

# CHAPTER I

## INTRODUCTION

### A. BACKGROUND

The advanced computer technology has made significant changes in the day-to-day activities, especially in trading which can now be accessed online. A variety of unique strategies from traders give an attractive impression to consumers or buyers, without realizing that online trading is increasing and becoming one of the needs that is very influential on society.<sup>1</sup> Moreover, many application platforms that provide online trading or commonly called E-commerce with a variety of product offerings and prices that are given from the lowest to the highest price, and also have quality that attracts the attention of the public to buy it. E-commerce also has a very special function, which almost sells complete daily necessities that are available in each application such as Shopee, Lazada, Blibli, Elevenia and others, making it easier to choose and shop. This application is also convenient for consumers with a very easy ordering using only a mobile phone or laptop, which of course only by having an internet quota to access the application. It means that consumers do not need to visit the store if they want to buy something then the delivery service takes only a few days to reach consumers. Go-Jek with its Go-Send application provides rapid delivery of the purchasing

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<sup>1</sup> Aan Handriani, "Keabsahan Perjanjian Jual Beli Secara Tidak Tertulis Berdasarkan Hukum Perdata", *Jurnal Ilmu Hukum*, Vol. 1. No. 2, (2018), p. 288.

goods. When the distance between the buyer and the seller's shop is not far, the purchasing goods can reach the customer within a minutes.

With e-commerce applications, not only selling daily necessities can be done; e-commerce also provides the sale and purchase of animals. The business of animal trade now can be done through online as some stores and farmers also have offered online transactions. Among the animals are cats, bulls, buffalo, rabbits, hamsters, iguanas and others. However, online shopping has several disadvantages such as animal injuries, defects, greater assistances and even risks that cannot be avoided if natural obstacles occur such as a storm or other unwanted events.<sup>2</sup> Some buyers may get big losses or cheated by irresponsible business actors by offering very cheap prices.

The consumers can file the complaint to the Consumer Dispute Settlement Agency created specifically for consumer protection regulated in the consumer protection law, and minimize potential problems in online animal trade in order to examine the rules of sale and purchase clearly.<sup>3</sup> In this case, of course the sellers must give responsibility to consumers who are disappointed so that the seller can provide relief to consumers or can replace the losses obtained by the buyer, such as by having a commentary place for each buyer who can write their complaints, or also include them telephone number that can be contacted. Therefore

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<sup>2</sup> Alvin et al, "Perlindungan Konsumen dalam Transaksi Jual Beli Hewan Seacara Online", *Diponegoro Law Review*, Volume 3. No. 2, (2014), p.3.

<sup>3</sup> Agustinus Samosir, "Penyelesaian Sengketa Konsumen Yang Dilakukan Badan Penyelesaian Sengketa Konsumen (BPSK)", *Jurnal Hukum Legal Standing*, Volume 2. No. 2, (2018), p.13.

buyers or consumers get protection based on Law Number 8 of 1999 Article 19 concerning Consumer Protection,<sup>4</sup> This law provides assistances to the consumers if the seller is not responsible or get a loss for animals purchased through online. With this clear how the parties resolve or account for the losses incurred by consumers.

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<sup>4</sup> See Law Number 8 of 1999, Article 19 concerning on Consumer Protection

## **B. RESEARCH PROBLEM**

Based on the background above, then the problem can be formulated as follows:

1. How is the online animal sale and purchase agreement?
2. How is the responsibilities of the parties in online animal trade?

## **C. OBJECTIVE OF RESEARCH**

In accordance with the description above, this study aims:

1. To find out about an animal sale and purchase agreement online
2. To find out the responsibilities of the parties in online animal trade

## **D. BENEFIT OF RESEARCH**

1. Theoretical benefits

With the research to be carried out, it is hoped that it will provide information and knowledge about the responsibilities of online animal trade, especially the responsibilities of the parties in online animal trade.

2. Practical benefits

This research is expected to provide input for readers regarding the responsibilities of the parties in online animal trade, as well as giving and adding insight to the community so that consumer protection for buyers is more noticed and the parties from each e-commerce provide good service to consumer.