

ABSTRACT

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JURIDICAL REVIEW OF THE IMPLEMENTATION OF LARGE-SCALE SOCIAL RESTRICTIONS DUE TO PANDEMICS CORONA VIRUS DISEASE 2019 (COVID-19) AS A FORCE MAJEURE IN CONTRACTS

(X + 70 pages)

A contract is an agreement made by the parties in written form. An agreement is a binding agreement between two or more people. This incident resulted in a legal relationship between the parties, which in the agreement included the rights and obligations of each party. In a contract, there is always a force majeure clause, the arrangements are made to protect the debtor when carrying out his obligations there has been an unexpected event beyond his fault. Since the end of 2019 until now the spread of Covid-19 has been very widespread and has had an impact on slowing economic growth, resulting in the fulfillment of contract achievements executed by the parties. This research was made to examine the classification of force majeure in contracts in connection with the widespread spread of Covid-19 which resulted in the contract relationship not going well, but it was not automatically used as an excuse to cancel a contract, but it could be used as a way of restructuring to cancel it. or change the contents of the contract. The concept of force majeure in the context of non-natural disasters as regulated in Presidential Decree No. 12 of 2020, which is the discharge of responsibility and the release of fulfillment of one party's achievements for a while or is called relative force majeure. The parties' discretion is needed to carry out business contract negotiations such as rearranging the fulfillment of achievements as stated in the contract.

Keywords: force majeure, insistence, contract, agreement, PSBB

References: 35 (1847-2020)