aspect of communication and

disposition, the government still has to optimize its role because these two things are still considered to have not been implemented optimally, namely the government does not involve associations or e-commerce actors in conducting discussions related to regulations made. The emergence of negative reactions from the rules that use the .id domain (dot id) for business actors who are considered to have a large enough impact on existing businesses because it will require costs and a process that is not simple.

For the aspect of resources and bureaucracy, it can be said that it is quite good, where in supporting the implementation of policies properly; the government is also making efforts to build various aspects such as consumer protection, cyber security, preparation of a national monitoring system in e-commerce transactions, preparation of SOPs related to storage. Consumer data, as well as with the development of the national payment gateway system.

Through the various conveniences offered in the current digital economy era, everyone can make transactions easily and safely, for example through the electronic e-commerce system. E-Commerce media seems to be an answer to the problems experienced by new business actors in starting their business with limited capital, which can easily offer their products through an electronic system that is increasingly protected and can still make offers to consumers without having to have a place to shop. or a big shop in doing its business.

Recommendations

Based on the description above, there are several suggestions that can be made, namely in making government policies it is also necessary to actively involve the actors who are involved because after all they are the ones who play a major role and those who experience it directly, it is necessary to provide advice from parties directly involved in policy making. related to. In supporting the development of the digital economy in Indonesia, the government must also immediately complete equitable access to information technology in various regions so that business people in every corner of the country can benefit from the development of technology and be able to compete in the current digital era, thereby encouraging economic growth.

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