

ABSTRAK

PERTANGGUNGJAWABAN PARA PIHAK DALAM PERJANJIAN JUAL BELI BARANG PECAH BELAH DALAM TRANSAKSI *CASH ON DELIVERY (COD) CEK DULU* DI PLATFORM SHOPEE

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Perkembangan perdagangan melalui sistem elektronik mendorong penggunaan metode transaksi Cash On Delivery (COD) Cek Dulu pada platform Shopee sebagai upaya meningkatkan perlindungan konsumen. Penelitian ini bertujuan menganalisis hubungan hukum para pihak serta bentuk pertanggungjawaban dalam perjanjian jual beli barang pecah belah melalui metode *Cash on Delivery (COD)* fitur Cek Dulu pada platform Shopee,

Penelitian ini merupakan penelitian hukum normatif dengan pendekatan perundang-undangan dan konseptual. Bahan hukum primer, sekunder, dan tersier dikumpulkan melalui studi kepustakaan dan studi dokumen khususnya terkait dengan masalah yang akan dibahas, kemudian dianalisis secara kualitatif.

Hasil penelitian menunjukkan bahwa transaksi jual beli barang pecah belah melalui metode Cash On Delivery (COD) Cek Dulu di platform Shopee melibatkan penjual, pembeli, Shopee, dan kurir dengan hubungan hukum yang berbeda. Hubungan penjual dan pembeli lahir dari perjanjian jual beli, sedangkan hubungan Shopee dengan penjual dan pembeli didasarkan pada perjanjian penggunaan layanan yang dikemas dalam perjanjian baku elektronik, serta hubungan PT Nusantara Express Kilat dan kurir bersumber dari perjanjian kemitraan. Adapun hubungan hukum kurir dan pembeli bersifat terbatas pada penyerahan barang dalam mekanisme COD Cek Dulu. Pertanggungjawaban dibedakan menurut kedudukan para pihak, di mana penjual bertanggung jawab atas kualitas, kesesuaian, dan pengemasan barang pecah belah; pembeli berkewajiban memeriksa barang sebelum pembayaran; Shopee bertanggung jawab terbatas pada penyelenggaraan sistem; NEK sebagai perusahaan jasa ekspedisi bertanggung jawab atas kerusakan atau kehilangan barang selama proses pengangkutan sesuai dengan ketentuan layanan pengiriman; serta kurir hanya bertanggung jawab apabila terbukti lalai dalam pengantaran.

**Kata kunci: COD Cek Dulu, Hubungan Hukum, Jual Beli Online
Pertanggungjawaban, Shopee.**

ABSTRACT

LIABILITIES OF THE PARTIES IN A SALES AGREEMENT FOR FRAGILE GOODS IN CASH ON DELIVERY (COD) TRANSACTIONS, CHECK FIRST ON THE SHOPEE PLATFORM

By

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The development of electronic commerce has encouraged the use of the Cash on Delivery (COD) transaction method (Check First) on the Shopee platform as an effort to improve consumer protection. This study aims to analyze the legal relationships between the parties and the forms of liability in the sale and purchase agreement for fragile goods using the Cash on Delivery (COD) method (Check First) on the Shopee platform.

This study is a normative legal study with a statutory and conceptual approach. Primary, secondary, and tertiary legal materials were collected through literature and document studies, specifically related to the issues discussed, and then analyzed qualitatively.

The results show that fragile goods transactions using the Cash on Delivery (COD) method (Check First) on the Shopee platform involve sellers, buyers, Shopee, and couriers with different legal relationships. The seller-buyer relationship arises from a sales agreement, while the relationship between Shopee and sellers and buyers is based on a service usage agreement encapsulated in a standard electronic agreement. The relationship between PT Nusantara Express Kilat and couriers stems from a partnership agreement. The legal relationship between couriers and buyers is limited to the delivery of goods under the COD Check First mechanism. Liability is differentiated according to the position of the parties, where the seller is responsible for the quality, suitability, and packaging of fragile goods; the buyer is obliged to inspect the goods before payment; Shopee is limited to system implementation; NEK as a shipping service company is responsible for damage or loss of goods during the transportation process in accordance with the terms of the shipping service; and the courier is only responsible if proven negligent in delivery.

Keyword: COD Check First, Legal Relationship, Liability, Online Buying and Selling, Shopee.