

ABSTRAK

Novita Tunjung Sari, NIM.2821133020, "Perlindungan Hukum bagi Pelaku Usaha Rental Play Station dalam Perspektif Kitab Undang-Undang Hukum Perdata dan Hukum Islam (Studi Kasus Rental Home Game PS2 di Desa Ngoran Kecamatan Nglegok Kabupaten Blitar)", Jurusan Hukum Ekonomi Syariah, Fakultas Syariah dan Ilmu Hukum, IAIN Tulungagung, 2017, Pembimbing: Dr. Kutbuddin Aibak, S.Ag., M.H.I.

Kata Kunci: Perlindungan Hukum, Kitab Undang-Undang Hukum Perdata, Hukum Islam.

Penelitian ini dilatarbelakangi oleh adanya kerugian-kerugian yang dialami pelaku usaha yang diakibatkan adanya iktikad tidak baik dari penyewa sehingga peneliti mengkaji dan menganalisis bagaimana bentuk perlindungan hukum bagi pelaku usaha Rental Play Station di Home Game PS2 Desa Ngoran Kecamatan Nglegok Kabupaten Blitar dalam perspektif Kitab Undang-undang Hukum Perdata dan Hukum Islam.

Rumusan Masalah dalam penelitian ini adalah: 1) Bagaimana perlindungan hukum bagi pelaku usaha dalam praktik Rental Play Station di Home Game PS2 Desa Ngoran Kecamatan Nglegok Kabupaten Blitar?, 2) Bagaimana perlindungan hukum bagi pelaku usaha dalam praktik Rental Play Station di Home Game PS2 Desa Ngoran Kecamatan Nglegok Kabupaten Blitar menurut Kitab Undang-Undang Hukum Perdata?, 3) Bagaimana perlindungan hukum bagi pelaku usaha dalam praktik Rental Play Station di Home Game PS2 Desa Ngoran Kecamatan Nglegok Kabupaten Blitar menurut Hukum Islam. Adapun yang menjadi tujuan dari penelitian ini adalah: 1) Mendeskripsikan perlindungan hukum bagi pelaku usaha dalam praktik rental Play Station di Home Game PS2 Desa Ngoran Kecamatan Nglegok Kabupaten Blitar, 2) Mendeskripsikan dan menganalisis perlindungan hukum bagi pelaku usaha dalam praktik rental Play Station di Home Game PS2 Desa Ngoran Kecamatan Nglegok Kabupaten Blitar menurut Kitab Undang-Undang Hukum Perdata, 3) mendeskripsikan dan menganalisis bagaimana perlindungan hukum bagi pelaku usaha dalam praktik rental Play Station di Home Game PS2 Desa Ngoran Kecamatan Nglegok Kabupaten Blitar menurut hukum Islam.

Penelitian ini merupakan penelitian lapangan (*field research*) yaitu penelitian yang dilakukan secara intensif, terperinci, dan mendalam dengan cara kualitatif. Teknik pengumpulan data yang digunakan berupa observasi, wawancara, serta dokumentasi. Sedangkan teknik analisis yang digunakan adalah reduksi data, penyajian data, dan penarikan kesimpulan.

Hasil penelitian dapat disimpulkan bahwa: 1) Perlindungan hukum bagi pelaku usaha dalam praktik rental Play Station Home Game PS2 Desa Ngoran Kecamatan Nglegok Kabupaten Blitar dilakukan dengan pemberian sanksi berupa denda dan ganti rugi kepada penyewa. 2) Pemberian sanksi berupa denda dan ganti rugi sudah sesuai pasal 1246 KUH Perdata tentang ganti rugi karena wanprestasi ataupun pasal 1365 KUH Perdata mengenai ganti rugi karena

perbuatan melawan hukum. 3) Upaya hukum pelaku usaha dalam praktik Rental Play Station Home Game PS2 Desa Ngoran Kecamatan Nglegok Kabupaten Blitar terhadap adanya iktikad tidak baik penyewa yaitu berupa denda dan ganti rugi sudah sesuai dalam ketentuan hukum Islam.

ABSTRACT

Novita Tunjung Sari, Student ID. 2821133020, Law Protection for agent of PS Rental in perspective Holy Book of Civil Law and Islamic Law (case study Rental Home Game PS2 In Ngoran Village, Nglegok Subdistrict, Blitar Regency)", Economy Syariah Law Course, Syariah and Science Faculty, IAIN Tulungagung, 2017, Advisor Dr. Kutbuddin Aibak, S.Ag.,M.H.I

Keyword: Law protection, Holy Book of Civil Law, Islamic Law.

Background of this research by detriment of agent that have not good conviction until the researcher dig and analyze how the shape of law protection for agent of Rental Home Game PS2 Ngoran Village, Nglegok Subdistrict, Blitar Regency in perspektive Holy Book of Civil Law and Islamic Law.

The formulation of the research problem were: 1) How the law protection for agent of PS Rental "Rental Home Game PS2 in Ngoran village, Nglegok subdistrict, Blitar regency"? 2) How the law protection for agent of PS Rental "Rental Home Game PS2 in Ngoran village, Nglegok subdistrict, Blitar regency" based on the Holy Bookn of Civil Law? 3) How the law protection for agent of PS Rental "Rental Home Game PS2 in Ngoran village, Nglegok subdistrict, Blitar regency" based on Islamic Law?. The purposes of this research were: 1) To describe the law protection for agent of PS Rental "Rental Home Game PS2 in Ngoran village, Nglegok subdistrict, Blitar regency". 2) To describe and analyze the law protection for agent of PS Rental "Rental Home Game PS2 in Ngoran village, Nglegok subdistrict, Blitar regency" based on the Holu Book of Civil Law. 3) To describe and analyze how the law protection for agent of PS Rental "Rental Home Game PS2 in Ngoran village, Nglegok subdistrict, Blitar regency" based on Islamic Law.

Form of this research was field research mean that the research implemented with intensive, detailed and deep by qualitative method. Technique to complete the data by observation, interview, and documentation. Meanwhile, the technique analized that used were reduction data, reserve data and summarize.

The result showed that: 1) Law protection for agent of PS Rental "Rental Home Game PS2 in Ngoran village, Nglegok subdistrict, Blitar regency" implemented with give the punish there are fine and pay to tenant. 2) Give the punish that are fine and pay based on regard 1246 KUH civil law about payment for regard 1365 KUH civil law because resist law. 3) Efforts law for agent in practice PS Rental "Rental Home Game PS2 in Ngoran village, Nglegok subdistrict, Blitar regency" for bad conviction of tenant are fine and pay based on Islamic Law.