

ABSTRAK

Nathania Felisiana Lukita Devy. NIM. 126101212124. Analisis Yuridis Peraturan Menteri Perdagangan No. 51/M-Dag/Per/7/2015 Tentang Larangan Impor Pakaian Bekas Dikaitkan Dengan Prinsip Ekonomi Syariah (Studi Kasus Praktik *E-commerce* Tiktok. Program Studi Hukum Ekonomi Syariah. Fakultas Syariah dan Ilmu Hukum. Universitas Islam Negeri Sayyid Ali Rahmatullah Tulungagung. 2025. Pembimbing: Drs. Mashuri, M.H.I.

Kata Kunci: Perdagangan, Impor Pakaian Bekas, Prinsip Ekonomi Syariah, E-Commerce Tiktok.

Penelitian ini dilatarbelakangi oleh Peraturan Menteri Perdagangan No. 51/M-DAG/PER/7/2015 yaitu mengatur tentang larangan impor pakaian bekas sebagai langkah strategis untuk melindungi kesehatan, keselamatan, dan keberlangsungan industri dalam negeri. Perdagangan pakaian bekas impor yang berlangsung di platform *e-commerce* seperti TikTok jika tidak mengikuti aturan pemerintah akan dapat menimbulkan masalah, maka kemudian praktik perdagangan ini harus sesuai dengan nilai-nilai ekonomi syariah.

Rumusan dalam penelitian ini yaitu: 1) Bagaimana ketentuan hukum mengenai larangan perdagangan impor pakaian bekas menurut peraturan Menteri Perdagangan No. 51/M-DAG/PER/7/2015?. 2) Bagaimana implementasi peraturan Menteri Perdagangan No. 51/M-DAG/PER/7/2015 dalam praktik perdagangan pakaian bekas di *e-commers* live Tiktok?. 3) Bagaimana tinjauan prinsip ekonomi syariah terhadap penjualan pakaian bekas di *e-commers* live Tiktok?.

Metode penelitian ini menggunakan pendekatan yuridis normatif dengan jenis penelitian deskriptif analitis. Teknik analisis data dengan cara pengelompokan data, reduksi data, analisis normatif, penarikan kesimpulan.

Hasil dalam penelitian ini yaitu: 1) Peraturan Menteri Perdagangan No. 51/M-DAG/PER/7/2015 tentang larangan impor pakaian bekas merupakan langkah strategis yang penting untuk melindungi kepentingan nasional, termasuk kesehatan masyarakat, kelestarian lingkungan, dan perkembangan industri tekstil domestik. Kebijakan ini mendukung pertumbuhan ekonomi dengan menciptakan ruang pasar yang kompetitif bagi produk lokal, serta mengurangi risiko kesehatan dan dampak negatif limbah tekstil. 2) Praktik perdagangan pakaian bekas impor melalui platform digital, seperti TikTok, menunjukkan adanya tantangan besar dalam menegakkan Peraturan Menteri Perdagangan No. 51/M-DAG/PER/7/2015 yang melarang impor pakaian bekas. Daya tarik utama bagi konsumen adalah harga yang terjangkau dan tren fashion yang sedang populer, sementara pelaku perdagangan atau TikTok Affiliated, sering kali tidak memahami atau sengaja mengabaikan regulasi tersebut karena tingginya permintaan dan potensi keuntungan. 3) Mayoritas pelaku perdagangan pakaian bekas melalui TikTok Affiliated melakukan impor pakaian bekas karena tingginya permintaan pasar dan keuntungan yang dihasilkan. Hal ini mencerminkan prinsip dalam *maqashid syariah* yaitu mengutamakan perlindungan terhadap jiwa (*hifzh an-nafs*), harta (*hifzh al-mal*), dan lingkungan (*hifzh al-bi'ah*), menciptakan keadilan dalam perdagangan, serta mendorong kesejahteraan masyarakat.

ABSTRACT

Nathania Felisiana Lukita Devy. NIM. 126101212124. Juridical Analysis of the Regulation of the Minister of Trade No. 51 / M-Dag / Per / 7/2015 concerning the Prohibition of Imports of Used Clothing Associated with Sharia Economic Principles (Case Study of Tiktok E-commerce Practices. Sharia Economic Law Study Program. Faculty of Sharia and Legal Sciences. Sayyid Ali Rahmatullah Tulungagung State Islamic University. 2025. Advisor: Drs. Mashuri, M.H.I.

Keywords: Trade, Import of Used Clothes, Sharia Economic Principles, Tiktok E-Commerce

This research is motivated by the Minister of Trade Regulation No. 51/M-DAG/PER/7/2015 which regulates the prohibition of imported used clothing as a strategic step to protect the health, safety, and sustainability of the domestic industry. The trade in imported used clothing that takes place on e-commerce platforms such as TikTok if it does not follow government regulations will cause problems, so then this trade practice must be in accordance with sharia economic values.

The formulations in this study are: 1) How are the legal provisions regarding the prohibition of trade in imported used clothing according to the regulation of the Minister of Trade No. 51/M-DAG/PER/7/2015? 2)How is the implementation of the regulation of the Minister of Trade No. 51/M-DAG/PER/7/2015 in the practice of trading used clothing on Tiktok *e-commers*?. 3) How is the review of sharia economic principles there is a sale of used clothing on Tiktok *e-commers*?.

This research method uses a normative juridical approach with descriptive analytical research. Data analysis techniques by means of data grouping, data reduction, normative analysis, conclusion drawing.

The results in this study are: 1) Minister of Trade Regulation No. 51/M-DAG/PER/7/2015 on the import ban of used clothing is an important strategic step to protect national interests, including public health, environmental sustainability, and the development of the domestic textile industry. This policy supports economic growth by creating a competitive market space for local products, as well as reducing health risks and negative impacts of textile waste. 2)The practice of trading imported secondhand clothing through digital platforms, such as TikTok, shows that there are major challenges in enforcing the Minister of Trade Regulation No. 51/M-DAG/PER/7/2015 which prohibits the import of secondhand clothing. The main attraction for consumers is affordable prices and popular fashion trends, while traffickers or TikTok Affiliated, often do not understand or deliberately ignore the regulation due to high demand and potential profits. 3)The majority of TikTok Affiliated traders import used clothing due to high market demand and the resulting profits. This reflects the principles in maqashid sharia, namely prioritizing the protection of the soul (hifzh an-nafs), property (hifzh al-mal), and the environment (hifzh al-bi'ah), creating justice in trade, and encouraging community welfare.

