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Implementation of the Prohibition on Cigarette Sales to Minors at PT Circle K Indonesia Utama, Sriwedari Ubud Branch

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ABSTRACT
Objective: *This study examines the legal rationale for prohibiting cigarette sales to underage consumers and analyzes the legal consequences of violations at PT Circle K Indonesia Utama, Sriwedari Ubud Branch.* ***Method:*** *The study uses empirical legal research supported by statutory, conceptual, and case-oriented approaches. Primary data were obtained through interviews with retail management, cashiers, the Public Order Agency (Satpol PP), and local customary community representatives, while secondary data were drawn from legislation and legal literature and analyzed descriptively and qualitatively.* ***Results:*** *The prohibition is directed at protecting children's physical and cognitive development, preventing early nicotine dependence, and safeguarding the right to a healthy environment. Violations may result in administrative sanctions against the business, employment sanctions against responsible employees, possible civil-law consequences for transactions, local enforcement measures, and customary or reputational consequences in the Ubud community.* ***Novelty:*** *The study integrates national health regulation, provincial and regency enforcement, corporate compliance mechanisms, and Balinese customary-law considerations in a single analysis of underage cigarette sales in a modern retail setting.*

INTRODUCTION

Smoking initiation among children and adolescents is a serious public-health concern because early exposure to nicotine may shape long-term health behavior. Health behavior is influenced by knowledge, attitudes, and actions; therefore, inadequate understanding of cigarette-related risks can contribute to permissive attitudes and smoking behavior among young people [1]. From developmental and sociological perspectives, the vulnerability of children and adolescents can also be understood in relation to cognitive development and their surrounding social environment [2], [3]. Prevention consequently requires not only individual awareness but also supervision by families, schools, communities, and business actors that control access to tobacco products.

Indonesia has developed a layered legal framework to protect children and the wider public from addictive substances. Law Number 35 of 2014 on Child Protection requires special protection for children exposed to narcotics, psychotropic substances, and other addictive substances. Law Number 17 of 2023 on Health classifies tobacco products as addictive products whose production, importation, distribution, and use must be controlled in order to protect public health. This framework is implemented through Government Regulation Number 28 of 2024, which strengthens tobacco-control provisions, including restrictions on sales to persons below the statutory purchase-age threshold and to pregnant women. This protective orientation is consistent with child-protection scholarship that treats children as a legally vulnerable group requiring special safeguards [4], [5].

At the regional level, tobacco-control policy is reinforced by smoke-free-area regulation in Bali, which provides a territorial basis for controlling tobacco-related activities in workplaces and public places. In a tourism center such as Ubud, these rules are particularly relevant because modern retail outlets operate within spaces used by residents, students, workers, and international visitors. Accordingly, the legal issue is not limited to the formal existence of a prohibition, but extends to the effectiveness of implementation at the point of sale.

The study is also grounded in legal-protection and corporate-responsibility perspectives. Satjipto Rahardjo's legal-protection approach emphasizes that law should protect human interests, especially those of vulnerable groups such as children [6], [7]. This orientation is also consistent with the general understanding of law as an institution that creates order, certainty, and protection in society [8]. From the perspective of corporate social responsibility, business responsibility extends beyond economic performance to legal and ethical obligations toward society [9], [10], [11]. For a modern retailer, compliance with age restrictions on cigarette sales therefore represents both a legal duty and an element of responsible business conduct, including the implementation of corporate responsibility in Indonesian business practice [12].

Social learning and social-control considerations further explain why retail compliance matters. Young people may imitate behavior that appears socially accepted, especially when tobacco products are easily accessible in their immediate environment [13]. Criminological and sociological perspectives also emphasize the importance of social conditions and legal norms in shaping behavior and compliance [14], [15]. Consistent age verification, employee supervision, clear sanctions, and community oversight can reduce the normalization of cigarette purchases by underage consumers. Based on this context, the study addresses two questions: first, what is the fundamental legal purpose of prohibiting cigarette sales to underage consumers; and second, what legal consequences may arise when cigarettes are sold to underage consumers at PT Circle K Indonesia Utama, Sriwedari Ubud Branch?

RESEARCH METHOD

This study employs empirical legal research, supported by normative analysis. Empirical legal research examines law not only as written rules but also as a social practice that can be observed through the behavior of institutions, business actors, and communities [16]. The combined normative-empirical orientation is consistent with an approach that integrates doctrinal and empirical legal inquiry when examining how legal rules operate in practice [17]. The approach is appropriate for assessing the gap between tobacco-control rules and their implementation in a twenty-four-hour modern retail environment.

The research combines statutory, conceptual, and case-oriented approaches. The statutory approach examines national and regional legal provisions governing child protection, health, tobacco control, and smoke-free areas. The conceptual approach uses legal-protection, corporate-responsibility, and law-enforcement concepts, while the case-oriented approach focuses on the operational context of the Circle K Sriwedari Ubud outlet. This combination is consistent with legal-research methodology that uses statutory and conceptual analysis to answer legal problems [18], [19], applies legal theories systematically [20], and integrates socio-legal evaluation when assessing regulatory effectiveness [21], [22].

Data were collected through document study and field study. The document study covered legislation, legal literature, corporate-policy materials referred to by respondents, and other materials relevant to cigarette-sale restrictions. The field study relied on interviews with retail management and cashiers, Satpol PP representatives, and local customary-community leaders. The collection process was structured to allow normative materials to be compared directly with information on implementation in the field.

The collected data were analyzed descriptively and qualitatively. Normative requirements were compared with reported retail practices, enforcement mechanisms, and local social responses. Qualitative interpretation and deductive legal reasoning were used to organize the data and draw conclusions from the relationship between legal norms and empirical findings [23]. The overall methodological design also reflects contemporary approaches to legal research that connect legal analysis with the dynamics of law enforcement in Indonesia [24]. The analysis was then organized around the purpose of the prohibition, the forms of legal liability, and the interaction between state law, corporate rules, and customary-community expectations.

RESULTS AND DISCUSSION

Results

Legal Purpose of the Prohibition

The findings indicate that the prohibition on cigarette sales to persons below the statutory purchase-age threshold is primarily protective. It is intended to reduce early exposure to addictive substances, protect physical growth and cognitive development, prevent nicotine dependence, and support children's right to a healthy environment. In the commercial sphere, compliance also reflects the ethical responsibility of businesses dealing with products that may adversely affect vulnerable consumers [25], the broader principle that consumer-protection rules should provide stronger safeguards for vulnerable groups [26], and the legal relationship between child protection and corporate business responsibilities [27].

The manuscript distinguishes between the general legal concept of a child and the specific age threshold applied to tobacco purchases. While child-protection rules commonly refer to persons below eighteen years of age, the health-control framework discussed in this study applies a higher threshold for tobacco sales. Operationally, this means that a retailer must follow the specific purchase-age rule applicable to tobacco products even when a purchaser may already have reached the age of legal majority for other purposes [4], [5], [27].

Administrative Consequences under National Health Regulation

Government Regulation Number 28 of 2024 prohibits the sale of tobacco products and electronic cigarettes to persons below the specified purchase-age threshold and to pregnant women. Based on the regulatory scheme analyzed in the manuscript, non-compliance may trigger graduated administrative measures. These measures are designed to correct behavior, prevent repeated violations, and protect public health. From an administrative-law perspective, such sanctions are exercises of governmental authority that must remain grounded in legality, competence, and proper procedure [28].

1. Written warning. The competent authority may issue an official warning identifying the violation and requiring the business to improve its sales-control procedures, including age verification.

2. Product withdrawal. Where non-compliance continues, tobacco products may be withdrawn or removed from sale as part of an enforcement measure.

3. Administrative fine. A financial penalty may be imposed in accordance with the applicable implementing or regional rules.

4. Temporary suspension or revocation of business authorization. Repeated or serious non-compliance may lead to temporary closure or, where legally justified, stronger licensing consequences. Administrative enforcement of this kind must be linked to the competent authority and the applicable procedures governing governmental sanctions [29], [30].

The regulation also restricts sales practices that facilitate youth access, including certain forms of single-stick sales and sales near educational facilities and children's play areas. These restrictions show that the legal strategy is preventive as well as punitive: the law seeks to reduce both direct transactions and environmental exposure that makes tobacco products easy for young people to obtain. The effectiveness of such administrative control depends on consistent supervision and enforcement in the retail sector [31].

Civil-Law and Individual Responsibility

The manuscript also considers the transaction from a civil-law perspective. Because contractual capacity is one of the elements relevant to the validity of agreements, a transaction involving a legally incapable party may be subject to challenge under general civil-law principles. However, the precise civil consequence depends on the legal status of the purchaser and the applicable contractual rules; therefore, the study treats civil invalidity as a potential consequence rather than an automatic result of every prohibited tobacco sale.

Individual employees may also face internal responsibility. The field information reported in the manuscript indicates that employees are expected to verify age before completing tobacco sales. Failure to follow this requirement can therefore generate employment consequences in addition to any external administrative or criminal process.

Discussion

Provincial Enforcement and Corporate Responsibility in Bali

Bali's smoke-free-area framework supplements national health regulation by providing a regional enforcement basis for tobacco control in public places and workplaces. The manuscript argues that modern retail outlets fall within the practical scope of this regulatory environment. Where an employee completes a prohibited sale, responsibility may extend beyond the cashier when managerial negligence, inadequate supervision, or repeated institutional failure can be established. This reflects the broader principle that corporate compliance systems must be capable of preventing foreseeable legal violations, not merely reacting after they occur [9], [10], [12], [25].

The source manuscript further describes local minor-offense enforcement mechanisms, including short-form proceedings and financial sanctions under regional smoke-free-area rules. Because the exact sanctioning provisions depend on the wording of the applicable regional regulation, enforcement should be based on the officially verified text in force at the time of the violation. The interaction between national and regional enforcement also illustrates the interdependence of legal substance, institutions, and legal culture described in legal-system theory [32], [33]. Enforcement effectiveness further depends on legal rules, officers, facilities, society, and legal culture [34], including in the implementation of health-related legal policy [35]. The central juridical point remains that national administrative controls may operate together with regional enforcement instruments where both have a valid legal basis.

Enforcement Dynamics in Gianyar and Ubud

According to the field information attributed to I Putu Dian Yudannegara, S.STP., M.M., Head of the Gianyar Regency Public Order Agency, local enforcement involves coordinated inspections with relevant government units in strategic tourism areas, including the Ubud area. The manuscript reports that evidence in an on-site violation may include the tobacco product involved, a printed transaction receipt, and CCTV records showing the transaction. These materials can assist enforcement officers in reconstructing the event and determining the responsibility of the employee and the outlet management.

The manuscript also describes mobile or on-site adjudication practices used to improve enforcement efficiency. In this model, officers prepare the necessary examination records and coordinate with the competent judicial and prosecutorial institutions when a case is processed as a minor offense. The study further notes that sales involving school-age purchasers may be treated as particularly serious because they directly undermine youth-protection objectives and local commitments to child-friendly governance.

Customary, Social, and Reputational Consequences

Ubud has a strong customary-community structure alongside formal state law. Based on the interview information attributed to I Made Widana, Bendesa of Taman Kaja Customary Village, a business that is perceived as disregarding the protection of local children may face social or customary responses. The manuscript identifies possible measures such as customary warnings, responsibility for a cleansing ceremony (Mecaru) where considered appropriate under local custom, and community pressure that may affect the outlet's social acceptance. This interaction between formal rules and living social norms is consistent with a sociological approach to law [36].

Reputational effects are also relevant in a tourism economy. Ubud is widely associated with wellness, culture, and healthy-lifestyle tourism. A publicized violation involving the sale of addictive products to young consumers may therefore damage consumer trust, generate negative online reviews, and affect the commercial reputation of the outlet. These consequences are not substitutes for legal sanctions, but they can strengthen the practical incentive for corporate compliance.

Internal Company Control and Employee Sanctions

The field information attributed to I Kadek Juna Ariyasa, Area Coordinator for the Ubud branch, indicates that the company uses several internal controls to supervise cigarette sales. The manuscript describes CCTV review at cashier points, internal or third-party mystery-shopper checks, and Point-of-Sale (POS) prompts requiring age or identification verification. These controls function as preventive mechanisms intended to detect failures before they develop into repeated legal violations.

When a suspected violation is identified, the reported internal process includes temporary suspension where necessary, employee clarification, and examination of digital evidence such as CCTV footage, transaction receipts, and POS timestamps. If the violation is confirmed, disciplinary measures may range from warning letters to termination of employment in accordance with company rules. Where the incident also results in formal government enforcement, the employee's identity and relevant evidence may be provided to the competent authorities in accordance with applicable procedure.

The interaction between these internal controls and public-law enforcement is important. Effective compliance requires the retailer to translate legal rules into operational procedures, train employees, maintain evidence of age-verification practices, and impose proportionate discipline when procedures are ignored. Such measures support the broader protective purpose of tobacco-control law by reducing the opportunity for underage purchases at the point of sale and by giving practical effect to the principle of legal protection [6], [7], [26], [37].

CONCLUSION

Fundamental Finding: This study concludes that the prohibition on cigarette sales to underage consumers serves a preventive and protective function: it limits early access to addictive products, supports children's physical and cognitive development, and strengthens the right to a healthy environment. At PT Circle K Indonesia Utama, Sriwedari Ubud Branch, a violation may generate multiple layers of consequence, including administrative measures against the business, internal employment sanctions, possible civil-law implications, regional enforcement, and social or customary consequences in the Ubud community. **Implication:** Within the legal framework analyzed, the applicable tobacco-purchase age restriction must be implemented by modern retailers through consistent age verification and employee supervision. The findings therefore show that effective implementation depends not only on the existence of national and regional rules, but also on active corporate compliance, coordinated local enforcement, and community support. **Limitation:** For greater legal certainty, the outlet should ensure that all enforcement practices refer to the current official wording of the applicable national and regional regulations. **Future Research:** For greater legal certainty, the outlet should maintain a strict 'No ID, No Sale' policy, document age-verification procedures, regularly train and audit employees.

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