

Review of Child Consumer Protection in the Practice of Online Gambling Games Through the Gacha System

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Abstract

The online game industry is increasingly widespread and diverse in its practices to attract users, one of which is the use of the gacha system. This article discusses the gacha system in online games and its potential impact on children. Gacha, which involves paying for random in-game items, is often compared to gambling due to its elements of chance and the potential for profit. The system triggers dopamine release, making players feel pleasure, but children are particularly vulnerable to its mechanics. The article highlights the lack of juridical protection in Indonesia against online games that use gacha systems. While the Child Protection Law prohibits the economic exploitation of children, there are no specific regulations addressing gacha systems in online games. The authors identify the potential economic exploitation of children through gacha as a significant problem. They suggest two solutions: promoting traditional games with character-building content for children, and providing education on character development when introducing these games. From a legal perspective, the article calls for concrete protection measures for children playing online games with gacha systems. The research uses a normative juridical approach, employing library research based on literature.

Keywords

Child; Consumer Protection; Gambling; Gacha.

I. Introduction

In the 2023 edition, the WeAreSocial and Meltwater report shows that the number of internet users in the world will reach 5.160 billion people, representing 64.4% of the world's population.¹ Furthermore, the annual number of global internet users in 2024 grew by 3.4%, with year-on-year growth even higher in many developing countries.² Meanwhile, in Indonesia, the Indonesian Internet Service Providers Association announced that the number of internet users in Indonesia in 2024 will reach 221 million.³ The highest internet user by age 15-19 years is 91%, the device used to access the internet is 93.9% connected to the internet via smartphone/tablet, and 54.13% of internet users in Indonesia utilize the internet as entertainment, namely to play online games.⁴

There has been a shift in the preferred game genres in Southeast Asia. A survey conducted by Sensor Tower in December 2022 revealed that games that utilize a gacha system in their features, such as Genshin Impact, Fate/Grand Order, Uma Musume, and other games that incorporate gacha elements, such as PUBG Mobile (battle royale game), Pokemon Go (AR game), Diablo Immortal (RPG), and Mobile Legends (MOBA game), are the most popular game types in Southeast Asia.⁵

¹ Alberto Gonzalez, "How Many Internet Users Are There in the World," marketing4ecommerce.net, 2023, <https://marketing4ecommerce.net/en/how-many-internet-users-are-there-in-the-world/>.

² Data Reportal Team, "Digital Around The World," datareportal.com, 2024, <https://datareportal.com/global-digital-overview>.

³ Damar Iradat, "Survei APJII: Pengguna Internet Indonesia Tembus 221 Juta Orang," cnnindonesia.com, 2024, <https://www.cnnindonesia.com/teknologi/20240131152906-213-1056781/survei-apjii-pengguna-internet-indonesia-tembus-221-juta-orang>.

⁴ Renold Isra Putra, "Kecanduan Game Online Pada Remaja," RRI.co.id, 2024, <https://rri.co.id/index.php/opini/500179/kecanduan-game-online-pada-remaja>.

⁵ Adidharma Ekaputra Kesuma and Elfindah Princes, "Antecedents of Gacha Gaming Intention: Extending UTAUT2 with Structural Video

The gacha system in online games is so well packaged that it makes it look harmless, but without realizing it, players continue to be invited to do gacha until players dare to spend money to do gacha to get very satisfying results.⁶ Players can seek the thrill of "winning" by paying increasingly larger amounts of money. Therefore, gacha can be likened to gambling or roulette as it represents a lottery in the context of a game, and is often referred to as a gambling simulation that can lead to addiction.⁷

The naked eye cannot clearly distinguish between gambling and the gacha feature in online games. However, people can distinguish from the facility to issue digital currency. President of the Indonesian Game Association, Cipto Adiguno, revealed that the main differentiator between gambling and gaming is the facility to issue digital currency in the game.⁸ Meanwhile, some gacha features in online games use real money to buy trials to play gacha in the game. In the application of this feature in online games, children are one of the users who are vulnerable to addiction because they are considered still unable to control emotions. In children who like to play games, the neurotransmitter dopamine in them will increase when playing, causing a sense of pleasure (pleasure effect).⁹ So in this case, children need a form of child protection in the practice of the gacha system in online games.

Game Characteristics," *Computers in Human Behavior* 14 (2024): 1–17, <https://doi.org/https://doi.org/10.1016/j.chbr.2024.100405>.

⁶ Fachrizal Ardiansyah, "Kedekatan Judi Dengan Layanan Benda Acak Gacha (Lootbox) Pada Video Game," *Jurnal Mahasiswa Kreatif* 2, no. 1 (2024): 86–90.

⁷ Muhammad Abi Rafdi, Sri Soedewi, and Dan Idhar Resmadi, "Perancangan Motion Graphic Mengenai Bahaya Sistem Gacha Dalam Game Online Bagi Anak Remaja Di Kota Jakarta," *E-Proceeding of Art & Design* 8, no. 5 (2022): 3229–41.

⁸ Intan Rakhmayanti Dewi, "Anak Korban Judi Online, Ini Tanda Jebakan Game Di Internet," CNBCIndonesia.com, 2023, <https://www.cnbcindonesia.com/tech/20231002070645-37-476892/anak-korban-judi-online-ini-tanda-jebakan-game-di-internet>.

⁹ Andrian W. Finaka, "Kenali Faktor Penyebab Kecanduan Game Online," Indonesiabaik.id, 2022, https://indonesiabaik.id/motion_grafis/kenali-faktor-penyebab-kecanduan-game-online.

Similar research has been conducted by Andy Satria with the title Implementation of Child Protection Policies on Technology and Internet Use in the All Fields of Science Journal Liaison Academia and Sociology. The results of the study provide an interpretation that the implementation of child protection policies has a crucial role in protecting children from possible risks and dangers that may arise from their interaction with technology. These protection efforts include supervision, access restrictions, and education on the use of technology.¹⁰ This research is limited to analyzing the crucial role that child protection policy implementation actions play in the use of technology and the internet.

Other research has also been conducted by Alif Wildan Risardi with the title Indonesian Legal Framework Related to Online Game Phenomena: A Criminological Review in the Rechtsidee Journal. The results showed that the economic aspects of online games tend to have an impact on the birth of derivative crimes caused by compulsion in relation to the economic dimension.¹¹ This research is limited to analyzing the impact of online game addiction in the perspective of law and criminology, in this case it can lead to crimes or criminal acts.

Another similar research has also been conducted by Roman Agustian Hasan with the title Legal Protection of Online Game Users for the Lootbox Monetization System in Review of Article 1320 paragraph 4 and Article 1337 in the Creative Student Journal. The results of the study provide findings that there are negative elements of the lootbox system in Indonesia, so it is necessary for government action to adjust existing laws, through legal regulations both those that have been implemented and by issuing new, more specific regulations.¹² The

¹⁰ Andy Satria et al., "Implementation of Child Protection Policies on Technology and Internet Use," *All Fields of Science Journal Liaison Academia and Society* 3, no. 4 (2023): 154-65, <https://doi.org/10.58939/afosj-las.v3i4.705>.

¹¹ Alif Wildan Risardi, "Indonesian Legal Framework Related to Online Game Phenomena: A Criminological Review," *Rechtsidee* 10, no. 2 (2022): 1-13.

¹² Roman Agustian Hasan, Mutia Cherawaty Thalib, and Dolot Alhasni Bakung, "Perlindungan Hukum Terhadap Pengguna Game Online Atas

objectives and findings of this study are limited only to knowing the legal protection of online game users for the lootbox monetization system in the perspective of Positive Law in Indonesia.

II. Method

The research as mentioned above does not at all examine and explain about child consumer protection in the practice of online gambling games through the gacha system as a novelty of this research, so this research has a high novelty and is important to do. This scientific research uses one part of the Grand Method, namely Library Research which is literature based. Based on the subject of study and the type of problem, of the 3 (three) types of Grand Method mentioned above, this research will use the Library Research method. Regarding this type of research, it is also commonly called "Legal Research".¹³ This kind of legal research does not recognize field research because what is studied is legal material so that it can be said to be literature, focusing on reading and reviewing and analyzing primary and secondary materials. The approach used is the statutory approach, concept approach and analysis approach. Sources of legal materials include primary legal materials, namely laws and regulations (Law No. 8 of 1999 concerning Consumer Protection, Law No. 1 of 2024 concerning the Second Amendment to Law No. 11 of 2008 concerning Electronic Information and Transactions, and the Civil Code), secondary legal materials, namely opinions of experts, books, and published scientific works, and tertiary legal materials that provide explanations of primary and secondary legal materials.

Sistem Monetisasi Lootbox Di Tinjau Dari Pasal 1320 Ayat 4 Dan Pasal 1337," *Jurnal Mahasiswa Kreatif* 1, no. 3 (2023): 149–68.

¹³ S Soekanto and S Mamuji, *Penelitian Hukum Normatif Tinjauan Singkat* (Jakarta: Rajawali Press, 2006).

III. Economic Exploitation of Children Through Gacha System in Online Games

In gacha games, developers will design the configuration of the gacha game in advance, including the probability of winning the gacha game and the price of each gacha pull.¹⁴ Gacha in an online game becomes a paid system that allows players to get limited items or characters randomly or by luck, gacha can also be done for free, but the items or characters obtained are cheap and easy to obtain. Gacha is a completely random system of providing virtual goods in video games and often appears in games that are built upon chance-based games with in-game payment systems.¹⁵ Gacha itself consists of several elements, namely:¹⁶ 1) not the game itself, only the main game elements, 2) paid for using virtual in-game currency, either soft or hard currency (real money), 3) revolves around games of chance, 4) (virtual) prizes are awarded at all times, 5) prizes are collectible, non-monetary, available in a wide variety of rarities, offerings tend to be coupled with real-time events, their value lies solely with the game and are important in the game ecosystem, and are used to increase monetization for game companies.

Gacha systems became widely used in the early 2010s, particularly in Japan. Despite their global proliferation, these gacha systems have been criticized for being addictive and are often compared to gambling as they encourage spending money for chance-based rewards.¹⁷ In its implementation, the gacha system has a mechanism for providing

¹⁴ Canhui Chen and Zhixuan Fang, "Gacha Game Analysis and Design," *Proceedings of the ACM on Measurement and Analysis of Computing Systems* 7, no. 1 (2023): 1–45.

¹⁵ M Koeder, E Tanaka, and H Mitomo, "Exploring the Game-of-Chance Elements in F2P Mobile Games: Insights of Player's Emotions from Qualitative Analysis," *DHU Journal= デジタルハリウッド大学紀要/ デジタルハリウッド大学編5* (2018): 16–28.

¹⁶ *Ibid.*

¹⁷ Pramana Saputra, "Dampak Microtransaction Pada Kepuasan Pemain Di PUBG Mobile," *Equator Journal of Management and Entrepreneurship (EJME)* 11, no. 02 (2023): 070, <https://doi.org/10.26418/ejme.v11i02.64334>.

randomly selected items. gacha in the game has 2 types, namely free gacha and paid gacha. Free gacha provides rewards in the form of items that are easy to obtain and paid gacha provides rewards in the form of items that are rare or difficult to obtain. This also makes up for the high price of rare items, as single gacha trials can be cheaper.¹⁸

The mechanism as stated above is indirectly used as a field for game developers. "Players must use digital money to acquire random characters or items through the gacha system. According to Koeder's findings, gacha is a primary source of revenue in mobile gaming, particularly via in-app purchases. Although gacha can be played for free, ambitious players often spend real money to obtain rare or high-quality virtual items. Andiyanto's study reveals that players are drawn to gacha-based games due to the desire to obtain specific characters or items. The gacha system's probability-based mechanics create anticipation and hope among players as they attempt to acquire their desired characters or items.¹⁹ Although the percentage chance of getting a character or item with a high rarity is very small, it does not matter to the players and they even take the initiative to grind for the purpose of earning in-game currency.

Through the gacha system, there is a psychological reaction of the player that is triggered. In addition, the randomness aspect of the reward will then trigger much stronger conditioning along with a stronger brain reaction by releasing a rush of dopamine. University of Nahdlatul Ulama Indonesia (Unusia) psychologist Winda Maharani explained that online gambling addiction is included in psychological disorders. In fact, she considered, online gambling addiction is difficult to stop. This also applies to children who still have the nature of their parents. The accompaniment of the game's sound and visual stimuli can also aid

¹⁸ Nadia Nathania Sutanto, Dinda Devina Maharati, and Syahreza Fachran, "Tinjauan Yuridis Penerapan Pajak Karbon Sebagai Solusi Percepatan Green Energy Di Indonesia," *Spektrum Hukum* 20, no. 1 (2023): 1–18, <https://doi.org/10.56444/sh.v20i1.3714>.

¹⁹ Andriyanto Andriyanto and Tony Wibowo, "Exploratory Study of How Gacha System in Mobile Video Game Affect Player's Enjoyment: A Case Study of Indonesia," *Jurnal Cahaya Mandalika*, 2023, 705–15.

in the reinforcement of this behavior.²⁰ In the context of gacha games, hedonic utility is more influential than perceived value compared to functional utility in why players make in-app purchases. This is then utilized by game developers to economically exploit players, especially players who are still children.

One of the factors that plays a role for a person in personal financial management is self-control. Self-control is an activity that can encourage individual behavior to take austerity measures and suppress impulsive purchases.²¹ Basically, children are dependent on parental supervision because children are not yet able to control themselves.²² The absence of parents in providing supervision and the inability of children to control themselves is what is utilized by game developers. Self-control, especially financial management, needs to be introduced as early as possible and even taught from the beginning in the hope that children have the right knowledge.²³ Children can be exploited easily because they are not yet mature in managing finances.²⁴ This is also supported by the essence of the problem of online gaming. That the problems arising from online gaming, which are usually in the form of

²⁰ Ida F. Ismail, Mimi Fitriana, and Chan L. Chuin, "The Relationship Between Loneliness, Personality Differences, Motivation and Video Game Addiction in the Context of Gacha Games in F2P Mobile Games: A Global Setting," *Journal of Engineering Science and Technology* 17 (2022): 1–12.

²¹ Ila Rosa and Agung Listiadi, "Pengaruh Literasi Keuangan, Pendidikan Keuangan Di Keluarga, Teman Sebaya, Dan Kontrol Diri Terhadap Manajemen Keuangan Pribadi," *Jurnal Manajemen* 12, no. 2 (2020): 244–52.

²² Isnaeni aldina novita Rahmah and Ragil Setiyabudi, "Hubungan Penggunaan Gawai Dengan Hipperaktivitas Dan Interaksi Sosial Pada Anak Usia Sekolah Di SD Negeri 2 Kalibagor," *Journal of Bionursing* 2, no. 3 (2020): 157–63, <https://doi.org/10.20884/1.bion.2020.2.3.68>.

²³ Sumiyati, "Mengenalkan Pengelolaan Keuangan Pada Anak Sejak Usia Dini," *Islamic Review: Jurnal Riset Dan Kajian Keislaman* V VI, no. 1 (2017): 33–51, <http://journal.ipmafa.ac.id/index.php/islamicreview/article/view/121/94>.

²⁴ Tooraj Sadeghi et al., "Financial Management in Children: Today Need, Tomorrow Necessity," *International Journal of Pediatrics* 3, no. 3 (2015): 585–92.

addiction, are similar to the behavioral addiction seen in gambling addiction.²⁵ In games with a gacha system, every round there is a chance of winning a rare prize that is desired. In the gacha system every player as a consumer receives something of value, this triggers the release of dopamine in the brain. The hormone dopamine makes players as consumers feel happy. Children are likely to be particularly susceptible to the mechanics of gambling as mobile devices provide easy access to payments through emotional manipulation and exploitative practices.

The use of online games coupled with microtransactions such as gacha game systems if not accompanied by knowledge in managing finances will have adverse effects such as not being able to plan and control the use of money to achieve their individual goals.²⁶ This is then utilized by game developers with the Gacha system to carry out economic exploitation of children through the Gacha system. The scale of this exploitation has the potential to get bigger. This can be seen from the report of the Internet Service Providers Association (APJII) entitled Internet Penetration & Behavior Survey 2023 on 8,510 people. The 23.29% of respondents who have played online games, 42.23% spend more than 4 hours per day playing.²⁷

In the positive legal space in Indonesia itself, it has not been so clearly regulated because it still views microtransactions as the same as online buying and selling in general.²⁸ However, in some studies, it is

²⁵ Mark Griffiths, *Internet and Video-Game Addiction.* In *Adolescent Addiction* (United State: Academic Press, 2008).

²⁶ E DESRY, S Murni, and V. N. Untu, "Analysis of Financial Literacy Level and Personal Finance Management of Students At Faculty of Economics and Business Sam Ratulangi University," *Jurnal Riset Ekonomi, Manajemen, Bisnis Dan Akuntansi* 7, no. 2 (2019): 2131– 40.

²⁷ Ageng Kanda Saepudin and Diana Feriska Putri, "Dampak Dan Pencegahan Kecanduan Game Online Bagi Generasi Z Di Kota Cimahi," *Nian Tana Sikka: Jurnal Ilmiah Mahasiswa* 2, no. 2 (2024): 01–07, <https://ejournal-nipamof.id/index.php/NianTanaSikka/article/view/319%0Ahttps://ejournal-nipamof.id/index.php/NianTanaSikka/article/download/319/337>.

²⁸ Gusti Fadhil Fithrian Luthfan, "Hukum Microtransaction Dalam Online Mobile Games," *MEDIA KEADILAN: Jurnal Ilmu Hukum* 12, no. 2 (2021): 357–75.

stated that there are similarities between the elements of gacha and gambling in Indonesian law. Referring to Article 303 paragraph 3 of the Criminal Code which states that what is called a gambling game is any game, in which obtaining profit depends on mere luck. If you look at how gacha works, a player pays by hoping to get something that is not necessarily obtained with certainty. There is a risk of bad luck and only depends on luck.²⁹

IV. Non-Juridical Efforts for Child Consumer Protection Against Online Games with the Gacha System

The gacha system in online games offers virtual object prizes in the form of items and additional features in online games. In an effort to protect children consumers against online games that utilize the gacha system, two protection approaches can be taken, namely non-juridical and juridical approaches.

The first non-juridical approach that can be taken in efforts to protect children's consumers against online games with the gacha system is to orient traditional games with character to children. Basically, online game addiction needs immediate efforts, if not given immediately, it will have an impact on several aspects of life, such as health aspects, psychological aspects, academic aspects, social aspects, and financial aspects.³⁰ To minimize the number of game play, attention switching can be done, which is an activity carried out to divert the player's attention from excessive involvement in online games.

²⁹ Muhammad Theo Rizki Putra and Ariawan Gunadi, "Legalitas Sistem Monetisasi Lootbox Dalam Transaksi Game Online Berdasarkan Undang-Undang Nomor 11 Tahun 2008 Jo Undang-Undang Nomor 19 Tahun 2016," *Jurnal Hukum Adigama* 3, no. 1 (2020).

³⁰ Afitria Rizkiana, "The Effectiveness of Scheduling Activities to Reduce the Intensity of Playing Online Games in Children," *Al Misykat: Journal of Islamic Psychology* 1, no. 1 (2023): 1–16, <https://doi.org/10.24269/almisykat.v1i1.6712>.

Attention switching has a significant influence on reducing and preventing the negative impact on online game addiction.³¹

One of the attention switching efforts can be elaborated with traditional games for children. The application of traditional games to children as a substitute for online games is considered to be able to help build children's character that is in line with the aspects of traditional games. Aspects of traditional games include: a) physical aspects consisting of strength and endurance and flexibility; b) psychological aspects, which include elements of thinking, elements of counting, intelligence, ability to make tactics, ability to overcome obstacles, memory, and creativity; c) social aspects include elements of cooperation. Love of order, respect, emotional control, reciprocity, and shyness.³² This method is considered appropriate for emotional control and reducing the intensity of the child's hedonism as an in-game user. This is in line with research conducted by Chung in an article by Andriyanto which examines the behavioral factors of players to make in-app purchases in the context of gacha games using case study methods and online surveys conducted on 249 gacha players. The findings indicate that hedonic benefits have a stronger impact on perceived value compared to functional benefits.³³

The second non-juridical approach that can be taken in efforts to protect children's consumers against online games with the gacha system is to strengthen the understanding of student character carried out with a lecture model to children when introducing traditional games. This model can be adjusted to the child. The most important thing about the lecture method is clear intonation, facial expressions that support the delivery of material, teacher speech with sentences that are easy for children to understand when delivering material.³⁴ A good

³¹ Eryzal Novrialdy, "Kecanduan Game Online Pada Remaja: Dampak Dan Pencegahannya," *Buletin Psikologi* 27, no. 2 (2019): 148–58, <https://doi.org/10.22146/buletinpsikologi.47402>.

³² Tuuti Andriani, "Permainan Tradisional Dalam Membentuk Karakter Anak Usia Dini," *Jurnal Sosial Budaya* 9, no. 1 (2012): 122.

³³ Yuen-Ki Chung, "Saving for Merlin: Consumer Motivation in Gacha-Based Mobile Gaming" (National Sun Yat-sen University, 2019).

³⁴ Tegar Islami Putra, Akbar Jihadul Islam, and Abdullah Mufti Abdul Rahman, "Integrating Islamic Laws into Indonesian Data Protection Laws:

lecture is a varied lecture, meaning that the lecture is equipped with additional interactive dialog so that the learning process is not boring and does not make students bored.³⁵

The lecture method as described above can be elaborated by applying the Dissuasion action. Dissuasion is an action taken to prevent playing online games by giving advice, arguments, persuading, exploring to the form of coercion. As it is known that online game addicts have distorted rationality.³⁶ This method has an important function to build communication between teachers and students.³⁷ This method is appropriate to address the cause of children wanting to use their money to buy in-game items as a result of the gacha system. That in the analysis conducted by Hiramatsu in his research which focused on the gacha system in social games in smartphone applications. In his research, he concluded that there are types of players who focus on games because of gacha and types of players who want to get items or characters and only focus on gacha.³⁸

An Analysis of Regulatory Landscape and Ethical Considerations,” *Contemporary Issues on Interfaith Law & Society* 4, no. 1 (2024): 85–118.

³⁵ Lufri, *Metodologi Pembelajaran: Strategi, Pendekatan, Model, Metode Pembelajaran* (Malang: CV IRDH, 2020).

³⁶ Novrialdy, “Kecanduan Game Online Pada Remaja: Dampak Dan Pencegahannya.”

³⁷ Rihadhatul Aisya, Yanti Sri Wahyuni, and Hefni Hefni, “Pengaruh Penerapan Metode Ceramah Terhadap Pemahaman Siswa Pada Pelajaran Sosiologi Kelas XII IPS 5 Di SMAN 1 Pasaman,” *Journal on Education* 5, no. 4 (2023): 12043–51, <https://doi.org/10.31004/joe.v5i4.2165>.

³⁸ Ayako Hiramatsu, “A Research of Social Game Users’ Attitude to ‘Gacha’ Probability Announcement,” in *Conference: 2019 8th International Congress on Advanced Applied Informatics (IIAI-AAI)* (Toyama, Japan: IEEE Computer Society, 2019).

V. Juridical Efforts for Child Consumer Protection Against Online Games with the Gacha System

The *lex specialis* regulation regarding gambling is regulated in Government Regulation (PP) Number 9 of 1981 concerning the Implementation of Gambling Control. Article 1 paragraph (1) of PP No.9 of 1981 provides details regarding games that are classified as gambling, including casino gambling which consists of various types, gambling in crowded places which also consists of several types, and gambling for reasons and excluded for reasons. The details of the forms of gambling or gambling games regulated under Government Regulation Number 9 Year 1981, do not mention microtransactions in games, especially the gacha system and loot boxes in games as a form of gambling.³⁹

By definition, gacha and gambling contain the same elements. Article 303 of the Criminal Code defines a gambling game as any game in which the possibility of profit generally depends on sheer luck, as well as because the player is better trained or more skillful. The law in Indonesia does not clearly regulate the form of gacha gambling. In Article 1 Paragraph (1) of the Government Regulation of the Republic of Indonesia Number 9 of 1981 concerning the Implementation of Gambling Control, the form of the gacha system is not mentioned at all as a form of gambling. This is reasonable because the law was issued in 1981, while gacha was only popular in the early 2000s and even then it was still in the physical form of vending machines.⁴⁰

³⁹ Gede Darma Sannyasa and I Ketut Mertha, "Pengaturan Tindak Pidana Perjudian Dan Pertanggungjawaban Pidana Korporasi Dalam Micro-Transaction Pada Game Online," *Kertha Semaya: Journal Ilmu Hukum* 8, no. 9 (2020): 1467–82, <https://doi.org/10.24843/ks.2020.v08.i09.p14>.

⁴⁰ Raihan Apka Qotrunada et al., "Tinjauan Dan Analisis Dari Aspek Hukum Terhadap Unsur Judi Dan Legalitas Gacha Game Online," *Jurnal Ilmu Hukum, Sosial, Dan Humaniora* 5624, no. 4 (2023): 108–16, <http://jurnal.kolibi.org/index.php/kultura>.

The gacha system contained in online games is indirectly subject to the provisions and operations of Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions (ITE Law). Article 27 Paragraph (2) of the ITE Law, mandates to prohibit the existence of Electronic Information or Documents that have gambling content, such as games with a gacha system that have similar elements. This is in line with the mandate of the Minister of Communication and Information Technology Regulation (Permenkominfo) Number 2 of 2024 concerning Classification. It is explained in Article 14 letter b that a game cannot be classified if it contains content of game activities based on mere luck or any gamble (gambling) that can use legal tender, foreign currency, electronic money, or intangible commodities in the form of digital assets that can be traded and exchanged into legal tender and provides / supports / facilitates the cash out feature.

To prevent harm to consumers, business actors who market products via electronic systems are required to provide correct and complete information regarding contract terms, producers, and products as specified in Article 9 of the ITE Law. Parties are also prohibited in an electronic transaction from disseminating false and misleading information that causes consumer harm, as stipulated in Article 28 paragraph (1) of the ITE Law.⁴¹

Basically, online game users who conduct transactions in online games can also be called consumers due to the fulfillment of consumer elements as stipulated in Article 1 point 2 of Law Number 8 Year 1999 concerning Consumer Protection. Consumer Protection is defined in various ways across different sources and by legal experts. Mochtar Kusumaatmadja describes it as the comprehensive set of legal principles and rules governing relationships and issues between different parties involved with consumer goods or services in society. With a solid legal foundation, the protection of consumer rights can be effectively implemented. Consumer protection regulations are codified in Law

⁴¹ Tegar Islami Putra and Nurul Fibrianti, "Threats and Legal Protection of Personal Data Combined in E-Commerce Transactions Based on Personal Data Protection Law in Indonesia," *Lambung Mangkurat Law Journal* 9, no. 1 (2024): 64–74, <https://doi.org/10.32801/lamlaj.v9i1.438>.

Number 8 of 1999 on Consumer Protection. The first article, paragraph 1 of this law defines Consumer Protection as all measures ensuring legal certainty in safeguarding consumers' interests. This legal certainty is crucial for providing effective protection to consumers.⁴²

In terms of the implementation of online games in Indonesia, there is a classification based on age groups and criteria that must be met as stipulated in Permenkominfo Number 2 of 2024 concerning Game Classification. In Article 8 paragraph (1) Permenkominfo Number 2 of 2024 provides an age classification for users, namely:

- a) age group 3 (three) years or more;
- b) age group 7 (seven) years or more;
- c) age group 13 (thirteen) years or older;
- d) age group 15 (fifteen) years or more; and
- e) age group 18 (eighteen) years or older.

Furthermore, Article 8 paragraph (2) explains simulation and/or gambling activities as one of the content categories in online games. The category of simulation and/or gambling activities is then regulated as prohibited content in games classified based on the age group of 3 years or more as described in Article 9 letter g, age group of 7 years or more as described in Article 10 letter g, age group of 13 years or more as described in Article 11 letter f, and age group of 15 years or more as described in Article 12 letter e. So in this case, simulation content and/or gambling activities are content that is prohibited to be presented in games with a classification of user age groups under 15 years. However, in this case, there is no clause that explicitly mandates the protection of gacha games.

In terms of the age of online game users, based on the data, there are children under 18 years old by 32% and adolescents aged 10 to 18 years playing online games with an average of 3 times a day with a duration of more than 1 hour. So, based on the data that has been

⁴² Indra Kurnia Okta Pradana, Nurini Aprilianda, and Faizin Sulistio, "Analysis of The Limits of Criminal Acts of Gambling in The System of Acquiring Virtual Assets Through Loot Crates in Virtual Games," *International Journal of Business, Law, and Education* 4, no. 2 (2023): 1161–67, <https://doi.org/10.56442/ijble.v4i2.295>.

obtained, it shows that children have a considerable interest in online games supported by increasingly easy internet access only through smartphones, which children can access in every circle.⁴³

Article 1 number 1 of Law 27 of 2002 concerning Child Protection defines a child as someone who is not yet 18 years old. Every child who is not yet 18 years old receives special protection from economic and/or sexual exploitation as stipulated in Article 66 paragraph (1). Child development is a process of changing immature behavior into maturity.⁴⁴ Children are not yet able to manage money well, they need knowledge of financial literacy.⁴⁵ Children's inability to manage finances is then exploited by online game managers. In fact, this form of child exploitation has been regulated and juridically protected through the mandate of Article 66 paragraph (3) of Law Number 27 of 2002, that every person is prohibited from placing, allowing, doing, ordering to do, or participating in the exploitation of children. However, in this case, Law No. 27 of 2002 does not yet have a clause that explicitly mandates child protection against gacha games in online games.

⁴³ Yuni Ledi Syntiani, Frican Tutuarima, and Titus Gaité, "Kajian Terhadap Permainan Game Online Dalam Implementasi Pemenuhan Hak Anak," *Cetta: Jurnal Ilmu Pendidikan* 5, no. 3 (2022): 253–67, <https://doi.org/10.37329/cetta.v5i3.1910>.

⁴⁴ Soraya Rosna Samta, Lili Mulyani, and Frida Citra Cuacicha, "Urgenitas Peran Orang Tua Dalam Psikologi Perkembangan Anak Usia Dini Di Era Digital," *Jurnal Sentra Cendekia* 4, no. 1 (2023): 38–43, <http://e-journal.ivet.ac.id/index.php/sc>.

⁴⁵ Keuis Hera Susanti and Perbankan Syariah, "Analisis Tingkat Pengetahuan Tentang Pengelolaan Uang Saku Pada SMK Darussalam Tarogong Kaler," *INNOVATIVE: Journal Of Social Science Research* 3, no. 2 (2023): 6360–64.

VI. Conclusion

Child consumer protection efforts against online games with the gacha system can be done through non-judicial and judicial approaches. The non-judicial approach includes orienting traditional character games to children and strengthening students' understanding of character through interactive lecture methods. These two efforts aim to divert children's attention from online game addiction and build positive character. From a judicial perspective, although there is no regulation that explicitly regulates the gacha system in online games, several regulations can be used as a basis for child consumer protection, such as the ITE Law, Consumer Protection Law, and Permenkominfo on Game Classification. However, there is still a legal vacuum in regulating the gacha system specifically, especially in the context of child protection. There is a need to update regulations that specifically regulate gacha systems in online games, especially those targeting child consumers. This is important considering the potential for economic exploitation of children through the gacha system, which is contrary to the principles of child protection in the Child Protection Law.

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