JIHAD: Jurnal Ilmu Hukum dan Administrasi
Vol. 8 No. 3 September 2026
p-ISSN : 2745-9489, e-ISSNl 2746-3842
DOI: *10.36312/jihad.v8i2.11467/*https://ejournal.mandalanursa.org/index.php/JIHAD/issue/archive

Legal Analysis of the Use of the Indonesian Standard Quick Response Code (QRIS) Banking Service as a Non-Cash Payment Instrument: A Tax Law Perspective in Indonesia

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Article Info

Article history:
Accepted: 9 September 2026
Publish: 17 September 2026

Keywords:
Digital Payment;
Legal Certainty;
Personal Data Protection;
QRIS;
Tax Compliance.

Abstract

The rapid growth of digital payment systems in Indonesia has transformed financial transactions through the widespread adoption of the Quick Response Code Indonesian Standard (QRIS). Despite its contribution to financial inclusion and transaction efficiency, the increasing use of QRIS has raised significant legal issues concerning taxation, legal certainty, and the protection of personal data. This study aims to analyze the legal certainty of tax collection on QRIS-based non-cash payment transactions under the current Indonesian tax law framework and to formulate an ideal legal reconstruction for integrating QRIS into the national taxation system. This research employs a normative juridical method using statutory, conceptual, and case approaches. The study relies on primary, secondary, and tertiary legal materials collected through library research, including legislation, legal doctrines, scholarly publications, and official government reports. The findings indicate that the existing legal framework remains inadequate due to the absence of specific regulations governing QRIS taxation, resulting in legal uncertainty, compliance gaps, and the potential for arbitrary tax assessments, particularly affecting Micro, Small, and Medium Enterprises (MSMEs). Furthermore, regulatory inconsistencies exist between tax administration, banking regulations, and personal data protection laws, creating challenges in balancing tax enforcement with privacy rights. This study proposes a legal reconstruction that includes the establishment of a specific Minister of Finance Regulation, the designation of Payment Service Providers as automatic withholding tax agents, the implementation of privacy-by-design principles, and stronger legal safeguards to enhance tax compliance, legal certainty, and taxpayer protection. The proposed framework is expected to support sustainable digital economic development while ensuring fairness, transparency, and effective tax governance in Indonesia.

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1. INTRODUCTION

The rapid development of financial technology has fundamentally transformed payment systems worldwide, including in Indonesia. The implementation of the Indonesian Standard Quick Response Code (QRIS) has accelerated the transition toward a cashless society by enabling interoperable digital payment services across banking institutions and electronic payment providers. QRIS has improved transaction efficiency, expanded financial inclusion, and strengthened the digital economy, particularly among Micro, Small, and Medium Enterprises (MSMEs) (Bank Indonesia, 2023). Nevertheless, the rapid growth of QRIS transactions has also generated legal challenges related to taxation, legal certainty, banking confidentiality, and the protection of personal data.

The digital transformation of banking services requires continuous adaptation of legal regulations to ensure that technological innovation remains consistent with the principles of legal certainty and consumer protection (Kholis, 2018). Digital banking has fundamentally changed the relationship between financial institutions and customers, making legal protection an increasingly important component of digital financial governance.

Legal protection for customers using digital banking services has not fully accommodated the legal risks arising from digital transactions. Consequently, stronger regulatory frameworks are required to ensure legal certainty and provide effective protection for consumer rights in the digital banking ecosystem (Tarigan & Paulus, 2019).

The protection of customers' personal data has become a crucial legal issue in electronic banking services. Financial institutions are legally responsible for maintaining the confidentiality of customer information and preventing unauthorized access to electronic transaction data as part of their obligation to protect customer privacy (Maulana & Apriani, 2021).

The increasing occurrence of fraud in digital banking transactions demonstrates that financial institutions must strengthen preventive and corrective legal mechanisms to minimize financial losses suffered by customers. Effective legal protection should be supported by clear regulations governing institutional responsibility and dispute resolution mechanisms (Sitorus, 2023).

Cybersecurity threats continue to evolve alongside the expansion of digital payment systems. Phishing attacks remain one of the most significant risks affecting digital banking users, highlighting the importance of strengthening technological safeguards and legal protection mechanisms to secure customers' financial information (Yosefine et al., 2023).

The enactment of Indonesia's Personal Data Protection Law has further strengthened the legal obligation of financial institutions to implement comprehensive personal data protection measures. The protection of banking customers' personal data must become an integral part of digital banking operations to ensure compliance with national legislation and enhance public trust in digital financial services (Irmawati et al., 2024).

Although previous studies have contributed significantly to the discussion of digital banking, consumer protection, cybersecurity, and personal data privacy, they mainly focus on legal issues surrounding banking services and customer protection. Existing research has not comprehensively examined the legal implications of QRIS-based payment transactions from the perspective of taxation law. In particular, there remains limited discussion regarding the harmonization of tax regulations, banking law, payment system governance, and personal data protection in establishing legal certainty for QRIS transactions.

The scientific novelty of this research lies in providing an integrated legal analysis that combines taxation law, banking law, digital payment regulation, and personal data protection within the implementation of QRIS in Indonesia. Unlike previous studies, this research proposes a legal reconstruction of QRIS taxation by examining the legal position of Payment Service Providers, the harmonization of taxation regulations with banking regulations, and the balance between tax supervision and personal data protection.

Based on these issues, this study aims to analyze the legal certainty governing QRIS-based non-cash payment transactions from the perspective of Indonesian tax law and to formulate a legal reconstruction capable of supporting tax compliance, protecting taxpayers' rights, ensuring personal data protection, and strengthening legal certainty within Indonesia's digital payment ecosystem..

2. METHOD

This study employed a normative juridical research method, which focuses on examining legal norms governing QRIS-based digital payment transactions from the perspective of Indonesian tax law. Normative legal research emphasizes legal principles, statutory regulations, legal doctrines, and judicial decisions as the primary sources for analyzing legal issues and formulating legal arguments (IRAC, 2024). This method was selected because the research aims to identify legal gaps, normative inconsistencies, and regulatory harmonization concerning QRIS taxation within Indonesia's digital payment system.

The research adopted three complementary approaches. The statutory approach was used to examine Indonesian legislation governing taxation, banking, digital payment systems, and personal data protection. The conceptual approach analyzed legal doctrines and theories related to legal certainty, legal protection, taxation, and digital financial regulation. Meanwhile, the case approach reviewed relevant judicial decisions and legal practices concerning electronic financial transactions and tax administration to strengthen the legal analysis (Suteki & Taufani, 2018).

The legal materials consisted of primary, secondary, and tertiary legal sources. Primary legal materials included the Constitution of the Republic of Indonesia, taxation laws, banking laws, the Personal Data Protection Law, the Electronic Information and Transactions Law, Bank Indonesia Regulations concerning Payment Service Providers and QRIS, as well as other related regulations. Secondary legal materials comprised textbooks, accredited journal articles, government reports, Bank Indonesia publications, OECD publications, and other scholarly works discussing taxation, digital banking, and financial technology. Tertiary legal materials included legal dictionaries, encyclopedias, and official glossaries published by relevant government institutions.

The collection of legal materials was conducted through library research, involving the systematic identification, classification, and examination of legal documents and scientific publications relevant to the research objectives. Subsequently, the collected legal materials were analyzed qualitatively using descriptive and prescriptive legal analysis. This analytical technique enabled the researcher to interpret legal norms, evaluate regulatory consistency, identify legal gaps, and formulate recommendations for reconstructing the legal framework governing QRIS taxation in Indonesia (Marzuki, 2021).

The research flow demonstrates that the study began with identifying legal issues concerning QRIS taxation. This was followed by a comprehensive review of relevant literature and legal materials. The collected legal materials were then analyzed using statutory, conceptual, and case approaches to identify legal inconsistencies and regulatory gaps. Finally, the findings were synthesized to formulate recommendations for reconstructing Indonesia's legal framework governing QRIS-based taxation while maintaining legal certainty, taxpayer protection, and personal data security.

3. RESULTS AND DISCUSSION

a. Legal Certainty of QRIS-Based Transactions under Indonesian Tax Law

The findings indicate that Indonesia has experienced significant progress in developing digital payment systems through the implementation of the Quick Response Code Indonesian Standard (QRIS). The integration of QRIS into banking and non-bank payment services has improved transaction efficiency, promoted financial inclusion, and supported the expansion of the digital economy. However, the legal framework governing taxation has not developed at the same pace as digital payment technology. As a result, the existing regulatory framework does not explicitly regulate the taxation mechanism applicable to QRIS-based transactions.

The absence of specific tax regulations creates legal uncertainty regarding the legal status of QRIS transaction records as tax evidence. Current tax legislation generally regulates taxable income without providing clear provisions concerning the classification of QRIS transaction data, particularly in distinguishing commercial income from personal fund transfers. Consequently, tax authorities may encounter difficulties in determining taxable income accurately, while taxpayers face uncertainty regarding their tax obligations. This condition reflects the existence of a regulatory gap between technological innovation and taxation law, reducing the effectiveness of tax administration in the digital economy (Organisation for Economic Co-operation and Development [OECD], 2023).

The research also demonstrates that legal uncertainty may increase the risk of arbitrary tax assessments, especially for Micro, Small, and Medium Enterprises (MSMEs) that frequently use QRIS as their primary payment method. In practice, business transactions and personal financial transfers are often recorded within the same digital payment account, making it difficult to determine taxable income objectively. Similar challenges have been identified in international discussions concerning the taxation of digital financial transactions, where transparent regulatory standards are considered essential to ensure tax compliance and taxpayer confidence (OECD, 2023).

These findings support the theory of legal certainty, which emphasizes that legal rules must be clear, predictable, and consistently implemented to guarantee equal legal protection. Without explicit legal standards governing QRIS taxation, both tax authorities and taxpayers may interpret existing regulations differently, creating inconsistent tax enforcement and reducing legal certainty.

b. Harmonization between Tax Law, Banking Regulation, and Personal Data Protection

The research findings further reveal that the implementation of QRIS taxation involves multiple legal regimes, including taxation law, banking regulation, payment system regulation, and personal data protection legislation. While tax authorities require financial transaction information to improve tax compliance, banking institutions remain legally obligated to maintain customer confidentiality and protect personal data.

This overlapping regulatory authority creates a normative conflict between public interest in tax collection and individual rights to financial privacy. The enactment of the Personal Data Protection Law strengthens the obligation of financial institutions to process customer information lawfully, transparently, and proportionally. Consequently, any exchange of QRIS transaction data between Payment Service Providers and tax authorities must satisfy both taxation requirements and personal data protection principles (Mahameru et al., 2023).

The findings indicate that Indonesia currently lacks detailed implementing regulations establishing procedural standards for accessing QRIS transaction data for taxation purposes. This regulatory limitation may reduce public trust in digital payment systems because taxpayers remain uncertain about the legal boundaries governing government access to financial information. Similar observations have been reported in studies discussing the implementation of personal data protection within Indonesia's financial sector, emphasizing that legal certainty is essential for maintaining consumer confidence in digital financial services (Hanafittya, 2021).

Regulatory harmonization is required to balance effective tax administration with the protection of constitutional privacy rights. Such harmonization should establish transparent legal procedures regarding data access, accountability mechanisms, institutional responsibilities, and limitations on the use of financial information.

c. Legal Reconstruction of QRIS Taxation in Indonesia

The principal finding of this study is the need to reconstruct Indonesia's legal framework governing QRIS taxation. Existing regulations primarily focus on payment system administration while providing limited guidance regarding taxation procedures. Consequently, the current legal framework does not adequately accommodate the rapid expansion of digital payment transactions.

This research proposes several legal reforms. First, a specific Minister of Finance Regulation should be enacted to regulate the taxation mechanism applicable to QRIS transactions. Such regulation should define taxable QRIS transactions, establish procedures for tax reporting, and clarify the legal status of QRIS transaction records as tax evidence. Second, Payment Service Providers may be appointed as automatic withholding tax agents under clearly defined statutory authority. This mechanism has the potential to improve tax compliance while reducing administrative burdens for taxpayers and tax authorities. Similar approaches have been adopted in several countries to improve the efficiency of digital tax administration (OECD, 2023).

Third, taxation policies should fully incorporate privacy-by-design principles to ensure that financial transaction data are processed proportionally and exclusively for legitimate taxation purposes. Strong institutional supervision and transparent accountability mechanisms should accompany any data-sharing arrangements between financial institutions and tax authorities to prevent misuse of personal information (Rahmahdhani et al., 2023).

Compared with previous studies, this research offers a broader legal perspective by integrating taxation law, banking regulation, payment system governance, and personal data protection into a unified analytical framework. Earlier studies primarily emphasized consumer protection, digital banking security, and fraud prevention without examining the broader implications of QRIS transactions for tax administration. Therefore, this study contributes a new legal model for regulating QRIS taxation while maintaining legal certainty, protecting taxpayers' rights, and supporting sustainable digital economic development.

Overall, the research findings answer the research objectives by demonstrating that Indonesia's existing legal framework has not yet provided adequate legal certainty for QRIS-based taxation. Furthermore, the proposed legal reconstruction offers a comprehensive regulatory model capable of strengthening tax compliance, enhancing legal certainty, protecting personal data, and supporting the continued development of Indonesia's digital payment ecosystem.

4. CONCLUSION

This study concludes that the existing legal framework governing QRIS-based non-cash payment transactions in Indonesia has not yet provided adequate legal certainty regarding taxation. Although QRIS has significantly enhanced the efficiency of digital payment systems and contributed to the growth of the digital economy, current tax regulations do not specifically regulate the taxation mechanism for QRIS transactions. This regulatory gap creates uncertainty in determining taxable transactions, increases the potential for inconsistent tax enforcement, and complicates the distinction between business income and personal financial transfers.

The findings further demonstrate that effective regulation of QRIS taxation requires harmonization between taxation law, banking regulation, payment system governance, and personal data protection. A balanced legal framework is essential to ensure that tax authorities can perform their supervisory functions without compromising the confidentiality of financial information or violating the principles established under Indonesia's Personal Data Protection Law.

Accordingly, this research proposes a legal reconstruction through the establishment of specific regulations governing QRIS taxation, the clarification of the legal authority of Payment Service Providers within the taxation system, and the implementation of transparent procedures for accessing digital transaction data. These measures are expected to strengthen legal certainty, improve tax compliance, protect taxpayers' rights, and support sustainable digital economic development. Therefore, the study achieves its research objective by providing an integrated legal framework capable of balancing effective tax administration with legal protection in Indonesia's evolving digital payment ecosystem..

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