

# Tinjauan yuridis penerapan klausula baku dalam perkara sewa ruangan kantor antara PT Duta Anggada Realty Tbk. melawan Nnovizal CS = Legal review on the implementation of standard clause in the dispute of office room lease between PT Duta Anggada Realty Tbk and Novizal, CS

Andrei Romario S.M. Habayahan, author

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## Abstrak

[<b>ABSTRAK</b><br>

Tesis ini membahas perkara mengenai penerapan klausula baku dalam lease proposal ruangan kantor di Plaza Great River Kuningan, Jakarta Selatan. Pembahasan dalam tesis ini dilakukan berdasarkan pada Putusan Arbitrase Badan Penyelesaian Sengketa Konsumen (BPSK) Kota Bogor dan beberapa Putusan Pengadilan Negeri serta Pengadilan Tinggi yang terkait dengan perkara tersebut. Teori yang digunakan untuk menganalisis permasalahan adalah teori hukum alam dalam kaitannya dengan asas kebebasan berkontrak dan teori keadilan John Rawls. Lebih lanjut, tesis ini juga menguraikan pengaturan dan teori tentang hukum perjanjian serta perjanjian baku secara khusus. Adapun dasar hukum yang digunakan dalam tesis ini adalah Kitab Undang-Undang Hukum Perdata dan Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen. Pada bagian akhir, disimpulkan bahwa Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen merupakan penerapan dari teori keadilan John Rawls sebagai batasan terhadap asas kebebasan berkontrak untuk menjamin hak-hak dasar dari konsumen.

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<b>ABSTRACT</b><br>

This thesis discusses about the implementation of standard clause on the proposal of lease agreement of office room in Plaza Great River Kuningan, South Jakarta. The study of the problem in this thesis is based on the arbitral award of Consumer Dispute Resolution Body (BPSK) of Bogor and several decisions of district court and appellate court which are related to the said above case. The theories which used to analyze the problem in this thesis are theory of natural law in relation to freedom of contract principle and John Rawls' theory of justice. Furthermore, this thesis also elaborates the regulation and the theory related to contract law and especially to standard contract. The legal basis which used in analyzing the problem in this thesis are Indonesia Civil Code and Law Number 8 of 1999 regarding Consumer Protection. In the final part of this thesis concluded that the Law Number 8 of 1999 regarding Consumer Protection is an example of the implementation of John Rawls' Theory of Justice as a limitation to freedom of contract principle in order to assure the basic rights of consumer. This thesis discusses about the implementation of standard clause on the proposal of lease agreement of office room in Plaza Great River Kuningan, South Jakarta. The study of the problem in this thesis is based on the arbitral award of Consumer Dispute Resolution Body (BPSK) of Bogor and several decisions of district court and appellate court which are related to the said above case. The theories which used to analyze the problem in this thesis are theory of natural law in relation to freedom of contract principle and John Rawls' theory of justice. Furthermore, this thesis also elaborates the regulation and the theory related to contract law and especially to standard contract. The legal basis which used in analyzing the problem in this thesis are Indonesia Civil Code and Law Number 8 of

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