

Reconstruction of Bank Indonesia's Administrative Supervision over Surcharge Practices within the QRIS Ecosystem

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Abstract

- Purpose** : The emergence of *surcharge* practices in QRIS transactions raises administrative-law issues concerning pricing, market practices, PSP compliance, and Bank Indonesia's supervisory framework within the payment system. This study aims to analyze the regulatory construction of *surcharge*, the administrative supervision and accountability of PSPs, and the reconstruction of Bank Indonesia's supervisory framework under PBI No. 10 of 2025.
- Method** : The study employs normative legal research using statute and conceptual approaches, supported by primary and secondary legal materials and analyzed through grammatical, systematic, teleological, synchronization, and prescriptive analysis.
- Results** : The findings reveal a normative gap between Article 110 paragraph (3), which establishes PSP responsibility for the implementation of market practices by cooperating parties, and Article 134 paragraph (1), which does not expressly include paragraph (3) as a basis for administrative sanctions, thereby requiring a distinction between PSP administrative failure and strict liability for merchant-level violations.
- Conclusion** : The study proposes the P-D-V-C-E model (Prevention-Detection-Verification-Correction-Enforcement), integrating risk-based, compliance-based, data-driven, and responsive regulation approaches to establish a preventive, proportionate, and ecosystem-based administrative supervision framework for surcharge practices in the QRIS ecosystem.

Keywords: Administrative Supervision; Bank Indonesia; Payment Service Provider (PSP); Quick Response Code Indonesian Standard (QRIS); Surcharge.

1. Introduction

The development of digital payment systems has transformed transaction patterns while simultaneously increasing the complexity of legal relationships among regulators, payment service providers (PSPs), businesses, and payment service users. Consequently, regulatory frameworks can no longer be oriented solely toward ensuring transaction efficiency and continuity, but must also guarantee legal certainty, transparency, and fairness in the imposition of transaction-related fees. Within this framework, Bank Indonesia Regulation (PBI) No. 10 of 2025 on the Regulation of the Payment System Industry, which has been in force since 31 March 2026, places pricing schemes, market practices, industry conduct, consumer protection, and supervision as integral components of the regulatory framework governing the payment system industry. The Regulation also expressly includes parties cooperating with PSPs within the scope of regulated entities (Departemen Komunikasi Bank Indonesia, 2026). Normatively,

Article 15 paragraphs (1)-(5) authorizes Bank Indonesia to establish pricing-scheme policies, including those governing the pricing relationship between Payment Service Providers and Providers of Goods and/or Services. Article 16 paragraphs (1), (4), and (5), in turn, requires PSPs to comply with pricing policies, implement price transparency, and ensure compliance with pricing schemes by parties cooperating with PSPs. Violations of these provisions are subject to administrative sanctions under Article 20. This regulatory framework demonstrates that surcharge practices in QRIS transactions are not merely matters of private law between merchants and consumers, but also fall within the domain of administrative law governing payment systems, particularly with regard to regulatory authority, supervision, compliance, and administrative accountability.

The urgency of this issue is illustrated by the continued occurrence of surcharge practices in QRIS transactions, one example being the case reported in the attached document concerning an additional charge of IDR 1,000 imposed on a QRIS transaction at a food stall in Kemayoran, Central Jakarta, which subsequently escalated into a dispute between the consumer and the stall owner. The case reported that Bank Indonesia regarded the additional charge as an administrative violation, while the alleged acts of violence and property damage constituted separate legal matters (Saputra, 2026). The case is relevant because it demonstrates how a seemingly straightforward administrative issue concerning surcharges may escalate into a broader conflict when effective mechanisms for supervision, prevention, guidance, and dispute resolution are not available within the payment ecosystem. In an earlier case, Bank Indonesia also urged consumers to report merchants imposing additional charges and explained that Payment Service Providers could take measures against merchants, including termination of cooperation (InterActive QRIS, 2024). Normatively, this framework is reinforced by Article 61 letter (a) of PBI No. 10 of 2025, which requires PSPs to terminate or refrain from extending cooperation where a cooperating party engages in conduct that causes or potentially causes harm and/or is inconsistent with the intended purpose of payment transaction processing. The Elucidation to Article 61 letter (a) identifies surcharges as one example of conduct relevant to this category. Accordingly, the legal issue extends beyond the question of “whether merchants may impose surcharges” to a more fundamental administrative question: how should PSP obligations, supervisory mechanisms, and Bank Indonesia’s regulatory powers be constructed to prevent and address such practices within a payment ecosystem involving multiple legal actors?

The issue has been examined in previous studies; however, the existing literature remains limited in scope, leaving room for further research. Based on the mapping of the relevant literature, previous studies have provided important foundations concerning the legal status of *surcharge*, consumer protection, merchant obligations, and law enforcement in QRIS transactions. Nevertheless, the reviewed studies have not specifically constructed the administrative supervision exercised by Bank Indonesia over PSPs in relation to the conduct of cooperating parties under the regulatory framework of PBI No. 10 of 2025, particularly with regard to the relationship between PSP obligations, supervisory mechanisms, and administrative consequences. The respective scope, findings, and research gaps of the previous studies are presented in the following table:

Table 1. Mapping of Previous Studies and Research Gap

Previous Study	Focus and Approach	Main Findings	Limitation / Research Gap
(Afnani, 2025), <i>Tinjauan Hukum Atas Penambahan Biaya Quick Response Code Indonesia Standard (QRIS) Terhadap Konsumen Perspektif Peraturan Bank Indonesia dan Hukum Islam (Studi Merjosari, Malang,</i>	Examines the imposition of additional QRIS charges on consumers using a socio-legal/empirical juridical approach, with a case study in Merjosari, Malang,	Finds that imposing additional charges on consumers is inconsistent with Article 52(1) of PBI No. 23/6/PBI/2021 and further examines the issue from the perspective of	Focuses primarily on merchant practices and the merchant-consumer relationship and does not construct the administrative relationship of obligations and supervision among Bank Indonesia, PSPs,

<i>Kasus di Kelurahan Merjosari Kota Malang</i>	complemented by an Islamic law perspective.	contractual consent (<i>akad</i>).	cooperating parties, and merchants under PBI No. 10 of 2025.
(Pramesti & Priyono, 2026), <i>Tinjauan Yuridis Penambahan Biaya Tambahan pada Sistem Pembayaran Quick Response Code Indonesian Standard (QRIS)</i>	Employs a normative juridical approach to examine additional charges in QRIS transactions and the regulatory disparity surrounding such charges.	Identifies an inconsistency between the regulatory prohibition against imposing additional charges on service users and the practice of merchants transferring such charges to consumers.	Focuses on regulatory disparity and its implications for transactions, but does not examine the construction of PSP accountability for ensuring compliance by cooperating parties, particularly under the regulatory framework of PBI No. 10 of 2025.
(Mumtakhinah et al., 2026), <i>Surcharge dalam Transaksi QRIS: Analisis Perlindungan Konsumen dan Penegakan Hukum Berdasarkan Peraturan Bank Indonesia</i>	Analyzes QRIS surcharge from the perspectives of consumer protection and law enforcement under Bank Indonesia regulations.	Characterizes the imposition of additional charges as a violation of payment-system regulations that may adversely affect consumers and examines the legal basis governing the imposition of such charges.	Addresses law enforcement against surcharge practices, but does not specifically examine the administrative supervision exercised by Bank Indonesia over PSPs in relation to cooperating parties, including the relationship between responsibility provisions and administrative sanction provisions under PBI No. 10 of 2025.

Source: Author, 2026

Building on this gap, the study proposes a *novelty* in the form of a reconstruction of administrative oversight based on a *chain of administrative responsibility*, positioning *surcharge* as a compliance risk within the payment system governance framework, rather than merely as a violation committed by merchants against consumers. Theoretically, this framework adopts payment-system oversight as its primary foundation, complemented by risk-based supervision, responsive regulation, and the principles of administrative accountability and legal certainty to examine the relationship between regulatory obligations, oversight, accountability, and administrative measures. This approach is consistent with PBI No. 10 of 2025, which links *pricing* obligations under Article 16, termination of cooperation under Article 61, *market practice* under Articles 109-112, and Bank Indonesia’s supervisory authority under Articles 147-152 through a framework of prevention, detection, verification, correction, and enforcement (PDVCE). Within this framework, Articles 147-150 establish Bank Indonesia’s supervisory scope over payment-system providers, including *market practice*, *market conduct*, consumer protection, risk management, and legal compliance, while Article 152 provides supervisory measures including orders, restrictions, suspension of activities or cooperation, and revocation of licenses within its statutory authority. Accordingly, this study is limited to a normative legal analysis of surcharge regulation, risk-based supervision, PSP administrative accountability, and Bank Indonesia’s supervisory measures, with its *novelty* lying in the reconstruction of an administrative oversight model integrating payment-system oversight, risk-based supervision, and responsive regulation to establish a coherent relationship between PSP obligations, supervision, corrective measures, and administrative sanctions within the QRIS ecosystem.

Based on this legal construction, this study is essential to provide legal certainty regarding the operationalization of pricing, market practice, PSP cooperation, and Bank Indonesia supervision in

addressing surcharge practices, while ensuring a clear framework for administrative accountability. This urgency is further underscored by PBI No. 10 of 2025 and Board of Governors Regulation (PDGA) No. 32 of 2025, which have been in force since 31 March 2026 and integrate pricing, market practice, cooperation, supervision, and consumer protection within a unified payment-system regulatory framework. Accordingly, this study aims, first, to analyze the regulatory construction of surcharge practices; second, to examine the administrative supervision and accountability of PSPs; and third, to formulate a reconstruction of Bank Indonesia's administrative supervision that proportionately connects monitoring, evaluation, guidance, corrective measures, termination of cooperation, and sanctions. The study is expected to establish a coherent and accountable legal framework that provides greater legal certainty for the supervision of surcharge practices within the QRIS ecosystem.

2. Method

This study employs normative legal research aimed at examining the normative construction of the regulation, administrative supervision, and administrative accountability concerning *surcharge* practices within the QRIS ecosystem. The study adopts a statutory approach to examine PBI No. 10 of 2025, Board of Governors Regulation (PDGA) No. 32 of 2025, and other relevant provisions governing payment systems and administrative supervision, as well as a conceptual approach to analyze the concepts of administrative supervision, *risk-based supervision*, administrative accountability, legal certainty, and *responsive regulation*. The primary legal materials consist of laws and regulations selected based on their relevance to four principal legal constructs examined in this study, namely *pricing*, PSP cooperation arrangements, *market practice*, and administrative supervision and sanctions, while secondary legal materials, including books, journal articles, and previous studies, are used to develop the conceptual framework and substantiate the normative analysis. The analysis is conducted through three stages: first, the inventory and interpretation of legal norms using grammatical, systematic, and teleological interpretation; second, vertical and horizontal legal synchronization to assess the coherence between obligations and sanction provisions; and third, prescriptive analysis to identify normative gaps, particularly the inconsistency between Article 110 paragraph (3), which establishes PSP accountability, and Article 134 paragraph (1), which provides the basis for administrative sanctions, thereby providing the normative basis for formulating a reconstructed model of administrative supervision.

3. Result

The findings demonstrate that *surcharge* practices within the QRIS ecosystem do not constitute merely a private matter between merchants and users, but fall within an administrative-law framework encompassing *pricing*, PSP cooperation arrangements, *market practice*, and PSP compliance obligations. PBI No. 10 of 2025 authorizes Bank Indonesia to establish *pricing* policies under Article 15, while Article 16(1), (4), and (5) requires PSPs to comply with *pricing* policies, ensure price transparency, and ensure that cooperating parties comply with the applicable pricing scheme. With respect to cooperation arrangements, Articles 58 and 59 require contractual arrangements and *due diligence*, while Article 61(a) requires PSPs to terminate or not renew cooperation where a cooperating party engages in conduct that is harmful, potentially harmful, and/or inconsistent with the intended purpose of payment transaction processing; the Explanatory Provision identifies *surcharge* as an example of such conduct. Furthermore, Articles 109-111 position *market practice* as an integral component of payment-system governance by requiring PSPs to implement, ensure, and oversee its application by cooperating parties.

Table 2. Normative Construction of *Surcharge* under PBI No. 10 of 2025

Dimension	Provision	Finding
<i>Pricing</i>	Articles 15-16	PSPs are required to comply with <i>pricing</i> policies and price-transparency requirements and to ensure compliance by cooperating parties.
Cooperation	Articles 58-61	PSPs are required to conduct <i>due diligence</i> , establish <i>monitoring</i> mechanisms, and terminate or not renew cooperation under specified circumstances.
<i>Market practice</i>	Articles 109-111	PSPs are required to implement and ensure the application of <i>market practice</i> by cooperating parties and to conduct <i>monitoring</i> and evaluation.
PSP obligations	Articles 16, 59, 61, and 110-111	PSPs constitute the administrative control point for ensuring compliance by cooperating parties.

Source: Author, 2026

The findings further demonstrate that PSP administrative accountability is structured progressively, beginning at the pre-cooperation stage and continuing after a violation has been identified. Article 59 requires *due diligence* concerning the legality and profile of the cooperating party, risk-management capabilities, information-technology infrastructure, the characteristics of the cooperation, contractual arrangements, and legal compliance, while Article 58 requires cooperation agreements to establish *monitoring* mechanisms and supervisory access. Once the cooperation is in effect, Article 111 requires PSPs to conduct periodic *monitoring* and evaluation, provide education and guidance, and ensure compliance with applicable laws and regulations, supplemented by the information-sharing and *blacklisting* mechanisms under Article 112. Accordingly, PSP accountability is not determined solely by the occurrence of a *surcharge* imposed by a cooperating party, but by whether the PSP has fulfilled its administrative obligations to prevent, supervise, provide guidance, and take appropriate action upon becoming aware of non-compliance.

The principal finding of the study is the existence of a normative gap between the provision establishing PSP responsibility and the provision determining the basis for administrative sanctions. Article 110(3) expressly provides that PSPs and Participants are responsible for the application of *market practice* by cooperating parties, whereas Article 134 (1) expressly identifies violations of Article 110 (1), (2), and (4), but does not expressly include Article 110 (3) as a basis for administrative sanctions. This creates a normative issue concerning how the responsibility imposed on PSPs under Article 110 (3) should be connected to administrative consequences where a PSP fails to discharge its supervisory obligations toward a cooperating party. The findings therefore indicate the need for a clearer accountability framework that distinguishes responsibility arising from a PSP's failure to fulfill its supervisory obligations from strict responsibility for every act committed by a cooperating party, thereby ensuring that the imposition of sanctions rests upon a clear and measurable legal basis.

Table 3. Normative Gap between Articles 110 and 134 of PBI No. 10 of 2025

Provision	Substance	Normative Position
Article 110 (1)	PSPs implement <i>market practice</i> .	Establishes a PSP obligation.
Article 110 (2)	PSPs ensure that cooperating parties implement <i>market practice</i> .	Establishes a PSP obligation.

Article 110 (3)	PSPs are responsible for the application of <i>market practice</i> by cooperating parties.	Establishes PSP responsibility.
Article 134 (1)	Administrative sanctions for violations of Articles 110(1), (2), (4), and related provisions.	Does not expressly include Article 110 (3).

Source: Author, 2026

Based on these findings, the study formulates an administrative supervision model that progressively integrates PSP obligations with Bank Indonesia's supervisory authority. The model consists of five stages: Prevention, through *due diligence* and the establishment of compliance standards; Detection, through *monitoring*, evaluation, transaction-data analysis, and complaints; Verification, through examination and clarification of suspected *surcharge* practices; Correction, through education, guidance, corrective measures, and termination or non-renewal of cooperation; and Enforcement, through the imposition of administrative sanctions for violations of obligations supported by a clear legal basis. These five stages position PSPs as the principal *regulatory control point*, while Bank Indonesia functions as the regulator overseeing the effectiveness of the control mechanisms according to the level of risk, compliance, available data, and impact of the violation. Accordingly, the findings indicate that supervision of *surcharge* practices should move beyond a reactive, complaint-based approach toward an integrated supervisory framework capable of preventing, detecting, verifying, correcting, and proportionately enforcing compliance within the QRIS ecosystem.

4. Discussion

Surcharge as a Payment System Compliance Risk

Surcharge should no longer be regarded merely as an additional fee imposed by a merchant on users, but rather as a compliance issue embedded within the governance framework of the payment system. PBI No. 10 of 2025 expressly places PSPs and their cooperating parties within its regulatory framework, encompassing pricing, market practice, governance, risk management, and supervision, thereby establishing a legal chain connecting Bank Indonesia, PSPs, cooperating parties, merchants, and users. From the perspective of payment-system oversight, supervision should not be confined to individual conduct, but should also assess the effectiveness of the risk-management and compliance-control frameworks established by regulated entities (Khiaonarong, 2014), consistent with the Principles for Financial Market Infrastructures (PFMI), which emphasize effective regulation, supervision, and oversight, supported by a clear and enforceable legal framework (Bank for International Settlements, 2012). Accordingly, a surcharge violation committed by a merchant must be distinguished from administrative failure by the PSP, namely the failure to perform its obligations to prevent, monitor, detect, guide, or take corrective measures against cooperating parties, such that a merchant-level violation may constitute a compliance-risk indicator at the PSP level without automatically establishing the PSP's strict liability for every merchant action.

Within the framework of pricing and market practice, surcharge constitutes a cross-regulatory risk (Zhang, 2025), as a single practice may implicate the pricing framework under Articles 15-16, market practice obligations under Articles 109-111, termination of cooperation under Article 61, and administrative sanctions under Article 134 of PBI No. 10 of 2025. Accordingly, surcharge risk should not be assessed solely on the basis of an isolated problematic transaction, but should also consider complaint frequency, patterns and amounts of additional charges, the number of violating parties, prior violations, the effectiveness of PSP monitoring, the timeliness of responses to complaints, the

implementation of guidance and corrective measures, and termination of cooperation in cases of repeated violations. This approach is consistent with the principle of risk-based supervision, under which the nature and level of risk inform the intensity of supervisory intervention (Randle, 2009), as well as with PBI No. 10 of 2025, which requires PSPs to implement and ensure the implementation of market practices by cooperating parties and facilitates information sharing concerning parties engaging in harmful or non-compliant conduct. Accordingly, surcharge should be constructed as a compliance-risk indicator that can be identified, measured, monitored, and acted upon, enabling Bank Indonesia's oversight to move beyond responses to isolated violations toward preventive, risk-based administrative supervision focused on the effectiveness of compliance controls throughout the QRIS ecosystem.

PSP as a Regulatory Control Point

PSPs occupy a strategic position as a regulatory control point because they serve as the intermediary between Bank Indonesia's supervisory framework and cooperating parties within the payment system. This position is reinforced by PSPs' obligations to conduct due diligence, establish contractual arrangements, provide monitoring mechanisms and supervisory access, and ensure that cooperating parties comply with applicable pricing and market practice requirements. From a payment-system oversight perspective, PSPs function not merely as service providers but also as a layer of compliance control that enables Bank Indonesia to exercise more effective supervision through entities possessing contractual relationships, access to information, and direct control capabilities over cooperating parties (Mallekoote & Balraadsing, 2022). Accordingly, the supervisory structure may be conceptualized hierarchically as Bank Indonesia as the regulator, PSP as the regulatory control point, cooperating party as the regulated intermediary, merchant as the transaction-level actor.

Article 59 of PBI No. 10 of 2025 establishes due diligence as a control instrument preceding the formation of a cooperation arrangement, requiring consideration of the party's legality and profile, risk-management and information-technology capabilities, the characteristics and complexity of the cooperation, the substance of the agreement, and compliance with applicable laws and regulations. Accordingly, due diligence should not be regarded merely as an administrative formality that ends once the contractual relationship is established, but rather as an entry point for compliance control that enables PSPs to identify the risk profile and level of risk associated with prospective cooperating parties (Rasaei, 2026). The results of due diligence should subsequently inform the design of compliance clauses, the scope and intensity of monitoring, as well as the appropriate forms of guidance and corrective measures, thereby establishing continuity between ex ante control and ongoing supervision throughout the cooperation relationship. This construction reflects the principle of risk-based supervision, under which supervisory intensity should correspond to the characteristics, complexity, and risk level inherent in a particular cooperation arrangement rather than being applied uniformly to all parties (Podder et al., 2026).

PSP accountability further assumes an ongoing control dimension through Article 111, which requires periodic monitoring and evaluation, education and guidance for cooperating parties, and compliance with applicable laws and regulations, complemented by the data and information-sharing mechanism under Article 112. These obligations establish a control cycle of Due Diligence - Monitoring - Evaluation - Guidance - Corrective Action, demonstrating that PSP responsibility does

not end with the establishment of a contractual relationship but continues throughout the cooperation and following the identification of potential violations. However, this framework does not impose strict liability on PSPs for every act committed by cooperating parties, as administrative accountability must be linked to whether the PSP has failed to discharge its own control obligations, including conducting due diligence, incorporating compliance clauses, performing monitoring, identifying or reasonably being expected to identify violations, providing guidance, undertaking corrective measures, and terminating or refusing to renew the cooperation where the circumstances fall within Article 61. Accordingly, PSPs should be conceptualized as regulatory control points accountable for the effectiveness of their administrative control functions, while liability for a merchant-level violation must remain analytically distinct from the PSP's accountability for failure to perform its supervisory and compliance-control obligations.

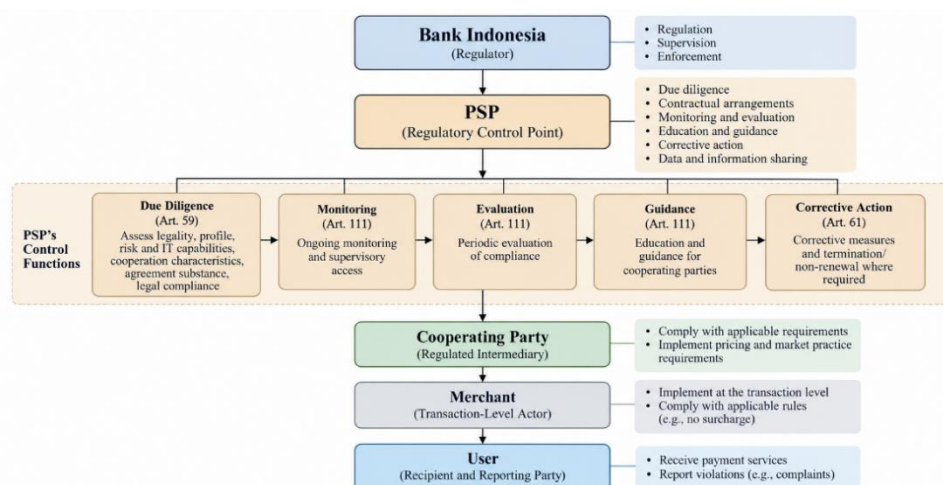


Figure 1. PSP as a Regulatory Control Point in the QRIS Ecosystem

Source: Author, 2026

Normative Gap and Legal Certainty

Article 110 of PBI No. 10 of 2025 establishes a graduated set of obligations for PSPs, namely, to implement market practices under paragraph (1), to ensure their implementation by cooperating parties under paragraph (2), and to establish the PSP's responsibility for such implementation under paragraph (3). However, Article 134 paragraph (1) expressly identifies violations of Article 110 paragraphs (1), (2), and (4) as grounds for the imposition of administrative sanctions, while paragraph (3) is not expressly included in that provision. This situation indicates a normative gap in the relationship between the provision establishing responsibility and the provision determining its administrative consequences, although the existence of such a gap does not, in itself, mean that Article 110 paragraph (3) has no legal consequences. The central issue therefore concerns how the responsibility established under Article 110 paragraph (3) should be construed and systematically connected with the obligation under paragraph (2), the monitoring and evaluation obligations under Article 111, and the administrative sanction provisions under Article 134.

From an administrative law perspective, this relationship should be examined through three normative layers, namely Obligation - Responsibility - Sanction, so that administrative responsibility remains connected to the underlying obligation and the legal consequences arising from its breach. Article 110 paragraph (2) imposes an obligation on PSPs to ensure that cooperating parties implement market practices, while paragraph (3) establishes responsibility for such

implementation, which is operationally reinforced by Article 111 through obligations concerning monitoring, evaluation, education, and guidance. Accordingly, where a market practice violation occurs, the legal issue is not merely whether paragraph (3) may serve as a direct basis for sanctions, but whether the PSP's failure to discharge its responsibility may be legally characterized through a violation of the obligations expressly established under Article 110 paragraph (2), Article 111, or other relevant provisions. Accordingly, a careful interpretive construction is required to ensure that the relationship between obligations, responsibility, and sanctions does not result in an expansion of the legal basis for administrative sanctions beyond what is expressly provided by the applicable norms.

This issue is directly connected to the principle of legal certainty, which requires clarity regarding the responsible subject, the obligations to be fulfilled, the nature of the violation, the legal basis for sanctions, and the procedures governing their imposition (Shcherbanyuk, 2023). In this context, the structure of Normative Obligation - Administrative Responsibility - Administrative Sanction must establish a traceable legal relationship, enabling PSPs to understand both the required standards of conduct and the administrative consequences of non-compliance. An inconsistency between obligation norms and sanction norms may give rise to divergent interpretations and inconsistent enforcement, increase legal uncertainty for PSPs, and create potential grounds for administrative disputes, thereby undermining the effectiveness of supervision. On this basis, reconstruction may be pursued through an interpretive model, by reading Article 110 paragraph (3) systematically in conjunction with Article 110 paragraph (2) and Article 111, and through a regulatory model, by refining subsequent PBI or Board of Governors Regulation provisions to expressly establish the relationship between the responsibility under Article 110 paragraph (3) and its administrative consequences, so that the central issue is not merely whether sanctions exist, but rather the coherence between obligations, administrative responsibility, and administrative sanctions.

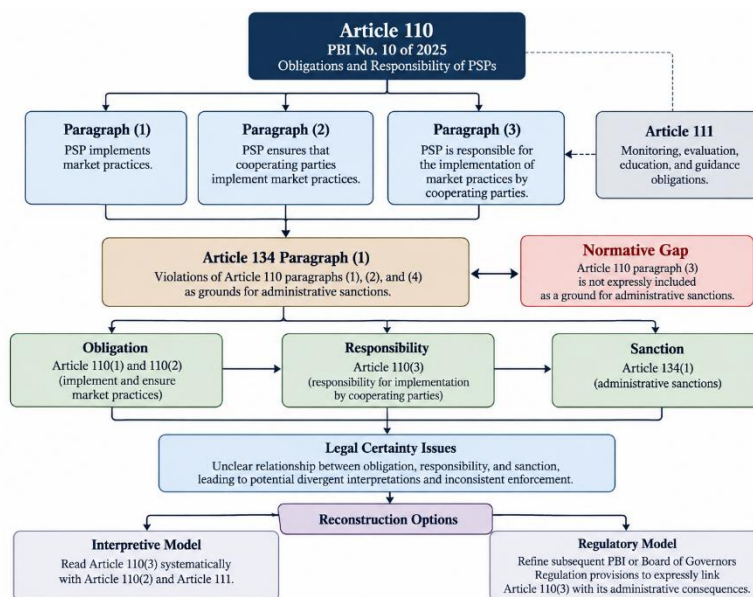


Figure 2. Normative Gap in the Administrative Responsibility Framework under Articles 110 and 134 of PBI No. 10 of 2025

Source: Author, 2026

Risk-Based and Responsive Supervision

Supervision of surcharge practices is no longer adequate if it relies solely on a complaint-based supervision mechanism that treats user complaints as the starting point for examination (Shojaei, 2025), following the pattern Complaint - Investigation - Action. Such a model is inherently reactive because supervisory intervention is triggered only after a violation has been identified through a complaint, even though surcharge practices may occur repeatedly, across multiple merchants, and may not always be reported by users. From the perspective of payment-system oversight, effective supervision requires the capacity to systematically identify, measure, monitor, and manage risks (Khiaonarong, 2014), rather than relying exclusively on the detection of violations through individual complaints (Bank for International Settlements, 2012). Accordingly, the reconstructed supervisory framework should shift toward Risk Identification - Monitoring - Early Detection - Verification - Response, utilizing transaction data, surcharge patterns, violation histories, complaints, and PSP actions as sources of information for the early identification of compliance risks.

This shift requires the application of the principle of risk-based supervision, whereby supervisory intensity is calibrated to the identified level of compliance risk rather than applied uniformly across all PSPs or cooperating parties (Verkroost, 2024). Conceptually, low-risk conditions, characterized by the absence of a history of violations, may be subject to routine monitoring; medium-risk conditions, indicated by complaints or limited violations, may require enhanced monitoring and guidance; high-risk conditions, reflected in repeated or systemic violations, may warrant examination and corrective measures; while very high-risk conditions, characterized by serious and repeated violations that remain uncorrected, may result in termination of cooperation or the imposition of administrative sanctions where supported by the applicable legal authority. This classification does not constitute a ranking of PSPs, but rather serves as an instrument for determining supervisory intensity based on the characteristics, frequency, impact, and effectiveness of risk controls, consistent with the risk-management principles under the PFMI, which emphasize comprehensive processes for risk identification, measurement, monitoring, and management (Bank for International Settlements, 2012). Accordingly, the principle that “supervisory intensity should correspond to the level of compliance risk” provides a normative basis for Bank Indonesia to allocate supervisory resources toward cooperation arrangements and practices presenting higher levels of compliance risk.

The application of risk-based supervision should be complemented by responsive regulation, so that the level of risk determines not only the intensity of supervision but also the proportionality of the regulatory response to compliance behaviour and the seriousness of the violation. Ayres and Braithwaite’s theory of responsive regulation conceptualizes regulatory enforcement through an enforcement pyramid, enabling regulators to employ more persuasive interventions at the initial stage and escalate regulatory measures when non-compliance persists or earlier interventions prove ineffective (Ayres & Braithwaite, 1992). In the context of surcharge, this framework may be operationalized through Education - Guidance - Warning - Corrective Action - Restriction - Termination - Administrative Sanction, while maintaining a distinction between limited violations and violations that are serious, repeated, or capable of producing systemic effects. Accordingly, not every violation should automatically result in an administrative sanction. However, repeated

violations, failure to implement corrective measures, or conduct demonstrating heightened risk and impact may justify a progressive and proportionate escalation of the regulatory response (Bernatt, 2016).

The integration of these two approaches produces a supervisory framework in which risk level determines the intensity of supervision, while compliance behaviour determines the regulatory response, resulting in the normative sequence Risk Level - Supervisory Intensity - Compliance Finding - Regulatory Response. Within this framework, Bank Indonesia's supervision should not be directed solely at the number of complaints, but may also utilize the number of transactions, the frequency and patterns of surcharge, the number of repeatedly violating merchants, complaint-resolution time, violation history, measures undertaken by PSPs, and the effectiveness of cooperation termination as indicators of risk and compliance. A data-driven approach enables Bank Indonesia to identify patterns of non-compliance before they develop into broader violations, while simultaneously enabling PSPs to perform their function as regulatory control points through monitoring, evaluation, guidance, and corrective measures directed at cooperating parties. Accordingly, the reconstructed supervisory framework moves beyond reactive enforcement toward predictive and preventive compliance supervision, integrating risk identification, data-driven monitoring, early detection, verification, and proportionate administrative responses to safeguard the integrity and compliance of the QRIS ecosystem (Wu et al., 2022).

Normative Contribution of the Reconstruction Model

The reconstruction of administrative supervision within the QRIS ecosystem should be situated within a chain of administrative responsibility (Shisha, 2024) connecting Bank Indonesia, PSPs, cooperating parties, merchants, and users according to their respective legal functions and obligations. Within this framework, Bank Indonesia performs regulatory, supervisory, and enforcement functions; PSPs serve as regulatory control points responsible for compliance control over cooperating parties; cooperating parties are required to comply with applicable requirements; merchants implement the relevant requirements at the transaction level; while users act as service recipients and as potential sources of information through complaint mechanisms. This allocation of functions is consistent with the payment-system oversight perspective, which views effective supervision not merely in terms of regulatory intervention against individual actors, but also in terms of establishing control mechanisms capable of maintaining compliance throughout the payment system (Turcan, 2025). Accordingly, surcharge practices at the transaction level should not be viewed solely as a matter between merchants and users, but as part of an administrative responsibility chain through which a failure of control at one level may be traced to the actor that bears the corresponding normative control obligation at that level.

Building on this chain of administrative responsibility, this study proposes the P-D-V-C-E model as an operational mechanism for connecting supervisory functions with the successive stages of compliance-risk management. P - Prevention is undertaken through due diligence and the establishment of contractual compliance standards; D - Detection through monitoring, data utilization, and complaints; V - Verification through examination and clarification; C - Correction through education, guidance, corrective measures, and termination of cooperation where legally warranted; and E - Enforcement through the imposition of administrative sanctions on the basis of applicable legal authority. This model demonstrates that supervision should not terminate upon the

identification of a violation, but should instead constitute a continuous administrative cycle linking preventive measures, detection, verification, correction, and enforcement. Accordingly, P-D-V-C-E = Prevention - Detection - Verification - Correction - Enforcement may serve as the study's signature framework for translating the principles of risk-based supervision and responsive regulation into a more systematic administrative supervisory mechanism.

The P-D-V-C-E model is further constructed upon four complementary supervisory foundations: risk-based, compliance-based, data-driven, and responsive regulation. The risk-based approach determines supervisory intensity according to the level of risk (Abubakar, 2025); the compliance-based approach assesses the PSP's fulfillment of its legal obligations (Agarwal et al., 2018); the data-driven approach utilizes transaction data, complaints, violation patterns, and compliance histories as sources of supervisory information (Mollah, 2026); while responsive regulation determines the appropriate regulatory response based on compliance behaviour, the seriousness of violations, and the effectiveness of previous interventions (Barak-Corren & Kariv-Teitelbaum, 2021). Their integration produces the formula Integrated Administrative Supervision = Risk-Based + Compliance-Based + Data-Driven + Responsive Regulation, under which risk determines the intensity of supervision and compliance findings inform the appropriate administrative response. This construction is consistent with the principle of risk-based supervision, which requires supervisory resources to be allocated according to the level of risk (Adrian et al., 2023), as well as with responsive regulation theory, which emphasizes the progressive and proportionate use of regulatory responses in accordance with the behaviour of regulated entities (Ayres & Braithwaite, 1992).

To ensure that this model does not result in strict liability for PSPs, administrative accountability should be constructed on the basis of failure of administrative control, namely, the PSP's failure to discharge the control obligations normatively imposed upon it. These parameters include, at a minimum, failure of due diligence, failure of contractual compliance control, failure of monitoring, failure of evaluation, failure of guidance, failure to take corrective action, and failure to terminate cooperation when legally required (Endicott, 2021). On this basis, the existence of a surcharge at the merchant level does not automatically establish the PSP's administrative liability; rather, liability must be assessed by determining whether the PSP has fulfilled its obligations concerning prevention, monitoring, evaluation, guidance, and corrective action under PBI No. 10 of 2025. This approach clearly distinguishes between merchant-level violation and PSP-level administrative failure, ensuring that PSP accountability remains grounded in the PSP's own administrative obligations and is consistent with the principles of administrative accountability and legal certainty.

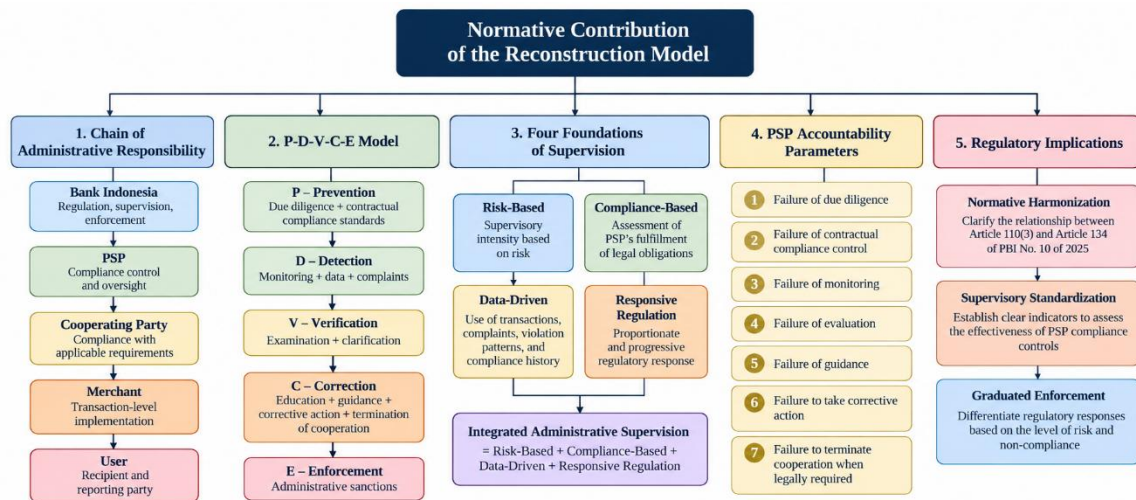


Figure 3. Normative Reconstruction Model for Administrative Supervision in the QRIS Ecosystem

Source: Author, 2026

At the regulatory level, the reconstruction model generates three principal implications: normative harmonization, supervisory standardization, and graduated enforcement. Normative harmonization is necessary to clarify the relationship between Article 110 paragraph (3) and Article 134 of PBI No. 10 of 2025; supervisory standardization is necessary to establish indicators that can be applied consistently to assess the effectiveness of PSP compliance controls and supervisory functions; while graduated enforcement is necessary to differentiate regulatory responses according to the level of risk, degree of non-compliance, impact of the violation, and effectiveness of corrective measures already undertaken. The normative contribution of this study therefore extends beyond clarifying the regulatory status of surcharge and proposes a shift from transaction-level enforcement to ecosystem-based administrative supervision, following the analytical sequence Surcharge - Compliance Risk - PSP as Regulatory Control Point - Normative Gap - Legal Certainty Problem - Risk-Based and Responsive Supervision - P-D-V-C-E Reconstruction Model. This shift expands the administrative-law framework governing payment systems from a predominantly transaction-level enforcement orientation toward preventive, risk-based, data-driven, and responsive ecosystem supervision, while preserving the boundaries of each actor's accountability according to the specific legal obligations imposed upon each actor.

4. Conclusion

The practice of surcharge within the QRIS ecosystem constitutes a compliance issue within payment-system governance, involving a normative relationship among Bank Indonesia, PSPs, cooperating parties, merchants, and users, with PSPs serving as regulatory control points. PSP accountability does not arise solely from the occurrence of a surcharge at the merchant level, but must be assessed based on the fulfillment of obligations concerning due diligence, monitoring, evaluation, guidance, corrective action, and termination of cooperation, while a normative gap exists between Article 110 paragraph (3) and Article 134 paragraph (1) of PBI No. 10 of 2025 in connecting the responsibility norm with its administrative consequences. On this basis, the study

reconstructs the supervisory framework through the P-D-V-C-E model (Prevention-Detection-Verification-Correction-Enforcement), integrating risk-based, compliance-based, data-driven, and responsive regulation approaches to shift supervision from reactive enforcement toward preventive and risk-based compliance supervision. As a follow-up, normative harmonization between Articles 110 paragraph (3) and 134, standardization of PSP supervisory indicators, and a graduated enforcement mechanism are required to explicitly connect risk levels, compliance findings, corrective measures, and administrative sanctions, while future research may empirically examine the application of the P-D-V-C-E model using supervisory data and patterns of surcharge violations.

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