

ABSTRAK

PERANAN BADAN PENYELESAIAN SENGKETA KONSUMEN DALAM PENYELESAIAN SENGKETA KONSUMEN TERHADAP MASYARAKAT TIDAK MAMPU BERDASARKAN PASAL 52 UNDANG-UNDANG NOMOR 8 TAHUN 1999 TENTANG PERLINDUNGAN KONSUMEN

(Studi Putusan Nomor 258/Pdt.G/2020/PN.Blb)

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Perkembangan zaman saat ini sangat mempengaruhi aspek ekonomi khususnya dunia perdagangan. Pelaku Usaha sering bertindak seenaknya tanpa peduli akan hak Konsumen, sehingga timbul banyaknya sengketa Konsumen. Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen diharap mampu melindungi Konsumen, maka untuk mencapai tujuan tersebut muncul Badan Penyelesaian Sengketa Konsumen (BPSK), bertujuan meningkatkan harkat martabat Konsumen. Penulis tertarik untuk meneliti bagaimana peranan Badan Penyelesaian Sengketa Konsumen (BPSK) dalam menyelesaikan sengketa konsumen terhadap masyarakat tidak mampu berdasarkan Pasal 52 Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen (Studi Putusan Nomor 258/Pdt.G/2020/PN.Blb).

Metode pendekatan yang digunakan yuridis normatif. Data yang digunakan adalah data sekunder berupa peraturan perundang-undangan, literatur, jurnal, dengan studi pustaka yaitu menginventarisasi data tersebut kemudian diidentifikasi dan dipelajari lalu disajikan dalam bentuk uraian sistematis, logis, dan rasional. Metode analisis bahan hukum menggunakan metode analisis normatif kualitatif.

Hasil penelitian menunjukkan bahwa BPSK Kabupaten Bandung berwenang mengadili sengketa konsumen antara PT Bank Perkreditan Rakyat Karyajatnika Sadaya (BPRKS) selaku Pelaku Usaha dan Rosita selaku Konsumen. Hakim berpendapat BPSK sudah memenuhi peranannya dalam menjalankan Tugas dan Wewenang sesuai ketentuan Pasal 52 Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen serta putusan BPSK telah benar dan tidak melanggar ketentuan serta prosedur hukum yang berlaku.

Kata Kunci : Peranan, Perlindungan Konsumen, Badan Penyelesaian Sengketa Konsumen, Masyarakat Tidak Mampu

ABSTRACT

THE ROLE OF THE CONSUMER DISPUTE SETTLEMENT AGENCY IN CONSUMER DISPUTE SETTLEMENT AGAINST COMMUNITIES ABOUT CAPABILITIES BASED ON ARTICLE 52 OF LAW NUMBER 8 OF 1999 CONCERNING CONSUMER PROTECTION (STUDY DECISION NUMBER 258/Pdt.G/2020/PN.Blb)

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Current developments greatly affect economic aspects, especially the world of trade. Business Actors often act arbitrarily without caring about the rights of consumers, so that many consumer disputes arise. Law Number 8 of 1999 concerning Consumer Protection is expected to be able to protect consumers, so to achieve this goal the Consumer Dispute Settlement Agency has emerged, aiming to increase the dignity of consumers. The author is interested in researching the role of the Consumer Dispute Settlement Agency in resolving consumer disputes against underprivileged communities based on Article 52 of Law Number 8 of 1999 concerning Consumer Protection (Study Decision Number 258/Pdt.G/2020/PN.Blb).

The approach method used is normative juridical. The data used is secondary data in the form of laws and regulations, literature, journals, with a literature study, namely taking an inventory of the data then identified and studied and then presented in the form of a systematic, logical, and rational description. The method of analyzing legal materials uses a qualitative normative analysis method.

The results showed that Consumer Dispute Settlement Agency has the authority to adjudicate consumer disputes between PT Bank Perkreditan Rakyat Karyajatnika Sadaya (BPRKS) as Business Actors and Rosita as Consumers. The judge was of the opinion that had fulfilled its role in carrying out its Duties and Authorities in accordance with Article 52 of Law Number 8 of 1999 concerning Consumer Protection and Consumer Dispute Settlement Agency's decision was correct and did not violate applicable legal provisions and procedures.

Keywords : *Role, Consumer Protection, Consumer Dispute Settlement Agency, Destitute People*