

ABSTRACT

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LEGAL PROTECTION AGAINST CONSUMERS FOR VIOLATION OF PROHIBITIONS AND LIMITATION PROVISIONS IN THE INCLUSION OF STANDARD CLAUSES IN APARTMENT SALE AND PURCHASE AGREEMENTS

(xi + 100 pages, 2 appendices)

Fulfillment of the legal requirements for an agreement as regulated in Article 1320 of the Civil Code (KUHPerdata) has an important role in ensuring the validity of an agreement, including the Sales and Purchase Agreement (PPJB) for an apartment. Subjective requirements, such as the legal capacity of the parties, as well as objective requirements, which include a clear agreement object and legitimate objectives, are fundamental elements in upholding the principles of justice and legal certainty. In the context of an apartment Sale and Purchase Agreement (PPJB), the fulfillment of these conditions provides binding legal force to the agreement, while ensuring the implementation of the rights and obligations of the parties in accordance with applicable laws and regulations. However, the practice of violating the terms of the agreement, especially through the inclusion of standard clauses that harm consumers, often becomes a problem. This violation violates Law Number 8 of 1999 concerning Consumer Protection and can cause the agreement to be null and void. As a result, consumers have a legal basis to reject clauses that are detrimental and demand their rights. Legal protection becomes very relevant to protect the position of consumers who are generally weaker than developers. This includes efforts to create justice, certainty and more effective legal protection. This research emphasizes the importance of collaboration between developers and consumers in creating fair agreements and complying with legal provisions. In this way, legal certainty and protection for all parties can be realized, while encouraging responsible business practices and integrity.

References : 50 (1979-2024)

Keywords : Legal Protection, Consumers, Sale and Purchase Agreement