

**PERLINDUNGAN HUKUM TERHADAP KONSUMEN ATAS
TRANSAKSI YANG TIDAK SESUAI STANDAR
OPERASIONAL PROSEDUR
(STUDI PUTUSAN NOMOR 141/PDT.SUS-BPSK/2025/PN CBI)**

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ABSTRAK

Ketidakseimbangan posisi antara konsumen dan pelaku usaha sering kali terjadi dan berpotensi menimbulkan kerugian bagi konsumen, sehingga diperlukan dukungan kebijakan internal pelaku usaha yang dapat berupa Standar Operasional Prosedur dalam menjalankan kegiatan usahanya. PT. Benelli Anugerah Motor Pusaka sebagai pelaku usaha dealer resmi tentu memiliki suatu standar dalam menjalankan kegiatan usahanya, akan tetapi masih terdapat aktivitas karyawan yang tidak sesuai standar tersebut sehingga menimbulkan kerugian bagi konsumen seperti yang terjadi dalam Putusan Nomor 141/Pdt.Sus-BPSK/2025/PN Cbi. Penelitian ini bertujuan menjelaskan perlindungan bagi konsumen yang diamanatkan Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen dan menguraikan pertanggungjawaban pelaku usaha atas kerugian yang dialami konsumen. Metode penelitian yang digunakan adalah analisis kualitatif dengan pendekatan normatif, dengan menggunakan teori perlindungan hukum dan tanggung jawab hukum. Hasil penelitian menunjukkan bahwa perlindungan hukum bagi konsumen telah diupayakan melalui mekanisme preventif maupun represif, termasuk pemanfaatan Badan Penyelesaian Sengketa Konsumen (BPSK) sebagai sarana pemulihan konsumen. Selain itu, tindakan karyawan yang menimbulkan kerugian bagi konsumen dilakukan dalam rangka kegiatan usaha pelaku usaha, sehingga tanggung jawab pelaku usaha tidak dapat dikesampingkan. Dengan demikian, perlindungan konsumen dan pertanggungjawaban pelaku usaha harus dipahami dengan menitikberatkan keseimbangan kedudukan para pihak serta pembebanan risiko usaha pada pelaku usaha, bukan pada konsumen.

Kata Kunci : Perlindungan Hukum, Konsumen, Standar Operasional Prosedur

**LEGAL PROTECTION FOR CONSUMERS AGAINST
TRANSACTIONS THAT DO NOT COMPLY WITH
STANDARD OPERATING PROCEDURES
(STUDY OF DECISION NUMBER 141/PDT.SUS-BPSK/2025/PN CBI)**

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ABSTRACT

An imbalance of position between consumers and business actors frequently occurs and has the potential to cause losses to consumers, therefore internal policy support from business actors, such as Standard Operating Procedures (SOP), is required in the conduct of business activities. PT. Benelli Anugerah Motor Pusaka as an official motorcycle dealer has established certain standard in carrying out its business operations, however there remain employee actions that do not comply with these standards and consequently cause losses to consumers, as reflected in Decision Number 141/Pdt.Sus-BPSK/2025/PN Cbi. This research aims to examine consumers protection as mandated by Law Number 8 of 1999 concerning Consumer Protection and to analyze the liability of business actors for losses suffered by consumers. This research employs a normative legal approach with qualitative analysis, using the theories of legal protection and legal liability. The results of the study indicate that consumer protection has been pursued through both preventive and repressive mechanisms, including the utilization of the Consumer Dispute Settlement Agency (Badan Penyelesaian Sengketa Konsumen/BPSK) as a means of consumer redress. Furthermore, the employee's actions that caused losses to the consumer were carried out in the course of the business actor's activities; therefore, the liability of the business actor cannot be disregarded. Accordingly, consumer protection and the liability of business actors must be understood by emphasizing the balance of positions between the parties and placing business risks on the business actor rather than on the consumer.

Keywords: Law Protection, Consumer, Standard Operating Procedures