



**LEGAL PROTECTION FOR CONSUMER IN CASH ON
DELIVERY ENGAGEMENT**

UNDERGRADUATE THESIS

**Submitted as one of the requirements to obtain
Sarjana Hukum (S.H.)**

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LAW STUDY PROGRAM

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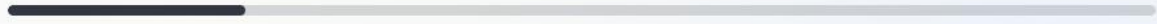
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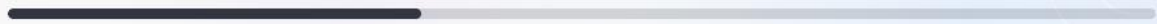
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ABSTRAK

Tanggung Jawab Produk, merupakan tanggung jawab perdata dari pelaku usaha atas kerugian yang dialami konsumen akibat produk yang dihasilkannya. Pentingnya hukum tentang prinsip tanggung jawab mutlak (strict liability) dalam mengantisipasi adanya kerugian terhadap perlindungan konsumen yang memiliki posisi yang cenderung selalu dirugikan, khususnya pada transaksi online dengan sistem cash on delivery. Maraknya permasalahan yang terjadi pada masyarakat di Indonesia berkaitan dengan tingkat perlindungan konsumen yang rendah disebabkan oleh ketidaktahuan konsumen dan adanya indikasi kecurangan yang dilakukan beberapa oknum pelaku usaha khususnya pada sistem cash on delivery. Tujuan penelitian ini adalah Untuk mengetahui dan mendeskripsikan bagaimana implementasi perlindungan konsumen (strict liability) dalam membantu perkembangan hukum dalam melindungi kepentingan konsumen. Penelitian ini menggunakan data sekunder sebagai data utama dan menggunakan Studi Kepustakaan sebagai teknik pengumpulan bahan. Semua bahan yang dikumpulkan selanjutnya diinventarisasi, diklasifikasi, dan dianalisis dengan menggunakan analisis deskriptif. Hasil penelitian ini adalah Penerapan prinsip tanggung jawab Strict liability terhadap ketentuan Undang-Undang Perlindungan Konsumen No. 8 Tahun 1999 yaitu, tanpa melihat adanya unsur kesalahan dari pelaku usaha, artinya pelaku usaha selalu bertanggung jawab atas kerugian konsumen dengan memberikan ganti rugi atas kerusakan, pencemaran dan/atau kerugian konsumen yang diakibatkan oleh konsumsi barang dan/atau jasa yang dihasilkan atau diedarkan.

Kata kunci : Cash on delivery, Strict liability, Perlindungan hukum

ABSTRACT

Product liability, is the civil liability of the entrepreneur for losses suffered by the consumer as a result of the product produced by him. The importance of the law on the principle of strict liability in anticipating the loss to the protection of consumers who have a position that is always prone to harm, especially in online transactions with the system of cash on delivery. The aim of this study is to find out and describe how the implementation of strict liability in helping legal developments in protecting consumer interests. This research uses secondary data as the primary data and uses Library Studies as a material collection technique. All collected materials are subsequently inventorized, classified, and analyzed using descriptive analysis. The result of this study is the application of the principle of strict liability to the provisions of the Consumer Protection Act No. 8 of 1999, that is, without regard to the element of the fault of the entrepreneur, which means that the entrepreneur is always responsible for the loss of consumers by providing compensation for the damage, pollution and / or losses consumers caused by the consumption of the goods and/or services produced or distributed.

Keyword : Cash On Delivery, Online Transaction, Legal Protection

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