

Implementation of Qris Transaction Fee Charges On Micro Business Actors in Samarinda City

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Abstract

The significant advancement of technology has encouraged people to develop businesses through the Internet. To support the times, a technology-based payment method was formed technology. One of them is the QRIS payment method which is widely used today. QRIS is the latest breakthrough launched by Bank Indonesia in collaboration with the Payment System Association of Indonesia. QRIS is a standardization of electronic payments based on standardization and aims to unify non-cash payments based on QR codes in Indonesia.



This research uses a social legal approach that focuses on micro-business actors and the implementation of Bank Indonesia regulations. Primary data sources are the results of interviews with micro business actors in Samarinda City and the results of interviews with Bank Indonesia Representatives. Samarinda City and the results of interviews with Bank Indonesia Representative of East Kalimantan. Secondary data used is Bank Indonesia Regulation No. 23/6/2021 concerning payment service providers, Consumer protection law, books, articles, and journals. Tertiary data used are Indonesian dictionaries and legal dictionaries.

Implementation of QRIS transaction fees on micro-business actors Micro businesses in Samarinda City has not run optimally by Bank Indonesia regulations. Minimal profit is one of the reasons for micro-business actors not implement BI regulation. Thus, in terms of legal effectiveness according to Soejono Soekanto then the charging of QRIS transaction fees to micro businesses is not effective.

KEYWORDS

QRIS, Charges, Micro Businesses.

Introduction

Along with the development of digital technology, many people have expanded their businesses by utilizing the Internet. The development of Internet technology in the business sector, of course, it must be balanced with technology-based payment methods. Therefore, many companies have developed QR codes as a payment method. However, with the proliferation of QR codes, business owners had to provide various types of payment codes at their storefronts. To address this issue, Bank Indonesia created QRIS to standardize payments using QR codes. QRIS (Quick Response Code Indonesian Standard) is a QR code standard issued by Bank Indonesia to facilitate digital payments in Indonesia.

Since July 1, 2023, Bank Indonesia started charging MDR fees for QRIS according to the merchant category and transaction value.¹ MDR Fee (Merchant Discount Rate) Is a fee applied to merchants by Payment Service Providers (PSPs) merchants by Payment Service Providers (PJP). The amount of the MDR fee will be determined by Bank Indonesia QRIS service fee, for micro businesses is 0.3%.² By Article 52 paragraph (1) of Bank Indonesia Regulation Number 23/6/4/PBI concerning Payment Service Providers, the business actors/merchants as Payment Service Providers business actors /merchants as Providers of Goods and /or Services are prohibited from charging additional fees to the User over the fees charged by the Payment Service Provider (PJP) to the Goods and/or Services Provider Services.³

Although not yet evenly distributed, micro business actors in Samarinda City have mostly adopted the use of QRIS in their business activities business activities. However, charging QRIS transaction fees among micro businesses is still controversial micro businesses is still something controversial. The Chairman of IUMKM Indonesia Association (Akumandiri), said the imposition of QRIS transaction fees will automatically burden micro businesses charging QRIS transaction fees will automatically burden business actors. Even the smallest costs will still be felt especially for MSMEs.⁴ Especially for micro-businesses with low income. So, it is likely that there will be a chance that transaction fees will be charged back to consumers. charged back to consumers. Also, the a lack of supervision from the Government and Bank Indonesia towards micro

¹ Kholida Qothrunnada, "Belum Paham QRIS? Arti, Fungsi, Manfaat, Dan Cara Pakainya", selengkapnya: <https://finance.detik.com/fintech/d-6017085/belum-paham-qr-is-ini-arti-fungsi-manfaat-dan-cara-pakainya>, Di akses pada 17.45 WITA

² Keputusan Deputy Gubernur Bank Indonesia Nomor: 25/4/KEP.DpG/2023 Tentang Penetapan Skema Harga Pemrosesan Transaksi Pembayaran Yang Difasilitasi Dengan Quick Response Code Indonesian Standard Dengan Model Merchant Presented Mode Dan Consumer Presented Mode.

³ Peraturan Bank Indonesia Nomor 23/6/4/PBI Tentang Penyedia Jasa Pembayaran

⁴ Tirto id, 2023, IUMKM Nilai Aturan QRIS Kena Biaya Admin Beratkan Pedagang, <https://tirto.id/iuumkm-nilai-aturan-qr-is-kena-biaya-admin-beratkan-pedagang-gMN8>, diakses pada 16.16 WITA.

businesses, thus supporting the delegation of transaction fees to consumers as QRIS users transactions to consumers as QRIS users.

Methods

The writing of this Journal uses the social legal research method or social legal research method. The social legal research method is a research approach that combines aspects of social science and law to analyze law-related phenomena in a social context analyze phenomena related to law in a social context.⁵ This approach aims to understand how the law functions in society, how society affects the law, and how the interaction between the two occurs.⁶ This research was conducted by examining primary material which in this case is in the form of interviews with micro-business actors and Bank Indonesia interviews with micro-business actors and Bank Indonesia Representative of East Kalimantan Representative. Secondary data or supporting data in the form of books, articles, and journals that discuss transaction fees QRIS.

Result and Discussion

1. CHARGING QRIS TRANSACTION FEES AS A PAYMENT METHOD PAYMENT METHOD BY MICRO BUSINESS ACTORS IN THE CITY OF SAMARINDA

The number of electronic money products and the rapid development of MSMEs will make it easier for MSMEs and their customers to transact. The advantages of electronic money make it easier for small businesses, medium and micro enterprises to give change to customers, and customers do not need to carry large amounts of cash when shopping. However,

⁵ Irianto, Sulistyowati & Shidarta (eds) 2011, *Metode Penelitian Hukum: Konstelasi dan Refleksi*. Jakarta: Yayasan Obor Indonesia

⁶ Banakar, Reza dan Max Travers, 2005, *Law, Sociology and Method dalam Reza Banakar & Max Travers (ed), Theory and Method in Socio-Legal Research*. Onati: Hart Publishing Oxford and Portland Oregon, hal 1-26

electronic money products can only be used by consumers if available at merchant outlets.

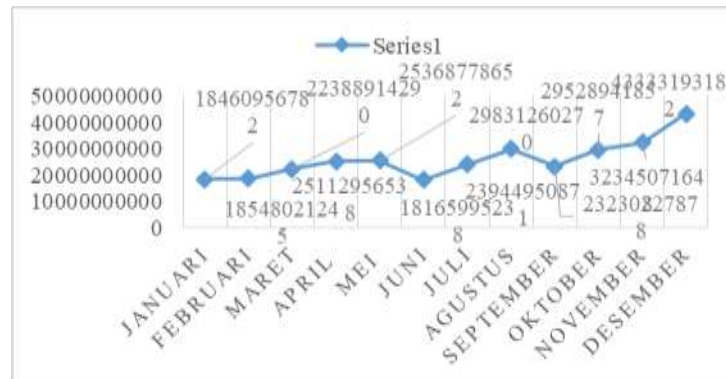
Meanwhile, QRIS is considered to have great potential to change the way transactions are conducted in Indonesia, allowing users to use mobile banking applications to pay using QR codes that are easily scanned by smartphone cameras.⁷ The use of QRIS as a transaction method involves at least four parties, namely merchants, banks, the Indonesian Payment System Association (ASPI), and QRIS users. Innovative Bank works closely with payment service providers to develop the QRIS mechanism as a transaction tool. The QRIS is then distributed to merchants who have a prior relationship with the bank, such as bank debtors with the bank, such as bank debtors. Merchants receive the QRIS code from the bank and can accept payments using QRIS. Meanwhile, users are individuals who scan QR codes provided by merchants to make payments using QRIS provided by the merchant to make payments using a payment application compatible with a bank or related payment service provider related payment service providers.

The use of QRIS as a means of digital payment continues to increase in the eastern part of the island of Kalimantan. In East Kalimantan alone as of March 2022, the transaction nominal almost reached Rp38,000,000,000.00 (thirty-eight billion thousand rupiah) with the dominance of Samarinda residents. Nominally, the city of Samarinda is the region with the highest QRIS transactions in East Kalimantan with a portion of 47.35%. East Kalimantan with a portion of 47.35%. Currently, the use of QRIS in Samarinda City Samarinda is already widely used in the micro business category.⁸

⁷ Untoro, et al., 2014 *Hambatan dan Faktor-Faktor Penentu Keberhasilan, Jakarta: Working Paper Layanan Keuangan Digital Bank Indonesia*, hlm. 12.

⁸ M.Mutawallie sya'rawie., 2022, Pengguna QRIS di Kalimantan Timur Masih di Dominasi Warga Samarinda. Kalimantan.Bisnis.com.URL: <https://kalimantan.bisnis.com/read/20220617/408/1544978/penggunaan-qriskaltim-masih-didominasi-warga-samarinda>

Chart 2. 1 Nominal Qris Transactions in East Kalimantan in 2022



Source: the results of the author's interview with Bank Indonesia representatives of East Kalimantan

Based on the description of the standard criteria for MSMEs through Article 35 Government Regulation Number 7 of 2021 concerning convenience, protection, and empowerment of cooperatives and micro, small, and medium enterprises medium. If you look at the data from the Office of Cooperatives, Small and Medium Enterprises, and Industry in Samarinda City. In 2022, the number of participants in micro-enterprises reached 43,431, and in 2023, the number of micro-enterprise participants increased to 45,012 merchants microenterprise participants increased to 45,012 traders.⁹ As a sample, the author has conducted interviews with 35 micro business actors in Samarinda City both those who have adopted QRIS and those who have not adopted QRIS as a payment method.

Through the interview results, it was found that 54% of micro-business owners use cash payment methods micro businesses use the cash payment method. There are 36% of micro businesses adopt QRIS as their payment method. Meanwhile, 10% of micro businesses choose to use the transfer payment method payment method by way of transfer. Of the 23 samples, micro-businesses adopted QRIS as a payment method. The results obtained as much as 74% of micro-businesses are aware of the QRIS MDR

⁹ Sistem Informasi Penyelenggara Statistik Sektor Universal Terintegrasi, URL: <https://satudata.samarindakota.go.id/api/kategori/57cb4510-2f1f-11ed-97be2d06f52e19b2/jumlah-umkm-kota-samarinda>. Di akses pada 22.39 WI

fee, but do not inform consumers. New QRIS users know the addition of the QRIS MDR fee after the transaction fee is completed. Meanwhile, only 4% of micro businesses inform consumers about the MDR fee the existence of MDR fees to consumers. In addition, there are also 22% of micro businesses micro businesses that have adopted QRIS as their payment method, but do not know the additional transaction costs.

Based on the results of the interview, the author obtained sample results of 70% of micro-business actors chose the new Bank Indonesia policy to influence their business. Most of them think that the presence of MDR (Merchant Discount Rate) fees to businesses will reduce their profits Discount Rate) to business actors will reduce their profits. Especially for business actors who are just starting their business. Although only 0.3%, if micro-business owners cannot manage their sales well, it will still burden them sales well, it will still be burdensome.

The 0.3% MDR fee can be considered a significant cost, especially for micro-enterprises that have narrow profit margins this fee can reduce their profits and reduce their competitiveness with other businesses that offer other payment methods with other businesses that offer other payment methods. MDR Fee (Merchant Discount Rate) QRIS fees can also reduce the competitiveness of businesses with other businesses that do not have QRIS fees with other businesses that do not have an MDR (Merchant Discount Rate) fee Discount Rate). The existence of the MDR (Merchant Discount Rate) fee also affects customer satisfaction affects customer satisfaction. In addition, the cost of MDR (Merchant Discount Rate) QRIS 0.3% is a transaction fee that cannot be avoided so businesses must bear the cost of the transaction so that business actors must bear the cost of these services.

Meanwhile, there are 30% of micro-business actors who choose Bank Indonesia's new policy regarding the nominal QRIS transaction of 0.3% do not affect their business influence their business. This is based on the transaction costs of 0.3% can be considered a relatively small cost when compared to other operational costs compared to other operational costs.

In some cases, micro merchants even increase the price of their products to cover the MDR fee, which can reduce the negative impact on profits MDR costs, which can reduce the negative impact on profits.

As the results of the author's interview sample with 23 micro business actors who have adopted QRIS as a payment method, 57% of micro businesses choose to charge QRIS transaction fees through product selling prices QRIS transaction fees through the product selling price. Also, 26% of business actors charge MDR fees directly to consumers. A sample example of charging a 1% QRIS MDR fee by mastumin and kopi tumin. It is written on the payment receipt that the two micro-business actors charge the MDR QRIS fees to consumers without notifying them before the transaction process takes place the transaction process takes place. The charging of MDR QRIS fees to consumers is done to cover operational costs and maintenance costs of digital services maintenance costs of digital services. Also, only 17% of micro-businesses choose to charge MDR QRIS fees by the direction of Bank Indonesia Bank Indonesia.

When looking at the results of the research sample that has been conducted the author, only 17% of micro-business actors charge the MDR QRIS fee by Bank Indonesia's direction. In fact, the author also found micro businesses charging MDR fees of more than 0,3%. In fact, according to the Decree of the Deputy Governor of Bank Indonesia Number 25/4/KEP.DpG/2023 concerning the Determination of Pricing Scheme Processing of Payment Transactions Facilitated with Quick Response Code (QR) for Payment Response Code (QR) for Payments Based on QR Standard Standard with Merchant Presented and Consumer Presented Modes, sixth section (b) stipulates that Micro businesses will be charged MDR fee of 0.3%. Of course, the attitude taken by Micro businesses has violated Bank Indonesia Regulation Number 23/6/PBI/2021 concerning Payment Service Providers. In addition, through Article 52 paragraph (2) of Bank Indonesia Regulation Number 23/6 / PBI / 2021 concerning Payment Service Providers, Bank Indonesia provides Payment Service Providers, Bank

Indonesia authorizes PJP (Payment Service Provider) to ensure the compliance of the Goods and/or Services Providers of the prohibition as referred to in paragraph (1), which means that PJP has the authority to regulate the terms and conditions of sanctions for the actions of merchants who violate the prohibition as referred to in paragraph (1) terms and conditions of sanctions for merchants who charge MDR fees to consumers fee to consumers.

2. IMPLEMENTATION OF BANK INDONESIA REGULATION ARTICLE 52 PARAGRAPH 1 NUMBER 23/6/PBI OF 2021 CONCERNING QRIS PAYMENT SERVICE PROVIDERS BY MERCHANT OR MICRO BUSINESSES IN SAMARINDA CITY

In writing this paper, the author reviews the problem by applying the theory of legal effectiveness presented by Soejono Soekanto. Effectiveness refers to the level of success achieved by individuals or organizations in achieving certain goals with the method set. From this explanation, it can be concluded that effectiveness can be obtained through various factors. The factors that contribute to effectiveness are outlined below:

1. The legal factors themselves, which in this paper will be limited to law only;
2. Law enforcement factors, namely the parties who form and implement the law and apply the law;
3. Facilities and facilities that support law enforcement;
4. Community factors, namely the environment where the law is enacted or implemented or implemented; and
5. Cultural factors, as a result of works, innovations, and values underlyin human interaction in everyday life.¹⁰

Testing of QRIS transaction fees based on Article 52 Paragraph 1 of Bank Indonesia Regulation Number 23/6/PBI/2021 regarding Payment

¹⁰ Soejono Soekanto, 2007, faktor-faktor yang mempengaruhi penegakan hukum, Jakarta: PT. RajaGrafindo Persada. Hal 8

Service Providers means testing this Bank Indonesia regulation in the fulfillment of several factors, these five factors will be described as follows:

1. Legal Factor

Bank Indonesia Regulation Number 23/6/PBI Year 2021 About Payment Service Providers, applies according to the law if the reference is based on rules that have a higher degree based on the hierarchy of laws and regulations based on the hierarchy of laws and regulations. In this regard, Bank Indonesia Regulation No. 23/6/PBI Year 2021 concerning Payment Service Providers is by Law Number 23 of 1999 concerning Bank Indonesia and Bank Indonesia Regulation Number 22/23/PBI/2020 concerning Payment Systems.

In order for the rule of law to function effectively, every legal regulation must include juridical, sociological, and legal aspects must include juridical, sociological, and philosophical aspects. The rule of law in Bank Indonesia regulation Number 23/6/PBI of 2021 concerning Payment Service Providers, must also fulfill juridical, sociological, and philosophical elements must also fulfill juridical, sociological and philosophical elements to be said to function. Article 52 paragraph 1 of Bank Indonesia Regulation Indonesia Number 23/6/PBI of 2021 concerning Payment Service Providers Payment Service Provider states that the Goods and/or Services Provider is prohibited from imposing a surcharge on the User of Services over the fees charged by PJP to the Goods and/or Services Provider and/or Services.

This article means that every business actor is prohibited from imposing additional costs on consumers. When looking at the sample data that has been displayed by the author, then Article 52 paragraph (1) PBI cannot be said to be a regulation that fulfills the sociological element sociological elements. As the author's sample, there are only 17% of micro-businesses that comply with this regulation micro businesses that comply with the Bank Indonesia regulation. Lack of supervision of micro business actors and acceptance from the community is still a problem in realizing the sociological element of the Article.

The role of the Government and Bank Indonesia is to supervise and reassess whether the Bank Indonesia regulations are suitable for micro businesses. Micro-businesses often have very thin profit margins. The collection of MDR fees can be a significant additional burden for them, reducing their profitability for them, reducing the profitability of their business. Imposing MDR fees on micro businesses could hinder the adoption of digital payment technology by small businesses digital payment technology by small businesses. Given the important role micro businesses play in the economy, they should be supported, including the waiver of fees that may hinder their growth fees that may hinder their business growth.

2. Law Enforcement Factors

Good regulations must be followed by law enforcement law enforcement. Therefore, one of the crucial aspects in achieving law enforcement effectiveness is the mindset or personality of the law enforcer effectiveness of law enforcement is the mindset or personality of law enforcers of law enforcement. The role of law enforcement officers here is to socialize the existence of Bank Indonesia Regulation Number 23/6/PBI/2021 concerning Payment Service Providers as well as realizing the objectives of the Bank Indonesia regulation realizing the objectives of the Bank Indonesia regulation.

According to the results of interviews conducted by the author with Bank Indonesia representatives of East Kalimantan, that indeed Bank Indonesia has carried out its role to appeal to the addition of the MDR (Merchant Discount Rate) fee QRIS fees, which used to be 0% to 0.3% to the public, but still not massive enough. In addition, based on interviews that have been the author conducted with Bank Indonesia Perwakilan Kalimantan East Kalimantan, before charging the MDR QRIS fee to MSMEs, Bank Indonesia also issued a Bank Indonesia Regulation MSMEs, Bank Indonesia also issued Bank Indonesia Regulation Indonesia Regulation Number 23/6/PBI/2021 concerning Payment Service Providers to protect consumers Payment Service Providers to protect consumers. This

is intended so that micro businesses do not charge MDR (Merchant Discount Rate) QRIS fees to (Merchant Discount Rate) QRIS to consumers.

3. Legal Facilities and Infrastructure Factors

To ensure effective law enforcement, certain facilities and amenities are required. These facilities and means are very important in ensuring the effective implementation of a regulation or rule.

Based on the observations made by the author, the application of this rule regarding facilities and facilities has in fact been fulfilled, especially in Bank Indonesia and government agencies have been fulfilled, as the implementers of the rules in this Bank Indonesia regulation Number 23/6/PBI/2021 concerning Payment Service Providers Payment Service Providers. The legal means and facilities are in the form of registration and business license every payment service provider must have a license from Bank Indonesia. This licensing process ensures that only entities that meet certain requirements can operate as a PJP. Not only that, PJP is required to provide clear, accurate, and easy-to-understand information to consumers about the services they offer, and to consumers regarding the services they offer, including costs, risks, and dispute resolution procedures. PJP is also required to provide an easily accessible and effective complaint mechanism for effective complaints mechanism for consumers who experience problems or disputes related to payment services. PJP must also respond, and resolve consumer complaints within the specified timeframe specified timeframe.

4. Community Factors

Law enforcement stems from society and aims to create peace in society. Awareness to comply with regulations is highly expected in law enforcement. If people's understanding of the law is increasing, so the level of legal compliance will also increase. This awareness can be increased through knowledge, understanding, expectations, and increased legal awareness.

In writing this research, it is associated with the new policy of Bank Indonesia's new policy regarding the addition of QRIS transaction fees transaction fee of 0.3% which is charged to business actors. Through Article 52 paragraph (1) Bank Indonesia emphasizes that transaction fees should not be charged to the buyer transaction fees may not be charged to the buyer. However, when the author conducted 35 interviews with 23 business actors QRIS users in Samarinda City as a sample. It turns out, that only 17% of business actors comply with BI regulations by charging micro businesses/merchants. While, 57% of micro businesses charge QRIS transaction fees to consumers through the selling price of goods and/or services transaction fees to consumers through the selling price of goods and/or services. Indeed in essence, Bank Indonesia does not explain the prohibition of charging MDR fees through the selling price charging MDR fees through the selling price. However, at least business actors must pay attention to transparency and business ethics by not charging more than 0.3%.

There is also a value of 23% of micro-businesses that still charge QRIS MDR fees still charge MDR QRIS fees to consumers. In fact, Bank Indonesia prohibits the delegation of QRIS transaction fees to consumers QRIS transaction fees to consumers. The purpose of Bank Indonesia issuing Regulations on Payment Service Providers is to maintain the continuity of service provision payment transaction services and ensure that MDR fees are not charged to the QRIS user community. It can be concluded, that the role of the community in complying with BI regulations is still lacking.

5. Cultural Factors

Culture is the main factor that determines in a person's desires and behavior because it covers all aspects of human life. Various factors make business actors develop payment methods, including are:

a. Digital Development

The all-digital era encourages businesses to provide fast-paced services to consumers. One of them is by providing digital payment digitally, such as QRIS;

6. Versatility and Integrity

Cashless payment methods like QRIS allows businesses to accept a variety of such as digital wallets, mobile banking, and electronic money. This makes it more convenient for customers to be able to choose their preferred payment method preferred.¹¹

From the various factors that the author has described above as an indicator of whether or not Article 52 paragraph 1 of regulation Article 52 paragraph 1 of Bank Indonesia Regulation Number 23/6/PBI/2021 Regarding Payment Service Providers, it can be concluded that from five factors of Payment Service Providers, it can be concluded that of the five factors that have been mentioned are still not fully effective. After looking at the data from the author's sample, it turns out that only 17% of micro-businesses that carry out MDR fees follow the direction of Bank Indonesia QRIS by Bank Indonesia's direction.

Bank Indonesia has regulated through Article 52 paragraph 1 of Bank Indonesia Regulation Number 23/6/PBI/2021 About Payment Service Providers, regarding the additional costs of QRIS transactions. The regulation stipulates that merchants are not allowed to charge QRIS transaction fees to consumers. However, in practice based on the author's sample, some merchants increase overall product prices as a way to cover QRIS transaction fees. While technically this is not a "surcharge", it can be considered a less transparent pricing strategy if it is not clearly explained to consumers. Looking at the sample data authors. It can be concluded that the implementation of Bank Indonesia Regulation Article 52 Paragraph 1 Number 23/6 / PBI of 2021 concerning QRIS Payment Service Providers by

¹¹ Nida Amalia, 2022, 7 *Alasan pakai QRIS bagi pelaku usaha itu penting*, dapat diakses di <https://fazz.com/id/newsroom/business/alasan-pakai-qrisk/>, pukul 16.15 WITA

micro business actors in Samarinda City, has not been maximally implemented. There needs to be review of whether the addition of the QRIS MDR fee to the micro businesses is necessary or not. If indeed MDR QRIS fees among micro businesses are needed, then requires the role of the Government and Bank Indonesia to conduct strict supervision of micro-businesses. The government and Bank Indonesia should monitor and supervise the QRIS system more closely to ensure that QRIS MDR fees are not imposed on service users. MDR QRIS fees are not charged to service users. Therefore, QRIS consumer protection regulations can be implemented properly.

Conclusion

National QR Code Payment Standard (Quick Response Code Indonesian Standard) which is abbreviated as QRIS is a QR Code Standard set by Bank Indonesia to facilitate payment transactions in Indonesia. As of July 1, 2023, Bank Indonesia began charging merchants an MDR fee of 0.3%. In addition, Bank Indonesia prohibits merchants to not charge MDR fees to consumers with the issuance of Bank Indonesia Regulation Number 23/6/PBI/2021 concerning Payment Service Providers. Payment Service Providers. However, from the results of the field research sample, it turns out that the micro business actors in the city of Samarinda in responding to the charging of MDR costs.

MDR costs are found in ways such as: charging business actors, charging in the selling price and charging consumers. From of these three things, it turns out that only 17% of business actors comply with the Bank Indonesia Bank Indonesia Regulation by charging transaction fees to business actors business actors. 26% charge transaction fees to consumers. Meanwhile, 57% of business actors charge QRIS transaction fees based on the selling price of goods and/or services. QRIS transaction fees on the selling price of goods and/or services. Cost imposition of MDR QRIS costs

for micro businesses in Samarinda turned out to be ineffective. This can be seen from the fact that many micro businesses in Samarinda City still charge MDR fees to consumers. Only 17% of business actors apply BI regulations. Not only that there are also micro-businesses that charge QRIS transaction fees of a transaction fee of more than 0.3%. This happens because the turnover of micro businesses is minimal which is minimal.

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DECLARATION OF CONFLICTING INTERESTS

The authors state that there is no conflict of interest in the publication of this article.

FUNDING INFORMATION

None

ACKNOWLEDGMENT

None

HISTORY OF ARTICLE

Submitted : January 17, 2023

Revised : March 20, 2024

Accepted : April 15, 2024

Published : May 25, 2024