

**TANGGUNG JAWAB PELAKU USAHA TERHADAP KONSUMEN ATAS
JUAL-BELI OVER KREDIT KENDARAAN RODA EMPAT
BERDASARKAN UNDANG-UNDANG NOMOR 8 TAHUN 1999
TENTANG PERLINDUNGAN KONSUMEN (Tinjauan Yuridis Putusan
Nomor: 08/07/Arbitrase/XI/2018/BPSK-LBK)**

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ABSTRAK

Seiring dengan perkembangan zaman dan meningkatnya aktivitas masyarakat, kebutuhan akan mobil saat sekarang ini menjadi hal yang sangat perlu, baik untuk kepentingan pribadi maupun untuk kepentingan umum. Banyak masyarakat melakukan terobosan yang dinilai mencederai perjanjian yang telah disepakati oleh pihak leasing. Dimana hal tersebut dikenal dengan over credit (pengalihan utang) dibawah tangan atau tanpa sepengetahuan pihak terkait yaitu leasing. Sebab over credit (pengalihan utang) dibawah tangan dilakukan masyarakat agar mudah mendapatkan kendaraan mobil dalam waktu yang singkat dan mendapat harga yang lebih murah dari harga showroom. Penelitian ini bertujuan untuk mengetahui tanggung jawab pelaku usaha terhadap konsumen atas jual beli over kredit kendaraan roda empat berdasarkan Undang-undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen, mengetahui pelaksanaan jual beli over kredit kendaraan roda empat yang dilakukan oleh konsumen PT Oto Multiartha, mengetahui upaya Badan Penyelesaian Sengketa Konsumen (BPSK) Cabang Lebak menyelesaikan sengketa atas jual beli over kredit kendaraan roda empat.

Metode yang digunakan dalam penelitian ini adalah metode yuridis normatif dengan spesifikasi penelitian deskriptif deskriptif analisis. Sumber data yang digunakan adalah bahan hukum primer, bahan hukum sekunder, dan bahan hukum tersier. Metode pengumpulan data dilakukan dengan studi kepustakaan dengan inventarisasi, data yang diperoleh disajikan dengan teks naratif sistematis, dan metode analisis data dilakukan secara normatif kualitatif.

Berdasarkan hasil penelitian ini adalah Para pelaku usaha khususnya perusahaan pembiayaan (Leasing) hendaknya lebih mengutamakan kepentingan konsumen, setelah konsumen melaksanakan semua kewajibannya terhadap pelaku usaha seperti perusahaan pembiayaan (Leasing). Mengetahui dan memahami isi daripada perjanjian secara komprehensif supaya mengerti konsep hak dan kewajiban antara pihak leasing dengan lessee dari tahap pra kontraktual sampai pasca kontraktual. Sebelum melakukan over kredit, konsumen lebih baik memikirkan akibat hukum yang disebabkan dari tindakan over kredit (pengalihan utang) dibawah tangan yang memberikan dampak negatif berupa ganti rugi hingga bisa dimasukkan ke daftar hitam debitur.

Kata Kunci : Tanggung Jawab, Pelaku Usaha, Jual Beli Over Kredit

**BUSINESS RESPONSIBILITIES TOWARDS CONSUMERS FOR THE
SELLING-BUYING OF FOUR WHEEL VEHICLE CREDITS BASED ON
LAW NUMBER 8 OF 1999
CONCERNING CONSUMER PROTECTION (Judicial Review of Decision
Number: 08/07 / Arbitrage / XI / 2018 / BPSK-LBK)**

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ABSTRACT

Along with the times and the increasing activity of society, the need for cars is nowadays very necessary, both for personal and public interests. Many people have made breakthroughs which are considered to have violated the agreement agreed upon by the leasing party. Where this is known as over credit (transfer of debt) under the hands or without the knowledge of the related parties, namely leasing. Because over credit (transfer of debt) under the hands of the community, it is easy to get a car in a short time and get a price that is cheaper than the showroom price. This study aims to determine the responsibility of business actors to consumers for buying and selling over credit for four-wheeled vehicles based on Law Number 8 of 1999 concerning Consumer Protection, knowing the implementation of buying and selling over credit for four-wheeled vehicles carried out by consumers of PT Oto Multiartha, knowing the efforts The Lebak Branch Consumer Dispute Resolution Agency (BPSK) resolves disputes over the sale and purchase of four-wheeled vehicle loans.

The method used in this research is a normative juridical method with descriptive analysis descriptive research specifications. The data sources used are primary legal materials, secondary legal materials, and tertiary legal materials. The data collection method was carried out by literature study with an inventory, the data obtained were presented with systematic narrative text, and the data analysis method was carried out in a qualitative normative manner.

Business actors, especially finance companies (leasing), should prioritize the interests of consumers, after consumers carry out all their obligations to business actors such as leasing companies. Knowing and understanding the contents of the agreement comprehensively in order to understand the concept of rights and obligations between the leasing party and the lessee from the pre-contractual to post-contractual stages. Before over-crediting, consumers are better off thinking about the legal consequences caused by over-crediting (debt transfer) under their hands which has a negative impact in the form of compensation so that it can be included in the black list of debtors.

Keywords : Responsibility, Business Actors, Buying and Selling Over Credit.