

Legal Relationship between TikTok Affiliates and TikTok Sellers after the Enactment of Ministry of Trade Regulation No. 31 of 2023 under Sharia Economic Law

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Abstract :

The existence of a legal relationship often underlies collaboration between parties, including between TikTok affiliates and TikTok sellers. The enactment of Ministry of Trade Regulation No. 31 of 2023 has changed the mechanism of TikTok's affiliate system, affecting the legal relationship between these parties. However, previous studies have not adequately explored the legal implications of these changes, particularly from the perspective of Sharia economic law. This study is a normative-empirical legal research employing a qualitative method and a juridical-sociological approach. Data were collected through observation, literature review, and interviews. The study distinguishes itself by combining doctrinal legal analysis with field-based empirical insights and by incorporating Islamic legal principles into digital commercial practices. The findings categorize TikTok affiliate mechanisms into two types. First, commission-based affiliates do not require prior approval from sellers, thus lacking a formal legal relationship. Second, affiliates who enter into cooperation contracts with sellers, which implies a legal relationship, although often weakened by the informal nature of these agreements. From the perspective of Sharia economic law, the first category aligns with a *ju'alah* contract, while the second involves a valid work-based contract. The study contributes new insights into the classification and legal strength of digital affiliate relationships under both state and Sharia law, especially in light of recent regulatory reforms.

Keywords: Legal Relationship, TikTok *Affiliate*, Sharia Economic Law

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Introduction

TikTok Shop is currently the platform of choice for the public, especially for those who enjoy shopping through e-commerce. TikTok Shop is categorized as an application based on social commerce, which means it combines social media features with a marketplace.¹ Users can enjoy various video content while shopping if they find goods or products that interest them for purchase. One of the advantages that makes TikTok Shop a standout is its power pull for the Community compared to other marketplaces—an added feature on TikTok affiliate that allows someone to sell without owning the goods for sale. Users promote goods owned by others (TikTok sellers), and if a sale results from their promotion, the user receives a commission as a percentage of the product price.

In the TikTok program affiliate, there are at least four parties involved. TikTok, as a service provider, serves as a platform for TikTok sellers, who are the subjects selling on the application, TikTok buyers, who are the consumers, and TikTok itself, which acts as a bridging subject between sellers and consumers. What is interesting is the connection law between TikTok affiliates and TikTok sellers. Currently, affiliates promote or sell products from TikTok sellers, so they do not need to request permission from the sellers.

Additionally, the application, based on social commerce, violates the rule outlined in Minister of Trade Regulation No. 31 of 2023. Article 21 paragraph (3) explains that an application based on *social-commerce* is prohibited from facilitating transactions in it. As a result, the Official TikTok Shop was closed by the Indonesian government on October 4, 2023. Closing this TikTok shop becomes a debate among various circles. Start from buyers, TikTok shop sellers, to traditional traders. Besides Minister of Trade Regulation No. 31 of 2023, the closing of TikTok Shop. The existence of news that the quietness of traditional markets is also one of the reasons TikTok Shop factors are closed by the government. Traders traditionally feel disadvantaged because on TikTok Shop, the prices are free to determine by the sellers. So that they feel lost, they compete on the price aspect because they also face each other with expensive shops.

On the other hand, TikTok Shop sellers, as well as TikTok affiliates, are also harmed when TikTok Shop is closed. It is like a double-edged sword, where every decision leaves

¹ Eri Yanti Nasution and Tika Indria, "Online Shopping Trends in Social Commerce," *AKMAMI Journal (Accounting, Management, Economics)* 3, no. 3 (2022): 656.

the injured party feeling the consequences. The TikTok Shop Seller application Center for sellers has reached 5.5 million downloads.² It means there are around 5.5 million TikTok shop sellers, and also added lost TikTok affiliate users' turnover or eye search for them. However, closing a TikTok shop will not last long. As of December 12, 2023, TikTok Shop will be back in operation in Indonesia.

Perspective law sharia economics about connection law or the contract used in A transaction especially transaction *digital* in progress rampant and continuing developing at the time This make study This interesting For investigated . because That writer want to make literature about How connection law between TikTok *affiliate* with TikTok *seller* who will studied through perspective law Islamic economics.

The goal is to review and analyze TikTok Affiliate implementation. The writer hopes that literature is beneficial, especially for affiliate TikTok, so that they understand that the TikTok program affiliate has a clear connection, law, and agreement that is also clear, with no contradictions according to Islamic law, and a clear return policy for both closed and open TikTok shops moreover, for the public to know whether this is already following Regulation Minister of Trade No. 31 of 2023.

Method

The type of research used in the study is a study of law normative-empirical (combined), namely, a study of the law that examines the implementation of the provision of favorable legislation in factual cases of every incident, certain things that happen in public.³ Then, approach the research that the author uses, which is a review of legal sociology. Juridical sociology is an approach based on norms or binding regulations, as expected from this approach. It can be observed that empirical laws are a symptom of public life that can be studied as variables causing consequences in various aspects of social life.⁴

General description TikTok *affiliate*

²CNBC Indonesia, "TikTok Dominates Indonesian Ecommerce Until Foreign Media Spotlights it," 26 April 2023, 2023.

³Abdulkadir Muhammad, 2004, Law and Legal Research, Bandung, PT. Citra Aditya Bakti, 134.

⁴Rangga Suganda, "Legal Approach Method in Understanding the Islamic Economic Dispute Resolution System," *Scientific Journal of Islamic Economics* 8, no. 3 (2022): 5, <https://doi.org/10.29040/jiei.v8i3.6485>.

TikTok is a social media application that provides a feature for music videos originating from China, published in 2016. The TikTok application is categorized as *a platform for entertainment, used by its users to create videos with diverse types of music and short durations*.⁵ The TikTok application originates from diverse circles and age groups. Many children and adults use this TikTok application. It is because the TikTok application provides short video content from various genres. Start with funny videos, automotive content, cartoons, informative news, and more. TikTok also provides various types of camera effects, so many are loved by teenagers now. It is evident from the soaring popularity of the TikTok application. The recorded TikTok application has 1.67 billion monthly active users (MAU) worldwide as of Q1 2023, according to Business of Apps data.⁶

As the TikTok app grows rapidly, user activity increases. In April 2021, TikTok developed its features with the launch of the TikTok Shop feature. However, it does not become a selling platform for online purchases. Of course, TikTok Shop also provides a TikTok *affiliate program*. TikTok *Affiliates* is a program or feature created by TikTok to connect creators and sellers. A program affiliate allows someone to sell without having to provide stock goods.⁷

In TikTok *affiliate*, at least, there are four connected parties, namely :

- a. *Merchant*, is the party provider the product that will be for sale, namely the TikTok application alone?
- b. *An affiliate network* is the party that becomes the connector or bridge between people who do affiliate marketing and product providers. Alternatively, if this is the seller on TikTok Shop.
- c. *An affiliate marketer* is a creator or user of the TikTok application who does affiliate marketing for products through TikTok videos.

⁵Putri Naning Rahmana, Dhea Amalia Putri N, and Rian Damariswara, "Utilization of the TikTok Application as an Educational Media in the Generation Z Era," *Akademika* 11, no. 02 (2022): 403, <https://doi.org/10.34005/akademika.v11i02.1959>.

⁶Cindy Mutia Annur, "The Number of Global TikTok Users Increases Again in the First Quarter of 2023," <https://databoks.katadata.co.id/datapublish/2023/07/06/nomor-user-tiktok-global-berbesar-lagi-pada-kuartal-i-2023>, 2023.

⁷Narto Sutin and Rahmada Irawan Rizky, "Tiktok Becomes a 2022 Trend on Social Media Platforms," *Journal of Social and Political Science* 3, no. 1 (2023): 108 Sutin, Narto, and Rahmada Irawan Rizky. "Tiktok.

- d. *Customers* who purchase a product through a link promoted by creators in videos.⁸

Affiliates, it is said, can be mutually profitable for both the creator and the *seller*. *The seller can increase sales because the creator promotes the product*. While the creator receives a commission from the sale of affiliate products, they will promote them in the TikTok video.

The TikTok *affiliate* mechanism is as follows.

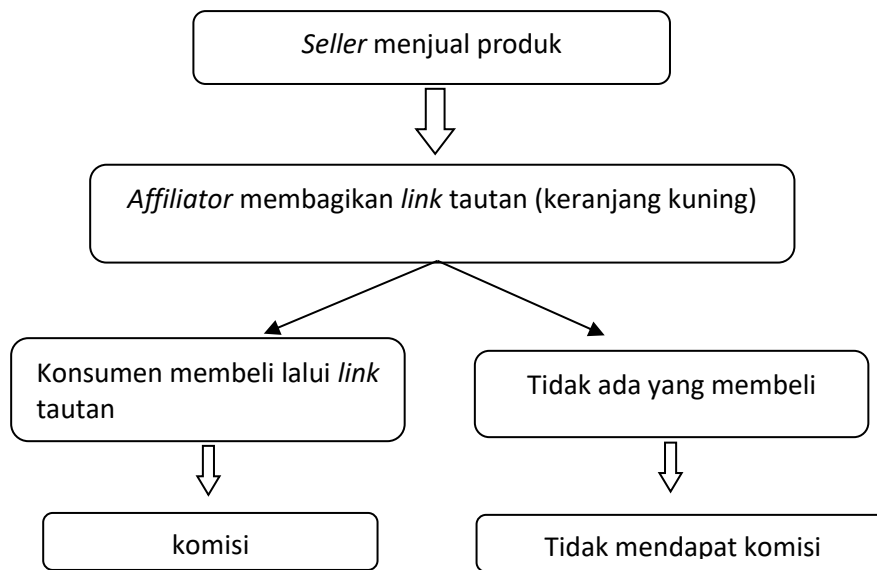


Figure 1.1 Schematic mechanism of *TikTok* affiliate

The mechanism in *affiliate* is quite easy. The creator only needs to make a promotional video about a good. Then, in the video, the included link showed a purchase of goods. When uploading the video to the TikTok application, in the section located at the lower left, there is a yellow basket logo. Then, if other users purchase a product through the link included in the creator's promotional video (via the basket with the yellow icon), the creator will receive a commission from the sale of the product.

Alternatively, for a mechanism in a way that is complete, as follows:

- a. *Affiliates* need to make a promotional video for a product. The more interesting the video, the more interesting the buyer.

⁸Diana Novita et al., "TikTok Affiliate, a New Marketing Channel for Brands," *Jurnal Inovasi Penelitian* 3, no. 9 (2023): 7467–72. *Journal of Research Innovation*, vol.3 (2023), 7468



Figure 1. 2 promotional video example product

- b. Upload a video to the TikTok app, and do not forget to include a product video link.

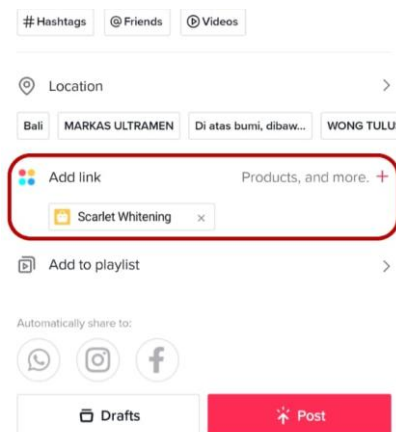


Figure 1.33 includes product links when uploading a video

- c. The cart logo will appear yellow when the video is finished uploading.



Figure 1. 4basket logos yellow (product link)

- d. If other users buy through the yellow basket in the promotional video, the affiliate will receive a commission. Then the commission will direct the login to the account affiliate, specifically at *the affiliate center*

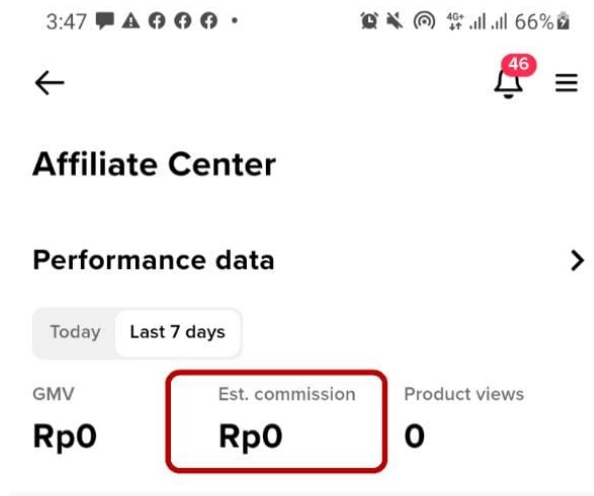


Figure 1.55 Commission Amount Notification

All TikTok affiliate programs are free for everyone to participate in. While already fulfilling the terms and Conditions, everyone has the right to become a TikTok affiliate. Affiliates can get a commission without having to stock goods, and also do not need to request permission from the seller to affiliate a product.

As conveyed by Nur Aini, a TikTok *seller* via interview, said that :

“For the determination commission, That The *seller* determines. There are store programs and open programs. The difference is that if the store program can arrange every product magnitude, the commission is based on the number of products in the program while it is open. It allows for a big commission for all products to be equal. I usually use the store program. The more expensive the goods, the bigger the commission I usually arrange.”⁹

Anisaul also conveyed a statement about the TikTok affiliate mechanism. Sorry for the mistake, one TikTok affiliate user.

“If the mechanism That We, as creators, choose the things we want to *affiliate* with. If I choose around product *fashion*, or if so, according to I That Lots enthusiasts and easy For sold, so No need permission to the seller If Want to affiliate the product .”¹⁰

Mila Darmawati also explained regarding TikTok’s affiliate mechanism, saying that :

“If I were to use TikTok’s *affiliate* mechanism, I would choose Formerly the product that I like. For the product, some are free, while others I purchase myself. Then, I create a video about the product and upload it to the TikTok app. However, before uploading, make sure *the* link from the product is already listed .”¹¹

The TikTok *affiliate* mechanism was also conveyed by Siti Asyiah, as TikTok *affiliate* users said that :

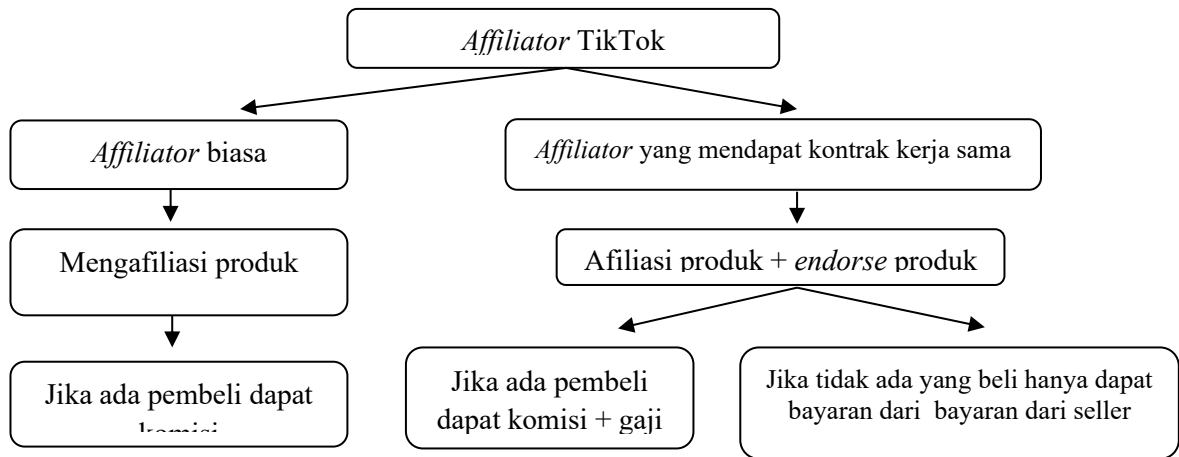
“ For TikTok *affiliates*, there is no need for permission from the seller if you want to affiliate with the product. We, as creators, choose which product we will make a video for, and then we promote it. Usually, I choose current products that people widely use, and their products are easy to sell. Additionally, I was contracted by the seller (through an endorsement) to promote the product. I requested that they create promotional videos within one month, including a link to the product brand. This way, if someone buys the product, I can generate two kinds of income. From affiliates and also in the form of wages from the *seller/brand* .”¹²

⁹Nur Aini , As Tiktok *Seller* , Face to Face Interview (Panglegur , March 21 , 2024)

¹⁰Anisaul Maghfiroh, as a TikTok user *Affiliate* , Live Interview (Panglegur , March 19, 2024)

¹¹Mila Darmawati , As Users Tiktok *Affiliate* , Interview Live (Panglegur , March 19, 2024)

¹²Siti Asyiah , As Users Tiktok *Affiliate* , Interview Live (Panglegur , March 18 , 2024)



Gambar 1.6 Perbedaan *affiliator* TikTok biasa dengan *affiliator* yang juga mendapat *endorse* dari *seller*.

From several statements delivered, it can be analyzed that in the TikTok affiliate mechanism, these are the creators who do not need to request permission if they are affiliates of TikTok seller products. However, some contact the creators themselves to request that the product be promoted and do system work together with several requests from the seller. Then, the creator promotes the product according to the seller's directions. So, the creator gets a commission and also a salary. The commission was received because products were sold through the promotional video creator, and a salary was also received due to the existence of a contract, Which Worked in the same manner as directly requested by TikTok sellers.

Reason TikTok Shop Closed

TikTok is an application-based social media platform. However, TikTok Shop is based on social commerce. *Social Commerce* is a social media platform that provides features, menus, and/or facilities that allow merchants to install offers for goods and/or services.¹³ In other words, social commerce is a combination of application-based social media and e-commerce that is integrated into one TikTok Shop app. TikTok Shop is not

¹³Minister of Trade Regulation, “Minister of Trade Regulation No. 31 of 2023 concerning Business Licensing, Advertising, Guidance, and Supervision of Business Actors in Electronic Trading (Minister of Trade Regulation No. 31 Article 21 Paragraph 3 of 2023),” Pub. L. No. 31 (2023).

a separate application; instead, it is built into the TikTok app. Then, from that TikTok *shop* categorized as *social commerce*.

This *social-commerce* platform is not subject to regulations that the Minister of Trade has determined through Ministerial Regulation No. 31 of 2023. Article 21, paragraph (3) explains that “*PPMSE with a social-commerce business model is prohibited from facilitating transaction payment on the system electronics.*”¹⁴

PPMSE is the party that provides a platform for PMSE (Trading) through System Electronics, and makes its best efforts. In case this provider offers the service through the TikTok application. Due to the TikTok shop feature, this sign quote violates Article 21, paragraph (3), of Minister of Trade Regulation No. 31 of 2023. Therefore, government officials will close the TikTok shop service, effective as of October 4, 2023, at 17:00 WIB. The closure of TikTok Shop has had a significant impact, not only harming TikTok as a platform provider of services. However, parties such as sellers and affiliates are also disadvantaged. However, the TikTok *shop* closing is not a lasting mechanism.

There is a slight change in the operation of TikTok *Shop* in Indonesia. Namely, TikTok Shop operates similarly to Tokopedia. TikTok acquired 75.01% of Tokopedia's shares. Notably, from a mechanism perspective, TikTok purchases 75.01% of Tokopedia shares, providing a total of US\$840,000,000 in cash and US\$1,000,000,000 in the form of a *promissory note*. Total is US\$1,840,000,000. Then, based on the results, US\$340,000,000 was used by Tokopedia to acquire the exclusive rights from TikTok Shop. $US\$1,840,000,000 - US\$340,000,000 = US\$1,500,000,000$. It is equivalent to approximately US\$1.5 billion, representing 75.01% of Tokopedia's shares.¹⁵ In general, the conclusion is that TikTok, which operates under the auspices of Tokopedia, where Tokopedia also owns the majority of its shares, is involved. It remains a problem in society because TikTok Shop operates within the same application, namely TikTok.

Directorate Minister of Trade General Isy Karim stated that the TikTok shop would be given 3 to 4 months to redirect all transactions to Tokopedia. He added that leniency is not because of special treatment. However, given that the party is on TikTok, we can

¹⁴Minister of Trade Regulation.

¹⁵Ferry Irwandi, “The Oddities in the Return of Tiktok Shop.,” (2024).

make improvements so that, in the future, nothing happens that is not in compliance with applicable laws. For example, other *e-commerce* like Shopee,, which has also been given relaxation to comply with Permendag 31, " Like Shopee, in Permendag 31 of 2023, right now they must stop *crossing* borders. Well, that's also for adjustment We give a limit of 3-4 months , same like TikTok *shop* ," he said.¹⁶

Then, it was reported by the official ministry trading of the Republic of Indonesia as of March 4, 2024, that Director General of the Minister of Trade Isy Karim stated the integration process of TikTok data into TikTok Shop has reached 87 percent.¹⁷Therefore, the conclusion is that TikTok's return policy operates under the auspices of Tokopedia. However, the data transfer process, synchronization, and other matters require time. This is already given leniency by the Ministry of Trade of the Republic of Indonesia, as per Minister of Trade Regulation No. 31 of 2023.

Legal Relationship Between *Affiliates* Tiktok With Tiktok Seller

At the time of TikTok *shop* closed , TikTok *affiliate* mechanism experience change . The *affiliates* get it commission from *affiliate* product *seller* lost his income Because link *link* product (cart yellow) already No available . Different with *affiliates* who get contract from *seller* TikTok *shop* . Before TikTok *shop* closed , they get 2 kinds income . That is in the form of commission if make other users buy product *seller* from *link* promotional video link them and also salary from *seller* Because has make a promotional video For product they . At the time of TikTok *shop* closed they still get wages from *seller* For promote product they although Already No Can to list *link* link product them . Of course with the agreement that has been set up back by both split party .

Change or addition clause in the agreement contract although agreement the Not yet ended , called addendum .¹⁸Changes contract This Can done if second split party agree

¹⁶Elsa Catriana, "Ministry of Trade 'Openly' Explains Reasons for Granting Permission for TikTok Shop to Reopen," last modified 2023, accessed March 16, 2024, <https://money.kompas.com/read/2023/12/20/140000526/kemendag-buka-bukaan-alasan-kasih-izin-tiktok-shop-re-dibuka>.

¹⁷Ministry of Trade of the Republic of Indonesia, "Regarding TikTok Shop Migration, Ministry of Trade: Payments are Already on Tokopedia," 2024.

¹⁸Bernadetha Aurelia Oktavira, "When Will the Addendum to the Agreement Come into Effect?," July 2023, 2023.

with addition or change Contents contract . This is also found in Article 1320 of the Civil Code determine four condition legitimacy agreement , namely :

- a) An agreement that binds the parties
- b) Have skills For do a engagement ;
- c) A main problem certain
- d) A because it is not forbidden .¹⁹

If all condition the fulfilled and not there is one party disadvantaged so change agreement in contract TikTok *affiliate* and TikTok *seller* the valid and permitted .

From the explanation on can withdrawn conclusion that TikTok *affiliates* shared into 2 categories . The first is *affiliates* who get income from affiliate product *seller* . Because *affiliate* No need request permission to *seller* , then No There is connection binding law . Both only follow regulations set by the TikTok application myself . The second one is *affiliates* who also get contract Work same by *the seller* . Because it is bound contract , both own connection law as partner Work . So when TikTok *shop* closed although must lost commission from results Affiliation product , *affiliate* still get income from *seller* with provision regulated cooperation repeat .

Legal Relationship Or The Contract Used In Tiktok *Affiliates*

TikTok *affiliate* with system commission This are affiliates who make promotional videos with to list *link* link product from TikTok *shop seller* . If other users buy product *seller* through *link* link product (cart yellow) which is in the promotional video *affiliate* , then *affiliate* entitled get commission as per what has been stated on the product before do affiliate . If not someone bought it product *seller* from the promotional video that has been uploaded by *affiliates* , then *affiliate* No will get commission . In other words *affiliate* will get commission No Because He promote product from TikTok *sellers* , but wages Because succeed make other users buy the product . Then contract This including into the contract *ju'alah* .

¹⁹“Civil Code of Civil Procedure,” Pub. L. No. 1320 (2014).

In general etymology contract *also 'alah* is something given to somebody Because has do something or do something someone asked for . Whereas in a way terminology contract *ju 'alah* that is gift , reward , or giving somebody in amount certain to others who have do a action specifically what someone else ²⁰has requested.

Al Ju 'alah is something What only that is made wages or reward for somebody on a work or What only given somebody For carry out a work certain . In term legislation , things the named with a mutually beneficial agreement present .²¹

Pillars will *ju'alah* is as following :

- 1) *Jail* : is the party holding the event contract Or the party that will give reward For a work .
- 2) *Maj'ulah* : is the party that follows contest or the party doing the work something For get wages or rewards .
- 3) *Ju'ul* : wages or the reward given by *Ja'il* .
- 4) *Shigat* : is statement consent accepted in implementation contract *ju'alah* .²²

Contract *Ju'alah* considered has legitimate if Already fulfil all over pillars and conditions in its implementation . Harmony and conditions the among others:

- 1) Pronunciation (contract)

The occurrence contract or consent *accepted* is condition the first thing to do fulfilled . Indeed, in the transaction trading through *marketplace* especially on TikTok *shop* these are the parties No direct immediately meet Then to pronounce contract in agreement contract *acceptance* and acceptance Already implemented with TikTok *seller* added the products on display product affiliates and *affiliates* add product on *link* promotional video link them . That thing Already show that second split party do consent *accepted* .

- 2) The person who gives promise For pay him .

²⁰N eni Nuraeni Sumiati, "Ijarah and Jualah Agreements in the Perspective of Comparative Fiqh on Sharia Bank Activities in Indonesia," *El-Iqtishady: Journal of Sharia Economic Law* 4, no. 2 (2022): 192.

²¹Haryono, "The Concept of Al Ju'alah and Its Application Model in Daily Life," *Al Mashlahah Journal of Islamic Law and Islamic Social Institutions*. 6, no. 2 (2018): 64 5 .

²²Fauqah Nuri Aini, Luqman Hakim Handoko, and Rio Erismen Armen, "Muamalah Fiqh Analysis of Income on the BuzzBreak Application," *Tawazun: Journal of Sharia Economic Law* 6, no. 2 (2023): 279.

In TikTok *affiliate* mechanism this , moment TikTok *shop seller* add the products on display , Affiliation *seller* Already must add magnitude commission on each successful product sold by the help of promotional video from *affiliate* . So at the time goods sold by *affiliate* so commission will automatic direct enter to next TikTok *affiliate* account Can disbursed through bank account . So no Possible happen malpractice in contract *ju'alah* on TikTok *affiliate* This .

3) The work that is legal *permissible* No forbidden especially until forbidden .

In TikTok *affiliate* mechanism . Work done *affiliate* to TikTok *seller* is promote the product . Of course promoted product is products that are halal and permitted by the Islamic religion and the state. Because TikTok *shop* Alone must obey the rules Indonesian government . So for example There is products that are forbidden or endanger automatic No Can sold on TikTok *shop* .

4) must be clear wages .

Mechanism wages / commission in TikTok *affiliate* This Already clear stated on the product from TikTok *shop seller* . At the time *seller* upload the product to display case affiliate , *seller* must add percentage commission earned by *affiliates* .²³

In the Koran, Allah Subhanahu W a T a'ala allow giving reward or wages to someone who has contribute find lost items . That thing stated in the Qur'an, Surah Yusuf verse 72.²⁴

Allah Subhanahu Wow Exalted say :

قَالُوا نَفَقْدُ صَوَاعَ الْمَلِكِ وَلِمَنْ جَاءَ بِهِ حِمْلُ بَعِيرٍ وَأَنَا بِهِ زَعِيمٌ

Meaning : " Callers That said : " We lost the king's cup , and who gets it return it will to obtain material food (weight) load camel , and me ensure towards him ”.

²³Sumiati, "Ijarah and Jualah Agreements from a Comparative Fiqh Perspective on Sharia Bank Activities in Indonesia."

²⁴Hijar Ifyan, "Implementation of the Ju' Alah Contract in the Application Implementation of the Ju' Alah Contract in the Tiktok Application (Student of Uin Khas Jember)" (KH. Achmad Siddiq State Islamic University of Jember, 2022). 18

Then the provisions or law contract *ju'alah* this has also been discussed and determined in the National Sharia Council Fatwa Number 62/DSN-MUI/XII/2007 concerning contract *Ju'alah* , as following :

“ Reward *Ju'alah* only entitled accepted by the party *maj'ul* Then if results from work the fulfilled ; Party *Jail* must fulfil the promised reward If party *may Allah bless you* complete (fulfill) achievement (result) jobs / *natijah*) offered .”²⁵

So it can be done withdrawn conclusion that contract *ju'alah* on TikTok *affiliate* legitimate just done during No deviate from Islamic law . For example if do *affiliate* using other people's promotional videos . Because it includes in theft so in a way Islamic law is haram . Example other is lie or give wrong information at the time create a promotional video with objective interesting Lots buyers . This is including in element deception .

Conclusion

Based on results findings study This . *Affiliates* TikTok with TikTok *seller* no own strength law remain . Because the *affiliates* No need request permission if want to affiliate product from TikTok *seller*. because provision or mechanism TikTok *affiliate* Already determined by the party TikTok. In law Islam too. TikTok *affiliates* who get commission results sale from the promotional video including in contract *ju'alah* . *Affiliate* get commission if succeed make other users buy product through its promotional video . If No someone bought it *affiliate* No will get commission .

Different as it is with part For *affiliates* TikTok that gets contract Work same (endorse) from TikTok *seller*. They bound contract agreement from promote items sold by TikTok *seller*. So the *affiliates* TikTok does not affected by how much Lots sale product through the link they provide promote . With promote goods the they Already get payment or *fee*. Contract agreement in accordance agreement second split party . If want to own strength law to avoid default among one of party so letter contract Work The same must use letter official stamped contract .

²⁵I zam Bahtiar Rahmika, "Review of the Ju'alah Agreement on Prize Missions in the Coin Mall Feature" On the Hago Application” (Maulana Malik Ibrahim State Islamic University, 2023). 33

Bibliography

- Aini, Fauqah Nuri, Luqman Hakim Handoko, and Rio Erismen Armen. "Analysis of Muamalah Fiqh on Income on the Buzzbreak Application." *Tawazun: Journal Of Sharia Economic Law* 6, No. 2 (2023): 279.
- Catriana, Elsa. "Ministry of Trade 'Openly' Reveals Reasons for Allowing TikTok Shop to Reopen," 2023.
- Cindy Mutia Annur. "The number of global TikTok users will increase again in the first quarter of 2023."
<https://Databoks.Katadata.Co.Id/Datapublish/2023/07/06/Jumlah-Pengguna-Tiktok-Global-Bercepat-Lagi-Pada-Kuartal-I-2023>, 2023.
- Haryono. "The Concept of Al Ju'alah and Its Application Model in Daily Life." *Al Mashlahah Journal of Islamic Law and Islamic Social Institutions*. 6, No. 2 (2018): 643–57.
- Ifyan, Hijar. "Implementation of the Ju' Alah Contract in the Application Implementation of the Ju' Alah Contract in the Tiktok Application (Student of Uin Khas Jember)." Kh. Achmad Siddiq State Islamic University of Jember, 2022.
- Indonesia, CNBC. "Tiktok dominates Indonesian e-commerce until it is highlighted by foreign media." April 26, 2023, 2023.
- Irwandi, Ferry. "The Oddities in the Return of Tiktok Shop." 2024.
Civil Code of Civil Procedure, Pub. L. No. 1320 (2014).
- Nadia Ulva Febrianti, Shalsa Aina Widi Zahrafani, and Wafiatul Afifah. "The Influence of TikTok Shop on Traditional Market Traders in Tanjung and Ambulu Markets, Jember Regency." *TUTURAN: Journal of Communication, Social and Humanities Sciences* 1, No. 4 (2023): 218. <https://doi.org/10.47861/Tuturan.V1i4.571>.
- Novita, Diana, Agus Herwanto, Khasanah, And Et al. "Tiktok Affiliate, A New Marketing Channel For Brands." *Journal of Research Innovation* 3, No. 9 (2023): 7467–72.
- Oktavira, Bernadetha Aurelia. "When Will the Addendum to the Agreement Come into Effect?" July 2023, 2023.
- Regulation of the Minister of Trade. Regulation of the Minister of Trade No. 31 of 2023 Business Licensing, Advertising, Guidance, and Supervision of Business Actors in Trading Through Electronic Systems (Permendag No. 31 Article 21 Paragraph 3 of

2023), Pub. L. No. 31 (2023).

Rahmana, Putri Naning, Dhea Amalia Putri N, and Rian Damariswara. "Utilization of the TikTok Application as an Educational Media in the Generation Z Era."

Akademika 11, No. 02 (2022): 403.

<https://doi.org/10.34005/Akademika.V11i02.1959>.

Rahmika, Izam Bahtiar. "Review of the Ju'alah Agreement on Prize Missions in the Coin Mall Feature on the Hago Application." Maulana Malik Ibrahim State Islamic University, 2023.

RI, Ministry of Trade. "Regarding Tiktok Shop Migration, Ministry of Trade: Payments are Already on Tokopedia," 2024.

Suganda, Rangga. "Legal Approach Method in Understanding the Islamic Economic Dispute Resolution System." *Scientific Journal of Islamic Economics* 8, No. 3 (2022): 5. <https://doi.org/10.29040/Jiei.V8i3.6485>.

Sumiati, Neni Nuraeni. "Ijarah and Jualah Agreements from a Comparative Fiqh Perspective on Sharia Bank Activities in Indonesia." *El-Iqtishady: Journal of Sharia Economic Law* 4, No. 2 (2022): 192.

Sutin, Narto, And Rahmada Irawan Rizky. "Tiktok Becomes a 2022 Trend on Social Media Platforms." *Journal Of Social And Political Science* 3, No. 1 (2023):

108Sutin, Narto, And Rahmada Irawan Rizky. "Tiktok.

Yanti Nasution, Eri, and Tika Indria. "Online Shopping Trends in Social Commerce." *AKMAMI Journal (Accounting, Management, Economics)* 3, No. 3 (2022): 656.