

## **ABSTRAK**

### **PERLINDUNGAN HUKUM TERHADAP KONSUMEN YANG MENGALAMI KEHILANGAN KENDARAAN DI AREA PARKIR SUPERMARKET**

**(Studi Putusan Mahkamah Agung Nomor 358.K/PDT.SUS-BPSK/2014.)**

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Perlindungan hukum adalah perlindungan yang diberikan kepada subyek hukum sesuai dengan aturan hukum baik itu bersifat preventif maupun represif. Perlindungan konsumen merupakan suatu upaya untuk memberi rasa aman dan menjamin adanya kepastian hukum kepada konsumen. Perlindungan konsumen yang perlu diperhatikan salah satunya adalah perlindungan terhadap konsumen jasa parkir. Permasalahan dalam penelitian ini adalah PT. Carrefour Lebak Bulus selaku pelaku usaha penyedia jasa parkir yang bekerjasama dengan PT. Garda Bhakti Nusantara yang merupakan pelaku usaha penyedia jasa petugas keamanan saling melempar tanggung jawab untuk mengganti kerugian kepada konsumen karena kelalaian petugas keamanan di area parkir dalam perkara Putusan Mahkamah Agung Nomor 358.K/PDT.SUS-BPSK/2014.

Penelitian ini menggunakan metode yuridis normatif, dengan spesifikasi penelitian yang bersifat deskriptif dengan menggunakan data sekunder berupa studi kepustakaan. Data akan disajikan secara sistematis dan data yang diperoleh tersebut kemudian di analisis secara normatif kualitatif.

Hasil penelitian dan pembahasan terhadap Putusan Mahkamah Agung menyatakan bahwa Putusan Mahkamah Agung sudah tepat dalam menerapkan hukumnya, PT. Garda Bhakti Nusantara dinyatakan telah melakukan kelalaian yang dilakukan oleh pegawai/pekerjanya dan diharuskan untuk mengganti kerugian yang diderita oleh konsumen. PT. Garda Bhakti Nusantara harus bertanggung jawab mengganti kerugian terhadap konsumen sesuai dengan Pasal 19 Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen yang mengatur mengenai tanggung jawab pelaku usaha terhadap konsumen.

**Kata Kunci:** Perlindungan hukum, ganti rugi, jasa parkir

**ABSTRACT**

**LEGAL PROTECTION OF CONSUMER CAR'S LOST IN THE PARKING  
AREA OF SUPERMARKET**

*(A study of Magistrate Court Decrees 358.K/PDT.SUS-BPSK/2014)*

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*Legal protection is protection afforded to subject law in accordance with the rule of law whether it is preventive and repressive. Protection to the consumer is an effort in ensuring and giving a secure feeling to the consumer if they are protected by law. An example of consumer protection which needs to be paid attention is consumer's protection who need a parking service. Problems appear when PT. Carrefour Lebak Bulus as the parking service provider collaborated with PT. Garda Bhakti Nusantara as security service provider do not willing to pay consumer's lost which caused by their fault in a case study of the Magistrate Court Decree Number 358.K/PDT.SUS-BPSK/2014.*

*A normative juridical method was applied along this study, with descriptive research specification where secondary data were taken from a literature study. Data were then presented in a systematic analysis followed by analysis using a normative juridical.*

*Research result which was based on discussion of the Magistrate Court Decree Number 358.K/PDT.SUS-BPSK/2014 was correct, because PT. Garda Bhakti Nusantara and/or their employees was doing a miss management in caring the cars that were parked in their area and stated if the owner is obligatory to pay the consumer's lost. PT. Garda Bhakti Nusantara supposed to pay for replacement paid by the parking area owners to their consumers must be in line with article 19 of law Number 8 year of 1999 about Consumer protection which dealt with responsibility of the private business owner toward their consumer.*

*Keywords: legal protection, compensation, parking service*