

ABSTRAK

Praktik jual beli ban bekas yang sering merugikan konsumen akibat kurangnya transparansi dan kejujuran dari pihak penjual. Dalam perspektif Islam, perdagangan dibolehkan selama sesuai prinsip syariah, seperti larangan riba, penipuan, dan ketidakjelasan. Namun, banyak pelaku usaha yang melanggar ketentuan ini. Kajian dilakukan dengan pendekatan hukum Islam dan Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen, guna menganalisis perlindungan hukum terhadap konsumen.

Penelitian ini menggunakan metode kualitatif Pendekatan hukum normatif ini akan menganalisis peraturan perundang-undangan yang berlaku, dalam hal ini Undang-Undang Perlindungan Konsumen dan hukum Islam terkait penjualan yang informasi nya kurang jelas atau di sembunyikan, di mana analisis data dilakukan dari fakta-fakta spesifik dan kejadian nyata untuk kemudian disimpulkan secara umum. Data diperoleh dari data primer dan sekunder melalui observasi, wawancara, dan dokumentasi.

Hasil penelitian menunjukkan bahwa meskipun ban bekas diminati karena faktor ekonomi dan lingkungan, praktik penjualannya sering kali tidak transparan dan merugikan konsumen. Ketidakjelasan informasi tentang kondisi ban bertentangan dengan prinsip keadilan dalam Islam serta melanggar ketentuan hukum positif, seperti UU No. 8 Tahun 1999 dan KUHPerdara. Islam melarang transaksi yang mengandung unsur gharar dan ghasy, sementara hukum positif menekankan kewajiban penjual untuk memberikan informasi jujur dan menjamin mutu barang. Oleh karena itu, diperlukan edukasi dan penegakan hukum agar transaksi jual beli ban bekas berlangsung secara adil, transparan, dan sesuai dengan ketentuan syariat dan perundang-undangan.

Kata Kunci: Jual Beli Ban Bekas, Hukum Islam, Hukum Perlindungan Konsumen, Etika Bisnis.

ABSTRACT

The practice of buying and selling used tires often harms consumers due to a lack of transparency and honesty on the part of the seller. In an Islamic perspective, trading is permitted as long as it complies with sharia principles, such as the prohibition of usury, fraud and ambiguity. However, many business actors violate this provision. The study was carried out using an Islamic law approach and Law Number 8 of 1999 concerning Consumer Protection, in order to analyze legal protection for consumers. The research results show that the sale of used tires that are not suitable for use violates the principles of justice and applicable legal regulations, so education and law enforcement are needed to create fair and responsible transactions.

This research uses a qualitative method. This normative legal approach will analyze applicable laws and regulations, in this case the Consumer Protection Law and Islamic law regarding sales where information is unclear or hidden, where data analysis is carried out from specific facts and real events to then draw general conclusions. Data was obtained from primary and secondary data through observation, interviews and documentation.

The research results show that although used tires are in demand due to economic and environmental factors, sales practices are often not transparent and are detrimental to consumers. Unclear information about the condition of tires is contrary to the principles of justice in Islam and violates positive legal provisions, such as Law no. 8 of 1999 and the Civil Code. Islam prohibits transactions that contain elements of gharar and ghasy, while positive law emphasizes the seller's obligation to provide honest information and guarantee the quality of goods. Therefore, education and law enforcement are needed so that used tire buying and selling transactions take place fairly, transparently, and in accordance with sharia and statutory provisions.

Keywords: Buying and Selling Used Tires, Islamic Law, Consumer Protection Law, Business Ethics.