



## **Legal Protection of Children as Consumers According to Law in Indonesia**

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### **Abstract**

The purpose of this research is to know the legal protection against children as consumers according to Indonesian law. Children are the next generation for the ideals of the nation's struggle and so on human resources in the future which is the nation's capital for sustainable development. Starting from this thought, the main interest to grow and develop in a child's life must be receive very high priority. Unfortunately, not all children have equal opportunity to realize their hopes and aspirations. Lots among those at high risk for not growing and developing properly healthy, get the best education, because of a poor family, parents troubled, mistreated, abandoned parents, so can not enjoy live properly.

The type of research used in compiling this research is normative legal research. Normative legal research prioritizes study library by collecting data from libraries and other places.

This study focuses on legal principles, legal systematics, synchronization law, the history of sentencing in settings related to legal protection consumer.

Consumer protection has been regulated through Law no. 8 1999 concerning Consumer Protection, but the law has not accommodate the protection of child consumers. This research uses juridical-normative legal research method. Protection of children as consumers follow all forms of child protection in the Child Protection Act as well plus all the safeguards contained in the Consumer Protection Act, which can be emphasized on preventive protection efforts where mandatory for parents, families, communities, government and the State to provide guidance and consumer education which is part of the rights of the child as a smart consumer in choosing the goods and/or services offered as well as those promoted by business actors. So there is a need for harmonization statutory regulations between the consumer protection law and the law Child protection.

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**Keyword: Protection, Children, Consumers**

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### **Introduction**

Economic activity is a series of activities that are simultaneous, comprehensive and continuous. Besides that, economic activity as well is a collective activity involving many legal subjects as economic agents. The legal subjects involved include all strata within society in all fields, both production activities and activities distribution so that it can be understood that the law has a very important role important in the legal relationship of the parties as well as regarding the legality of activities the economy itself. Economic activity also involves various institutions, either official bureaucratic institutions and social institutions or not. And different sets of regulations within the scope of economic law on essentially regulates the economy, namely all legal aspects that include private and public spheres according to their role and authority in an activity Business actors only think about whether goods or services are produced it provides benefits for the business actor himself, the business actor produce goods or services with minimal outlay costs possible and as much profit as possible without thinking about the consequences incurred when consuming goods or services produced for consumers the targets of business actors are not always adults but children are also used as a business target. Cases of food poisoning often occur in children as consumers.

Where inspection has been carried out by officers from the Central POM Semarang in some food samples. Which is the result of the food being examined contain dangerous dyes, such as Auramin, methanyl yellow, and rhodamine B is dangerous for consumers, because it can cause nausea, vomiting, and diarrhea long term can cause bladder cancer, as well as food which contain formaldehyde and borax are also dangerous, because they can cause central nervous system and kidney disorders.

There are many cases of poisoning where children become victims and are greatly harmed as consumers in general, and there is a gap regarding the regulation of children as consumers has not been specifically regulated in consumer protection laws

### **Research Problem**

In this research, the problem under study is how to protect law against children as consumers according to law in Indonesia.

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## Discussion

Consumer protection Consumer Protection Act (Law No. 8 of 1999 concerning Consumer Protection) conditions which globalization and free trade are supported by technological advances telecommunications and informatics have expanded the space for transaction flows goods and/or services cross the territorial boundaries of a country, so variety of goods that have benefits for consumers so that goods or the desired services can be fulfilled and the more freedom is wide open choose various types and qualities of goods and/or services according to wishes and consumer capabilities.

Where this can result in the position of business actors and consumers become unbalanced and consumers are in a weak position. Consumers become objects of business activity to reap the maximum profit by business actors through promotional strategies, as well as implementing agreements standard or standard agreement which is the consumer. The main factor that being a consumer weakness is the level of consumer awareness of rights are still low. To increase the value and dignity of consumers is necessary increase awareness, knowledge, concern, ability and independence consumers to protect themselves, and develop attitudes responsible business conduct.

The Child Protection Act provides obligations for parents, family, community, government and the State to provide protection to children based on the principle of non-discrimination, the principle of the best interest for children, the principle of the right to life, survival and development, and the principle of respect for the opinion of the child.

In carrying out coaching, development and protection of children, need the role of the community, both through child protection agencies, institutions religious organizations, non-governmental organizations, community organizations, organizations social, business world, mass media, or educational institutions but on Consumer Protection is still far from just a hope because of the Law it does not yet regulate for sure regarding Legal Protection Against each children who participate as one of the parties namely as consumers, thus giving rise to many irresponsible business actors which makes every child the next generation of the nation does not get full rights as children, as well as children's rights as consumers.

Vulnerable and fragile every child as consumers, business people making children an easy target with lasting impact to be exploited economically. Viewed in consumer rights are get the rights regulated in other provisions, which means if the child as the consumer, the child directly gets his rights as a consumer and his rights as a child, but the inner child thing as consumers still do not fully understand the rights of children as a consumer.

And efforts to protect children as consumers are needed so that they can support what is needed for children to grow and develop with well as well as benefit from social welfare programs so and in the future can guarantee the continuity of existence nation and state.

Legal protection is an effort to protect children as subjects law in the form of legal instruments, both preventive and repressive nature, things that must be prioritized are in the field of protection and children's consumer education. Children's rights are part of human rights human beings which are then integrated into children's consumer rights as well should be able to be protected, fulfilled and developed. 15 Protection.

The law on children as consumers is found in the harmonization between laws Child Protection and Consumer Protection Law, while children as consumers in the Consumer Protection Act need special arrangements regarding when children act as consumers because children are different from adult consumers.

In the Laws and Regulations there is no need to form a new law but requires harmonization of the consumer protection law with the law Child Protection, where the Child Protection Act is used as material consideration of the involvement of children as consumers. Forms of legal protection for children as consumers in the Act Consumer protection in fulfilling children's rights still needs to pay attention on children's rights in the Child Protection Act, then children as consumers too is the responsibility of parents, family, community, government and State because every child still needs a parent or inner guardianship carry out legal actions, as it should be protection from the first If this is done it is the obligation and responsibility of the parents, if the person parents can't afford to just turn to the child's family in question, and so on from society, government.

If there is a violation of the child as a consumer, then in settlement of child consumer disputes can be done as follows contained in Article 45 paragraph (1) but in children as consumers who the disadvantaged is different from ordinary consumers, it can be represented by parents or guardians as attorneys to sue business actors who harm children as consumers through dispute resolution institutions or through the judiciary within the general court environment

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## Conclusion

Legal protection for children as consumers as has been specifically regulated in the Child Protection Law has not been implemented yet Consumer Protection Act, where it is necessary to form a harmonization of law in efforts to protect the law against children as consumers. Protection The Law Against Children As Consumers is implemented by following all forms of child protection in the Child Protection Act plus all protection efforts contained in the Consumer Protection Act, which can emphasis on preventive measures

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