

ABSTRAK

PERLINDUNGAN HUKUM TERHADAP PENGANGKUTAN BARANG ATAS KETERLAMBATAN KAPAL DI PELABUHAN BAKAUHENI LAMPUNG MENURUT UNDANG-UNDANG NOMOR 8 TAHUN 1999 TENTANG PERLINDUNGAN KONSUMEN

Oleh:

Wike Abinda Syahputri

Keterlambatan kapal dalam proses pengangkutan barang di Pelabuhan Bakauheni Lampung merupakan permasalahan yang berdampak langsung pada kerugian konsumen. Di Pelabuhan Bakauheni, keterlambatan kapal masih sering terjadi tanpa disertai mekanisme pemulihan hak konsumen secara memadai. Penelitian ini bertujuan untuk mengkaji: (1) bentuk perlindungan hukum konsumen terhadap pengangkutan barang atas keterlambatan kapal di Pelabuhan Bakauheni Lampung; dan (2) upaya hukum atau mekanisme penyelesaian sengketa yang dapat ditempuh oleh konsumen.

Metode penelitian yang digunakan adalah yuridis normatif-empiris dengan tipe penelitian deskriptif. Data diperoleh melalui studi kepustakaan, observasi lapangan, serta wawancara dengan pihak ASDP dan pengguna jasa pengangkutan barang. Analisis data dilakukan secara kualitatif guna menjawab permasalahan penelitian.

Hasil penelitian menunjukkan bahwa perlindungan hukum yang diterapkan meliputi perlindungan preventif, represif, dan kuratif. Perlindungan preventif diwujudkan melalui penyediaan informasi jadwal penyeberangan, penggunaan sistem digital Ferizy, serta fasilitas penunjang bagi pengguna jasa. Perlindungan represif belum terlaksana secara efektif karena tidak adanya pemberian kompensasi atau ganti rugi meskipun keterlambatan menimbulkan kerugian ekonomi. Perlindungan hukum kuratif juga belum berjalan sebagaimana mestinya karena penanganan masih terbatas pada penyelesaian administratif tanpa realisasi ganti rugi sesuai Pasal 19 UUPK. Dalam praktik penyelesaian sengketa, konsumen cenderung menempuh jalur non-litigasi melalui pengaduan langsung dan negosiasi, sedangkan mekanisme penyelesaian melalui Badan Penyelesaian Sengketa Konsumen (BPSK) maupun jalur litigasi belum dimanfaatkan secara maksimal. Oleh karena itu, diperlukan penguatan pengawasan, penerapan standar pelayanan yang konsisten, serta kebijakan kompensasi yang tegas agar perlindungan hukum konsumen.

Kata Kunci: Keterlambatan Kapal, Pelabuhan Bakauheni, Perlindungan Hukum Kuratif, Perlindungan Konsumen, Pengangkutan Barang, UUPK.

ABSTRACT

LEGAL PROTECTION FOR THE CARRIAGE OF GOODS REGARDING SHIP DELAYS AT BAKAUHENI PORT, LAMPUNG ACCORDING TO LAW NUMBER 8 OF 1999 ON CONSUMER PROTECTION

By: Wike Abinda Syahputri

Delays in vessel operations in the transportation of goods at Bakauheni Port, Lampung, constitute a problem that directly causes losses to consumers. However, at Bakauheni Port, vessel delays still frequently occur without being accompanied by adequate mechanisms for the restoration of consumers' rights. This study aims to examine: (1) the forms of consumer legal protection in goods transportation due to vessel delays at Bakauheni Port, Lampung; and (2) the legal remedies or dispute resolution mechanisms available to consumers.

The research method employed is a normative–empirical juridical approach with a descriptive research type. Data were collected through literature studies, field observations, and interviews with ASDP officials and users of goods transportation services. Data analysis was conducted qualitatively to address the research problems.

The results indicate that the legal protection implemented includes preventive, repressive, and curative protection. Preventive protection is realized through the provision of crossing schedule information, the use of the Ferizy digital system, and supporting facilities for service users. Repressive protection has not been effectively implemented, as no compensation or indemnification is provided despite the occurrence of economic losses due to delays. Curative legal protection has also not functioned properly, as handling is still limited to administrative settlement without the realization of compensation in accordance with Article 19 of the Consumer Protection Act. In practice, consumers tend to pursue non-litigation dispute resolution through direct complaints and negotiations, while dispute resolution mechanisms through the Consumer Dispute Settlement Agency (BPSK) and litigation channels have not been optimally utilized. Therefore, it is necessary to strengthen supervision, consistently apply service standards, and implement firm compensation policies to ensure that consumer legal protection in goods transportation at Bakauheni Port can be carried out effectively.

Keywords: *Vessel Delays, Bakauheni Port, Curative Legal Protection, Consumer Protection, Goods Transportation, Consumer Protection Act.*