

AKIBAT HUKUM BAGI PELAKU USAHA *SMARTPHONE BLACK MARKET* DI TINJAU BERDASARKAN UNDANG-UNDANG REPUBLIK INDONESIA NOMOR 17 TAHUN 2006 TENTANG KEPABEANAN

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ABSTRAK

Perkembangan teknologi telah mendorong meningkatnya kebutuhan masyarakat akan *smartphone*. Namun, tingginya harga produk resmi menyebabkan sebagian pelaku usaha memilih memperdagangkan *smartphone* melalui pasar gelap (*black market*). Praktik ini berpotensi melanggar ketentuan hukum, khususnya Undang-Undang Republik Indonesia Nomor 17 Tahun 2006 tentang Kepabeanan. Penelitian ini bertujuan untuk menganalisis akibat hukum bagi pelaku usaha yang memperjualbelikan *smartphone black market*, serta menelaah tanggung jawab pelaku usaha terhadap kerugian yang dialami konsumen. Penelitian ini menggunakan metode yuridis normatif dengan pendekatan perundang-undangan dan kasus konkret. (1) Hasil penelitian menunjukkan bahwa pelaku usaha dapat dikenakan sanksi pidana maupun administratif karena melanggar ketentuan kepabeanan, serta memiliki tanggung jawab hukum dalam memberikan ganti rugi kepada konsumen. (2) Penegakan hukum terhadap pelaku usaha *smartphone black market* menjadi penting guna melindungi hak konsumen dan menjaga stabilitas perekonomian negara.

Kata Kunci: **Kepabeanan, Pelaku Usaha, Perlindungan Konsumen, *Smartphone Black Market*, Tanggung Jawab Hukum.**



***LEGAL CONSEQUENCES FOR BUSINESS ACTORS TRADING BLACK
MARKET SMARTPHONES IN LIGHT OF LAW OF THE REPUBLIC OF
INDONESIA NUMBER 17 OF 2006 ON CUSTOMS***

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ABSTRACT

The advancement of technology has significantly increased public demand for smartphones. However, the high cost of official products has led some business actors to trade smartphones through the black market. This practice potentially violates legal provisions, particularly Law of the Republic of Indonesia Number 17 of 2006 on Customs. This study aims to analyze the legal consequences for business actors who trade black market smartphones and examine their responsibilities regarding consumer losses. This research employs a normative juridical method using statutory and case approaches. (1) The results indicate that business actors may be subject to criminal and administrative sanctions for violating customs regulations, and they bear legal responsibility to provide compensation to affected consumers. (2) Strict law enforcement against black market smartphone traders is crucial to protect consumer rights and maintain national economic stability.

Keywords: Black Market Smartphones, Business Actors, Customs, Consumer Protection, Legal Responsibility.

