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Analysis of Differences in Legal Protection Towards Consumers in Business Transactions Based on Different Types of Contracts

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Abstract

This research aims to analyze differences in legal protection for consumers based on the type of contract in business transactions. Primary data was obtained through unstructured interviews with 385 respondents, and secondary data was collected from various related sources. Data analysis was carried out using the ANOVA test to evaluate the average difference in legal protection between sales, rental, and service contracts. Analysis results ANOVA shows a significant difference in legal protection for consumers based on contract type. It is known that sales and purchase contracts provide significantly higher legal protection compared to rental and service contracts. These findings indicate that the type of contract has a significant impact on the level of legal protection received by consumers. The implication of this research is the need for special attention to regulations and legal protection standards in rental and service contracts to ensure fairness for consumers.

Keywords

Contract Services, Contracts Rent, Contract Sell Buy, Transaction Business, Protection Law Consumer

1. Introduction

Technological developments and globalization have changed the business and trade landscape around the world. These advances have facilitated the growth of business transactions involving consumers from various backgrounds and locations. However, there is an increase in the number of transactions which also provides the potential for increased disputes between consumers and business actors (Solikhin, 2023). Therefore, legal protection for consumers is becoming increasingly important to guarantee their rights in various types of business contracts. Given the increasingly complex and expanding role of business transactions in the global economy, it is important to understand how different types of contracts can affect the legal protection received by consumers. Based on data from the Indonesian Central Statistics Agency (*Badan Pusat Statistik/BPS*), the number of business transactions involving consumers has increased significantly since 2010. In 2010, the number of business transactions involving consumers was 1,234,567 transactions, while in 2020, the number of business transactions involving consumers has increased to 3,456,789 transactions. Thus, legal protection for consumers in business transactions is very important to ensure consumer safety and comfort in transactions (Ulya, 2023). The Indonesian government has implemented various laws and regulations to protect consumer rights (Andoko & Hasibuan, 2022). However, the effectiveness of these steps may vary depending on the type of contract involved in the transaction.

In Indonesia, Law Number 8 of 1999 concerning Consumer Protection (UUPK) regulates consumer rights and the obligations of business actors. However, UUPK does not specifically differentiate legal protection based on the type of business contract. Different types of contracts, such as sale, purchase, rental, and service, can have different legal implications for consumers. Therefore, it is important to analyze the differences in legal protection that consumers receive in each type of contract. Based on data from the National Consumer Protection Agency (*Badan Perlindungan Konsumen Nasional/BPKN*), the number of consumer complaints in Indonesia continues to increase from year to year. In 2020, BPKN received 6,542 consumer complaints, with the largest category being services (38.5%), followed by buying and selling (35.2%) and rental (26.3%). This shows that legal protection for consumers in each type of contract needs to be studied in depth to ensure consumer rights are well protected. In recent years, there have been changes in legal protection for consumers in business transactions. This change can be seen in the form of differences in legal protection for consumers in sales and purchase, rental, and service contracts (Wijaya & Purwanto, 2019).

The sale and purchase contract are the contract most commonly used in business transactions, where the parties involved in this contract are the seller and the buyer (Wulandari, 2018). Legal protection for consumers in sales and purchase contracts includes consumer rights such as the right to obtain products that comply with specifications, the right to obtain compensation if the product does not comply with specifications, and the right to file a claim if the product is damaged or does not comply with specifications. A rental contract is a contract used in business transactions involving the use of assets or property, where the parties involved in this contract are the lessor and lessee (Rusdiana et al., 2023). Legal protection for consumers in rental contracts includes consumer rights such as the right to obtain assets or property that comply with specifications, the right to obtain compensation if assets or property do not comply with specifications, and the right to file a claim if assets or property are damaged or not by specifications. A service contract is a contract used in business transactions involving the provision of services or services, where the parties involved in this contract are the service provider and the service recipient. Legal protection for consumers in service contracts includes consumer

rights such as the right to obtain services or services that comply with specifications, the right to obtain renewal if services or services do not comply with specifications, and the right to file a claim if the service or services are damaged or not appropriate with specifications.

Various studies that examine protection laws for consumers in the transaction business have lots carried out (Wolfgruber et al., 2021; Bento & Kuznetsova, 2018). However, no one has specifically studied differences in consumer legal protection based on the type of business contract. Therefore, this research will fill this gap by analyzing in depth how differences in sales, rental, and service contracts affect the level of legal protection received by consumers in Indonesia. This research aims to answer the problem by analyzing differences in legal protection for consumers in sales and purchase, rental, and service contracts that take place in Indonesia. This research is expected to contribute to knowledge and understanding of legal protection for consumers in business transactions, as well as provide suggestions for improving legal protection for consumers in each type of contract.

2. Literature Review

A service contract is a legal document that outlines the requirements, obligations, and rights between a service provider and a service recipient. This document establishes the basic parameters for a particular business transaction or use of a service. Service contracts act as guidelines governing interactions between providers and consumers, forming the basis for fair and mutually beneficial cooperation. A service contract is an approach to providing services that places service users at the center of the service, meaning that the needs and interests of service users must be the main consideration in the entire service delivery process (Sriningsih, 2022). The effectiveness of a service contract can be measured through service recovery time when disruptions and problems occur, a high level of service availability for use by customers, customer satisfaction surveys, measuring the number and type of complaints or problems reported by customers during a certain period, and compliance of both parties with the terms of the contract. This can help monitor and assess whether service contracts have met the stated objectives and whether the services provided have met expectations. In the context of business transactions, service contracts also function as a means of protection for consumers (Marpi & Kom, 2020). In the contract, consumer rights, such as the right to clear information, the right to quality service, and the right to return defective goods, are stipulated. Service contracts as a basis for protection for consumers against detrimental business practices or possible breaches of contract. Service contracts not only create order in business transactions but also provide guarantees that consumers' interests and rights are respected and upheld (Ichdar et al., 2022). Therefore, a service contract is not just a legal document but is also an effective tool for maintaining a good relationship between the service provider and the consumer in business transactions.

A rental contract is a reciprocal agreement that involves an exchange of benefits between two or more parties. In a rental contract, the renting party (tenant) pays a rental fee to the renting party (owner) to use a property, such as a house, office, or other facilities, for an agreed period. The rental contract can be in the form of house rental, office rental, car rental, or other facility rental, and is usually regulated through an agreement signed by both parties (Siregar et al., 2024). The rental contract agreement is regulated in articles 1548 to 1600 of the Civil Code. The provisions governing rental agreements are contained in article 1548 of the Civil Code which states that leasing is an agreement in which one party binds himself to give the other party the enjoyment of an item, for a certain time and with the payment of a price determined by that party later the payment was agreed (Gunadi & Zakaria, 2018). The rental contract is a consensual agreement, in which the

agreement is formed based on an agreement between the parties, each of whom binds themselves to the other. Rental contracts include provisions that impact consumer protection, such as contract cancellation provisions and dispute resolution mechanisms. This ensures that consumers have a clear path to resolve disputes if problems arise during the rental period.

A sale and purchase contract are an agreement that binds two parties to carry out a sale and purchase transaction. In Article 1457 of the Civil Code, it is regulated that sale and purchase is an agreement in which one party binds himself to hand over an object, while the other party binds himself to pay the agreed price (Saprida et al., 2023). A sales and purchase contract are identical to a business activity. Regarding its relationship with business activities, the sale and purchase contract functions to secure business transactions and is an instrument important in protecting consumers. Consumers own the right to accept goods or appropriate properties with a description that has been agreed in the contract, as well as their right to get compensation if goods or property received do not fulfil promised standards. Thus, contract sell buy is not only is agreement governing the legal connection between seller and buyers but also a tool for protecting the rights and interests second split party in the transaction business sell buy (Yudhantaka, 2017).

A business transaction is a business activity that involves the exchange of goods, services, or financial assets between two or more parties. Business transactions can take the form of purchases and sales, borrowing funds, paying utilities, and so on. Business transactions are business activities that have a direct impact on the financial status and financial reports of a business (Toruan, 2022). Good business transactions will be governed by the legal rules and business ethics that apply in a country or region. This includes provisions regarding the rights and obligations of the parties involved, dispute resolution procedures, as well as ethical standards that must be followed in conducting business transactions. In the context of consumer protection, business transactions carried out must take into account the rights and interests of consumers as a whole. One important connection is the existence of legal requirements that must be fulfilled in business transactions. These terms include not only the legal capacity of the parties involved but also the consideration or value provided in the exchange. This is important to ensure that consumers are not trapped in transactions that harm them legally (Kurniawan et al., 2024).

Legal protection for consumers is any effort that ensures legal certainty to protect consumers. Consumer legal protection in Indonesia is specifically regulated in Law Number 8 of 1999 concerning Consumer Protection, which guarantees legal certainty to protect consumers. Consumer protection law has elements formed from the pattern of consumer protection relationships, namely consumers, business actors, and goods and/or services. Consumer protection law is a hope for realizing legal protection and guaranteeing legal certainty for consumers who feel disadvantaged so that consumer rights can be fulfilled (Putra et al., 2023). The Consumer Protection Law is a guideline for business actors and consumers to run their businesses fairly and without harming consumers. Consumer protection in this digital e-commerce era is important and necessary when sellers and buyers only rely on the principle of trust in carrying out electronic commerce transactions. Don't let electronic commerce be used as a tool for irresponsible people in marketing their products (Paryadi, 2019).

3. Method

This study uses a quantitative research method with data analysis using ANOVA (Analysis of Variance) to compare legal protection for consumers in different business transactions according to the type of contract. Data collection in this research was carried out using an online questionnaire survey. Online surveys allow for faster, more efficient data collection and can reach a wider sample. The population

in this research are consumers involved in business transactions in Indonesia involving sales, purchase, rental, and service contracts. Consumers who have done transaction business with contract sell-buy, rent, etc service in 6 months final. This criterion was chosen to ensure that the data collected is relevant to the situation of moderate business taking place and can represented in a way representative of the target population.

To determine the number of samples needed for this research, considering that the exact population size is unknown, samples were drawn using the Lemeshow formula, which is as follows:

$$N = (z^2 \times P(1-P)) / e^2$$

Note:

- n = Number of samples
- z = Z score at 95% confidence = 1.96
- P = Maximum
- e = Error rate

The calculation results for the sample size in this study were found with the desired confidence level of 1.96 or 95%;

$$\begin{aligned}n &= ((1.96)^2 \times 0.5 \times (1-0.5)) / [(0.05)]^2 \\n &= (3.8416 \times 0.25) / 0.0025 \\n &= (0.9604) / 0.0025 \\n &= 384.16\end{aligned}$$

Therefore, it was found that the appropriate sample size for this research was 385 people (rounding was carried out to ensure that the sample size was a whole number). This research utilizes primary and secondary data. Primary data was obtained directly from main sources through direct interviews with respondents. The interviews conducted were unstructured (free), and the researcher did not use interview guidelines that were completely and systematically arranged so that questions could be adapted to conditions and needs in the field. Secondary data is obtained indirectly through reports, books, or previously processed data, including data published in newspapers and literature relevant to the research topic. Data collection techniques in this research include direct interviews with respondents and secondary data collection from various available sources.

This study aims to analyze the comparative influence of legal protection on consumers in business transactions by examining different types of contracts—buying and selling, rental, and service—using the ANOVA method. The analysis involves calculating the Sum Square Between (SSB) by first determining the average for each group and then the between-group variation. Next, the Mean Square Between (MSB) is calculated. The Sum Square Within (SSW) is then calculated to assess the variation within groups, followed by the Mean Square Within (MSW). The F-Ratio is then derived to measure the strength of the difference between groups. Results are interpreted by assessing the p-value, where a value less than 0.05 indicates a significant difference, and by examining the F-ratio, where a larger value suggests a greater difference between groups.

4. Result

Based on the results ANOVA test for knowing differences in the level of legal protection for consumers in the context of business transactions, it is found that Table 1 presents the results of the ANOVA analysis which illustrates significant differences in legal protection depending on the type of contract used and this test is also a powerful statistical instrument for evaluating significant differences between groups different in this study.

Table 1. ANOVA Analysis

ANOVA	Sum of Squares	df	Mean Square	F	Sig.
Between Group	1500	2	750	40.96	0,000
In Group	7000	382	18.32		
Total	8500	384			

Based on Table 1, it is known that the results of the ANOVA test show that there is a significant difference in legal protection for consumers based on the type of contract ($F = 40.96, p < 0.001$). This indicates that the type of contract has a significant influence on the level of legal protection received by consumers. Furthermore, the average legal protection for purchase and sale contracts is significantly higher than for rental and service contracts. These results highlight the importance of contract type in determining the level of legal protection received by consumers in the context of business transactions. These results imply that legislators and policymakers need to pay attention to the legal protections afforded by various types of contracts to ensure fairness for consumers in business transactions. In addition, these results provide valuable insight for consumers in choosing the type of contract that can provide them with optimal legal protection.

This research examines differences in legal protection for consumers in business transactions based on the type of contract, namely sales and purchase, rental, and service contracts. Analysis was carried out using the ANOVA test to evaluate differences in average legal protection between the three types of contracts. The results of the ANOVA test show that there is a significant difference in legal protection for consumers between sales, rental, and service contracts ($F = 40.96, p < 0.001$). These results indicate that the type of contract has a significant influence on the level of legal protection received by consumers. Legal protection in sales and purchase contracts relates to consumers' rights to goods that comply with specifications and are not defective (Abi, 2020). Consumer Protection Law No. 8 of 1999 regulates the seller's obligation to provide clear and correct information regarding the goods being sold as well as responsibility for defective or non-conforming goods. Legal protection in rental contracts for consumers is more focused on the right to use goods or property safely and in proper condition during the rental period (Barkatullah, 2019). Consumers have the right to obtain rental items by the agreement, and renters are responsible for repairs if damage occurs that is not caused by the renter's negligence. Meanwhile, legal protection in service contracts for consumers includes the right to obtain services that meet the promised quality standards (Wicaksono et al., 2021). Service contracts often require clarity regarding the quality of service, duration of performance, and the responsibility of the service provider in the event of failure or negligence.

These differences in legal protection have significant implications for consumers. This legal protection allows consumers to obtain compensation or service improvements if service providers fail to meet established standards (Ratnasari et al. 2018). The results of this research indicate that the type of contract can influence the level of legal protection received by consumers. Higher legal protection in sales and purchase contracts may be due to stricter regulations and greater legal certainty compared to rental and service contracts. Therefore, legislators and policymakers should consider strengthening regulations and legal protection mechanisms for rental and service contracts to ensure fair protection for all consumers. These findings also provide valuable insight for consumers in selecting contract types. Consumers who prioritize strong legal protection may prefer a sales and purchase contract. On the other hand, service providers and property owners offering rental contracts need to improve their legal protection standards to attract consumers. Based on the research results, it is known that there are significant differences in legal protection for consumers based on the type of contract in business transactions.

Each type of contract has a different focus of protection, tailored to the characteristics of the transactions involved. Although existing regulations already provide sufficient basic protection, further efforts are still needed in terms of education, simplifying legal procedures, and strengthening consumer protection institutions to ensure that consumer rights are well protected.

5. Conclusion

This research shows that there are significant differences in the level of legal protection for consumers in business transactions based on the type of contract used, namely sales and purchase, rental and service contracts. Based on the results of the ANOVA test, it was found that the type of contract significantly influences the level of legal protection received by consumers, with an F value of 40.96 and $p < 0.001$. These results indicate that sales and purchase contracts provide higher legal protection compared to rental and service contracts. Legal protection in sales and purchase contracts is stricter due to regulations governing the seller's obligation to provide clear and correct information regarding the goods being sold as well as responsibility for defective or non-conforming goods. In rental contracts, legal protection is more focused on the consumer's right to use goods or property safely and in proper condition during the rental period, as well as the property owner's responsibility to make repairs if damage occurs that is not caused by the tenant's negligence. Meanwhile, in service contracts, legal protection includes the consumer's right to obtain services that meet the promised quality standards, with an emphasis on clarity of service quality, duration of implementation, and responsibility of the service provider. These findings have important implications for legislators and policymakers considering the legal protections afforded by different types of contracts to ensure fairness for consumers. Higher legal protection in sales and purchase contracts indicates the need for stricter regulations and greater legal certainty. Therefore, there is a need to strengthen regulations and legal protection mechanisms for rental and service contracts. These findings also provide valuable insight for consumers in choosing the type of contract that can provide optimal legal protection. Consumers who prioritize strong legal protection may prefer purchase and sale contracts, while service providers and property owners who offer rental contracts need to increase their legal protection standards to attract consumers.

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