



Legal Analysis of Consumer Protection against Companies not Fulfilling Consumer Obligations

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Abstract: This study analyzes consumer legal protection against Commanditaire Vennootschap (CV) entities that fail to meet their obligations under Indonesia's Consumer Protection Law (UUPK). It examines challenges in implementing the UUPK and evaluates the effectiveness of legal sanctions in improving CV compliance. Using a qualitative approach, the research employs descriptive analysis and case study methods. Data were gathered from literature reviews, legislation analysis, case studies of CV violations, and interviews with legal experts, business operators, and consumers. Findings highlight challenges, including limited awareness among CV operators of legal obligations, resource constraints, and low consumer awareness of rights. The effectiveness of UUPK sanctions is hampered by slow enforcement, lack of transparency, and inadequate law enforcement support. Despite administrative and criminal sanctions, these measures have yet to provide a significant deterrent effect, allowing violations to persist. This study recommends a holistic approach to strengthen UUPK implementation. Key strategies include enhancing law enforcement capacity, providing continuous education for business operators and consumers, and offering incentives for regulatory compliance. Collaboration among government, institutions, business associations, and operators is essential to improve consumer protection and establish a fair, transparent, and sustainable business environment in Indonesia..

Keywords : Consumer Protection Law; Commanditaire Vennootschap; Legal Compliance

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1. Introduction

The relationship between producers and consumers is often characterized by power imbalances, placing consumers in a more vulnerable position. Therefore, the presence of regulations such as Law Number 8 of 1999 concerning Consumer Protection (UUPK) becomes extremely important. The UUPK serves as a legal foundation that ensures consumers' rights are protected, while also providing guidelines for businesses to operate responsibly.¹

In daily life, consumers frequently lack sufficient information or power to protect themselves from harmful business practices. For example, there are numerous cases where the products or services received by consumers do not meet the promised standards. These discrepancies can manifest as poor quality, lack of safety, or services that fall far short of expectations. This not only results in material losses but also psychological impacts, such as disappointment or loss of trust in businesses.

A Commanditaire Vennootschap (CV), as one form of business entity, holds both moral and legal responsibilities towards consumers. Although a CV is not a legal entity like a Limited Liability Company (PT), this does not diminish their obligations to fulfill consumers' rights. As a business entity, a CV is mandated by the UUPK to provide products and services that meet agreed-upon standards. However, in practice, it is not uncommon to encounter CVs that are negligent or even deliberately disregard these obligations. Such non-compliance not only harms consumers but also tarnishes the reputation of the CV in the eyes of the public.²

Violations of consumer rights are often caused by various factors. One such factor is the lack of understanding among business operators about the importance of consumer protection. Many business operators still perceive that consumers do not possess strong bargaining power, leading to the frequent neglect of their rights. Additionally, financial or resource limitations within CVs can pose challenges in fulfilling their obligations to consumers. However, these reasons cannot be used as justifications for violating legal provisions.

In this context, consumers need protection that goes beyond mere promises on paper. They require a system that ensures their rights are respected and protected. One way to achieve this is through the enforcement of strict sanctions against businesses that violate consumer protection laws. The UUPK has established various forms of sanctions, both administrative and criminal, for businesses that fail to meet their obligations. These sanctions are not only intended to punish violators but also to serve as a deterrent to prevent similar violations in the future.³

¹ Shidqon Prabowo and Muhammad Fachrul Hudallah, "Analisis Kelengkapan Produk Usaha Dalam Memenuhi Hukum Perlindungan Konsumen," *PROGRESIF: Jurnal Hukum* 17, no. 2 (December 8, 2023): 128-43, <https://doi.org/10.33019/progresif.v17i2.4395>.

² Ibid.

³ ANNISAATUL JUBAIDAH and Junaidi Junaidi, "Analisis Kepatuhan Hukum Produsen Terhadap Pencantuman Tanggal Kadaluwarsa Prespektif Undangundang Perlindungan Konsumen Dan Etika Bisnis Islam (Studi Kasus Home Industri Di Desa Gombang, Slahung, Ponorogo)" (PhD Thesis, UIN Surakarta, 2022), <http://eprints.iain-surakarta.ac.id/6729/1/Skripsi%20full%20text.pdf>.

However, the effectiveness of implementing consumer protection laws often faces significant challenges. Despite the existence of regulations, their implementation on the ground is frequently hindered. One of the major obstacles is the lack of consumer awareness about their rights. Many consumers are unaware that they have the right to receive products or services that meet established standards. Furthermore, the insufficient enforcement of the law acts as another barrier. There are numerous cases where businesses that clearly violate the law do not face proportional sanctions. This undoubtedly undermines public trust in the existing legal system.

On the other hand, businesses such as CVs also require support to enhance their awareness and understanding of the importance of consumer protection. Training and education for business operators can be one solution to reduce violations. Additionally, the government and related institutions need to adopt a more proactive stance in monitoring and addressing violations that occur. With a more holistic approach, consumer protection becomes a shared responsibility involving all stakeholders, including the government, businesses, consumers, and civil society organizations.⁴

One aspect often overlooked in consumer protection is the importance of transparency. Consumers have the right to receive clear, accurate, and honest information about the products or services they use. This information includes everything from the materials or components of a product, the production process, to the potential risks involved. When this information is not provided or is conveyed dishonestly, consumers are not only materially disadvantaged but also lose trust in the businesses.

Furthermore, consumer protection requires a more humanistic approach. In many cases, consumers who feel wronged need not only material compensation but also acknowledgment of the wrongdoing by the business. Approaches such as mediation or alternative dispute resolution can be more effective and efficient solutions compared to lengthy and costly litigation processes. Through these approaches, consumers and businesses can reach mutually beneficial agreements while also repairing relationships that may have been damaged.⁵

Within the framework of consumer protection, the role of the government cannot be ignored. The government has the responsibility to ensure that existing regulations are properly implemented. This includes overseeing businesses, enforcing laws strictly, and providing accessible complaint mechanisms for consumers. Additionally, the government needs to promote a cultural shift in society where consumers are more aware of their rights and businesses are more accountable in their operations.

Ultimately, consumer protection is not only about ensuring that consumers receive what they are entitled to but also about creating a fair and sustainable business environment. When businesses such as CVs fulfill their obligations, not only are

⁴ Bambang Teguh Handoyo, "Suatu Kajian Sosiologi Hukum Terhadap Kepatuhan Hukum Di Dalam Masyarakat," *Justicia Sains: Jurnal Ilmu Hukum* 6, no. 1 (2021): 88-104.

⁵ Elan Nora, "Upaya Kesadaran Hukum Dan Kepatuhan Hukum Dalam Masyarakat," *Nomos: Jurnal Penelitian Ilmu Hukum* 3, no. 2 (2023): 62-70.

consumers benefited, but the businesses themselves also gain. By respecting consumer rights, businesses can build a good reputation, enhance customer trust, and ultimately increase their profits.⁶

This study aims to provide a more in-depth understanding of how consumer protection laws are applied to CVs that fail to meet their obligations. By analyzing various aspects, including existing regulations, on-the-ground implementation, and the challenges faced, this research hopes to make a tangible contribution to strengthening consumer protection in Indonesia. Consumer protection is a shared responsibility that requires collaboration from all parties to create a better business ecosystem for everyone.

2. Method

This study aims to examine the implementation of Law Number 8 of 1999 concerning Consumer Protection (UUPK) in relation to Commanditaire Vennootschap (CV) entities that fail to fulfill their obligations in protecting consumers in Indonesia. The research adopts a qualitative approach with a descriptive-analytical method.⁷ A qualitative approach was chosen because it allows the researcher to gain an in-depth understanding of the phenomena surrounding consumer protection violations by CVs and to analyze the factors influencing the implementation of the UUPK.

3. Implementation Challenges of the Consumer Protection Law (UUPK) on Commanditaire Vennootschap (CV)

The implementation of the Consumer Protection Law (UUPK) in Indonesia is a crucial strategic step to ensure that consumers' rights are effectively protected across various business transactions. The UUPK is designed to provide a robust legal framework for consumers, ensuring that they receive safe, quality products and services that align with the information provided by businesses. However, the application of the UUPK to Commanditaire Vennootschap (CV), a common form of business entity in Indonesia, faces significant challenges that hinder the effectiveness of consumer protection.⁸

CVs, often classified as small to medium-sized enterprises, possess an ownership structure involving both active and passive partners. This structure can influence their level of understanding and compliance with consumer protection regulations. In practice, many CV operators may not fully comprehend the contents and implications of the UUPK, particularly regarding consumer rights, the obligation to provide accurate information, and dispute resolution procedures. This lack of understanding can lead to unintentional non-compliance with regulations, ultimately harming consumers. Additionally, CV operators engaged in various aspects of business

⁶ Gita Ayu Ajeng Septianingrum, Putri Nabila, and Siti Nurhayati, "Teknologi Dan Kepatuhan Hukum (Tantangan Dan Strategi Dalam Sosiologi Hukum)," *Jurnal Humaya: Jurnal Hukum, Humaniora, Masyarakat, Dan Budaya* 4, no. 1 (2024): 47–62.

⁷ Zainuddin Ali, *Metode Penelitian Hukum* (Sinar Grafika, 2021).

⁸ Syamsarina Syamsarina et al., "Kesadaran Hukum Dan Kepatuhan Hukum: Analisis Faktor Yang Mempengaruhi Kesadaran Hukum Dan Kepatuhan Hukum Masyarakat," *Jurnal Selat* 10, no. 1 (2022): 81–90.

operations often focus more on financial and day-to-day operational matters, causing legal and ethical aspects of consumer protection to be neglected.

Beyond the lack of legal understanding, financial and operational resource limitations within CVs pose significant barriers to complying with UUPK standards. As business entities typically smaller in scale compared to Limited Liability Companies (PT), CVs often face constraints in terms of capital, workforce, and infrastructure. These limitations can impede their ability to implement adequate quality management systems, provide employee training on consumer rights, and adopt necessary technologies to meet expected service standards. Such constraints not only affect compliance with the UUPK but also diminish the competitiveness of CVs in the market, as consumers tend to prefer more reliable providers that adhere to higher consumer protection standards.⁹

Furthermore, access to resources for training and development presents another hurdle. Many CVs lack sufficient funds to participate in formal training on the UUPK or to adopt technologies that assist them in complying with regulations. This makes it difficult for them to update their knowledge and skills in line with regulatory developments and industry standards. Additionally, limited support from financial institutions can restrict CVs' ability to access the capital needed to invest in quality management systems or new technologies that enhance their compliance with the UUPK.

Low consumer awareness of their rights also poses a significant challenge in implementing the UUPK for CVs. Although the UUPK is designed to provide better protection for consumers, its effectiveness largely depends on the extent to which consumers are aware of and understand their rights. In many areas, especially among less educated populations or those residing in remote regions, consumer awareness of their rights is often low. This leads to consumers being less vigilant against unethical or unfair business practices, making it difficult for them to assert their rights when violations occur. This lack of knowledge also hampers consumers from utilizing the dispute resolution mechanisms provided by the UUPK, increasing the risk of consumer rights violations by CVs without significant consequences.¹⁰

Business culture factors also play a crucial role in the implementation of the UUPK. In some business environments, ethics and social responsibility are not prioritized. A business culture that emphasizes short-term financial gains over compliance with legal and ethical standards can impede the effective application of the UUPK. CV operators focused on increasing revenue and reducing operational costs may overlook the importance of fulfilling consumer protection obligations, leading to business practices that harm consumers. Additionally, social and cultural norms that do not support transparency and accountability can exacerbate the situation, as business

⁹ Puteri Asyifa Octavia Apandy and Panji Adam, "Pentingnya Hukum Perlindungan Konsumen Dalam Jual Beli," *Jurnal Manajemen Dan Bisnis Jayakarta* 3, no. 1 (2021): 12-18.

¹⁰ Nurul Fibrianti, "Penyelenggaraan Perlindungan Konsumen: Sinergi Negara, Pelaku Usaha Dan Konsumen," *Borobudur Law Review* 2, no. 2 (2020): 90-101.

operators feel free to disregard consumer protection standards without fearing significant negative repercussions.¹¹

In addition to internal factors related to CVs and consumers, inconsistent or unclear regulations can also hinder the implementation of the UUPK. Sometimes, there is overlap between the UUPK and other regulations governing specific aspects of business, such as licensing, taxation, and product standards. This lack of clarity or consistency can create confusion among CV operators regarding how to comply with all applicable regulations simultaneously. This can result in unintentional or even deliberate violations, as business operators feel burdened by the complexity of the regulations they must adhere to.

The impact of each of these challenges is substantial on the level of consumer rights violations by CVs. A lack of understanding among CV operators about their legal obligations can lead to unintentional non-compliance, while financial and operational resource constraints hinder their ability to meet established standards. Low consumer awareness increases the likelihood of violations, as consumers are not sufficiently informed about their rights to demand justice. A business culture that does not prioritize ethics and social responsibility reinforces the tendency of business operators to ignore consumer protection regulations for personal or corporate gain. All these factors synergistically contribute to the increasing number of consumer rights violations by CVs, ultimately damaging consumer trust in the market and harming the overall reputation of local businesses.¹²

To address these challenges, the government and related institutions have undertaken various efforts to enhance CVs' compliance with applicable regulations. One of the primary initiatives is the increased socialization and education regarding the UUPK for CV operators. Through training sessions, seminars, and informational campaigns, the government strives to improve CV operators' understanding of their rights and obligations under the UUPK. This education not only includes explanations of consumer rights but also provides practical guidance on how businesses can implement consumer protection standards in their daily operations. Additionally, providing resources and incentives for CVs to adopt consumer protection standards is also a focus, such as offering subsidies or technical assistance for developing quality management systems and employee training.

Moreover, increasing consumer awareness through public education campaigns is an integral part of the government's efforts. By providing broader and more accessible information about consumer rights and dispute resolution mechanisms, it is hoped that consumers will become more proactive in asserting their rights, thereby reducing the incidence of violations by business operators. The government also encourages collaboration between the public and private sectors in building a more ethical and

¹¹ Yanci Libria Fista, Aris Machmud, and Suartini Suartini, "Perlindungan Hukum Konsumen Dalam Transaksi E-Commerce Ditinjau Dari Perspektif Undang-Undang Perlindungan Konsumen," *Binamulia Hukum* 12, no. 1 (2023): 177-89.

¹² Alfina Maharani and Adnan Darya Dzikra, "Fungsi Perlindungan Konsumen Dan Peran Lembaga Perlindungan Konsumen Di Indonesia: Perlindungan, Konsumen Dan Pelaku Usaha (Literature Review)," *Jurnal Ekonomi Manajemen Sistem Informasi* 2, no. mor 6 (2021): 660.

socially responsible business culture through initiatives such as consumer-friendly business certifications and awards for companies that demonstrate high commitment to consumer protection.¹³

However, the effectiveness of these efforts remains a primary concern. Despite improvements in socialization and education, there remains a gap between theory and practice on the ground. Many CVs still do not fully comply with regulations despite being provided with information and training, often due to resource limitations or differing business priorities. Additionally, weak supervision and law enforcement mechanisms continue to be major obstacles in enhancing compliance. Without strict and consistent sanctions for violations, incentives for CVs to comply with the UUPK are limited. The lack of effective supervision also allows harmful business practices to persist without tangible consequences for the business operators.

To enhance the effectiveness of the UUPK implementation for CVs, a more holistic and integrated approach is necessary. The government needs to strengthen the capacity of supervisory and law enforcement institutions to ensure that regulations are not only understood but also consistently applied across all business levels. Additionally, improving access to resources and financial support for CVs can help them more easily meet consumer protection standards. Developing digital platforms that facilitate information access and dispute resolution can also enhance the efficiency and transparency of consumer protection processes. Digital technology can play a significant role in speeding up information dissemination to consumers and business operators, as well as simplifying the reporting and handling of consumer complaints.¹⁴

Beyond government measures, active participation from business associations and CV business groups is crucial in fostering a more responsible business culture. Through collaboration and knowledge exchange, business operators can support each other in implementing best practices and improving compliance with regulations. Business associations can function as mediators between the government and business operators, providing platforms for discussion and problem-solving faced by CVs in complying with the UUPK. Additionally, non-financial incentives such as public recognition or special certifications for CVs that demonstrate high commitment to consumer protection can serve as additional motivations for business operators to elevate their standards. Such recognition not only enhances business reputations but also attracts more consumers who value ethical and socially responsible companies.¹⁵

Furthermore, both formal and informal education on consumer protection needs to be strengthened. Educational institutions can incorporate UUPK and business ethics into

¹³ Gomgom TP Siregar and Muhammad Ridwan Lubis, "Sosialisasi Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen Di Lingkungan Universitas Darma Agung," *Pkm Maju Uda* 1, no. 3 (2021): 100-106.

¹⁴ Sutan Pinayungan Siregar, "Kepastian Hukum Perlindungan Konsumen Sesuai Dengan Ketentuan Undang-Undang Perlindungan Konsumen," *Journal of Law, Administration, and Social Science* 4, no. 2 (2024): 228-33.

¹⁵ Raka Wicaksono, Andriyanto Adhi Nugroho, and Rosalia Dika Agustanti, "Perlindungan Hukum Terhadap Konsumen Indihome Ditinjau Dari Undang-Undang Perlindungan Konsumen," *Jurnal Ilmiah Penegakan Hukum* 8, no. 2 (2021): 149-59.

their curricula, ensuring that future business generations are more aware of the importance of consumer protection. Training and certification programs provided by independent bodies can also help enhance business operators' knowledge and skills in implementing consumer protection standards.

The involvement of mass media in increasing consumer awareness is equally important. Media can play a role in informing consumers about their rights and exposing harmful business practices. By providing adequate coverage of consumer rights violation cases, the media can encourage business operators to adhere more closely to regulations to avoid negative publicity. Additionally, targeted media campaigns can help educate the broader public about the importance of consumer protection and how they can safeguard themselves in various business transactions.¹⁶

To ensure that the implementation of the UUPK for CVs is more effective, regular evaluations of the policies and programs that have been implemented are also necessary. The government and related institutions need to conduct research and surveys to identify problematic areas and develop new strategies to address existing challenges. Feedback from CV operators and consumers should also be integrated into the evaluation process to ensure that the policies implemented truly meet the needs and challenges on the ground.

The role of information technology in supporting the implementation of the UUPK is also crucial. The use of integrated consumer management information systems can help CVs monitor and manage consumer complaints more efficiently. This technology can streamline the reporting and handling of complaints, thereby enhancing responsiveness and transparency in consumer services. Additionally, digital platforms that provide information about consumer rights and dispute resolution procedures can be accessed by consumers anytime and anywhere, increasing the accessibility and effectiveness of consumer protection.¹⁷

In addition to technical aspects, legal aspects also need to be strengthened to support the implementation of the UUPK. The government must ensure that regulations related to consumer protection are regularly updated in line with the times and market needs. Furthermore, strict law enforcement against consumer rights violations is essential to deter businesses that breach regulations. A swift and fair legal process in handling consumer rights violation cases can enhance consumers' trust in the existing protection system.

In the context of globalization and increased competition in the international market, the application of the UUPK to CVs must also consider international standards in consumer protection. By adopting best practices from other countries and participating in international forums that discuss consumer protection, Indonesia can elevate domestic consumer protection standards and enhance the competitiveness of local businesses in the global market. This can also open opportunities for CVs to

¹⁶ Mabarroh Azizah, "Peran Negara Dalam Perlindungan Konsumen Muslim Di Indonesia," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 4, no. 2 (2021): 153–65.

¹⁷ Ria Sintha Devi and Feryanti Simarsoit, "Perlindungan Hukum Bagi Konsumen E-Commerce Menurut Undang-Undang No. 8 Tahun 1999 Tentang Perlindungan Konsumen," *JURNAL RECTUM: Tinjauan Yuridis Penanganan Tindak Pidana* 2, no. 2 (2020): 119–28.

expand their businesses more broadly by ensuring they meet internationally recognized consumer protection standards.

Overall, the challenges in implementing the UUPK for CVs reflect the complexity of enforcing consumer protection regulations at the small to medium-sized enterprise level. However, with sustained and collaborative efforts between the government, related institutions, and the business operators themselves, these barriers can be gradually overcome. Increasing legal understanding, strengthening CVs' operational capacities, enhancing consumer awareness, and fostering a more ethical and socially responsible business culture are crucial steps that must continue to be developed. Consequently, the implementation of the UUPK can become more effective, providing better protection for consumers and creating a fairer and more sustainable business environment in Indonesia.

To achieve these objectives, strong commitment from all relevant parties is required. The government must continue to develop policies and programs that support the implementation of the UUPK, including providing sufficient resources to supervisory and law enforcement agencies. Educational institutions and business associations also need to play an active role in disseminating information and providing relevant training for CV operators. On the other hand, CV operators must take responsibility for enhancing their knowledge and skills regarding consumer protection and adopting ethical and responsible business practices.¹⁸

With a comprehensive and coordinated approach, the implementation of the UUPK for CVs can become more effective, ensuring that consumers' rights are well protected and that local businesses can thrive in a fair and sustainable environment. Consumer protection is not only about granting rights to individuals but also about building trust and integrity within the broader economic system. Thus, the challenges in implementing the UUPK for CVs are not insurmountable obstacles but opportunities to improve the quality and ethics of business in Indonesia, creating a more competitive and sustainable market.

4. Effectiveness of Legal Sanctions in Improving CV Compliance with GCPL Law

The effectiveness of legal sanctions in increasing Commanditaire Vennootschap (CV) compliance with the Consumer Protection Law (UUPK) is a highly relevant topic within the context of the Indonesian government's efforts to ensure optimal consumer protection. The UUPK, implemented to provide a robust legal framework for consumers in various business transactions, stipulates various sanctions for business operators who violate consumer rights. These sanctions encompass both administrative and criminal penalties, designed to function as tools for supervision and prevention of violations. However, the extent to which these legal sanctions are effective in encouraging CVs to adhere to their obligations remains a question that requires in-depth analysis.

¹⁸ Wicaksono, Nugroho, and Agustanti, "Perlindungan Hukum Terhadap Konsumen Indihome Ditinjau Dari Undang-Undang Perlindungan Konsumen."

Administrative sanctions outlined in the UUPK include actions such as written warnings, administrative fines, business license revocations, and business activity suspensions. Meanwhile, criminal sanctions may involve imprisonment and heavier fines for business operators who commit serious violations of consumer rights. Both types of sanctions play distinct roles in ensuring CV compliance with applicable regulations. Administrative sanctions are typically applied to less severe violations or as initial steps to rectify business operator behavior, whereas criminal sanctions are intended for more serious breaches that significantly harm consumers.¹⁹

The primary function of these sanctions is to deter business operators by instilling a sense of accountability, encouraging them to comply with established regulations, and fostering a fair and transparent business environment. In practice, administrative sanctions serve as reminders for CVs to consistently uphold service standards and product quality. For instance, the imposition of administrative fines can motivate CVs to promptly address operational aspects that fail to meet consumer protection standards. Conversely, more severe criminal sanctions act as strong warnings that serious violations of consumer rights will result in significant legal consequences, thereby reducing the frequency of such violations by business operators.

Analysis of cases involving UUPK violations by CVs reveals variations in the application of legal sanctions. The frequency of administrative and criminal sanctions depends on the severity of the violations committed by CVs. In many instances, relatively minor violations, such as inaccurate product information or unsatisfactory services, are more often subject to administrative sanctions. However, for more serious offenses, such as consumer fraud or misuse of personal data, criminal sanctions are more frequently imposed. The severity of these violations influences not only the type of sanctions administered but also their impact on CV behavior.²⁰

The impact of legal sanctions on CV behavior is considerably significant. Consistent application of administrative sanctions can enhance business operators' awareness of the importance of adhering to consumer protection standards. For example, routinely imposed administrative fines can serve as reminders for CVs to maintain the quality of their products and services. Additionally, revoking business licenses or suspending business activities for those committing severe violations sends a clear message that the government will not tolerate breaches of consumer rights, thereby encouraging CVs to exercise greater caution in their business operations.

However, the effectiveness of legal sanctions in delivering the intended deterrent effect remains questionable. One factor influencing the effectiveness of sanctions is the speed of legal enforcement processes. Prolonged legal proceedings can diminish the deterrent impact of sanctions, as business operators may not perceive immediate consequences for their violations. Moreover, delays in law enforcement can create the perception that violations of consumer rights will not be met with serious penalties, thereby reducing CVs' motivation to comply with regulations.

¹⁹ Azizah, "Peran Negara Dalam Perlindungan Konsumen Muslim Di Indonesia."

²⁰ Devi and Simarsoit, "Perlindungan Hukum Bagi Konsumen E-Commerce Menurut Undang-Undang No. 8 Tahun 1999 Tentang Perlindungan Konsumen."

Transparency in the implementation of sanctions also plays a crucial role in the effectiveness of legal sanctions. When the sanctioning process is conducted openly and fairly, it can enhance business operators' trust in the legal system and encourage them to adhere more strictly to regulations. Conversely, if the application of sanctions is perceived as inconsistent or influenced by non-legal factors, the effectiveness of sanctions as supervisory and preventive tools diminishes. Transparency in law enforcement ensures that all business operators, including CVs, are treated fairly and equally under the law, thereby increasing their trust in the existing consumer protection system.²¹

Support from law enforcement agencies significantly affects the effectiveness of legal sanctions. Adequate resources for supervisory and law enforcement bodies, such as the National Consumer Protection Agency (BPKN) or other related institutions, are essential to ensure that legal sanctions can be effectively enforced. Without sufficient support, supervision and law enforcement processes can be impeded, preventing the optimal application of sanctions as stipulated in the UUPK. Therefore, enhancing the capacity of law enforcement agencies through increased funding, training, and technological advancements is a critical step in improving the effectiveness of legal sanctions in promoting CV compliance with the UUPK.²²

Evaluation of the effectiveness of legal sanctions also reveals gaps that allow violations to persist without significant consequences. One major gap is the lack of sufficiently severe sanctions to produce the desired deterrent effect. In some cases, the administrative fines imposed may not be substantial enough to motivate CVs to consistently comply with regulations. Additionally, shortcomings in law enforcement, such as weak investigation processes or limitations in evidence collection, can result in guilty business operators not being adequately punished, thereby reducing the effectiveness of existing sanctions.

Moreover, there are issues related to business operators' perceptions of legal sanctions. Some CVs may view legal sanctions as additional burdens that can disrupt their business operations, especially if they operate with limited resources. Therefore, it is crucial for the government and related institutions to consider a balance between imposing sanctions and providing support that helps CVs comply with regulations. For instance, offering training programs or technical assistance can help CVs enhance their compliance with the UUPK without imposing excessive burdens.

Based on these findings, several recommendations can be proposed to enhance the sanctioning mechanisms to ensure greater CV compliance with the UUPK and ultimately strengthen consumer protection. First, the government needs to expedite the legal enforcement process by optimizing the judicial system and strengthening coordination among various law enforcement agencies. A faster process will ensure

²¹ Aan Handriani, "Perlindungan Konsumen Dalam Perjanjian Transaksi Jual Beli Online," *Pamulang Law Review* 3, no. 2 (2020): 127-38.

²² Nina Juwitasari et al., "Perlindungan Konsumen Terhadap Pengguna Jasa Ekspedisi," *Jurnal Usm Law Review* 4, no. 2 (2021): 688-701.

that legal sanctions are applied promptly, thereby increasing their deterrent effect on business operators.²³

Second, increasing transparency in the implementation of sanctions should be a primary priority. The government and law enforcement agencies must ensure that all sanctioning processes are conducted openly and fairly, and provide clear information to the public regarding cases of violations and the sanctions imposed. This not only enhances business operators' trust in the legal system but also provides a concrete example to other CVs that violations of consumer rights will face serious consequences.

Third, there is a need to enhance support from law enforcement agencies by providing adequate resources. This includes increasing budgets, acquiring necessary technology for investigations and supervision, and training law enforcement officials to be more competent in handling UUPK violation cases. With stronger support, law enforcement agencies can perform their duties more effectively, thereby increasing the effectiveness of legal sanctions.

Fourth, the government should consider providing incentives to CVs that demonstrate high compliance with the UUPK. These incentives can include tax reductions, public recognition, or special certifications that enhance business reputation in the eyes of consumers. Such incentives not only provide additional motivation for CVs to comply with regulations but also help create a more responsible and consumer-oriented business culture.²⁴

Additionally, it is essential to develop ongoing education and training programs for business operators regarding consumer rights and their obligations under the UUPK. Continuous education can enhance business operators' understanding of the importance of regulatory compliance and provide them with the necessary skills and knowledge to meet consumer protection standards. These training programs can be conducted by the government, business associations, or independent institutions with expertise in consumer protection.

Furthermore, the implementation of information technology can serve as an effective solution in enhancing the effectiveness of legal sanctions. The use of integrated consumer management information systems can help CVs monitor and manage consumer complaints more efficiently. This technology can streamline the reporting and handling of complaints, thereby improving responsiveness and transparency in consumer services. Additionally, digital platforms that provide information about consumer rights and dispute resolution procedures can be accessed by consumers anytime and anywhere, increasing the accessibility and effectiveness of consumer protection.

²³ Yustina Dhian Novita and Budi Santoso, "Urgensi Pembaharuan Regulasi Perlindungan Konsumen Di Era Bisnis Digital," *Jurnal Pembangunan Hukum Indonesia* 3, no. 1 (2021): 46–58.

²⁴ Irsan Rahman, Riezka Eka Mayasari, and Tia Nurapriyanti, "Hukum Perlindungan Konsumen Di Era E-Commerce: Menavigasi Tantangan Perlindungan Konsumen Dalam Lingkungan Perdagangan Digital," *Jurnal Hukum Dan HAM Wara Sains* 2, no. 08 (2023): 683–91.

Beyond government measures, active participation from business associations and CV business groups is crucial in fostering a more responsible business culture. Through collaboration and knowledge exchange, business operators can support each other in implementing best practices and improving compliance with regulations. Business associations can act as mediators between the government and business operators, providing platforms for discussions and problem-solving faced by CVs in complying with the UUPK. Additionally, non-financial incentives such as public recognition or special certifications for CVs that demonstrate high commitment to consumer protection can serve as additional motivations for business operators to elevate their standards. Such recognition not only enhances business reputations but also attracts more consumers who value ethical and socially responsible companies. Therefore, these non-financial incentives can function as effective motivators in increasing CV compliance with the UUPK.²⁵

In the context of globalization and increased competition in the international market, the effectiveness of legal sanctions in enhancing CV compliance with the UUPK must also consider international consumer protection standards. By adopting best practices from other countries and participating in international forums that discuss consumer protection, Indonesia can elevate domestic consumer protection standards and enhance the competitiveness of local businesses in the global market. This can also open opportunities for CVs to expand their businesses more broadly by ensuring they meet internationally recognized consumer protection standards.

However, to achieve optimal effectiveness, legal sanctions should not be viewed as the sole solution in enhancing CV compliance with the UUPK. A more holistic and integrated approach is necessary, encompassing a combination of imposing strict sanctions and providing adequate support to business operators to comply with regulations. Thus, the government needs to develop strategies that cover various aspects, ranging from enhancing law enforcement, education and training, to providing incentives for business operators who demonstrate high compliance with the UUPK.

Overall, the effectiveness of legal sanctions in increasing CV compliance with the UUPK still requires continuous evaluation and improvement. Although administrative and criminal sanctions are outlined in the UUPK as supervisory and preventive tools, their implementation still faces various challenges that hinder their effectiveness. Factors such as the speed of legal enforcement processes, transparency in sanction application, support from law enforcement agencies, and the balance between imposing sanctions and providing support to business operators all play critical roles in determining how effectively legal sanctions can encourage business operator compliance. By addressing these challenges and implementing the outlined recommendations, it is anticipated that legal sanctions can function more optimally in ensuring better consumer protection in Indonesia. This will not only enhance consumer trust in the market but also create a fairer, more transparent, and sustainable

²⁵ Muhammad Fabio Ustuchori and Liya Sukmah Muliya, "Perlindungan Hukum Pengguna Obat Nyamuk Berdasarkan Hukum Islam Dan Perlindungan Konsumen," *Jurnal Riset Ilmu Hukum*, 2022, 1-6.

business environment that ultimately benefits all stakeholders within Indonesia's economic ecosystem.²⁶

To achieve these objectives, a strong commitment from all relevant parties is essential. The government must continue to develop policies and programs that support the implementation of the UUPK, including providing sufficient resources to supervisory and law enforcement agencies. Educational institutions and business associations also need to play an active role in disseminating information and providing relevant training for CV operators. Conversely, CV operators must take responsibility for enhancing their knowledge and skills regarding consumer protection and adopting ethical and responsible business practices.

With a comprehensive and coordinated approach, the implementation of the UUPK for CVs can become more effective, ensuring that consumers' rights are well protected and that local businesses can thrive in a fair and sustainable environment. Consumer protection is not only about granting rights to individuals but also about building trust and integrity within the broader economic system. Thus, the challenges in implementing the UUPK for CVs are not insurmountable obstacles but opportunities to improve the quality and ethics of business in Indonesia, creating a more competitive and sustainable market.²⁷

To achieve higher effectiveness, it is also crucial to conduct regular monitoring and evaluation of the policies and programs that have been implemented. This allows for the swift identification of emerging issues and the adjustment of strategies as necessary to enhance the effectiveness of sanctions. Additionally, involving the community and consumers in the supervision process can increase accountability and transparency in the application of legal sanctions. More active and informed consumers can exert additional pressure on business operators to comply with regulations, thereby creating a positive synergy between the government, business operators, and consumers in achieving optimal consumer protection goals.

In this context, the role of mass media cannot be overlooked. The media can function as a public education tool regarding consumer rights and the importance of business operator compliance with the UUPK. Furthermore, the media can play a role in monitoring and reporting violations that occur, thereby increasing public awareness of the importance of consumer protection. Objective and comprehensive media coverage of consumer rights violation cases can pressure business operators to improve their behavior and comply with applicable regulations to avoid negative publicity. Additionally, targeted media campaigns can help educate the broader public about the importance of consumer protection and how they can safeguard themselves in various business transactions.²⁸

²⁶ Ramon Zamora, *Perlindungan Konsumen Dalam Perspektif Pemasaran* (Absolute Media, 2023).

²⁷ Prabowo and Hudallah, "Analisis Kelengkapan Produk Usaha Dalam Memenuhi Hukum Perlindungan Konsumen."

²⁸ JUBAIDAH and Junaidi, "Analisis Kepatuhan Hukum Produsen Terhadap Pencantuman Tanggal Kadaluwarsa Prespektif Undangundang Perlindungan Konsumen Dan Etika Bisnis Islam (Studi Kasus Home Industri Di Desa Gombang, Slahung, Ponorogo)."

Moreover, it is essential to develop more efficient and accessible dispute resolution mechanisms for consumers. These mechanisms can include mediation, arbitration, or simpler and faster legal processes, allowing consumers to assert their rights without enduring lengthy and costly litigation processes. With effective dispute resolution mechanisms, consumers will have greater confidence in demanding their rights, and business operators will feel compelled to comply with regulations to avoid more severe legal consequences.

Increasing community awareness and participation in the supervision process is also a vital step in enhancing the effectiveness of legal sanctions. A more engaged and active community in monitoring business practices can contribute positively to pressuring business operators to adhere to regulations. This can be achieved through public education programs, consumer awareness campaigns, and participation in forums discussing consumer protection. With greater community involvement, the government's efforts in enforcing legal sanctions will be more effective and far-reaching.²⁹

Additionally, developing integrated information and data systems regarding consumer rights violations and the application of legal sanctions is crucial. Such systems can assist in collecting, analyzing, and disseminating information about violations, facilitating the supervision and law enforcement processes. Accurate and up-to-date data can be used to identify trends in violations, evaluate the effectiveness of imposed sanctions, and develop new strategies to enhance business operator compliance. Thus, a robust information system can serve as an effective tool in increasing the effectiveness of legal sanctions and ensuring optimal consumer protection.

On the other hand, it is also important to consider fairness and proportionality in the imposition of legal sanctions. Sanctions should correspond to the severity of the violations committed, ensuring that business operators do not feel unjustly penalized and are motivated to comply with regulations. A balanced approach between imposing sanctions and providing support to business operators can create a more conducive and fair business environment, encouraging higher compliance with the UUPK.³⁰

In summary, the effectiveness of legal sanctions in enhancing CV compliance with the UUPK is the result of various interrelated factors. The speed of legal enforcement processes, transparency in sanction application, support from law enforcement agencies, and active involvement from various relevant parties all contribute to how effectively legal sanctions can encourage business operator compliance. By addressing existing challenges and implementing the proposed recommendations, it is hoped that legal sanctions can function more optimally in ensuring better consumer protection in Indonesia. This will not only enhance consumer trust in the market but also create a fairer, more transparent, and sustainable business environment that ultimately benefits all stakeholders within Indonesia's economic ecosystem.

²⁹ Nora, "Upaya Kesadaran Hukum Dan Kepatuhan Hukum Dalam Masyarakat."

³⁰ Apandy and Adam, "Pentingnya Hukum Perlindungan Konsumen Dalam Jual Beli."

5. Conclusion

The implementation of the Consumer Protection Law (UUPK) for Commanditaire Vennootschap (CV) in Indonesia encounters a variety of complex challenges. The primary obstacles include the lack of understanding among CV business operators regarding their legal obligations, limitations in financial and operational resources, low consumer awareness, and a business culture that has yet to fully emphasize ethics and social responsibility. These barriers result in frequent violations of consumer rights, which in turn damage market trust and the reputation of local businesses.

On the other hand, although the UUPK has established various administrative and criminal sanctions to encourage CV compliance, their effectiveness remains limited due to slow law enforcement processes, insufficient transparency, and suboptimal support from law enforcement agencies. The existing sanctions have not yet been entirely capable of providing a significant deterrent effect, allowing violations to persist without severe consequences.

To enhance CV compliance with the UUPK, a holistic and integrated approach is necessary. This includes strengthening the capacity of law enforcement agencies, providing ongoing education for both business operators and consumers, and offering incentives to CVs that adhere to regulations. Through collaborative efforts among the government, relevant institutions, business associations, and business operators, consumer protection can be significantly improved. This collaboration aims to create a fairer, more transparent, and sustainable business environment in Indonesia.

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