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HARMONIZATION OF QRIS AND PADG REGULATIONS NO. 21/18/PADG/2019 IN INDONESIA'S DIGITAL PAYMENT SYSTEM

Wafiya
Faculty of law University of Bengkulu, Indonesia
fiya_ismail@yahoo.com

Edi Hermansyah
Faculty of law University of Bengkulu, Indonesia
Edi_Her@gmail.unib.ac.id

Abstract

The transformation of the digital payment system in Indonesia presented new challenges in terms of regulation, particularly concerning the standards of the Quick Response Code Indonesian Standard (QRIS) and the legal status of the Regulation of the Members of the Board of Governors (PADG) No. 21/18/PADG/2019. This study aimed to identify regulatory dis harmonization within the digital payment legal system, analyze the position of PADG in the national legal structure, and explore efforts toward legal harmonization. A normative juridical approach and vertical-horizontal synchronization analysis were employed. The results of the study showed that regulations related to QRIS experienced overlapping authorities between Bank Indonesia and the Financial Services Authority (OJK), the absence of a specific law on digital payment systems, and a lack of policy integration among institutions. The role of PADG No. 21/18/PADG/2019 as a technical legal instrument from Bank Indonesia was implementation rather than normatively structural, and thus was not strong enough to provide broad legal certainty. Legal harmonization efforts were deemed crucial to be carried out systematically through three approaches: (1) restructuring regulations based on the principle of lex specialis derogat legi generali; (2) drafting a National Digital Payment System Law as a comprehensive legal umbrella; and (3) strengthening coordination among regulatory and supervisory institutions such as Bank Indonesia, OJK, and the Ministry of Finance. Such harmonization needed to be not only structural but also substantive and adaptive to the development of financial technology.

Keywords: *QRIS; Regulatory Harmonization; Digital Payment System.*

I. Introduction

The digitalization of the payment system in Indonesia has shown significant progress since the launch of the Quick Response Code Indonesian Standard (QRIS) by Bank Indonesia through the Regulation of Members of the Board of Governors (PADG) No. 21/18/PADG/2019, effective August 16, 2019. However, rapidly changing technical regulations, through the 2021, 2022, and 2025 PADGs, result in complex and systemic disharmony and implementation problems.

Regulatory harmonization is the process of adjusting, harmonizing, or unifying legal regulations related to each other so that they do not contradict each other (normative conflicts), do not overlap, and support policy effectiveness and law application efficiency.
In the context of digital payment systems such as QRIS, regulatory harmonization is very important because technology is developing rapidly, involves various authorities, and touches many sectors (banking, fintech, consumer protection, MSMEs, and fiscal policy).

Some indications of disharmony or harmony problems are as follows:

a. Overlapping Authority between Bank Indonesia and OJK

Bank Indonesia (BI) regulates the payment system through PADG and BI Regulation (PBI). Meanwhile, the Financial Services Authority (OJK) regulates digital financial services institutions, including PJP (Payment Service Providers), and consumer protection aspects. As a result, there is an overlap or coordination gap in the supervision of merchants and technology platforms. For example, some fintech payment gateway startups are registered with the OJK, but are also subject to the QRIS standard from BI.

b. Regulatory Changes That Are Too Fast and Not Integrated

PADG No. 21/18/PADG/2019 was amended three times within five years (2021, 2022, 2025), without a master framework (grand regulation). Changes in transaction limits, types of QRIS services (such as QRIS Cash Withdrawal, Transfer, QR Interconnection Between Countries) often precede the readiness of technical regulations and the implementing ecosystem. This makes it difficult for small merchants and business actors to keep up with developments, especially in the regions.

c. There is no special law on digital payment systems

Until now, there has been no law that specifically regulates the digital payment system or QRIS as a whole. Regulations are still spread in the form of PADG, PBI, Law No. 3 of 2024 concerning BI, and the P2SK Law which is more macro in nature. As a result, operational regulations run without a comprehensive legal basis, which has the potential to cause inconsistencies in the interpretation and implementation of the law.

d. Lack of Harmonization with the Consumer Protection Law

In QRIS practice, there are often problems such as failed transactions, delayed refunds, and data leaks. However, the consumer protection and dispute resolution mechanism has not been integrated between BI's technical policies and the Consumer Protection Law (Law No. 8 of 1999). This condition can be categorized as regulatory fragmentation, so that legal protection for QRIS users becomes weak.

This research is motivated by the complexity of regulations in the fast-growing digital payment system, especially since the enactment of PADG No. 21/18/PADG/2019 by Bank Indonesia. In this context, the formulation of the problem that will be discussed in this article is:

1. Is there a regulatory disharmonization in the regulation of the QRIS payment system in Indonesia?
2. What is the role of PADG No. 21/18/PADG/2019 in the regulatory structure of digital payment systems?
3. How are the efforts to harmonize the law on various regulations related to QRIS to realize an integrated digital payment system?

The objectives to be achieved through this research are:

1. Identify forms of disharmonization of QRIS regulations in the Indonesian legal system.
2. Analyze the role and legal force of PADG No. 21/18/PADG/2019 in the national regulatory system.

3. Provide legal recommendations for the harmonization of QRIS regulations in the future, in order to support an efficient, inclusive, and sustainable digital payment system.

2. Research Method

This study uses a normative juridical approach, which relies on an analysis of the positive legal norms that apply in the Indonesian legal system. The focus of the study is directed at the linkage and alignment between regulations related to the digital payment system, especially the implementation of QRIS and the legal position of PADG No. 21/18/PADG/2019 in the national regulatory structure.

The data used are secondary data, consisting of primary legal materials (such as PADG, PBI, UU Bank Indonesia, P2SK Law, and Consumer Protection Law), secondary legal materials (SINTA and Scopus journals, scientific articles, textbooks), and tertiary legal materials (dictionaries and legal encyclopedias). The data collection technique is carried out through literature studies of regulatory documents and scientific literature.

Data analysis was carried out qualitatively using a legal synchronization approach, both vertically and horizontally. Vertical synchronization is used to assess the hierarchical relationship between the PADG, PBI, and related laws, while horizontal synchronization is used to identify potential overlap between regulations from various institutions such as BI, OJK, and consumer protection provisions. Hans Kelsen's theory of Stufenbau des Rechts became the basis for assessing the consistency between norms in the national legal system.

3. Results and Discussion

The transformation of the payment system towards digitalization is part of the industrial revolution 4.0 that changes the paradigm of global economic transactions. In Indonesia, the use of *Quick Response* (QR) code-based payment systems has accelerated since the launch of QRIS (Quick Response Code Indonesian Standard) by Bank Indonesia in 2019. QRIS is designed as a national standard for QR-based payments that is able to bridge system fragmentation between financial service providers (PJPs), while facilitating interconnection and interoperability of transactions.

In the context of legal theory, QRIS can be analyzed through the approach of legal functions in modern society as stated by Niklas Luhmann (2004). According to Luhmann, the legal system in modern society must be able to respond to the complexity of social systems, including economic and technological systems. Therefore, the presence of QRIS as a technical norm is a concrete example of *the structural coupling* between law and financial technology, which requires adaptive but stable regulation.

QRIS supports various types of transactions: P2M (*Person to Merchant*), P2P (*Peer to Peer*), and is now expanded with the QRIS TUNTAS (*Cash Withdrawal, Transfer, Cash Deposit*) and QRIS Intercountry features. This standardization provides cost efficiency, convenience, and integration with the banking and fintech ecosystem.

In terms of regulation, QRIS is regulated through a multilayered regulatory framework consisting of:

1. PADG No. 21/18/PADG/2019 – regulates technical specifications and initial implementation of QRIS.
2. Bank Indonesia Regulation (PBI) – provides a legal basis for PJP supervision and compliance obligations with QRIS standards.
3. Law No. 3 of 2024 concerning Bank Indonesia – affirms BI's authority in regulating the payment system.
4. Law No. 4 of 2023 on the Development and Strengthening of the Financial Sector (P2SK) – expands the spectrum of digital payment systems within the framework of national financial transformation.
5. Law No. 8 of 1999 concerning Consumer Protection – becomes a legal umbrella for the protection of QRIS users in cases of default, data breach, and fraud.

From the approach of the norm hierarchy of Hans Kelsen (1945), the PADG (Regulation of Members of the Board of Governors) is at the level of internal implementing regulations of the PBI and must not conflict with higher legal norms such as the Law. This means that the existence of QRIS legally must be tested in the context of vertical consistency with the principle *of Stufenbau des Rechts* (the tiered structure of legal norms).

However, in practice, the overlap of regulations between regulators (BI and OJK), as well as rapid regulatory changes without a parent legal framework, pose a risk of regulatory inconsistency. This phenomenon is in line with what Philip Selznick (1992) expressed, that "law must be institutionalized in a way that promotes coordination among different actors and authorities". Without institutional coordination and a parent legal framework, the legal system becomes ineffective in dealing with the dynamics of digitalization.

Thus, digital payment systems such as QRIS are not only a financial technical issue, but also reflect epistemological dynamics in modern legal theory that integrates technology, regulation, and institutional structures.

Legal harmonization is an important normative approach in the modern regulatory system, especially when there are many actors, norms, and levels of regulation that overlap or potentially cause conflict. In the context of digital payment system regulation, especially QRIS, harmonization is needed so that the norms that govern authorities such as Bank Indonesia (BI), OJK, and other financial services institutions can run synergistically, efficiently, and ensure legal protection for all stakeholders.

Theory of Stufenbau des Rechts

According to Hans Kelsen (1945), the legal system is structured in a hierarchical structure, where lower-level norms must be submissive and aligned with top-level norms. In this structure, PADG (Regulation of Members of the Board of Governors) is an administrative norm that is technically operational and is under the Bank Indonesia Regulation (PBI), whose position is also subject to laws such as Law No. 3 of 2024 concerning Bank Indonesia and Law No. 4 of 2023 concerning P2SK. Therefore, the PADG is only valid and binding if it does not conflict with higher regulations.

The application of this theory requires vertical consistency in policymaking. However, when there is a rapid and technical change in QRIS regulations, such as changes in MDR (Merchant Discount Rate), transaction limits, and new types of services, without a strong foundation in the Law or PBI, the risk of disharmony becomes real.

Law as a Social System

In the theory of Niklas Luhmann (2004), law is seen as an autonomous communication system in modern society, which must be able to process the complexity of the social environment through legal/illegal codes. In the framework of digital payment systems, the law must be able to bridge communication between the financial system (BI and banking), the economic system (merchants, MSMEs), and the technology system (fintech, digital platforms).

Disharmonization often occurs when these systems do not "communicate" with each other, for example, when BI rules are not systematically aligned with OJK policies governing PJPs (Payment Service Providers), or when consumer protection is regulated differently in the Consumer Protection Law and BI regulations. In Luhmann's logic, this indicates a low coupling between subsystems, so that regulations become fragmentary and not adaptive to rapidly changing digital environments.

Progressive and Responsive Law

Satjipto Rahardjo (2006) emphasized the importance of progressive law, which is a law that is responsive to social change and places humans (society) as the center of legal orientation. In the context of QRIS, this approach requires policymakers to see regulation not as a dogma, but as an instrument of change that is responsive to the needs of the digital society, including consumers' need for legal certainty, ease of transactions, and personal data protection.

The progressive legal approach also supports the importance of participatory regulatory reform, through dialogue between authorities, and bases regulatory changes on the reality on the ground, such as the challenges of small merchants in understanding changes in QRIS technical rules, or the need to strengthen legal access for consumers who use digital platforms.

Harmonization in the Legal and Technology Context

In the context of digital technology, legal harmonization does not only mean the equalization of the redaction or the substance of regulations, but also includes:

- Coordination between regulatory authorities (BI, OJK, Kominfo, ICC) to avoid jurisdictional conflicts;
- Consistency between technical norms and substantive norms (PADG vs Consumer Protection Law);
- A balance between technological innovation and legal protection, so that there is no "over-regulation" that hinders digital development, or "under-regulation" that harms consumers (Fauzi, R., & Abdullah, I, 2023).

Without harmonization, the legal system actually becomes an obstacle to the progress of the digital economy. Therefore, the harmonization of QRIS regulations requires an integrative approach, which is not only legalistic but also sociological and teleological.

Legal Structure of Payment System in Indonesia

Within the legal framework of the Indonesian payment system, Regulation of Members of the Board of Governors (PADG) No. 21/18/PADG/2019 is an internal legal product of Bank Indonesia (BI) which functions as a provision for the implementation of Bank Indonesia Regulation (PBI). Hierarchically, PADG is under the PBI, and is subject to higher legal norms, namely the Bank Indonesia Law and Law No. 4 of 2023 concerning the Development and Strengthening of the Financial Sector (P2SK Law).

In this case, PADG has a position as an administrative technical regulation that is binding for payment industry players registered and supervised by BI. However, as a legal product that does not have an equivalent status as a government regulation or law, its validity must always be linked to the principle of legality in positive law and the general principles of good governance (AUPB). As emphasized by Hans Kelsen in *Pure Theory of Law*, a lower legal norm is only valid if it is derived from a logically and legally valid higher legal norm. (Hans Kelsen, 1967).

PBI as the legal basis of PADG provides an operational mandate for the implementation of the payment system, while the BI Law and the P2SK Law provide a constitutional framework and macro policies. In this structure, PADG is tasked with detailing technical implementation such as merchant discount rate (MDR), transaction limits, QRIS TUNTAS feature, and interconnection between countries. Thus, the relationship between PADG, PBI, and the P2SK Law is hierarchical and technical, with PADG as a derivative implementing instrument of BI policies and national legislation.

Identification of Regulatory Disharmonization

The results of the study show that there are a number of points of disharmony in the digital payment regulatory system in Indonesia. First, there is a difference in authority between Bank Indonesia and the Financial Services Authority (OJK). BI has authority over payment systems, while OJK supervises technology-based financial service actors such as fintech and digital wallets. In practice, there is *overlapping* in supervision of non-bank payment service providers (PJP) that are subject to QRIS standards but are also under the supervision of the OJK. This has the potential to cause dualism of compliance and gaps in coordination between institutions. (A. Latifah, 2023).

Second, until now there has been no special law that explicitly regulates digital payment systems or QRIS-based transactions. Existing regulations are still scattered in the form of sectoral regulations such as PADG, PBI, and sectoral laws (BI Law, P2SK Law). The absence of *lex specialis* for digital payment systems complicates legal codification efforts and creates potential inconsistencies in its application in the field. (R. Nurhadi, 2022).

Third, there is a dynamic of regulatory changes that are too fast but without a master framework or *grand regulation*. For example, since the 2019 PADG was enacted, BI has issued technical revisions in 2021, 2022, and 2025, each of which brings significant changes to QRIS features, transaction limits, and interoperability between countries. This rapid change is not accompanied by the readiness of supporting regulations or equal understanding among business actors, especially UMKM in the regions, thus causing inequality in implementation. (F. Ramadhani, 2023).

The Role of PADG No. 21/18/PADG/2019 in the Payment System Regulation Structure

Regulation of Members of the Board of Governors (PADG) No. 21/18/PADG/2019 is the first technical regulation that establishes standards for the use of QRIS as a national payment instrument based on QR codes. In the legal structure, the PADG falls under the PBI, which in turn is subject to the hierarchy of laws, according to Hans Kelsen's theory of Stufenbau des Rechts.

Although the PADG has internal viability for payment industry players, its role is legally limited because of its nature as a technical policy delegate, not as a regulation that is binding on the public at large. This becomes problematic when PADG becomes the main reference in the operationalization of digital payment systems without normative reinforcement in government laws or regulations.

Thus, the role of PADG is complementary and implementative, not structurally normative. Disharmony arises when industry players need legal certainty on the basis of regulations that do not have adequate normative legitimacy in the national legal system.

Legal Harmonization Efforts

In the context of harmonization efforts, it is necessary to integrate regulations through the *lex specialis derogat legi generali* approach. Technical regulations such as the PADG need to explicitly refer to and not contradict the general norms in the BI Law and the P2SK Law. In addition, the *horizontal synchronization approach* can be used to build a coordinating framework between BI, OJK, and the Ministry of Finance, so that there is no duplication of regulations and authority. (D. Suryaningsih, 2024)

The urgency of formulating the National Digital Payment System Law is becoming increasingly important. This law is expected to be an *umbrella regulation* that unites all legal aspects of the digital payment system, ranging from technical implementation, cybersecurity, consumer protection, to the governance of digital financial service providers.

Based on the above findings, legal harmonization efforts are urgently needed to ensure harmony between technical, operational, and normative legal norms in the national digital payment system. This harmonization can be done through three steps:

1. Regulatory integration through the principle of lex specialis derogat legi generali, where special regulations from Bank Indonesia need to be placed consistently within the general national legal framework. The role of the P2SK Law can be used as a basis for integration if it is clarified systematically, (Yusuf, H. A., & Siregar, R. 2023).
2. The drafting of the National Digital Payment System Law is a long-term solution to avoid regulatory overlap and clarify the role of institutions (BI, OJK, Ministry of Finance). This law must cover aspects of technology, consumer protection, data security, and interoperability, (Wulandari, E., & Fauziah, N. 2023).
3. Strengthening institutional coordination between Bank Indonesia, OJK, and the Ministry of Finance with a regulatory harmonization mechanism, both through cross-authority forums and

joint regulatory issuance, needs to be done immediately. This is in line with the approach of the legal system as communication, as stated by Niklas Luhmann. (N. Luhmann, 2004)

Thus, the harmonization of QRIS regulations can be a model for building a national digital payment system that is inclusive, efficient, and sustainable.

4. Conclusion

This study concludes that the regulation of the digital payment system in Indonesia, especially related to QRIS, still faces serious disharmonization problems. There is a misalignment between regulatory authorities, especially Bank Indonesia and the OJK, which leads to overlapping authorities in the supervision and regulation of digital financial service providers. The absence of a special law on digital payment systems exacerbates this condition, creating a regulatory gap and uncertainty for industry players and consumers.

The role of PADG No. 21/18/PADG/2019 as a technical legal instrument from Bank Indonesia is implementative, not structurally normative, so it is not strong enough to provide broad legal certainty. In the context of tiered national law, the existence of PADG needs to be supported by a higher legal framework to be effective and normatively legitimate.

It is very important to carry out legal harmonization efforts systematically through three approaches: (1) restructuring of regulations based on the principle *of lex specialis derogat legi generali*; (2) the drafting of the National Digital Payment System Law as a comprehensive legal umbrella; and (3) strengthening coordination between regulatory and supervisory institutions such as Bank Indonesia, OJK, and the Ministry of Finance. The harmonization must not only be structural, but also substantive and adaptive to the development of financial technology.

Practical and Normative Recommendations

To answer these challenges, the authors recommend:

1. The formulation of the National Digital Payment System Law, as a lex specialis to provide legal certainty, consumer protection, and a healthy space for technological innovation.
2. Regulatory Integration between BI, OJK, and the Ministry of Finance, through the harmonization of policy approaches and the establishment of a cross-authority harmonization board.
3. Reformulation and recodification of derivative regulations such as PADG and PBI to align with the operational needs of PJP and the characteristics of micro and small business actors.
4. Strengthening the principle of digital consumer protection through standardization of complaint and remedy mechanisms for QRIS transaction failures and data leaks.

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