

Business Licensing Obligations for E-Commerce under Government Regulation No. 80/2019

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ABSTRACT

This study examines the discrepancy between *das sollen* and *das sein* regarding the obligation to register a business license as mandated in Article 15(1) of Government Regulation Number 80 of 2019. Although the regulation requires all business actors to register their licenses with the Central Government, its implementation in Malang City remains ineffective. Of approximately 85,200 MSMEs, only about 22,000 had obtained official licenses by 2024. The study addresses two issues: (1) the factors contributing to the low compliance of micro-enterprise actors with licensing requirements, and (2) the legal implications for those operating without a business license. Using a socio-legal method with a juridical-sociological approach, the research relies on primary and secondary data collected through fieldwork and literature study. The sample consists of 13 respondents and 2 key informants, analyzed qualitatively. The findings reveal that the main cause of ineffective implementation is the low level of legal awareness and knowledge among micro-enterprise actors. Eight respondents were unaware of the obligation to register with the Disnaker PMPTSP of Malang City, while five respondents were aware but had not complied. This demonstrates that regulatory implementation has not been optimal. The legal implications for non-compliant business actors include the loss of legal validity of their operations and the potential imposition of administrative sanctions under applicable laws.

Keywords:. Business License, Trading Activities, Electronic Systems, Government Regulations.

1. INTRODUCTION

The development of e-commerce in Indonesia has encouraged the Government to establish regulations aimed at creating a more transparent and trustworthy business climate. Through Law No. 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law No. 2 of 2022 on Job Creation into Law (hereinafter referred to as the 2023 Job Creation Law), Article 24 paragraph (1) stipulates: *“Every Business Actor engaged in Trade activities shall obtain Business Licensing from the Central Government.”* In essence, the ratio legis behind the enactment of this provision is threefold. First, it seeks to address the issue of hyper-regulation by reforming the regulatory framework, particularly by reducing overlapping and overly complex regulations that have hindered investment and the business climate in Indonesia. Second, it aims to realize ease of doing business through the adoption of a risk-based licensing system and the Online Single Submission (OSS) platform. (Soimah & Imelda, 2023). Enabling a more efficient and open environment for small and medium enterprises. Third, it seeks to strengthen local governance and supervision by aligning the authority of the central and regional governments in regulating

business activities, ensuring legal certainty, and reinforcing administrative governance at the regional level. (Wahyudi & Sukmasari, 2018).

Although exemptions exist for the obligation to obtain a Trade Business License (SIUP), company registration remains necessary as a form of governmental oversight over trade activities, whether conducted by individuals or legal entities. (Lukito, 2017). This authority is exercised by the Minister of Trade or regional governments as its representatives. Such requirements aim to protect consumers and minimize the risks of illegal trade. E-commerce actors who fail to register their businesses may face legal sanctions, as the absence of registration can cause consumer losses and disrupt market stability. Thus, company registration is not merely a legal obligation, but also a mechanism for fostering trust within the modern commercial system. (Maryama, 2013).

In addition to the 2023 Job Creation Law, the obligation for business actors to obtain a business license is further reinforced through its derivative regulation, namely Government Regulation No. 80 of 2019 concerning Trade Through Electronic Systems (hereinafter referred to as PP No. 80/2019). Article 15 paragraph (1) emphasizes that business actors engaged in electronic commerce must obtain a business license. The provision states: “Business Actors shall obtain a business license to conduct PMSE activities.”

Based on Article 15 of PP No. 80/2019, it is clear that all business actors are obligated to possess a business license when operating in the e-commerce sector. The ratio legis of this provision includes several points. First, maintaining legality and accountability: by requiring PMSE actors to obtain business licenses, the Government ensures that all e-commerce providers operate legally, are accountable, and are officially registered. Second, enhancing consumer protection: business licensing creates a database of business actors and provides a basis for supervisory mechanisms to handle potential consumer harm arising from online transactions. Third, aligning with the 2023 Job Creation Law. (Sherlyanita & Rakhmawati, 2016). This regulation was drafted as an implementing rule to complement broader e-commerce regulations and ensure a cohesive legal framework for Indonesia’s digital trade system. Fourth, encouraging regulatory consistency and supervision: the article aims to ensure that the licensing process for e-commerce actors is conducted transparently through OSS while facilitating administrative oversight and sanctions for violators. (Azis, 2025).

Data from the Ministry of Cooperatives and Small and Medium Enterprises (KemenkopUKM) shows that there are approximately 65 million medium-scale business actors, yet the OSS system had issued only about 4 million business licenses by 2022. In reality, roughly 60 million medium-scale business actors still do not possess a Business Identification Number

(NIB). (Santia, 2025). These data indicate that the implementation of the regulation has not been effective or optimal and falls short of the intended targets, thereby undermining legal certainty in its enforcement.

The obligation requiring business actors to obtain a business license is considered less relevant due to the classification of e-commerce business actors into four general categories: Official Stores, Large Stores, Retail Stores, and Individual Business Actors. The first three categories are typically capable of establishing business entities and have, to some extent, been subjected to licensing enforcement—although many still remain unregistered. However, for individual business actors, the enforcement of licensing obligations remains unclear and has not been implemented effectively. (Susanto & Triani, 2023).

Most Indonesians make online purchases through various e-commerce platforms such as Shopee, Tokopedia, TikTok Shop, and Facebook Marketplace. Each platform hosts different categories of business actors, leading to variations in the requirements and regulations that sellers must comply with. Some e-commerce platforms require clear business licenses, while others adopt more lenient policies. These discrepancies create legal uncertainty for both business actors and consumers, particularly regarding the protection of rights and obligations in online transactions.

Furthermore, Article 15 paragraph (1) of PP No. 80/2019, which mandates business licensing for electronic trade (PMSE), still lacks legal certainty for e-commerce actors. (Jimly Asshiddiqie, 2021). The regulation does not specifically accommodate differences in business scale within the e-commerce ecosystem, potentially creating ambiguity for individual or small businesses that operate e-commerce as a supplementary venture. The lack of clarity in its implementation also leads to legal loopholes, as some e-commerce platforms enforce licensing requirements more strictly than others.

One region facing challenges in implementing Article 15 paragraph (1) of PP No. 80/2019 is Malang City. The number of Micro, Small, and Medium Enterprises (MSMEs), whether operating online or as general traders, that possess business licenses remains very limited. Of the approximately 85,200 MSMEs recorded in Malang City, fewer than half possess business licenses. This was confirmed by the Head of the Malang City Office of Cooperatives, Industry, and Trade (Diskopindag), Eko Sri Yuliadi, who stated that in 2024, the target was for 10,000 MSMEs to obtain a Business Identification Number (NIB).

Such targets are typically set jointly by the Heads of the Office of Cooperatives and Industry, the Licensing Office, and the Manpower Office. (Taufan, 2025). However, many business actors still lack business licenses. (Ica, 2025). Data issued by the Malang City Manpower Office (Disnaker) in 2024 shows that while the number of MSMEs obtaining NIBs increased

between 2021 and 2023, the total remains far below the 85,200 MSMEs recorded in the Malang City (PMPTSP, 2025):

Table 1. Development of NIB Ownership by MSMEs in Malang City

Subject	2021	2022	2023
Business Identification Number (NIB)	3.761	10.302	12.592

Sumber: Data Primer Diolah Penulis, 2025.

Based on the above description, the legal issue in this study is the difference between *das sollen* and *das sein*. *Das sollen* is the norm in Article 15 paragraph (1) of Government Regulation Number 80 of 2019, which requires people who own businesses to register their business licenses with the Central Government. Meanwhile, *das sein* in Malang City shows that as of 2024, there are a total of 85,200 MSMEs, and as of 2025, according to the Cooperative, Small and Medium Enterprises Agency (Diskopindag), there are still 22,000 MSMEs that have business licenses (Taufan, 2025). Therefore, based on this legal issue, this paper will conduct research through interviews with MSME business owners who conduct online trading in Malang City, the Malang City Manpower Office (Disnaker PMPTSP), and the Malang City Diskopindag.

2. RESEARCH METHOD

a. Type of Research:

This study employs a socio-legal research typology, in which primary data serve as the main source and are supplemented by secondary data obtained from interviews and literature sources (Djulaeka & Devi Rahayu, 2020).

b. Research Location:

The researcher selected research sites aimed at obtaining data relevant to the objectives of this study, namely: 1) the Office of Cooperatives, Industry, and Trade (Diskopindag) of Malang City; 2) the Office of Manpower, Investment, and One-Stop Integrated Services (Disnaker PMPTSP) of Malang City; and 3) e-commerce business actors located in the Lowokwaru District of Malang City.

These three locations were chosen due to ease of data access and the high level of e-commerce business activity in Malang City, which is one of the major cities in East Java.

c. Types and Sources of Data:

The data used in this study are those relevant to the research problems and objectives. Primary data were obtained directly from the field through interviews with respondents at the research locations. Meanwhile, secondary data were collected from literature sources.

d. Data Collection Techniques:

Both primary and secondary data were collected through interviews with key stakeholders, namely: 1) Staff members of the Office of Cooperatives, Industry, and Trade (Diskopindag) of Malang City, Mr. Arif and Mr. Taufan; 2) The Head of the Office of Manpower, Investment, and One-Stop Integrated Services (Disnaker PMPTSP) of Malang City; and 3) E-commerce business actors in the Lowokwaru District of Malang City.

3. RESULTS AND DISCUSSION

Ineffective Implementation of Regulations Regarding the Obligation to Obtain a Business License in Accordance with the Provisions of Article 15 Paragraph (1) of Government Regulation Number 80 of 2019

The development of micro, small, and medium enterprises (MSMEs) in the food and beverage sector in Malang City, based on OSS-RBA data, has shown a significant increase over four consecutive years, rising from 757 units in 2021 to 2,082 units in 2022, then increasing further to 3,884 units in 2023, and reaching its peak in 2024 with 5,891 business units. However, this number declined in 2025 to 4,556 units. This dynamic indicates that while the MSME sector in Malang City continues to grow, it still faces sustainability challenges and the need to adjust to electronic licensing regulations. (Susanto & Triani, 2023).

In a study involving 14 MSME actors in Lowokwaru District, it was found that most business owners operated independently on a micro scale. The respondents included Aris (Sambal Bedjo Bang Do), Wildan (Capcin), Nimas (Crepbit Crepes), Diah (Basreng Basah Nusantara), Roni (Arah Minoem), Ardiana (Kebab Turki Baba Rafi), Khusnia (Foodnaku), Nabila (Mirae Kimbab), Arya (Es Kutub), Febri (Ketoprak Jakarta 969), Irul (Bubur Ayam Spesial 67), Firman (Cilok Baa), Mira (Es Teh Ko), and Tidar (Kafe Seicori). Among these 14 business actors, only three businesses had obtained licenses, namely Basreng Basah Nusantara (Diah), Mirae Kimbab (Nabila), and Kebab Turki Baba Rafi (with Ardiana as an employee).

During the interviews, business owners such as Roni, Khusnia, Nabila, Febri, Firman, Mira, and Tidar demonstrated relatively stronger understanding of business operations. Nevertheless, most of them had not yet processed their business permits. For instance, Tidar, the owner of Kafe Seicori in the Kayutangan area, stated that he had not registered his business license because he believed his business had not yet reached the stage of a formal business entity and was

still in its early development phase. He expressed that the licensing process would be undertaken once his business grows larger. Similarly, Mira, the owner of Es Teh Ko on Pisang Kipas Street, explained that she had not registered her business because her income was still unstable, making licensing a non-priority.

On the other hand, employees such as Aris, Wildan, Nimas, Arya, Irul, and Ardiana showed even lower levels of knowledge regarding the legal status of the businesses where they worked. They admitted that they were unaware of whether the businesses had been officially registered, with the exception of Ardiana, who stated that the Kebab Turki Baba Rafi franchise held an official license since the parent company managed all legal requirements. This finding indicates that businesses employing modern management and larger organizational structures, such as franchises, tend to demonstrate higher levels of regulatory compliance.

Regarding the obligation to register business licenses, most respondents were found to have limited understanding of the regulation. Based on the interviews, eight respondents—Aris, Wildan, Nimas, Roni, Khusnia, Arya, Irul, and Firman, admitted they did not know that MSMEs were required to register with the Malang City Office of Manpower, Investment, and Integrated One-Stop Services (Disnaker PMPTSP). The remaining five respondents, Diah, Nabila, Febri, Mira, and Tidar—were aware of the obligation, although not all had immediately proceeded with the licensing process. Meanwhile, employee Ardiana stated that she was aware of the business's legality because she adhered to the company's operational standards.

Knowledge regarding the licensing procedures through the Online Single Submission (OSS) system also produced similar results. Twelve respondents, including Aris, Wildan, Nimas, Roni, Khusnia, Arya, Febri, Irul, Firman, Mira, and Tidar, stated that they were unfamiliar with the licensing procedures, either through OSS or directly at the Merdeka Public Service Mall in Malang City. The only business owner who understood the registration procedures was Nabila, owner of Mirae Kimbab. She explained that she knew the stages for obtaining the Business Identification Number (NIB) and completed the process with assistance from Disnaker PMPTSP officers. Meanwhile, Ardiana knew that the company she worked for had already been registered, although she was not personally involved in the process.

Interestingly, all respondents stated that they had never received any warnings from the Office of Cooperatives, Industry, and Trade (Diskopindag) or Disnaker PMPTSP regarding their unlicensed businesses. Even business actors who had been operating for many years, such as Roni (Arah Minoem) and Febri (Ketoprak Jakarta 969), reported that no authorities had ever visited them to provide guidance related to business licensing obligations. This highlights the weak

oversight mechanisms of local government agencies toward MSME actors in the field, despite such supervisory authority being normatively held by Diskopindag and Disnaker PMPTSP.

In terms of trading activities, all business actors interviewed engaged in Electronic Commerce (PMSE). Businesses such as Arah Minoem and Basreng Basah Nusantara received large orders through WhatsApp, whereas Mirae Kimbab, Cilok Baa, and Es Teh Ko relied on platforms such as ShopeeFood, GrabFood, and GoFood as their primary sales channels. Even Kebab Turki Baba Rafi actively used TikTok as a promotional medium, offering greater discounts compared to direct purchases at its outlets. This pattern indicates that the commercial activities of all respondents fall into the category of electronic-based commerce, which, according to Government Regulation No. 80 of 2019, requires business licensing.

Analysis using the MPFAAC theory reveals that the structural relationship between MSME actors and government institutions has not functioned as intended. An interview with Mr. Arif, a staff member from the Micro Business Division of Diskopindag Malang City, revealed that the agency actually employs two approaches in carrying out its duties: conducting direct outreach to MSME actors and responding to invitations from communities or governmental institutions. However, in practice, none of the 14 respondents reported ever receiving direct outreach regarding NIB or PMSE registration. This indicates a discrepancy between policy design and field implementation. (Sherlyanita & Rakhmawati, 2016).

Based on Hans Kelsen's hierarchy of norms theory, Government Regulation No. 80 of 2019, as the implementing regulation of the 2014 Trade Law and the 2023 Job Creation Law—should possess binding authority over all business actors, including MSMEs. (Latif et al., 2021). However, weak supervision and limited guidance have rendered this regulation ineffective. Thus, even though business licensing obligations are legally clear, compliance has not been achieved at the implementation level because the responsible authorities have not exercised their supervisory functions consistently. (Prasetyo et al., 2022).

Overall, this study demonstrates that low compliance among MSME actors regarding business licensing obligations is not solely due to a lack of intention to comply with regulations, but is instead influenced by low administrative literacy, insufficient government outreach, and weak enforcement mechanisms. Nevertheless, the interviews revealed that six business actors—Roni, Diah, Nabila, Firman, Mira, and Tidar—expressed willingness to process their business licenses if adequate assistance were provided by the government. This suggests the potential for increased compliance through more intensive guidance strategies.

All MSMEs included in this study have, in fact, engaged in Electronic Commerce (PMSE). Accordingly, they are normatively subject to licensing obligations as stipulated in Government

Regulation No. 80 of 2019 on Electronic Commerce. This confirms that, juridically, the licensing obligation is binding; however, actual compliance in the field has yet to keep pace with regulatory developments. (Yeni & Yanti, 2021).

Furthermore, the legal norms governing business licensing have not achieved sociological effectiveness. The implementing agencies—the Office of Cooperatives, Industry, and Trade (Diskopindag) and the Office of Manpower, Investment, and Integrated One-Stop Services (Disnaker PMPTSP), have not optimally fulfilled their roles in outreach, assistance, and supervision. This lack of structural intervention has created a gap between the applicable norms and the administrative practices understood and followed by MSME actors. (Maulana & Jamhir, 2018).

The legal awareness of MSME actors remains latent rather than actual. This is reflected in the statements of respondents such as Roni, Diah, Nabila, Mira, and Tidar, who indicated willingness to process their business permits if sufficient support or facilitation were provided by the government. This attitude demonstrates that compliance potential exists but has not materialized due to the absence of structural stimuli that encourage compliant behavior.

Therefore, the effectiveness of MSME business licensing implementation in Malang City can be categorized as being in a phase of structural non-compliance rather than voluntaristic non-compliance. This means that compliance failures are more attributable to institutional unpreparedness and weak governmental roles rather than to the unwillingness of business actors. Based on these conditions, licensing policies should be directed toward strengthening outreach, establishing sustainable assistance mechanisms, and integrating community- or association-based services so that legal norms not only apply formally but also achieve social acceptance and compliance. (Tarina, 2020).

Legal Implications for Micro Businesses that Do Not Have a Business License Based on Article 15 Paragraph (1) of Government Regulation Number 80 of 2019

The research findings indicate that the implementation of licensing obligations for Micro, Small, and Medium Enterprises (MSMEs) in Malang City has not yet been carried out in accordance with regulatory mandates. Normatively, the business licensing requirement has been stipulated in Article 15 paragraph (1) of Government Regulation Number 80 of 2019 concerning Trade Through Electronic Systems (PMSE), which mandates that every business actor must possess a business license prior to engaging in PMSE activities. This obligation is reaffirmed in Minister of Trade Regulation Number 31 of 2023, where Article 3 explicitly states that “Every Business Actor is required to obtain a Business License...”. These provisions establish a clear legal

framework indicating that all business actors, including food MSMEs operating through conventional or online channels, must conduct their activities within the bounds of legality. (Yeni & Yanti, 2021).

However, field findings reveal a sharp discrepancy between the normative framework and actual practice. Among the 15 food MSMEs studied, only 3 actors had obtained a Business Identification Number (NIB) or other forms of business licenses, while the remaining 12 continued to operate without legal authorization. This situation reflects a low level of legal compliance and weak internalization of legal norms at the MSME level, where business legality is perceived primarily as an administrative burden rather than a legal necessity that guarantees certainty and protection. (Suryani, 2008).

Furthermore, an interview with Mr. Bambang Nurmawan, Head of Licensing and Non-Licensing for Economic, Tourism, and Socio-Cultural Affairs at Disnaker PMPTSP Malang City, provides concrete insights into the underlying causes of low license registration. (Sutedi, 2010). He stated that there are several key factors: first, the fear among MSME actors regarding tax obligations, including both income and revenue taxes; second, a lack of knowledge about the licensing registration procedures; and third, limited technological and informational capabilities, particularly among business actors over 40 years old who are less familiar with digital systems. In reality, the registration procedure is relatively straightforward, requiring only an ID card, phone number, email, basic data entry, and access to the OSS system. He further explained that as of 3 November 2025, 4,556 MSMEs had been registered, yet a substantial number had not completed their business legalization. (Tarina, 2020).

The government provides two registration mechanisms: online through OSS and in-person at the Ramayana Public Service Mall or via mobile service units. However, this convenience does not automatically increase compliance because many business actors do not understand that business license registration is a self-managed process. He also emphasized that Disnaker PMPTSP does not have the authority to impose sanctions; this authority lies with the Public Order Agency (Satpol PP), which can issue warnings to business actors without licenses. (Soimah & Imelda, 2023). For licensed business actors, numerous benefits are available, such as business legitimacy, opportunities to receive government assistance, access to KUR financing, training programs, and halal certification. According to him, the government continues to intensify socialization efforts to help business actors understand the advantages of legality, as “with legal compliance, MSME actors can operate more peacefully.” The interview results are as follows:

Table 2. Daftar Pertanyaan terhadap Narasumber Disnaker PMPTSP

No.	Pertanyaan dan jawaban
1.	What are the factors/reasons that influence MSME entrepreneurs in Malang not to immediately register their businesses? First, MSME entrepreneurs are subject to income tax and revenue tax. Second, entrepreneurs do not understand the business license registration procedure. Third, entrepreneurs do not understand technology and information.
2.	What is the procedure for registering an MSME business license in order to conduct trade through an electronic system? Complete the documents such as ID card, mobile phone number, email, and fill in the applicant's identity data, business address, and open the OSS website.
3.	How many MSMEs have registered their businesses with the Malang Trade, Industry, and Cooperatives Agency for 2025? And how many MSMEs are still unregistered? Data as of November 3, 2025 shows 4,556 MSMEs.
4.	Since when can business operators register their businesses? Is it when the business is already running or just starting (e.g., when preparing)? When MSME entrepreneurs first start a business or when a business has been operating for a certain period of time.
5.	Where can MSME entrepreneurs register their business licenses? Is it through the website https://oss.go.id/ or is there also an offline registration mechanism? MSME entrepreneurs can go directly to the service counter at the Ramayana Public Service Mall and access the OSS mobile service, but only upon request.
6.	Are there penalties for MSME operators who do not register their business licenses? The Manpower Office does not have the authority to impose sanctions or issue warnings, but this task falls under the authority of the Civil Service Police Unit/Satpol PP, which has the authority to reprimand MSME operators who do not have a business license.
7.	Who has the authority to take legal action (such as verbal or written warnings) against MSME operators who have not obtained business licenses? Civil Service Police Unit/Satpol PP
8.	Regarding this business license, are all MSME players required to register their businesses, whether they conduct trade through electronic systems or not? MSME operators must have a business license.
9.	What are the obstacles faced by the Manpower Office and the Investment and Integrated Licensing Service Agency in dealing with MSME players who have not registered their business licenses? No, because business license applications are independent.

10.	What efforts has the PMPTSP Manpower Office made to address MSME operators who have not registered their business licenses?
	Collaborating with village and sub-district government agencies to jointly disseminate information about OSS.
11.	Once a business has been registered and obtained a business license, what benefits do business owners receive?
	- Have business legality; - Receive assistance from the central or regional government in the form of money or goods; - Obtain capital loans from People's Business Credit (KUR) or banks.
12.	Is there any kind of feedback or response from the government when MSME players have registered their business licenses? What forms does this feedback take?
	- Trusted by consumers - Receiving business equipment assistance - Receiving training facilities from local governments or regional organizations - Receiving halal certification assistance from relevant agencies
13.	What is the solution for micro-businesses that do not have business licenses in Lowokwaru District, Malang City, according to the Malang City Cooperative, Industry, and Trade Agency and the Malang City Manpower Agency?
	- Conducting outreach on the benefits of business legality - With business legality, businesses can operate with greater peace of mind.

Sumber: Data Primer Diolah Penulis, 2025.

The gap between norms and practice can be analyzed using Soerjono Soekanto's legal effectiveness theory. From the perspective of legal substance, licensing regulations are already quite adequate: the 2008 MSME Law, the 2014 Trade Law, the Electronic Information and Transactions Law, the 2023 Job Creation Law, Government Regulation (PP) 80/2019, PP 28/2025, and various derivative regulations provide a comprehensive legal framework. (Erni & Jaya, 2022). However, legal effectiveness does not solely depend on the substance of the law but also on law enforcement apparatus, infrastructure, societal conditions, and legal culture. (Erni & Jaya, 2022). Regarding the apparatus, the Department of Manpower, Investment and One-Stop Integrated Services (Disnaker PMPTSP) and the Department of Cooperatives, Small and Medium Enterprises, and Trade (Diskopindag) actually have a strategic role in facilitating licensing. Nevertheless, dissemination efforts have not been sufficiently extensive, resulting in MSME actors not fully understanding the applicable legal obligations. The infrastructure, such as the Online Single Submission (OSS) system, is adequate; however, the digital literacy of MSME actors remains a significant barrier. (Sanusi, 2011).

Societal conditions also reflect low legal awareness: most business actors are unaware of the benefits of business licenses and do not consider legality as a crucial part of business continuity. Cultural factors further reinforce these obstacles. Many MSME actors operate

informally, prioritizing production and sales over administrative aspects. Some respondents are even employees rather than business owners, and thus lack both the information and the responsibility concerning business legality. (Spaltani & Zuliyah, 2024).

From the perspective of Soerjono Soekanto's legal awareness theory, this low compliance reflects weaknesses across the four stages of legal consciousness. (Soekanto, 2011). At the legal knowledge stage, many MSME actors are unaware of licensing obligations and the importance of the Business Identification Number (NIB). The legal understanding stage is also weak because business actors do not fully comprehend the benefits of legality as legal protection, access to capital, or empowerment opportunities. (Agung, 2021). Nevertheless, the legal attitude of some actors has begun to improve after recognizing the benefits of business licenses; they tend to accept the regulations and intend to comply. However, this positive attitude has not yet translated into legal behavior, as evidenced by the fact that only 3 out of 15 actors fully comply with licensing provisions. Thus, the main problem is not legal resistance but low legal literacy, insufficient understanding, and a business culture that does not prioritize legality. (Hakim, 2023).

This study confirms that the low level of MSME legality is not caused by resistance to law but by ignorance, limited administrative literacy, weak digital literacy, and inadequate government dissemination. Meanwhile, all the food MSMEs studied have engaged in e-commerce activities (PMSE), and are therefore legally required to obtain a business license under Article 15(1) of PP 80/2019. (Saptomo et al., 2024). While licensing regulations are sufficiently adequate, compliance levels remain low because norms have not fully achieved effectiveness at the societal level. (Sidik, 2019). The government, through Disnaker PMPTSP and Diskopindag, needs to strengthen dissemination strategies, provide technical assistance, and reinforce legal culture so that MSME actors can recognize that legality is not merely an administrative burden but a crucial legal protection mechanism for business sustainability.

4. CONCLUSIONS

The results of the study show that the non-compliance of micro-businesses with licensing requirements as stipulated in Article 15 paragraph (1) of Government Regulation No. 80/2019 is mainly due to low legal and administrative literacy. This low compliance is influenced by four main factors: (1) employees who run businesses do not understand the legal status of the businesses where they work; (2) some business actors are not aware that MSMEs are required to be registered with the Manpower Office of the Investment and Integrated Licensing Service Agency (Disnaker PMPTSP); (3) the majority of respondents do not understand the licensing procedures

through OSS or direct services; and (4) there are limitations on the authority of employees to take care of business licenses even though some have the intention to register their businesses. This condition shows that the implementation of Article 15 paragraph (1) of PP No. 80/2019 in Malang City has not been effective due to the lack of knowledge, awareness, and administrative capacity of MSME actors.

Micro-business operators who conduct trading activities through electronic systems without a business license as required under Article 15(1) of Government Regulation No. 80 of 2019 are considered to be in violation of applicable laws. The absence of a license renders their business activities illegal and subject to administrative sanctions. This action also violates the principles of transparency and legal responsibility in Law No. 8 of 1999 concerning Consumer Protection. In addition, unlicensed micro-businesses lose their right to receive guidance, assistance, and support facilities from the government. Thus, compliance with licensing obligations is an important requirement for legality, consumer protection, and access to government programs.

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