Adagium: Jurnal Ilmiah Hukum
E-ISSN: 2985-5128
Volume 4 Number 2 (2026), pp. 1780-1799
DOI: https://doi.org/10.70308/yr5k0p76

Music Royalty Payment Policies in Restaurants from the Perspective of Maslahah Mursalah

Desiana Batu Bara[1*], Fauziah Lubis[2]
[1,2] Universitas Islam Negeri Sumatera Utara, Medan, Indonesia
*Correspondence: desiana0204212153@uinsu.ac.id

Received: 05 September 2026	Accepted: 10 October 2026	Published: 01 November 2026

Abstrak

Penggunaan musik di restoran menciptakan nilai ekonomi bagi pelaku usaha sekaligus menimbulkan kewajiban penghormatan terhadap hak ekonomi pencipta dan pemilik hak terkait. Penelitian ini menganalisis konstruksi kewajiban royalti berdasarkan Undang-Undang Nomor 28 Tahun 2014, Peraturan Pemerintah Nomor 56 Tahun 2021, Peraturan Menteri Hukum Nomor 27 Tahun 2025, dan Putusan Mahkamah Konstitusi Nomor 28/PUU-XXIII/2025, serta menilai konsekuensinya bagi restoran, khususnya usaha mikro dan kecil, melalui perspektif maslahah mursalah. Penelitian hukum normatif ini menggunakan pendekatan perundang-undangan dan konseptual dengan analisis kualitatif terhadap bahan hukum primer dan literatur ilmiah. Hasil penelitian menunjukkan bahwa kewajiban royalti pada penggunaan musik komersial memiliki dasar hukum yang kuat, tetapi legitimasi substantifnya bergantung pada transparansi penghitungan, akurasi distribusi, proporsionalitas tarif, dan akses keringanan bagi usaha kecil. Maslahah mursalah mendukung perlindungan hak ekonomi pencipta sebagai bagian dari hifz al-mal, sekaligus mengharuskan pencegahan mudarat yang tidak proporsional bagi pelaku usaha. Penelitian ini mengusulkan model tata kelola royalti berbasis kepastian hukum, keterbukaan, klasifikasi risiko dan kemampuan usaha, serta mekanisme keberatan yang dapat diakses.

Kata Kunci: royalti musik; restoran; hak cipta; maslahah mursalah; keadilan distributif

Abstract

The commercial use of music in restaurants creates economic value for operators while raising questions about the remuneration owed to composers and related-rights holders. This article examines the royalty regime under Indonesia's Copyright Law No. 28 of 2014, Government Regulation No. 56 of 2021, Minister of Law Regulation No. 27 of 2025, and Constitutional Court Decision No. 28/PUU-XXIII/2025, and evaluates its consequences for restaurant operators, particularly micro and small enterprises, through the lens of maslahah mursalah. The study employs normative legal research with statutory and conceptual approaches and qualitative analysis of primary legal materials and scholarly literature. It finds that restaurant music royalties have a sound statutory basis, but their substantive legitimacy depends on transparent calculation, traceable distribution, proportionate tariffs, and accessible relief for smaller businesses. Maslahah mursalah supports the protection of creators' economic rights as an aspect of hifz al-mal while requiring safeguards against disproportionate burdens on users. The article proposes an

accountability-oriented framework combining legal certainty, transparent licensing, proportionate business classification, verifiable distribution, and effective review procedures.

Keywords: *music royalties; restaurants; copyright; maslahah mursalah; distributive justice*

INTRODUCTION

Music is often treated as an incidental element of hospitality, yet in a commercial restaurant it helps create ambience, differentiate the establishment from competitors, sustain customers' attention, and complement the sale of food and beverages. Where a proprietor chooses a playlist or hires performers to improve the dining experience, musical creativity becomes an input into a revenue-generating service. That economic relationship explains why playing a song in a restaurant is not necessarily equivalent to listening privately at home. The relevant legal problem is not whether the restaurant directly sells the song; it is whether protected music is used in a publicly accessible business setting in a manner contemplated by copyright legislation. Indonesian copyright law therefore treats the economic rights of composers, right holders, performers, and producers as interests deserving remuneration, while recognizing that licensing arrangements must be intelligible and practicable for the establishments that pay. [1]

Law No. 28 of 2014 on Copyright supplies the central statutory foundation for this relationship. Government Regulation No. 56 of 2021 develops a collective framework for collecting, aggregating, and distributing royalties from the commercial use of songs and music in public services. Restaurants and cafés are among the categories expressly contemplated by the regulation. Its principal institutional mechanism is the National Collective Management Organization, known as Lembaga Manajemen Kolektif Nasional (LMKN), which operates in conjunction with collective management organizations (LMKs) and the music-information infrastructure. The resulting regime pursues two aims that must be assessed together: the effective realization of creators' economic rights and a predictable route through which users can obtain authority to employ protected works in their businesses. [2]

These objectives should not be reduced to the assertion that any royalty obligation is inherently fair. Restaurant businesses range from national chains to small owner-operated premises with modest turnover. A nominally uniform formula can impose very different relative burdens on enterprises with different financial capacity, operating hours, seat utilization, and dependence on music. Conversely, a system that allows every user to determine its own contribution without external verification may leave creators uncompensated and invite systematic free riding. The central issue is thus one of institutional and distributive design: how can a lawful collective licensing regime adequately protect intellectual labor without imposing an unnecessary or disproportionate burden on the very micro and small enterprises that contribute to community livelihoods?

[1] Republic of Indonesia, Law No. 28 of 2014 on Copyright, arts. 9, 23, 80, 87, 89–90, and 113.

[2] Republic of Indonesia, Government Regulation No. 56 of 2021 on the Management of Royalties for the Copyright of Songs and/or Music, arts. 2–3 and 10–19.

The question has acquired a more specific legal dimension following Constitutional Court Decision No. 28/PUU-XXIII/2025, delivered on 17 December 2025. The Court interpreted the statutory expression concerning reasonable remuneration in Article 87(1) of the Copyright Law as remuneration that must accord with mechanisms and tariffs established under applicable laws and regulations. Its judgment also addressed the meaning of commercial performance under Article 23(5) and introduced a restorative-justice requirement relevant to the application of a specified criminal provision. These holdings strengthen the demand for rule-based calculation rather than leaving fairness to an unexplained institutional assessment. They do not, however, establish a single fixed restaurant tariff in the judgment itself, and they should not be cited as if they automatically settle every question of tariff differentiation. [3]

The regulatory context has also changed since the earliest implementation of Government Regulation No. 56 of 2021. Minister of Law Regulation No. 27 of 2025 replaced Minister of Law and Human Rights Regulation No. 9 of 2022 and provides the current implementing framework for music royalty administration. Ignoring that replacement would make a study of 2026 restaurant licensing incomplete, even if its discussion of the 2021 regulation were otherwise correct. The successive instruments should be read as an integrated legal framework, with the Copyright Law establishing rights, the government regulation organizing collection, the ministerial regulation arranging institutional implementation, and constitutional adjudication constraining the way important terms are interpreted. [4]

The practical challenges are not limited to determining who should pay. A restaurant that makes payment needs to know what repertoire it may lawfully use, whether the relevant license covers both copyright and related rights, what records are required, how the charge is calculated, and where a discrepancy can be disputed. Creators in turn need credible information regarding the collection and allocation of the amounts paid. Transparent digital systems are therefore not merely tools of administrative convenience. They can provide the evidentiary link between commercial usage, legal entitlements, payment, and distribution. Studies of Indonesia's collective management framework have emphasized the importance of accountability, data quality, and institutional oversight for confidence in music royalty governance. [5]

Existing literature has examined important components of the controversy, but usually from separate vantage points. Panjaitan, Sidauruk, and Debora describe the legal architecture developed by the 2021 regulation; Maharani and Tarina emphasize LMKN's role in protecting musicians' economic interests; and Mandala and colleagues identify transparency deficiencies in the management and distribution system. A more directly related study by Dirkareshza and colleagues proposes a differentiated approach to collecting music royalties from restaurant

[3] Constitutional Court of the Republic of Indonesia, Decision No. 28/PUU-XXIII/2025 (December 17, 2025), concerning judicial review of Law No. 28 of 2014 on Copyright.

[4] Republic of Indonesia, Ministry of Law, Minister of Law Regulation No. 27 of 2025 on the Implementation of Government Regulation No. 56 of 2021 (August 7, 2025), https://peraturan.bpk.go.id/Details/326273/permenkum-no-27-tahun-2025.

[5] Opan Satria Mandala et al., "Analisis Yuridis Transparansi dalam Sistem Pengelolaan Royalti Musik di Indonesia Melalui Lembaga Manajemen Kolektif Nasional," *Jurnal Fundamental Justice* 6, no. 2 (2025): 195–208, https://doi.org/10.30812/fundamental.v6i2.5203.

micro, small, and medium enterprises. These contributions establish the significance of the institutional and business dimensions, but they leave room for a more explicit assessment of the rules through the legal method of maslahah mursalah, including the conditions under which claimed public benefit becomes a legitimate basis for regulation. [6]

The Islamic-law dimension has its own relevant literature. Alamsyah and Rahmawati explore copyright protection for digital artworks under Islamic law, while Aminudin, Panjaitan, and Lubis discuss juristic disagreements concerning the authority and limits of maslahah mursalah. Their combined significance is that an asserted social benefit is not self-validating: it must be evaluated against recognized legal interests, the prevention of harm, and the requirements of principled reasoning. The present article uses that perspective to ask not merely whether music is valuable property, but what institutional duties follow once a state-authorized collective system is established to redistribute money between users and rights holders. [7]

The article advances three interconnected inquiries. First, it reconstructs the legal basis and institutional flow of restaurant music royalties under the legislation and subsequent regulatory developments. Second, it assesses the consequences of the regime for restaurant operators, distinguishing ordinary copyright compliance from the economic implications for small businesses and from claims of automatic immunity that the law does not support. Third, it evaluates the regime through maslahah mursalah and formulates operational requirements for an arrangement that protects rights, prevents avoidable harm, and remains administratively verifiable. The proposed contribution is a structured proportionality and accountability framework rather than a categorical argument for abolishing or unconditionally maximizing royalties.

RESEARCH METHOD

The primary legal corpus consists of Law No. 28 of 2014 on Copyright (especially Articles 8–9, 20–25, 87–89 and 113), Government Regulation No. 56 of 2021 on the Management of Song and Music Royalties (especially Articles 2–3 and 10–16), Constitutional Court Decision No. 28/PUU-XXIII/2025 (operative ruling of 17 December 2025), and the relevant 2025 ministerial implementing regulation. The material is evaluated as of 1 November 2026. Institutional web guidance and news reports are treated as contextual sources, not as substitutes for binding law. The MUI fatwa is a primary Islamic doctrinal source but is not, merely by being a fatwa, binding copyright legislation.

The normative evaluation applies four tests: (1) legal authority—whether the demand rests on an identified protected right, authorised collection body and applicable licence; (2) procedural certainty—whether the repertoire, calculation basis, period and appeal route can be verified; (3) proportionality—whether comparable uses are treated consistently while statutory relief is considered; and

[6] Rianda Dirkareshza et al., "Urgensi Reformulasi Mekanisme Pemungutan Royalti Musik bagi UMKM Restoran," *Jurnal BATAVIA* 2, no. 3 (2025 issue; published January 2026): 165–196, https://doi.org/10.64578/batavia.v2i3.190.

[7] Aminudin, Budi Sastra Panjaitan, and Fauziah Lubis, "Perdebatan Para Mujtahid Tentang Teori Mashlahah Mursalah," *Rechtsnormen: Jurnal Komunikasi dan Informasi Hukum* 2, no. 2 (2024): 67–73, https://doi.org/10.56211/rechtsnormen.v2i2.477.

(4) distributive accountability—whether collection, distribution, reporting and complaint duties can be traced to a legal provision rather than simply advocated as good practice.

This study employs normative legal research with a descriptive-prescriptive orientation. Its primary objects are legal norms governing copyright, public commercial use of musical works, the institutional collection of royalties, the relationship between statutory rights and tariff administration, and the standards used to assess benefit and harm in Islamic legal reasoning. A statutory approach is used to examine Law No. 28 of 2014, Government Regulation No. 56 of 2021, Minister of Law Regulation No. 27 of 2025, Constitutional Court Decision No. 28/PUU-XXIII/2025, and the relevant provisions or guidance governing tariff relief and collective management. A conceptual approach evaluates maslahah mursalah, hifz al-mal, prevention of harm, fiduciary administration, and procedural fairness. [8]

Primary legal materials consist of legislation, implementing regulations, the Constitutional Court's decision, and the Indonesian Ulema Council's 2003 fatwa on copyright as an interpretive reference in Islamic legal discourse rather than as a substitute for binding state legislation. [9] Secondary materials consist of scholarly publications on royalty administration, Islamic intellectual property, restaurant enterprises, and the treatment of public benefit in Islamic legal theory. Information made available by the Directorate General of Intellectual Property and LMKN is used to clarify administrative practice, but statements about practice are not treated as proof of sector-wide empirical outcomes. This research does not claim to have conducted interviews, sampled restaurant accounts, or measured actual royalty distributions.

Legal analysis proceeds in four steps. First, the regulatory instruments are inventoried and placed in chronological order so that superseded rules are not mistakenly presented as current law. Second, the normative elements of commercial use, payment, licensing, collection, distribution, and review are differentiated. Third, the impact of those elements is evaluated in relation to two sets of protected interests: the property rights of creators and the lawful interests of restaurant operators, including vulnerable enterprises. Finally, maslahah mursalah is applied through the criteria of a genuine public benefit, consistency with foundational legal purposes, and the avoidance of harm that is unnecessary relative to the benefit pursued. The outcome is a reasoned legal prescription, not a statistical assertion about compliance rates.

RESULTS AND DISCUSSION

1. Legal Foundations and Institutional Design of Restaurant Music Royalties

A restaurant's use of protected music must be characterised by the economic right exercised. A live performance engages performance and public-communication interests; recorded background music may additionally involve the rights of performers and phonogram producers; and music embedded in a television or radio programme raises questions about the scope of the

[8] Kornelius Benuf and Muhamad Azhar, "Metodologi Penelitian Hukum sebagai Instrumen Mengurai Permasalahan Hukum Kontemporer," *Gema Keadilan* 7, no. 1 (2020): 20–33.

[9] Indonesian Ulema Council, Fatwa No. 1 of 2003 on Copyright (January 18, 2003), https://mui.or.id/storage/fatwa/20ecab643ee4e0f771d4bf7ed34d2d16-lampiran.pdf.

broadcaster's own licence versus a separate public use at the restaurant. Payment must therefore follow the relevant protected repertoire and applicable licences, not a presumption that every audible sound triggers an identical second charge. Law No. 28 of 2014, Articles 87–89, distinguishes authorised collective management from the rights themselves, while Government Regulation No. 56 of 2021 identifies restaurants as commercial public-service uses.

The National Collective Management Organisation (Lembaga Manajemen Kolektif Nasional, LMKN) exercises collection and coordinating functions under Government Regulation No. 56 of 2021, while authorised collective management organisations (lembaga manajemen kolektif, LMKs) administer represented rights and distribution pursuant to their legal mandates. An invoice should specify the period of use, relevant repertoire, copyright and related-rights coverage, user classification, lawful rate instrument and disputed-claim procedure. The possibility of a single coordinated collection does not make every private right, direct licence or previously obtained permission disappear.

Constitutional Court Decision No. 28/PUU-XXIII/2025 conditionally interprets the phrase "reasonable remuneration" in Article 87(1) as remuneration following the mechanisms and tariffs established by laws and regulations. Its interpretation of Article 23(5) also includes commercial performance organisers, and the interpretation of Article 113(2) requires restorative-justice principles before applying the relevant criminal sanction. These operative holdings bind the legal interpretation; they do not themselves enact a uniform per-seat rate, create a new small-business exemption, or make every billing disagreement a criminal offence.

A copyright royalty is remuneration arising from the exercise or authorization of an economic right. In the context of musical works, the legal analysis must distinguish the protected composition from the related performances and sound recordings through which a song may be enjoyed. Composers and copyright owners do not necessarily have the same legal interests as performers and phonogram producers. A restaurant's public use of recorded music may consequently implicate more than one category of rights. Explaining that distinction is essential because what appears to the user as one payment can incorporate several legal entitlements; without an intelligible breakdown, allegations of duplicate collection become more likely. Law No. 28 of 2014 recognizes economic rights and supplies the general framework for licensing, collective management, and remedies when those rights are violated. [10]

Government Regulation No. 56 of 2021 elaborates a centralized administrative process for commercial uses of music in public services. Article 3 places those uses within a royalty payment framework that includes restaurants, cafés, and other defined public-facing establishments. The relevant trigger is the commercial character of the use, not proof that music is listed as a separate item on the customer's bill. A restaurant may use music to maintain an attractive environment and to support its core hospitality activity; this is analytically distinct from an individual consumer playing a personal playlist for private enjoyment. Nevertheless, determining an enterprise's legal obligations requires attention to

[10] Law No. 28 of 2014 on Copyright.

the protected repertoire, the rights implicated, the type of activity, and the relevant licensing terms rather than a blanket assertion that all audible sounds are copyright-protected music. [11]

The essential process has three linked stages: collection from commercial users, aggregation within the collective management system, and distribution to the eligible owners of the rights. LMKN exercises a coordinating and collection function under the regulatory regime, while LMKs have a role in representing their members and distributing remuneration to them. A policy that emphasizes only the initial payment can therefore misdescribe the purpose of the institution. Collection is instrumental; the legally relevant destination of the money is the right holder whose work or performance generated the entitlement. The process should be judged by whether the revenue is collected consistently and traced through to an appropriately documented distribution. [12]

The music database and the Song and/or Music Information System, known as SILM, have a significant evidentiary function. A useful system should contain sufficient information to identify works, the persons entitled to payment, the relevant repertoire, and the recorded use of protected music. The quality of the information has consequences: an inaccurate match may delay a payment, a missing work may cause an amount to be held pending identification, and poor records may make it impossible for a user or creator to challenge an erroneous allocation. Legal certainty therefore entails more than a published rate schedule. It also requires understandable documentary records, an appropriate correction mechanism, and clear institutional responsibility for data maintenance. Mandala and colleagues' analysis of transparency supports the need for these safeguards. [13]

The implementing regime must be considered in its current version. Minister of Law Regulation No. 27 of 2025 concerns the implementation of Government Regulation No. 56 of 2021 and replaced the 2022 ministerial regulation. It addresses the collective management arrangement and the institutional authority to collect, aggregate, and distribute royalties from commercial users. The importance of the change is not merely chronological. An article intended to inform regulatory practice must accurately distinguish a statute, a government regulation, a ministerial implementing norm, an LMKN administrative requirement, and explanatory government information. Each source has a different formal status; an example provided on an agency website cannot silently be promoted to the position of a statutory rule. [14]

Earlier work by Muthmainnah, Pradita, and Abu Bakar analyzes copyright protection for songs and music under the 2021 government regulation and records the importance of systematic collection and distribution. The contribution of that study remains useful even after the 2025 ministerial update, because the basic distinction between the protected work and the administrative process of royalty management continues to structure the law. What must change in a contemporary

[11] Government Regulation No. 56 of 2021.

[12] Hasudungan Afrisyono Panjaitan, Jinner Sidauruk, and Debora, "Pengelolaan Royalti Hak Cipta Lagu dan Musik Berdasarkan PP 56/2021," *Nommensen Journal of Business Law* 1, no. 1 (2022): 47–59, https://ejournal.uhn.ac.id/index.php/business_law/article/view/566.

[13] Mandala et al., "Analisis Yuridis Transparansi," 195–208.

[14] Minister of Law Regulation No. 27 of 2025.

reading is the treatment of later implementing instruments and constitutional guidance. A source published in 2022 can establish the historical interpretation of the 2021 framework, but cannot by itself substantiate claims regarding the legal position after regulatory amendments in 2025. [15]

A commonly reported restaurant and café rate is IDR 60,000 per seat per year for copyright and IDR 60,000 for related rights, producing a combined illustrative charge of IDR 120,000 per seat per year where that classification and rate apply. This calculation is helpful for understanding the scale of the obligation, but it should not be represented as a constitutional tariff or an unavoidable minimum for every microenterprise. The applicable classification, administrative guidance, and potential relief require verification at the licensing stage. The legal relevance of a rate depends both on a valid normative basis and on its fair, comprehensible application to the particular user category. [16]

The distinction can be illustrated without manufacturing empirical data. At the reported standard seat rate, a restaurant with 20 licensed seats would face a nominal calculation of IDR 2.4 million for a year, whereas an establishment with 100 seats would face IDR 12 million. These figures are simple legal-policy illustrations, not observed annual payments, and they exclude any applicable discounts, concessions, exceptional categories, or subsequent tariff changes. A capacity-based formula scales with physical seats, but it may not scale with turnover, profitability, seasonality, or the actual intensity of music use. This becomes particularly important for micro and small enterprises with low seat occupancy or short operating periods. The appropriate policy question is whether the administrative system recognizes material differences while still preventing inaccurate underreporting. [17]

Recent official explanations confirm that the licensing model should not be confused with buying the right to play individual song titles. For general categories such as restaurants and cafés, LMKN described annual payment for the calendar-year period and stated that the obligation is connected to the business category and applicable tariffs rather than a fee for each song. This clarification can reduce compliance uncertainty and administrative friction. It does not mean that any payment is an unlimited license to use every work under every possible arrangement; users still need to understand coverage, exclusions, and the terms governing particular public uses. The relevant legal inference is that clear communication about the scope of a license must accompany the collection of a fee. [18]

---

[15] Nafisah Muthmainnah, Praxedis Ajeng Pradita, and Cika Alfiah Putri Abu Bakar, "Perlindungan Hukum Terhadap Hak Cipta Bidang Lagu dan/atau Musik Berdasarkan PP Nomor 56 Tahun 2021," *Padjadjaran Law Review* 10, no. 1 (2022): 110–123.

[16] Directorate General of Intellectual Property, "DJKI Bersama LMKN Gelar Konsultasi Teknis Royalti Lagu dan Musik," https://dgip.go.id/artikel/detail-artikel-berita/djki-bersama-lmkn-gelar-konsultasi-teknis-royalti-lagu-dan-musik?kategori=liputan-humas.

[17] Dirkareshza et al., "Urgensi Reformulasi Mekanisme," 165–196.

[18] National Collective Management Organization (LMKN), "Lagu Diputar di Restoran hingga Kafe, Begini Penjelasan LMKN soal Royalti," September 16, 2026, https://www.lmkn.id/berita/artikel-original/lagu-diputar-di-restoran-hingga-kafe-begini-penjelasan-lmkn-soal-royalti.

A related source of misunderstanding concerns digital streaming subscriptions. The fact that a restaurant pays a personal subscription fee to a music platform does not necessarily confer the right to communicate recordings to customers in a commercial public setting. The Directorate General of Intellectual Property made this distinction explicit in its 2025 guidance on businesses that do not primarily operate in the music sector. For compliance purposes, operators should distinguish access to a digital service from authorization for the intended public commercial use. They should also examine whether claimed royalty-free or Creative Commons music actually permits the specific commercial activity in question; a label chosen by an uploader is not sufficient evidence of title or licensing rights. [19]

The system also creates legal duties for the collecting institution. Where a collective body acts on behalf of large numbers of right holders and receives compulsory or widely applicable payments, it should maintain adequate books, produce comprehensible statements, safeguard information, and allow legitimate questions about distribution to be reviewed. A user who is presented with an invoice has an interest in knowing its legal basis; a creator whose works were used has an interest in knowing how the resulting royalty was attributed. Maharani and Tarina emphasize the protective role of collective management, while later scholarship underscores the risks to institutional legitimacy when transparency is incomplete. These two concerns point toward the same result: accountable management is part of the justification for collection. [20]

The Constitutional Court's December 2025 decision makes the legal basis of payment even more significant. In Case No. 28/PUU-XXIII/2025, the Court conditionally interpreted the phrase on reasonable remuneration in Article 87(1) so that it refers to mechanisms and tariffs under laws and regulations. The holding prevents an analysis based entirely on a discretionary conception of fairness. At the same time, the decision neither eliminates the economic rights recognized in copyright law nor declares all pre-existing business classifications intrinsically reasonable. The proper conclusion is that tariff-setting and its implementation require a transparent legal foundation, and that the Court's interpretation must inform subsequent administration. [21]

2. Consequences for Restaurant Operators and the Requirements of Fair Administration

Illustrative tariff sensitivity—not evidence of actual invoices or profitability: if an officially applicable annual charge were IDR 120,000 per seat and the same authorised classification applied to both enterprises, a 20-seat restaurant would face an arithmetic annual amount of IDR 2,400,000 and a 100-seat restaurant IDR

[19] Directorate General of Intellectual Property, "Mempelajari Kewajiban Bayar Royalti untuk Bisnis Non-Musik," July 28, 2025, https://www.dgip.go.id/artikel/detail-artikel-berita/mempelajari-kewajiban-bayar-royalti-untuk-bisnis-non-musik?kategori=agenda-ki.

[20] Vira Nur Maharani and Dwi Desi Yayi Tarina, "Wewenang dan Tanggungjawab Lembaga Manajemen Kolektif Nasional (LMKN) Dalam Perlindungan Hak Ekonomi Musisi Indonesia," *Jurnal Interpretasi Hukum* 5, no. 1 (2024): 881–888, https://doi.org/10.22225/juinhum.5.1.8545.881-888.

[21] Constitutional Court Decision No. 28/PUU-XXIII/2025.

12,000,000. This is a hypothetical multiplication, not a verified tariff for every year, venue or category. Real liability must be checked against the applicable instrument, licence duration, repertoire coverage and any microenterprise relief under Article 11 of Government Regulation No. 56 of 2021. Without observed sales and utilisation data, neither example proves economic distress or business closure.

The legal consequences of nonpayment must also be separated. A disputed administrative invoice is not automatically a crime; liability may depend on an existing licence contract, an infringement of a protected economic right, the available civil remedies, and—only where the requisite statutory elements are met—the criminal provisions of the Copyright Law. The Constitutional Court's restorative-justice interpretation does not negate the need first to establish an applicable offence. The transparency model proposed here combines statutory audit duties under Government Regulation No. 56 of 2021 with additional recommended publication of readable repertoire, invoice and distribution explanations, clearly identified as policy proposals where not expressly mandated.

Music can support the commercial identity of a restaurant by contributing to atmosphere, customer experience, and the perceived quality of service. From the operator's perspective, a licensing fee is consequently a cost associated with using a protected productive input, comparable in principle to paying for lawful access to other business resources. Yet a royalty should not be analyzed as if all restaurants derive identical financial benefit from music. A venue that advertises live entertainment differs materially from a small eating house that occasionally plays recorded songs at low volume. A sound regulatory system can preserve the underlying obligation while differentiating the method and level of collection in ways that reflect the economic situation of each business. [22]

The most immediate consequence of the royalty regime is the inclusion of an additional compliance item in operating costs. This can affect planning, especially where businesses are owned and operated by families and have little capacity to absorb a fixed annual charge. A small business may have to decide whether music materially benefits its service, whether licensed repertoire can be used efficiently, and how to record payments. These are genuine cost-management questions, but they do not establish that every royalty levy is unaffordable or will cause closure. Without field data, that broader empirical conclusion cannot responsibly be drawn. The normative question is instead whether the legal design contains enough flexibility and procedural safeguards to avoid unnecessary hardship while maintaining the creator's entitlement. [23]

The importance of proportionality also appears in Balfas, Dwisvimiar, and Gunawati's 2026 analysis of a proportional royalty system for commercial music use. A proportional arrangement should not be confused with individualized bargaining in which users simply pay what they regard as reasonable. Instead, the criteria must be publicly announced, consistently applied, and tied to evidence that can be checked by the collective management system. Otherwise differentiated tariffs could replace one form of inequity with another by rewarding operators

[22] I Gusti Lanang Surya Putra, Si Ngurah Ardhya, and Muhamad Jodi Setianto, "Implementasi Ketentuan Pasal 3 Ayat 2 Peraturan Pemerintah Nomor 56 Tahun 2021," *Jurnal Ilmu Hukum Sui Generis* 3, no. 3 (2023): 35–45, https://doi.org/10.23887/jih.v3i3.2590.

[23] Dirkareshza et al., "Urgensi Reformulasi Mekanisme," 165–196.

who conceal their true capacity. A carefully designed classification and review system can provide the legal certainty emphasized by the Constitutional Court while giving smaller enterprises a workable path to compliance. [24]

A purely seat-based formula is administratively attractive because seats are visible and countable; it is easier to audit than individual perceptions of musical value. Administrative simplicity has public value because it reduces transaction costs for users and the collecting organization. Simplicity, however, cannot be the only standard of justice. Two restaurants with equal seating capacity may differ in location, opening hours, customer turnover, gross sales, and whether music is continuously played. A tariff may therefore be clear and still create uneven relative burdens. The policy challenge is to balance administrative feasibility with meaningful proportionality, for example by granting concessions according to appropriately defined business size, recorded capacity, or other objectively verifiable indicators. [25]

The normative structure already contains a basis for differentiated treatment. Government communications about PP No. 56 of 2021 recognized relief for microenterprises, and the Directorate General of Intellectual Property subsequently described procedures for eligible micro, small, and medium businesses to seek reductions or exemptions through the competent collective management arrangements. The existence of a possible relief route should not be mistaken for automatic exemption. A proprietor needs accessible instructions, a transparent list of required evidence, a clear decision, and a workable objection procedure if relief is denied. Without these safeguards, a concession stated in policy risks remaining ineffective for the businesses it is designed to assist. [26]

A recent study by Aggistri and Putra explicitly explores the reconstruction of the music royalty payment model for Indonesian micro, small, and medium enterprises. Its significance for the present inquiry is methodological as well as substantive: an operator's financial capacity should be part of the analysis of fair design, but the existence of a differentiated charge cannot be evaluated in isolation from the creators' continuing rights and the administrative rules that govern collection. By treating a small-business concession as a justified modification of implementation rather than a negation of copyright, proportional regulation becomes more compatible with the twin aims of protecting property and sustaining lawful enterprise. This insight reinforces the need for an objectively administered relief process supported by transparent eligibility criteria. [27]

The effectiveness of any relief mechanism turns on access to information. Small operators may lack specialist legal advice and may not understand the relationship between the copyright statute, PP No. 56 of 2021, the ministerial regulation, and LMKN's licensing process. Accessible model invoices, plain-

---

[24] Naura Zahrahmani Syahbana Rafiqi Balfas, Inge Dwisvimiar, and Anne Gunawati, "Proportional Royalty System for Commercial Music Use in Indonesia," *Academia Open* 11, no. 1 (2026), https://doi.org/10.21070/acopen.11.2026.14316.

[25] Dirkareshza et al., "Urgensi Reformulasi Mekanisme," 165–196.

[26] DJKI, "Mempelajari Kewajiban Bayar Royalti."

[27] Zayyan Syafiqah Aggistri and Moody R. Syailendra Putra, "Reconstructing the Music Royalty Payment Model for Micro, Small, and Medium Enterprises (UMKM) in Indonesia," *Al-Risalah: Jurnal Ilmu Syariah dan Hukum* 26, no. 1 (2026): 1179–1197, https://doi.org/10.24252/al-risalah.vi.67425.

language guidance, a public tariff calculator, and clear distinctions among the categories of users would reduce avoidable compliance errors. It is also important for an operator to know whether payment covers background recordings, live performances, or other activities and whether a venue should contact LMKN when its business model changes. This is not an argument for lowering legal standards; it is an argument for making the existing standards administratively usable. [28]

Business certainty depends on preserving documents that connect the user to a defined license. The relevant documentation may include a verified registration, classification of the venue, licensed period, invoice, proof of payment, and the applicable repertoire or scope of authorization. Those records can support the operator if a dispute arises over whether a fee has already been paid or whether a particular use falls within the license. Nonetheless, neither an invoice nor a payment receipt should be described as providing absolute immunity from civil or criminal liability for all copyright activities. Protection extends only as far as the legal rights that have actually been cleared and the conduct that remains within the authorized terms. [29]

Copyright enforcement also calls for care in distinguishing a failure to pay royalties from the intentional exploitation of protected works that may satisfy a particular statutory offense. The legal requirements for a claim or prosecution are not identical to the administrative fact that a venue lacks a current license. The Constitutional Court's 2025 decision additionally addressed the application of restorative justice to a specified criminal-law provision, highlighting the need to avoid describing every licensing dispute as a matter that should result immediately in punishment. The regulatory priority should be feasible licensing, correction of mistakes, and appropriate dispute resolution, while preserving lawful remedies where infringement is established. [30]

This distinction between the general obligation and the evidence needed for lawful enforcement is particularly important because the conduct addressed by the Copyright Law is not exhausted by one type of infringement. Tambunan and Silahahi discuss unauthorized commercial uses of musical works, illustrating the importance of defining the scope of a protected right before describing a user's conduct as infringing. Their analysis supports the narrower conclusion advanced here: restaurant operators should comply with the relevant rights, but neither every private playback nor every disputed invoice proves a completed violation. A properly reasoned claim must connect a protected work, the legally relevant act of use, the absence or insufficiency of authorization, and the remedy established by applicable law. [31]

The economic rationale for collective administration also requires a reliable distribution function. Creators and performers have little reason to trust the system if a user can pay but a right holder cannot verify where the money went. Reports on royalty allocation, criteria for identifying rights owners, treatment of

[28] LMKN, "Lagu Diputar di Restoran hingga Kafe."

[29] Law No. 28 of 2014 on Copyright.

[30] Constitutional Court Decision No. 28/PUU-XXIII/2025.

[31] Adriel Manumpak Panagian Tambunan and Wilma Silahahi, "Analisis Yuridis terhadap Penggunaan Lagu secara Komersial tanpa Izin Pencipta," *Jurnal Tana Mana* 6, no. 1 (2025): 340–350, https://doi.org/10.33648/jtm.v6i1.1013.

unclaimed funds, and independent auditing are therefore substantively relevant to the regime's fairness. Mandala and colleagues discuss transparency deficiencies in royalty management; those problems suggest that an obligation to pay is best paired with a corresponding institutional duty to account. This reciprocal structure is crucial for preventing a public-interest scheme from being perceived merely as a revenue collection operation. [32]

There is also a risk of conceptual confusion over who receives the money. LMKN is the body designated to collect and manage payments under the relevant system, but it should not be treated as the beneficial owner of the intellectual property interests from which the royalties arise. Users pay in order to satisfy entitlements associated with protected works and related rights; the collecting institution administers the transfer. Properly designed information systems should make this distinction evident through reporting on entitlements, distribution, costs, and reserves. Such reporting is a practical expression of distributive justice because it allows those who bear the burden to understand the destination and rationale of their contributions. [33]

A credible model would permit periodic review of categories and relief decisions without making legal obligations arbitrary. It would distinguish enterprises that make music central to their commercial offering from those in which it is peripheral, but any such distinction must be transparent and based on criteria that can be substantiated. It should provide prospective notice of changes, avoid surprise retroactive liabilities where the law does not authorize them, and explain the documentary requirements for smaller businesses. Regulatory design is strongest when it combines consistent treatment of comparable users with justified distinctions among materially different users. That combination is a defensible expression of equal treatment rather than an exemption from the underlying rights of musicians. [34]

3. Evaluating the Royalty Regime Through Maslahah Mursalah

Applied as a maslahah mursalah test, the first criterion is a genuine public benefit: protection of creators and performers and lawful access to music. The second is avoidance of disproportionate harm: an invoice that cannot show the repertoire, lawful tariff or legal mandate fails the safeguards of legal certainty even if the collection goal is legitimate. The third is compatibility with the hierarchy of Indonesian positive law: religious ethical reasoning may support fair distribution and relief but does not itself set rates. For example, a microenterprise claiming statutory relief should receive a documented classification decision and an accessible correction channel; the recommended improvement is an enforceable written procedure, not a suspension of all royalties.

Maslahah mursalah is a method of legal reasoning in Islamic jurisprudence concerned with a genuine welfare interest for which there is no specific authoritative text directly prescribing the disputed arrangement, provided that the proposed rule remains consistent with the objectives and fundamental principles of Islamic law. It is not synonymous with convenience or a political claim that a

[32] Mandala et al., "Analisis Yuridis Transparansi," 195–208.
[33] Maharani and Tarina, "Wewenang dan Tanggungjawab," 881–888.
[34] Dirkareshza et al., "Urgensi Reformulasi Mekanisme," 165–196.

measure is popular. The method requires juristic discipline: an alleged benefit must be identifiable, should serve legitimate communal interests, and must not contradict a binding legal principle. Aminudin, Panjaitan, and Lubis describe the juristic debate over the acceptance and limitations of maslahah mursalah, illustrating why an appeal to welfare should be supported by substantive reasoning rather than asserted as a slogan. [35]

This framework is suitable for examining the organization of modern copyright royalties because the precise machinery of collective licensing, electronic registries, annual seat-based classifications, and digital reporting is the product of modern institutions. The specific mechanism is not set out in classical legal texts, yet the interests implicated by the mechanism are familiar: legitimate ownership, fair exchange, protection from unlawful appropriation, avoidance of unjust enrichment, and prevention of harm. The question is therefore whether the contemporary legal arrangement concretely safeguards those interests, not whether a particular twenty-first-century administrative form can be found in a classical source. This distinction allows Islamic legal analysis to engage modern regulation without anachronistically attributing technical rules to earlier jurists. [36]

A central objective implicated here is hifz al-mal, the protection of property and lawful economic interests. A musical work results from intellectual effort, collaboration, skill, and investment; where the legal system recognizes economic rights in that work, its unlicensed commercial appropriation may undermine the legitimate interests of the persons who created or performed it. The protection of intangible creative assets can be discussed through contemporary Islamic analyses of intellectual property, often using the language of haqq al-ibtikar or rights arising from intellectual creativity. The juridical claim is strongest when the protected interest is specified and the remuneration is connected to authorized commercial use, rather than when royalty payment is presented as an unlimited entitlement unrelated to rights or usage. [37]

The Indonesian Ulema Council's Fatwa No. 1 of 2003 on Copyright is significant to this conceptual analysis. It recognizes copyright protection within its own normative sphere and condemns infringements such as unauthorized appropriation. Its doctrinal status must be represented correctly: it is a religious legal opinion, not a government regulation establishing a particular restaurant seat tariff or delegating the statutory power to collect royalties. A sound analysis can use it to explain why infringement may constitute an ethical and legal harm under Islamic reasoning, while relying on the Copyright Law and its implementing instruments for the positive-law obligation imposed on restaurant operators. This separation of normative roles avoids a common confusion between moral justification and state-law enforcement. [38]

Islamic-law writing on online cover-song royalties also illustrates the importance of separating the fact of copying, the permission or license actually

[35] Aminudin, Panjaitan, and Lubis, "Perdebatan Para Mujtahid," 67–73.

[36] Rizqi Izrul Alamsyah and Rita Rahmawati, "Perlindungan Hukum Terhadap Hak Cipta Karya Seni Digital Perspektif Hukum Islam," *El Hisbah: Journal of Islamic Economic Law* 3, no. 2 (2023): 191–204, https://doi.org/10.28918/elhisbah.v3i2.1204.

[37] Alamsyah and Rahmawati, "Perlindungan Hukum Terhadap Hak Cipta," 191–204.

[38] Indonesian Ulema Council, Fatwa No. 1 of 2003.

granted, and the economic interests at stake. Husna and Permata examine the issue by reference to the Indonesian Ulema Council's copyright fatwa, although their object is digital content rather than restaurant background music. Their conceptual discussion helps explain why protection of creative ownership is a general normative concern, while the payment methods applicable to distinct commercial settings must still be derived from the specific positive-law framework. Analogies among business models should therefore be used to develop legal principles, not to erase differences in use, licensing, and the persons responsible for payment. [39]

The same assessment cannot end with the right holder's property interest. The restaurant owner's lawful assets and ability to sustain a viable business are also implicated in hifz al-mal. A burdensome or unpredictable royalty system may transfer excessive costs to enterprises with limited capacity or encourage a reduction in other lawful expenditures, including wages and business investment. The precise magnitude of that risk is empirical and varies by business; it should not be exaggerated in a doctrinal study. Nevertheless, recognizing the competing property interests is necessary if maslahah mursalah is to function as a balancing method rather than as a one-sided instrument that grants automatic priority to one class of actor. [40]

Two well-known evaluative ideas capture this dual concern: jalb al-masalih, the securing of benefits, and dar' al-mafasid, the prevention of harm. Ensuring that composers receive appropriate remuneration can encourage creative production and reduce unauthorized exploitation. Giving businesses predictable and affordable pathways to lawful use can support compliance, sustain enterprises, and reduce conflict. By contrast, opaque tariffs, erroneous attribution, excessive enforcement, or burdens that ignore the existence of meaningful relief can generate avoidable harm. A balanced assessment requires identifying both the benefit sought and the preventable costs of the means selected. The familiar proposition that preventing harm has priority over acquiring benefit should be applied with attention to the nature and degree of the competing effects, not mechanically to justify the abolition of copyright remuneration. [41]

An instructive distinction can be drawn between the legitimacy of the royalty obligation and the quality of its implementation. The underlying obligation is grounded in the protection of lawful economic rights and can accordingly be justified under the welfare objectives of Islamic commercial law. Its implementation may nevertheless be defective if information about rates is unavailable, if collection is unsupported by identifiable authority, if rights holders are not fairly paid, or if eligible small enterprises cannot obtain the relief contemplated by the governing policy. These deficiencies do not logically extinguish copyright, but they do create grounds for reform of administrative procedures. Maslahah mursalah thus operates as an evaluative principle for

[39] Siti Husna and C. Permata, "Kewajiban Pembayaran Royalti atas Cover Lagu Perspektif Fatwa DSN Nomor 1 Tahun 2003 Tentang Hak Cipta," *UNES Law Review* 6, no. 2 (2024): 7624–7636, https://doi.org/10.31933/unesrev.v6i2.1657.

[40] Dirkareshza et al., "Urgensi Reformulasi Mekanisme," 165–196.

[41] Aminudin, Panjaitan, and Lubis, "Perdebatan Para Mujtahid," 67–73.

designing and correcting institutions rather than an exception that nullifies rights whenever payment is inconvenient. [42]

Three conditions can discipline the public-interest claim in this setting. First, the benefit should be real and legally intelligible: a licensing system must actually connect authorized use with remuneration to the relevant rights holders. Second, the benefit should not merely privilege a narrow institutional interest; the allocation process must support a wider and defensible network of creators, performers, users, and the public. Third, the means chosen should not conflict with higher legal commitments, including protection of property, fairness in exchange, and the prohibition of harmful or deceptive practices. These conditions resonate with the work of Islamic legal scholars who treat maslahah as a structured juristic method rather than discretionary policy preference. [43]

For a contemporary royalty institution, the first condition requires an effective registration and claims process. A creator whose work is exploited should have a realistic route to establish entitlement, correct erroneous metadata, and claim unpaid amounts. The second requires accessible disclosure of the broad rules for collection and distribution, so that an invoice paid by a user is associated with an auditable system rather than an unexplained demand. The third requires a payment and relief design that is reasonable, applied consistently, and capable of redressing mistakes. These institutional safeguards are the concrete administrative implications of maslahah; without them, the invocation of religious welfare theory adds little to the doctrinal analysis. [44]

Proportionality is especially relevant to micro and small establishments. An appropriately verified concession may protect the viability of a smaller operator without negating the creator's right to payment. The legal form could include a reduction, tailored classification, phased payment, or another relief mechanism authorized by competent rules. This article does not claim that any one precise percentage is prescribed by classical Islamic jurisprudence. Rather, it argues that criteria of financial capacity, frequency of use, and procedural accessibility can serve as modern evidentiary indicators of whether an administrative rule is likely to generate preventable harm. The Directorate General of Intellectual Property's advice regarding micro-, small-, and medium-enterprise relief confirms that differentiated treatment is not alien to the system. [45]

A second practical requirement is transparent distribution. If rights holders cannot determine how a royalty amount is calculated or if members of an LMK cannot obtain adequate information about payments, the scheme's professed purpose of protecting creative property may be weakened. An appropriate administrative architecture should therefore support independently verifiable records, published financial accounts, mechanisms for correcting work identifiers, and a channel for challenging decisions. This approach is simultaneously a matter of public administration, copyright law, and the protection of trust in transactions. Within the Islamic framework, careful stewardship of funds entrusted for

[42] Maharani and Tarina, "Wewenang dan Tanggungjawab," 881–888.
[43] Aminudin, Panjaitan, and Lubis, "Perdebatan Para Mujtahid," 67–73.
[44] Mandala et al., "Analisis Yuridis Transparansi," 195–208.
[45] DJKI, "Mempelajari Kewajiban Bayar Royalti."

distribution is closely aligned with the wider moral concern that an agent should not exploit its position at the expense of those whose property it manages. [46]

A third requirement is a fair sequence of enforcement. Users who genuinely misunderstand their classification or receive conflicting guidance should have access to clear notices and a reasonable opportunity to correct the problem where the legal framework permits. Intentional exploitation, repeated noncompliance, and disputes about repertoire or ownership should be addressed through the legally appropriate processes rather than treated as identical cases. Constitutional Court Decision No. 28/PUU-XXIII/2025 is significant because its treatment of a relevant criminal provision expressly incorporates a restorative-justice consideration. A calibrated enforcement design may better secure copyright compliance and preserve business relationships than automatic escalation of every administrative disagreement into an adversarial dispute. [47]

These elements can be formulated as a connected normative test. The legality component asks whether an obligation has a clear statutory and regulatory basis and whether the correct instrument is being applied. The entitlement component asks whether the protected repertoire and relevant rights are identifiable. The proportionality component asks whether comparable users are treated consistently and whether legally available relief can be effectively accessed. The accountability component asks whether collection and distribution can be audited and challenged. The dispute-resolution component asks whether errors can be corrected and sanctions applied within legal limits. Each component responds to a form of potential harm; together they convert the general concern for maslahah into operational criteria for assessing restaurant music royalty administration. [48]

The relationship between maslahah mursalah and positive Indonesian law should ultimately be complementary, not substitutionary. The constitutional and statutory framework determines what the state may require; Islamic legal reasoning evaluates the justice, benefit, and harm of the resulting arrangements and can help shape a defensible policy response. No single theory should be used to override the text of a binding rule by assertion alone. A genuinely beneficial system is one in which rights holders receive lawful remuneration, business operators can understand and comply with their obligations, and the institutions administering the money are subject to scrutiny. The normative insight of maslahah is not that copyright is always more important than business continuity, or vice versa, but that legal institutions should protect both interests through the least harmful credible means. [49]

CONCLUSION

The Indonesian restaurant music royalty regime is anchored in Law No. 28 of 2014 and Government Regulation No. 56 of 2021, with its institutional implementation updated by Minister of Law Regulation No. 27 of 2025. Constitutional Court Decision No. 28/PUU-XXIII/2025 clarified that reasonable remuneration under Article 87(1) must be understood by reference to mechanisms and tariffs established through applicable legislation. These

[46] Mandala et al., "Analisis Yuridis Transparansi," 195–208.
[47] Constitutional Court Decision No. 28/PUU-XXIII/2025.
[48] Dirkareshza et al., "Urgensi Reformulasi Mekanisme," 165–196.
[49] Alamsyah and Rahmawati, "Perlindungan Hukum Terhadap Hak Cipta," 191–204.

instruments support the remuneration of copyright owners and related-rights holders when protected music is used commercially in restaurants. They should be read together, without presenting a superseded regulation as current law or suggesting that the Constitutional Court prescribed a fixed rate for all restaurants.

The principal difficulty lies not in the mere existence of a royalty obligation but in its administration and distributional consequences. Standard business classifications and rates can make collection manageable, yet legal certainty also requires transparent invoices, a clear statement of licensed rights, reliable databases, auditability, and mechanisms for correcting mistakes. Small enterprises require accessible information and meaningful consideration under the relevant relief arrangements; at the same time, creators must be able to trace collection and distribution. A royalty receipt is evidence of payment within the scope of the relevant license, not an unlimited exemption from other legal duties.

From the perspective of maslahah mursalah, lawful remuneration for creative work advances hifz al-mal and the prevention of unauthorized appropriation. The same normative framework rejects avoidable harm generated by opaque or disproportionate procedures. This article accordingly proposes a five-part assessment covering legality, entitlement, proportionality, accountability, and dispute resolution. Further empirical work should test whether the current licensing process and relief arrangements are accessible to micro and small restaurants and whether distribution records accurately reflect the use of protected works. The recommendation is institutional reform that strengthens both creators' rights and legitimate commercial use, not the elimination of either interest.

REFERENCES

Aggistri, Zayyan Syafiqah, and Moody R. Syailendra Putra. “Reconstructing the Music Royalty Payment Model for Micro, Small, and Medium Enterprises (UMKM) in Indonesia.” *Al-Risalah: Jurnal Ilmu Syariah dan Hukum* 26, no. 1 (2026): 1179–1197. https://doi.org/10.24252/al-risalah.vi.67425.

Alamsyah, Rizqi Izrul, and Rita Rahmawati. “Perlindungan Hukum Terhadap Hak Cipta Karya Seni Digital Perspektif Hukum Islam.” *El Hisbah: Journal of Islamic Economic Law* 3, no. 2 (2023): 191–204. https://doi.org/10.28918/elhisbah.v3i2.1204.

Aminudin, Budi Sastra Panjaitan, and Fauziah Lubis. “Perdebatan Para Mujtahid Tentang Teori Mashlahah Mursalah.” *Rechtsnormen: Jurnal Komunikasi dan Informasi Hukum* 2, no. 2 (2024): 67–73. https://doi.org/10.56211/rechtsnormen.v2i2.477.

Balfas, Naura Zahrahmani Syahbana Rafiqi, Inge Dwisvimiar, and Anne Gunawati. “Proportional Royalty System for Commercial Music Use in Indonesia.” *Academia Open* 11, no. 1 (2026). https://doi.org/10.21070/acopen.11.2026.14316.

Benuf, Kornelius, and Muhamad Azhar. “Metodologi Penelitian Hukum sebagai Instrumen Mengurai Permasalahan Hukum Kontemporer.” *Gema Keadilan* 7, no. 1 (2020): 20–33.

Constitutional Court of the Republic of Indonesia. Decision No. 28/PUU-XXIII/2025, December 17, 2025.

Directorate General of Intellectual Property (DJKI). "DJKI Bersama LMKN Gelar Konsultasi Teknis Royalti Lagu dan Musik." Ministry of Law, accessed October 23, 2026. https://dgip.go.id/artikel/detail-artikel-berita/djki-bersama-lmkn-gelar-konsultasi-teknis-royalti-lagu-dan-musik?kategori=liputan-humas.

Directorate General of Intellectual Property (DJKI). "Mempelajari Kewajiban Bayar Royalti untuk Bisnis Non-Musik." July 28, 2025. https://www.dgip.go.id/artikel/detail-artikel-berita/mempelajari-kewajiban-bayar-royalti-untuk-bisnis-non-musik?kategori=agenda-ki.

Dirkareshza, Rianda, Monica Hermala Rahayu, Nursanti Mardiyati, and Aisyah Nikita Permata Putri. "Urgensi Reformulasi Mekanisme Pemungutan Royalti Musik bagi UMKM Restoran sebagai Solusi atas Paradoks Penegakan Hukum Hak Cipta di Indonesia." *Jurnal BATAVIA* 2, no. 3 (2025 issue; published 2026): 165–196. https://doi.org/10.64578/batavia.v2i3.190.

Husna, Siti, and C. Permata. "Kewajiban Pembayaran Royalti atas Cover Lagu Perspektif Fatwa DSN Nomor 1 Tahun 2003 Tentang Hak Cipta (Studi Kasus YouTuber di Kota Medan)." *UNES Law Review* 6, no. 2 (2024): 7624–7636. https://doi.org/10.31933/unesrev.v6i2.1657.

Indonesian Ulema Council (Majelis Ulama Indonesia). Fatwa No. 1 of 2003 on Copyright, January 18, 2003. https://mui.or.id/storage/fatwa/20ecab643ee4e0f771d4bf7ed34d2d16-lampiran.pdf.

Maharani, Vira Nur, and Dwi Desi Yayi Tarina. "Wewenang dan Tanggungjawab Lembaga Manajemen Kolektif Nasional (LMKN) Dalam Perlindungan Hak Ekonomi Musisi Indonesia." *Jurnal Interpretasi Hukum* 5, no. 1 (2024): 881–888. https://doi.org/10.22225/juinhum.5.1.8545.881-888.

Mandala, Opan Satria, M. Sofian Assaori, Suntarajaya Kwangtama Tekayadi, Saparudin Efendi, and Zubaedi. "Analisis Yuridis Transparansi dalam Sistem Pengelolaan Royalti Musik di Indonesia Melalui Lembaga Manajemen Kolektif Nasional." *Jurnal Fundamental Justice* 6, no. 2 (2025): 195–208. https://doi.org/10.30812/fundamental.v6i2.5203.

Muthmainnah, Nafisah, Praxedis Ajeng Pradita, and Cika Alfiah Putri Abu Bakar. "Perlindungan Hukum Terhadap Hak Cipta Bidang Lagu dan/atau Musik Berdasarkan PP Nomor 56 Tahun 2021." *Padjadjaran Law Review* 10, no. 1 (2022): 110–123. https://jurnal.fh.unpad.ac.id/index.php/plr/article/view/898.

National Collective Management Organization (LMKN). "Lagu Diputar di Restoran hingga Kafe, Begini Penjelasan LMKN soal Royalti." September 16, 2026. https://www.lmkn.id/berita/artikel-original/lagu-diputar-di-restoran-hingga-kafe-begini-penjelasan-lmkn-soal-royalti.

Panjaitan, Hasudungan Afrisyono, Jinner Sidauruk, and Debora. "Pengelolaan Royalti Hak Cipta Lagu dan Musik Berdasarkan PP 56/2021." *Nommensen Journal of Business Law* 1, no. 1 (2022): 47–59. https://ejournal.uhn.ac.id/index.php/business_law/article/view/566.

Putra, I Gusti Lanang Surya, Si Ngurah Ardhya, and Muhamad Jodi Setianto. "Implementasi Ketentuan Pasal 3 Ayat 2 Peraturan Pemerintah Nomor 56 Tahun 2021 (Studi Kasus pada Kedai Kopi di Kota Singaraja)." *Jurnal Ilmu*

Hukum Sui Generis 3, no. 3 (2023): 35–45. https://doi.org/10.23887/jih.v3i3.2590.

Republic of Indonesia, Ministry of Law. Minister of Law Regulation No. 27 of 2025 on the Implementation of Government Regulation No. 56 of 2021 (State Bulletin 2025 No. 580).

Republic of Indonesia. Government Regulation No. 56 of 2021 on the Management of Royalties for the Copyright of Songs and/or Music (State Gazette 2021 No. 86).

Republic of Indonesia. Law No. 28 of 2014 on Copyright (State Gazette 2014 No. 266).

Tambunan, Adriel Manumpak Panagian, and Wilma Silahahi. "Analisis Yuridis terhadap Penggunaan Lagu secara Komersial tanpa Izin Pencipta dalam Perspektif Undang-Undang Hak Cipta." *Jurnal Tana Mana* 6, no. 1 (2025): 340–350. https://doi.org/10.33648/jtm.v6i1.1013.