

Conformity of the Goods Dalam Kontrak Jual Beli Internasional Berdasarkan United Nations Convention on Contracts for International Sale of Goods 1980 (CISG) dan Burgerlijk Wetboek voor Indonesie Staatsblad 1847-23 (BW) = Conformity of the Goods In International Sales Contracts According to United Nations Convention on Contracts for International Sale of Goods 1980 (CISG) and Burgerlijk Wetboek voor Indonesie Staatsblad 1847-23 (BW)

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Abstrak

The United Nations Convention on Contracts for International Sale of Goods (CISG) adalah konvensi jual beli internasional yang disusun oleh United Nations Commission on International Trade Law demi menjembatani perbedaan sistem hukum berbagai negara di dunia mengenai hukum jual beli internasional. Conformity of the Goods adalah salah satu ketentuan dalam CISG mengenai kewajiban penjual untuk mengirim barang sesuai dengan kontrak sebagaimana diatur dalam Article 35 CISG. Namun yang sering menjadi masalah adalah siapa yang mempunyai beban tanggung jawab ketika barang yang dikirim tidak sesuai dengan hukum publik dalam negara pembeli, namun telah sesuai dengan ketentuan pada kontrak. Dalam penelitian ini, Penulis akan menganalisis penerapan Article 35 CISG mengenai Conformity of the Goods dalam kasus New Zealand dan kasus Frozen Pork.

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The United Nations Convention on Contracts for International Sale of Goods (CISG) is a convention on international sales contract that is made by the United Nations Commission on International Trade Law in attempts to bridge the gap between the different legal systems of the world regarding international sales law. Conformity of the Goods is a provision in the CISG concerning the seller's obligation to deliver the goods in accordance with the contract, as set forth in Article 35 of the CISG. What often becomes a problem is how to determine who bears the responsibility when the goods do not conform with the public law in the buyer's country. In this research, the writer will analyze the application of Article 35 CISG regarding Conformity of the Goods in New Zealand Mussels case and the Frozen Pork Case.