



**LEGAL PROTECTION FOR MOTOR VEHICLE CONSUMERS AGAINST  
HIDDEN DEFECTS UNDER LAW NO. 8 OF 1999 ON CONSUMER  
PROTECTION**

**THESIS**

Submitted to complete the tasks and fulfill the requirements  
to complete the Bachelor of Law Program

By :

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**INTERNATIONAL UNDERGRADUATE PROGRAM  
FACULTY OF LAW DIPONEGORO UNIVERSITY  
SEMARANG  
2024**

**APPROVAL SHEET**

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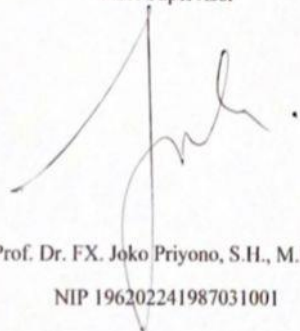
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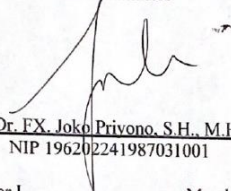
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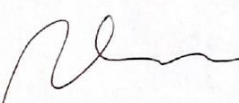
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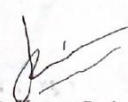
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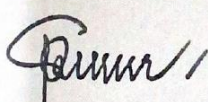
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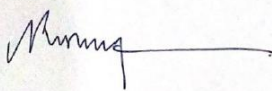
  
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## STATEMENT

I hereby declare that this Undergraduate Thesis with the title "**Legal Protection for Motor Vehicle Consumers against Hidden Defects Under Law No. 8 of 1999 on Consumer Protection**" has never been submitted to obtain a degree in another university, and to the best of my knowledge there are no works or opinions that have been written or published by other people, except those that are written in this manuscript and mentioned in the bibliography.

Semarang, 26 February 2024



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## **MOTTO AND DEDICATION PAGE**

God is within her, she will not fall (Psalm 46:5)

The author dedicates this thesis as a taken of gratitude to:

Both parents, siblings, and extended family who have always been

present in my life,

Friends and companions who have been willing to assist me,

Respected supervisors,

Almamater Diponegoro University.

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It cannot be denied that the completion of this legal writing required great effort. Nevertheless, the author believes that this legal writing would not have been completed without assistance from many parties. Therefore, on this occasion, allow the author to express the utmost gratitude to:

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Semarang 26 February 2024

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## ABSTRACT

Consumer protection against hidden defects products is an important aspect of consumer law in Indonesia. Hidden defects are defined as damages product that are not immediately visible, but it can be identified through detailed and clear analysis. The losses suffered by consumers due to consuming or using such hidden defects products result consequences in the form liability of business actor to provide compensation.

This research aims to analyze consumer losses can be classified as default or tort and business actor liability for hidden defects based on Consumer Protection Law and other regulations in Indonesia.

This research employs normative juridical method utilizing a descriptive analytical research specification using secondary consisting of primary legal materials, secondary legal materials and tertiary legal materials. These sources are utilized for qualitative analysis to develop arguments, theories, or concepts in addressing the issues.

The research findings indicate that legal protection against business actor misconduct towards consumers regarding hidden defects in products is stipulated in Articles 1504, 1506, and 1510 of the Indonesian Civil Code which govern hidden defects. In this regard, consumers can file default lawsuits according to Article 1238 of the Indonesian Civil Code based on the contractual relationship with bussines actor. The liability of business actor is based on Article 19 of the Consumer Protection Law and Article 1508 and 1509 of the Indonesian Civil Code.

In dispute resolution, consumers can choose between litigation or non-litigation routes through the Consumer Dispute Settlement Body. In this research, the author recommends that the government enact more comprehensive regulations regarding the standardization of hidden defects in products, including those regulated by Article 1504 of the Indonesian Civil Code. Consumers are advised to thoroughly inspect the product and increase vigilance while shopping in order to protect their rights, especially considering the possibility of hidden defects in a product.

***Keywords:*** *Consumer Protection, Hidden Defects, Business Actor Liability.*



## ABSTRAK

Perlindungan konsumen terhadap produk cacat tersembunyi merupakan hal yang penting dalam hukum perlindungan konsumen di Indonesia. Cacat tersembunyi didefinisikan sebagai kerusakan pada suatu barang atau benda yang tidak terlihat secara langsung bahwa benda tersebut memiliki cacat, tetapi dapat diketahui melalui analisa secara rinci dan jelas. Kerugian yang diderita oleh konsumen akibat mengkonsumsi atau menggunakan produk cacat tersebut mengakibatkan konsekuensi berupa tanggung jawab pada pelaku usaha untuk memberikan ganti rugi.

Tujuan dari penelitian ini adalah untuk menganalisis kerugian konsumen diklasifikasikan sebagai wanprestasi atau perbuatan melawan hukum dan tanggung jawab pelaku usaha atas produk cacat tersembunyi berdasarkan Undang-Undang Perlindungan Konsumen dan peraturan lainnya di Indonesia.

Dalam penelitian ini menggunakan metode hukum normatif dengan spesifikasi penelitian analitis deskriptif dengan data sekunder yang terdiri dari bahan hukum primer, bahan hukum sekunder, dan bahan hukum tersier. Sumber-sumber ini digunakan untuk analisis kualitatif guna mengembangkan argumen, teori, atau konsep dalam menangani permasalahan tersebut.

Hasil dari penelitian ini menunjukkan bahwa perlindungan hukum terhadap perilaku pelaku usaha terhadap konsumen mengenai cacat tersembunyi dalam produk diatur dalam Pasal 1504, 1506, dan 1510 Kitab Undang-Undang Hukum Perdata yang mengatur atas cacat tersembunyi tersebut. Dalam hal ini, konsumen dapat mengajukan gugatan wanprestasi sesuai dengan Pasal 1238 Kitab Undang-Undang Hukum Perdata berdasarkan hubungan kontraktual dengan pelaku usaha. Adapun, tanggung jawab pelaku usaha didasarkan pada Pasal 19 Undang-Undang Perlindungan Konsumen dan Pasal 1508 dan 1509 Kitab Undang-Undang Hukum Perdata.

Pada penyelesaian sengketa, konsumen dapat memilih antara jalur litigasi atau non-litigasi melalui Badan Penyelesaian Sengketa Konsumen. Pada penelitian ini penulis merekomendasikan agar pemerintah mengesahkan peraturan yang lebih komprehensif mengenai standarisasi cacat tersembunyi dalam produk termasuk yang diatur oleh Pasal 1504 Kitab Undang-Undang Hukum Perdata. Dalam membeli suatu produk disarankan agar konsumen memeriksa produk secara menyeluruh dan meningkatkan kewaspadaan saat berbelanja guna melindungi hak-hak mereka, terutama mengingat kemungkinan adanya risiko cacat tersembunyi dalam suatu produk.

**Kata Kunci:** *Perlindungan Konsumen, Cacat Tersembunyi, Tanggung Jawab Pelaku Usaha.*

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