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Transforming Transportation Law: Consumer Protection and Law Enforcement at PT. Pos Indonesia

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Abstract

This research examines changes in the legal landscape in the freight transportation sector at PT. Pos Indonesia, particularly in terms of protecting consumers and enforcing laws related to damaged, lost, or delayed shipments. The research background is based on the rapid development of digital technology and e-commerce, which are driving changes in the freight transportation industry. This has prompted PT. Pos Indonesia to adapt its service systems and existing regulations to protect consumer rights. The research method used is a normative juridical approach, referring to laws and legal concepts. This approach aims to understand the applicable regulations and legal principles underlying consumer protection in the freight transportation sector. The results of the study indicate that although PT. Pos Indonesia has implemented several digital innovations to improve service efficiency, significant challenges remain in law enforcement, particularly in the consumer claims process. The complicated claims process and lack of transparency in procedures are major obstacles to providing adequate protection to consumers. Therefore, regulatory improvements are needed to better align with technological developments, as well as the development of a faster and more transparent claims system. This research also provides policy recommendations to strengthen shipping insurance and improve consumer education about their rights to optimize legal protection. These reforms are expected to improve consumer protection in the freight sector and strengthen customer trust.

Keywords
Legal Transformation, Consumer Protection, Law Enforcement, Freight Transportation

A. Introduction

In recent years, society has demanded fast and efficient transportation. This has driven progress in the transportation industry, encompassing improvements not only in transportation types but also in logistics and delivery systems, including those delivered through courier services. Now, shipping is no longer limited to intercity or island-to-island deliveries; international shipping is also handled by companies like PT. Pos Indonesia. The shipping industry has undergone a major transformation as a result of the development of information technology, particularly in the digital era. These changes include reduced costs, increased market reach, and faster service delivery[1]. While these developments have brought numerous benefits to society and businesses, they have also brought new challenges, particularly in terms of legal protection for consumers using delivery services[2].

Pos Indonesia is a state-owned company specializing in shipping, utilizing various technologies to meet the needs of the community[3]. Domestic and international shipping is available, with various delivery types ranging from express delivery and regular delivery to international post. This service fosters the growth of e-commerce and expedites the delivery of goods across the country and around the world. However, with the emergence of these services, several issues related to consumer safety have arisen, such as damaged, lost, or undelivered goods.

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[1] Kamaluddin Rustian, *Ekonomi Transportasi: Karakteristik, Teori, Dan Kebijakan* (Jakarta: Ghalia Indonesia, 2003).

[2] Sidabalok Janus, *Hukum Perlindungan Konsumen Di Indonesia* (Bandung: PT. Citra Aditya Bakti, 2010).

[3] H.M.N. Purwosujipto, *Hukum Dagang Indonesia*, Jilid III (Jakarta: Djambatan, 1984).

Therefore, it is important to examine how delivery companies like PT. Pos Indonesia provides legal protection to customers in the shipping industry. Consumer protection is crucial in the global era because, firstly, consumers have both universal rights and very specific rights (both situational and conditional)[4]. Based on research by Widianto and Prasetyo (2022) in Legal Responsibility of PT Pos Indonesia in Shipping Goods: A Case Study of Consumer Protection, it states that PT Pos Indonesia must take full responsibility for the shipment, especially in the event of a default such as delay, damage, or loss of goods during loading and unloading[5]. The above research discusses more about PT. Pos Indonesia's legal responsibility in terms of shipping goods and how consumer rights are protected in shipping agreements. In this case, the difference lies in the emphasis on digital transformation that affects how shipping companies operate and offer services, as well as new challenges related to the implementation of more complex claims and compensation. Previous research focused more on aspects of existing legal responsibility, while the author's research highlights the need for regulatory updates and a more efficient and transparent system.

In the transportation of goods, legal protection is crucial because it concerns customer rights, which can be threatened if goods are damaged or lost during shipping[6]. Transportation law focuses on the agreement between the shipper and the shipping company, which regulates the rights and obligations of each party. This agreement binds the shipper to comply with existing regulations, while the shipping company is responsible for providing services in accordance with the agreement. According to the Civil Code (KUHPerdata), every transaction between a consumer and PT. Pos Indonesia is considered an agreement containing rights and obligations that must be fulfilled by both parties fairly. Legal protection in the transportation of goods is an agreement between the parties involved, which establishes the obligations and rights of all parties affected by a legal event, such as actions, events, or conditions that occur during the transportation

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[4] C T S Kristiyanti, *Hukum Perlindungan Konsumen* (books.google.com, 2022).

[5] Widianto, A., & Prasetyo, B. *Tanggung Jawab Hukum PT. Pos Indonesia dalam Pengiriman Barang: Studi Kasus Perlindungan Konsumen.* Jurnal Transportasi dan Logistik, 19(1), (2020). 71-85.

[6] Hadjon Phillipus M, *Perlindungan Hukum Bagi Rakyat Indonesia* (Surabaya: Bina Ilmu, 1987).

process. These obligations and rights include the responsibilities and rights of the carrier and supplier during the transportation process[7].

However, despite the existence of legal regulations governing the obligations of shipping companies, consumer protection issues are often not well implemented. PT. Pos Indonesia, as an expediter, has a responsibility in accordance with Article 86 of the Commercial Law Code (KUHD) to ensure safe, fast, and timely delivery of goods. If damage or loss of goods occurs, the company is obliged to be responsible in accordance with the provisions of commercial law. Most consumers, even though they have made full payments according to the provisions, still face various difficulties in obtaining appropriate compensation or damages for the losses experienced, even though it is clear regarding compensation for losses which is a consumer right as stated in Article 4 of the Consumer Protection Law letter (h) that consumers have the right to receive compensation, damages and/or replacement, if the goods and/or services received do not comply with the agreement or are not as they should be.[8]

In practice, although PT. Pos Indonesia has regulations regarding compensation for lost or damaged goods, the claim submission process is often lengthy and requires clear evidence from the customer. In fact, in some situations, submitted claims cannot be fulfilled for unclear reasons or due to deficiencies in the submitted documents. This shows that even though there are regulations in place, their implementation in the field is sometimes ineffective. This condition causes a sense of distrust among customers towards the delivery system, which ultimately can be detrimental to the delivery company itself. PT. Pos Indonesia as a public transportation (expedition) company is responsible for negligence in the loss of shipments that result in losses to third parties due to its negligence in providing goods delivery services. As an expedition company that delivers goods in accordance with Article 28 of Law No. 38 of 2009 concerning Post, the company is obliged to pay attention to and enforce the law regarding compensation for losses due to lost goods, damaged package contents, late delivery, and discrepancies between goods sent and goods received. This law

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[7] Ani Yunita et al., "Perlindungan Hukum Terhadap Jasa Pengiriman Barang Jalur Darat Dalam Perspektif Hukum Perdagangan," *Media Of Law And Sharia* 4, no. 1 (2022): 67–74.

[8] Pemerintah Republik Indonesia, "Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen" (1999).

stipulates the obligations that must be carried out by expedition companies in carrying out their business[9].

Digital transformation in freight forwarding services offers positive benefits in increasing the speed and ease of the delivery process[10]. In Indonesia, service management in the transportation and logistics industry has also experienced rapid development in line with the growing need for faster and more efficient distribution[11]. Digital transformation in the Indonesian logistics sector offers significant potential to drive economic growth, particularly through increased work efficiency, reduced costs, and improved customer service quality. However, several challenges, such as cost, workforce availability, and data security, must be addressed appropriately. Government support, collaboration with technology developers, and maintaining worker skills are crucial factors in achieving successful digital transformation in the logistics sector. However, this also presents new challenges in ensuring appropriate legal protection for consumers.

The increasingly rapid development of information and communication technology has driven the logistics and freight forwarding sector to undergo a significant digital transformation, marked by the implementation of online-based systems across various services. This transformation has not only impacted the operational patterns of delivery companies but has also changed consumer behavior and expectations, who now demand more transparent, faster, and more accountable services. With the advent of digital services, such as the ability to track goods online, there is a need to ensure these services meet clear standards and guarantees for users. Therefore, an in-depth evaluation of the application of law to digital delivery services is necessary. Furthermore, with the rapid development of e-commerce, more and more consumers are entrusting delivery services for online purchases[12]. This adds to the challenges for PT. Pos Indonesia maintains the security of shipped goods and ensures consumers receive adequate protection in the event of problems. Technological advances must be balanced with clear and effective regulations regarding the

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9 Ahmad Syaifudin Roikhul Khumar, Suratman, "Tanggung Jawab Perusahaan Layanan Pengiriman Atas Hilangnya Barang Dalam Perspektif Hukum Pengangkutan," *Dinamika* 29, no. 02 (2023): 7682–7700.

10 Siahaan N.H.T., *Hukum Konsumen, Perlindungan Konsumen, Dan Tanggung Jawab Produk* (Jakarta: Panta Rei, 2010).

11 Eko Yulianto and Aghnia Wulandari, "Dampak Perkembangan E-Commerce Terhadap Industri," *Jurnal Pengabdian Indonesia (JPI)* 1, no. 2 (2025): 352–65.

12 Rustian, *Ekonomi Transportasi: Karakteristik, Teori, Dan Kebijakan*.

responsibilities of shipping companies[13]. In this regard, regulations governing shipping company obligations need to be updated to adapt to technological developments and changes in consumer shopping habits.

Although efforts have been made to improve the legal protection system through regulations such as Law Number 8 of 1999 concerning Consumer Protection, several aspects still need improvement, particularly regarding the implementation of compensation claims and the application of the law. Therefore, an evaluation of consumer legal protection is crucial to find fairer and more efficient solutions. Furthermore, efforts are needed to raise consumer awareness regarding the importance of insurance for shipping goods, so that consumers are better protected in the event of damage or loss.

PT. Pos Indonesia needs to implement a more transparent and user-friendly system for filing claims for lost or damaged goods. A simple and clear claims system can increase consumer satisfaction and trust in the company's delivery services[14]Furthermore, educating consumers about their rights and how to protect their goods with insurance is also crucial. From a company policy perspective, improvements in communication and customer service are crucial. PT. Pos Indonesia should clarify regulations regarding compensation and claims procedures, and improve customer service so that consumers feel valued and protected[15]. This will have a positive impact on the company, as satisfied customers tend to become loyal customers and recommend the service to others.

Legal transformation in the freight forwarding sector encompasses not only the application of new technologies but also the strengthening of legal aspects that lead to consumer protection[16]. Therefore, this study aims to explore the legal changes occurring at PT. Pos Indonesia, as well as how existing regulations can be effectively implemented to provide maximum protection to consumers. The government also needs to play a significant role in ensuring that consumer legal protection continues to evolve in line with current market changes and technological developments. Therefore, this article emphasizes the importance of updating existing legal regulations, particularly those related to consumer protection in the freight forwarding sector. An in-depth analysis of PT. Pos Indonesia's internal policies and the challenges faced

13 Hartini Rahayu, *Hukum Pengangkutan* (Malang: UMM Press, 2007).
14 Purwosujipto, *Hukum Dagang Indonesia*.
15 Kristiyanti, *Hukum Perlindungan Konsumen*.
16 Phillipus M, *Perlindungan Hukum Bagi Rakyat Indonesia*.

in implementing the law will serve as the basis for designing better solutions to protect consumer rights in the future.

Based on the development of digital transformation in the freight sector, a more in-depth study is needed to examine the various changes occurring in freight law, particularly at PT. Pos Indonesia as one of the main service providers in Indonesia. These changes not only concern operational aspects but also encompass regulatory dimensions and legal responsibilities that must adapt to technological advances. Furthermore, it is important to examine the legal protection provided to consumers in the freight services provided by PT. Pos Indonesia, particularly in dealing with various risks such as damage, loss, and delays in delivery. In practice, several obstacles remain in law enforcement related to these issues, stemming from regulations, claims procedures, and their implementation in the field. Therefore, a comprehensive analysis is needed to identify existing obstacles and formulate appropriate solutions to improve the effectiveness of legal protection for consumers in the freight sector. This is crucial for creating a delivery service system that is not only operationally efficient but also able to provide legal certainty and a sense of justice for all parties involved.

B. Method

This research uses a normative legal approach with two methods: a statutory approach and a conceptual approach. The first approach, the statutory approach, is based on legal perspectives and doctrines. According to Peter Machmud, this approach involves examining all laws and regulations related to the legal issue at hand[17]. The goal of this approach is to comprehensively understand and analyze the hierarchy of laws and regulations and the legal principles contained therein, particularly those related to the transformation of transportation law and consumer protection.

In the context of this research, the statutory approach is carried out by examining various relevant regulations, including Law Number 8 of 1999 concerning Consumer Protection, Law Number 38 of 2009 concerning Postal Services, provisions in the Civil Code, and the Commercial Code, particularly those governing the responsibilities of carriers in shipping goods. Furthermore, implementing regulations and internal policies implemented by PT. Pos Indonesia in providing delivery services to consumers.

[17] Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Penerbit Kencana, 2011).

The second approach is a conceptual approach, a method used by referring to views, doctrines, and theories developed in legal science. Through this approach, researchers study various concepts such as consumer protection, legal liability, breach of contract, and the principles of justice and legal certainty in the transportation of goods. By understanding these various doctrines, researchers can develop a systematic framework for analyzing issues related to the transformation of transportation law, particularly in relation to consumer protection and law enforcement at PT. Pos Indonesia.

This approach is carried out by studying all laws and regulations related to the transformation of transportation law. The second approach is a conceptual approach, which is an approach that refers to views and doctrines developed in legal science. By studying various views within legal doctrine, researchers will discover ideas that shape the understanding of law, legal concepts, and legal principles related to the issues at hand[18]. By integrating these two approaches, this research is expected to provide a comprehensive analysis of the effectiveness of existing regulations and offer constructive recommendations for improving legal protection for consumers in the transportation sector in the digital era.

C. Result and Discussion

1. Digital Transformation Changes in Land Transportation Law

Developments in technology, digitalization, and e-commerce in recent years have transformed the way freight forwarding companies, including PT Pos Indonesia, operate. Transportation is the process of loading passengers or goods onto a means of transportation, transporting them to their destination using said means, and disembarking passengers or unloading goods from the means of transportation at the destination. According to Abdulkadir Muhammad, the concept of transportation encompasses three implicit aspects: the business aspect, the agreement aspect, and the implementation process[19]. Digitalization helps make the delivery process faster, more accurate, and more transparent, necessitating changes to applicable regulations[20]. Furthermore, the rapid growth of e-commerce has led to increased demand for delivery services, both domestically and

[18] Peter Mahmud Marzuki, *Ibid.,* Hlm. 135.

[19] Abdulkadir Muhammad, *Hukum Pengangkutan Niaga* (Bandung: Citra Aditya Bakti, 2013).

[20] Rustian, *Ekonomi Transportasi: Karakteristik, Teori, Dan Kebijakan*.

internationally, requiring more efficient logistics management and a regulatory system. According to a survey by MarkPlus Inc., 85.2% of Indonesians use courier services to deliver goods purchased through e-commerce, while 50.8% of them send items purchased through social media. Source: kontan.co.id, 2020[21]. Therefore, Indonesian shipping laws need to adapt to maximize consumer protection and ensure fair delivery. To address the evolving digital landscape, PT Pos Indonesia has implemented changes to its delivery service system. Tracking systems utilizing digital technology, such as the Pos Indonesia app and integration with e-commerce platforms, provide clearer information to consumers. With the online tracking feature, customers can monitor the status of their packages directly in real time. This requires companies to adapt their internal procedures and regulations to comply with applicable regulations and ensure the protection of consumer rights amidst increasingly rapid technological developments.

E-commerce has drastically changed the way goods are distributed. The rise in online sales requires faster, more efficient, and more secure delivery systems. PT. Pos Indonesia, as a delivery service provider, has adjusted its internal regulations to support the rapid growth of the e-commerce sector. The company is not only optimizing domestic delivery channels but also developing international delivery services. These changes require stricter regulations to ensure PT. Pos Indonesia's role in ensuring goods shipped through e-commerce platforms reach consumers safely. With the advent of digital services such as tracking and online payments, legal protection for consumers is increasingly important. As a business entity engaged in the transportation of goods, PT. Pos Indonesia needs to ensure that consumer rights are properly protected. For example, if a shipped item is lost or damaged, consumers are entitled to compensation in accordance with applicable regulations. Therefore, regulatory changes that support consumer rights protection and effective law enforcement are crucial for the transformation of goods transportation law at PT. Pos Indonesia.

In response to the increasing number of international shipments, PT. Pos Indonesia has developed various international services, one of which is Pos EMS (Express Mail Service). However, international shipments pose unique challenges, such as differing regulations between countries, the risk of damaged goods, and issues related to claims for

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21 Wati Susilawati, Fitrin Rawati Suganda, "Faktor-Faktor Yang Mempengaruhi Keputusan Konsumen Dalam Menggunakan Jasa Ekspedisi," *Jurnal Komunikasi Universitas Garut: Hasil Pemikiran Dan Penelitian* 7, no. 2 (2021): 726, https://doi.org/https://dx.doi.org/10.52434/jk.v7i2.1387.

compensation. Therefore, PT. Pos Indonesia must align its regulations with applicable international transportation laws. With a more globally connected delivery system, the company is obligated to ensure that its internal procedures and policies protect consumers internationally. To address the frequent problems of delays and damage to goods, PT. Pos Indonesia has implemented several innovations in its service system. One such innovation is the offer of shipping insurance, which provides additional protection to consumers. This innovation aims to reduce the risk of loss that consumers may experience due to problems in the delivery process. To ensure adequate legal protection for consumers, this policy requires support from authorities in the form of stronger regulations.

One of the challenges faced by PT. Pos Indonesia in implementing a digital system is consumers' lack of understanding of their rights as product owners. In a digital-based delivery system, the company needs to educate consumers about how to protect their shipments, as well as their rights in the event of problems such as damage or loss. A good education system will increase consumer awareness, thereby helping the company reduce the number of invalid or unfounded claims. To address issues that occur during delivery, PT. Pos Indonesia has implemented a complaints system directly connected to its digital platform. This system allows consumers to directly submit complaints and receive a faster response. However, the success of this system depends on effective legal regulations regarding complaints and problem resolution, as well as clear procedures for consumers experiencing problems during delivery.

Technology plays a crucial role in improving the accuracy and efficiency of shipping. For example, PT. Pos Indonesia (Indonesian Postal Service) has utilized barcode scanning technology and a real-time tracking system to ensure goods arrive on time and in good condition. Regulatory changes that support the use of this technology contribute to more efficient shipping, reduce the risk of errors, and increase customer satisfaction with the service provided. Transportation laws governing consumer protection in digital delivery services must address the ever-changing delivery system. Consumers using digital delivery services need to be protected by clear regulations regarding their rights, particularly regarding compensation for damage, loss, or delays. Therefore, PT. Pos Indonesia must continuously update and adapt its regulations to remain relevant to consumer needs in the digital era.

In an effort to improve delivery quality, PT. Pos Indonesia collaborates with various third parties, such as international logistics companies and major e-commerce platforms. This collaboration allows PT. Pos Indonesia to expand its service coverage, improve delivery quality, and expedite the claims and dispute resolution process. This collaboration not only benefits PT. Pos Indonesia but also provides convenience for consumers who require faster and more reliable delivery services. Although PT. Pos Indonesia has made various changes in its delivery services and legal policies, challenges remain, particularly related to consumer rights protection. Therefore, it is important to continuously evaluate and improve the applicable legal system, as well as introduce new policies that are more proactive in protecting consumer rights. This includes improving the claims system, clearer explanations of compensation rules, and increasing consumer awareness of their rights during the delivery process[22].

2. Legal Protection for Consumers in Goods Delivery Services

In Indonesian law, consumer rights protection is regulated through several regulations, including the Civil Code (KUHPerdata). One of the foundations for protecting consumers is the principle of freedom of contract, which means that consumers and service providers, such as PT. Pos Indonesia, are mutually bound by an agreement that regulates the rights and obligations of each party. In accordance with Article 1313 of the Civil Code, every agreement between a consumer and a delivery company must meet the requirements for a valid agreement, namely a binding agreement between both parties, the capacity to enter into an agreement, a clear subject matter, and a lawful purpose. Therefore, consumers have the right to receive clear, honest, and non-misleading information regarding the terms and conditions of delivery. In addition to the Civil Code, another important regulation in protecting consumer rights is the Commercial Code (KUHD), especially regarding delivery services. PT. Pos Indonesia, as a delivery service provider, acts as an expediter regulated by commercial law. Article 86 of the KUHD explains that an expediter is the party responsible for transporting goods from one place to another. As an expedition service provider, PT. Pos Indonesia is obliged to ensure the safe and timely delivery of goods and is responsible for the goods received for delivery.

As a shipping company, PT. Pos Indonesia has a crucial responsibility to ensure the security of shipped goods, in accordance with Article 87 of the Commercial Code, which states that forwarders

[22] Marsidah, "Pelaksanaan Perjanjian Pengangkutan Penumpang Menurut Undang-Undang Nomor 22 Tahun 2009," *Hukum* 16, no. 2 (2018).

are obliged to deliver goods neatly and on time. This responsibility also includes efforts to ensure the safety of goods received from the sender. Furthermore, Article 88 of the Commercial Code explains that forwarders are responsible for damage or loss of goods caused by their own negligence or error, even if the goods have been handed over to the carrier. Therefore, PT. Pos Indonesia must ensure that delivery of goods is carried out safely and responsibly in all circumstances. In the event of lost goods, PT. Pos Indonesia is obliged to provide compensation to customers in accordance with applicable regulations. According to Article 28 of Law Number 38 of 2009 concerning Postal Services, postal service users are entitled to compensation if their shipped goods are not found. The amount of compensation depends on the condition of the goods, subject to certain conditions, such as the goods being insured. If the goods are not insured, PT. Pos Indonesia only provides limited compensation, equal to the shipping cost or a specified value determined by the company. To process a claim, customers must provide clear and valid evidence.

In addition to loss, damage to goods also frequently occurs during shipping. Under Article 88 of the Commercial Code (KUHD), the forwarder is responsible for damage to goods during transportation, especially if the damage is caused by the forwarder's negligence or error. To provide greater protection, PT. Pos Indonesia provides insurance for shipped goods. With this insurance, customers can receive full compensation if goods are damaged, provided they are properly insured. Compensation can be in the form of a replacement item or a monetary compensation equal to the value of the damaged or lost goods. Delays in delivery are a frequent complaint among consumers using delivery services. Although not explicitly regulated in the KUHD, delays caused by the sender's negligence or error can be considered a breach of contract under Article 1243 of the Civil Code. Therefore, PT. Pos Indonesia is obligated to provide compensation or redress to consumers who experience this. Some services, such as Pos Sameday Service and Pos Express, guarantee delivery within a strict timeframe. If delays occur, consumers are entitled to a refund of shipping costs or other service fees in accordance with applicable regulations.

From a consumer protection legal perspective, the provisions of Law Number 8 of 1999 concerning Consumer Protection (UUPK) provide a stronger foundation for regulating the rights and obligations of parties in service transactions, including delivery services provided by PT. Pos Indonesia. According to Article 4 of the UUPK, consumers have several fundamental rights, such as the right to comfort, security, and safety when using services, the right to receive accurate, clear, and non-misleading information, and the right to compensation or redress if the service received does not comply with the agreement. In the context of delivery services, fulfilling these rights is crucial, particularly in the event of damage, loss, or delay in delivery.

Conversely, Article 7 of the UUPK stipulates the obligation of business actors, in this case PT. Pos Indonesia, to act in good faith in conducting their business, provide accurate, clear, and honest information regarding the services offered, and provide compensation for losses suffered by consumers. This provision emphasizes that corporate responsibility is not limited to contractual aspects as stipulated in the Indonesian Criminal Code and the Indonesian Penal Code, but also has a normative dimension within the consumer protection framework. Furthermore, Article 19 paragraph (1) of the Consumer Protection Law explicitly states that business actors are required to provide compensation for any damage, loss, or injury experienced by consumers as a result of using a service. This compensation can take the form of a refund, replacement of goods, or other equivalent compensation. In practice, this provision strengthens consumers' legal standing, especially when facing claims processes that are often complicated and lack transparency. Furthermore, Article 19 paragraph (2) stipulates that compensation must be provided no later than 7 (seven) days after the transaction, indicating a deadline for completion that business actors must comply with.

Furthermore, Article 18 of the Consumer Protection Law prohibits the inclusion of standard clauses that are detrimental to consumers, such as unilateral limitations on liability. In delivery service practice, clauses that disproportionately limit compensation—for example, only to shipping costs without considering the value of the goods—need to be reviewed for their compliance with the principle of fairness in the Consumer Protection Law. This is especially important given that consumers are generally in a weaker position and do not have the opportunity to negotiate the terms and conditions set by business actors.

Therefore, from a law enforcement perspective, the Consumer Protection Law also provides a dispute resolution mechanism through the Consumer Dispute Resolution Agency (BPSK), in addition to court litigation. This mechanism provides a faster, simpler, and less expensive alternative for consumers to resolve disputes. However, in practice, many consumers still do not understand or utilize this mechanism, resulting in less than optimal legal protection.

Therefore, it can be comprehensively concluded that legal protection for consumers in delivery services provided by PT. Pos Indonesia is also significantly influenced by the implementation of the principles stipulated in the Consumer Protection Law. The main problem currently faced lies not in the lack of regulation, but rather in the implementation, transparency, and consistency of business actors' obligations. To protect consumers, PT. Pos Indonesia provides a claims procedure for damage, loss, or delays in delivery. The claim process must be accompanied by relevant forms and evidence, such as proof of delivery, the value of the goods, and the type of damage. Once a claim is submitted, the company will verify and investigate to determine whether the consumer is eligible for compensation. The amount of compensation depends on the type of service used and whether the goods are insured. Regarding the responsibility of business actors for losses that occur due to their errors or negligence, Article 19 (1) of the Consumer Protection Law states that business actors are obliged to provide compensation for damage, pollution, and losses experienced by consumers due to consuming goods and/or services produced or sold by the business actor. In addition to the problem of damage and loss of goods, fraud in delivery services is also something that needs to be considered. PT. Pos Indonesia must ensure that the services provided are not used carelessly by irresponsible parties. For example, there are parties who send fake goods or goods that do not match the description provided.

The principles of liability are crucial in consumer protection law. If a consumer's rights are violated, careful consideration must be given to who is responsible and the extent of the liability that each party can accept. Generally, the principles of liability in law can be divided into several types: liability for fault, presumption of liability, presumption of nonliability, strict liability, and limitation of liability[23]. In this regard, PT. Pos Indonesia is responsible for ensuring that delivery services comply with legal procedures and do not harm customers. Consumer protection also includes monitoring delivery activities involving third parties. In international shipping, consumer protection requires special attention because many external factors can affect the delivery process, such as customs and regulations of the destination country. PT. Pos Indonesia, which provides international shipping through the EMS Post service, must ensure that goods sent abroad are protected by the appropriate

[23] Inocentius Samsul, *Perlindungan Konsumen, Kemungkinan Penerapan Tanggung Jawab Mutlak* (Jakarta: UI, 2004).

legal system. One form of protection provided is compensation for loss or damage to goods shipped internationally, as regulated by company policy and international regulations.

PT. Pos Indonesia implements a shipping insurance policy as an additional measure to protect consumers. This insurance covers consumers in the event of loss, damage, or delay in shipments. With insurance, consumers have a clear legal basis for receiving compensation according to the value of the goods if losses occur during the shipping process. This insurance is an important part of strengthening consumer legal protection in the shipping sector. Evaluating PT. Pos Indonesia's performance in providing legal protection for consumers is crucial to assessing the company's success in implementing established policies. Several factors need to be assessed, including compliance with consumer protection regulations, the quality of customer service, and the effectiveness of the claims process. PT. Pos Indonesia must adjust its internal policies to better respond to consumer complaints and improve its reporting and claims handling system to maximize consumer rights. To improve consumer legal protection in the shipping sector, several actions must be taken. First, PT. Pos Indonesia must strengthen consumer education regarding their rights, particularly regarding international shipping and shipping insurance. Second, companies must increase transparency in the claims submission process and facilitate easier access for consumers to submit claims. Furthermore, companies must continually update their compensation policies to reflect the increasingly sophisticated and global developments in the shipping industry.

3. Law Enforcement in Transportation Regarding Damage, Loss, or Delay in Delivery of Goods

Law enforcement in shipping goods at PT. Pos Indonesia faces various obstacles, particularly in handling consumer claims regarding damaged, lost, or late-arriving goods. Based on Article 87 of the Commercial Code (KUHD), PT. Pos Indonesia, as the forwarding party, is obligated to ensure that shipped goods remain safe and undamaged. Regulations from the Minister of Trade and the Financial Services Authority (OJK) also regulate matters related to consumer protection in the shipping process. These regulations emphasize that shipping service providers must take full responsibility for the goods they ship. If goods are damaged during shipping, consumers have the right to file a claim for compensation[24]. However, in practice, the claims process often encounters obstacles, such as a lack of adequate evidence, inconsistencies in shipping data, and seemingly complicated procedures. As a result, consumers are dissatisfied because their losses are not always fairly compensated in accordance with applicable regulations[25].

One of the main problems with PT. Pos Indonesia's claims system is the lack of transparency in the claims and compensation process. Although the company provides a claims mechanism for customers experiencing damaged, lost, or delayed goods, the process often takes a significant amount of time and involves complicated bureaucratic procedures. Furthermore, in some cases, customers have difficulty obtaining clear information regarding the status of their claims. This can lead to customer dissatisfaction, negatively impacting a company's reputation. Delays, damage, and loss of packages during shipping through courier services can result in losses for both consumers and shippers. On the one hand, this violates consumers' rights to feel safe, comfortable, and protected during shipping, thus causing losses for them. On the other hand, this situation also violates the obligations of shipping service providers, such as the obligation to provide proper service and ensure the quality of the goods and services provided[26]. In cases of damage or loss of goods during shipping, legal enforcement is more complicated. One of the main reasons is the difficulty in proving that the damage or loss was caused by the negligence of PT Pos Indonesia or a third party. Article 88 of the Civil Code states that the shipping company is responsible for damage caused by their negligence. However, in practice, companies often have difficulty proving that the damage or loss of goods was not the result of their negligence, thus hindering the claims process and enforcing compensation.

PT. Pos Indonesia addresses challenges in law enforcement by offering shipping insurance. With this insurance, consumers can receive faster and clearer compensation if their shipments are damaged or lost. However, the insurance claims process still faces challenges, particularly related to unclear procedures and the evidence required to obtain

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[24] Dian Anggi Rahayu Kurnianingsih Hutajulu, Samirah Novel, Widya Tri Lestari, Dwi Desi Yayi Tarina, "Perlindungan Hukum Terhadap KonsumenDalam Penggunaan Jasa Pengiriman BarangBerdasarkan Hukum Positif Di Indonesia," *Jurnal Ilmiah Wahana Pendidikan* 11, no. 6.C (2025): 41–53, https://doi.org/https://jurnal.peneliti.net/index.php/JIWP/article/view/10664.

[25] Janus, *Hukum Perlindungan Konsumen Di Indonesia*.

[26] Sonia Regina Hutapea, Janus Sidabalok, Kosman Samosir, "Perlindungan Hukum Terhadap Konsumen Dalam Pengiriman Barang Melalui Perusahaan Jasa Pengiriman Barang," *Jurnal Profile Hukum* 1, no. 1 (2023): 53.

compensation. Therefore, PT. Pos Indonesia needs to continuously improve its insurance system to make it more accessible and understandable to consumers, thereby reducing barriers to the claims process. PT. Pos Indonesia has established claims procedures aimed at protecting consumer rights, although in practice, these procedures are often considered complicated by most consumers. When shipping goods, consumers have the right to receive goods in accordance with the agreement without any damage[27]. Consumers are required to fill out various forms, prepare the necessary supporting documents, and undergo a verification process, which can sometimes be time-consuming. In some cases, late claim resolution or unclear claim submission processes have led to significant consumer frustration. Therefore, PT. Pos Indonesia needs to improve the speed, transparency, and clarity of the claims process.

PT. Pos Indonesia also faces challenges in handling claims involving other countries. Shipping goods between countries requires a more complex process, especially when dealing with differing regulations in each country. Although companies offer international shipping services such as Pos EMS, differing rules and procedures between sending and receiving countries often hinder the claims resolution process. Issues such as customs duties, import tariffs, and different packaging standards can slow down the claims process and complicate the enforcement of consumer rights. To improve its performance in resolving consumer claims, PT. Pos Indonesia needs to strengthen its internal oversight. With stricter oversight, the company can ensure that each claim is handled fairly and promptly. Transparent and structured internal audits can also help the company identify weaknesses in its claims procedures, which can lead to delays or unjustified claim denials. Therefore, it is crucial for PT. Pos Indonesia to continuously improve its internal oversight to maintain consumer trust. In recent years, PT. Pos Indonesia has successfully resolved numerous claims for damaged goods by providing adequate compensation. One successful example is in handling claims related to electronic goods damaged due to negligence during shipping. In these cases, the company provided compensation according to the value of the damaged goods and ensured that the claims process was handled quickly and without major obstacles. This success demonstrates that,

[27] H. Basri, "Perlindungan Hukum Terhadap Konsumen Dalam Melakukan Transaksi E-Commerce Ditinjau Dari Undang-Undang Perlindungan Konsumen Undang-Undang Nomor 8 Tahun 1999 (Studi Kasus Kerudungbyramana Bandung)," *Pamulang Law Review* 2, no. 2 (2020): 131.

despite challenges, PT. Pos Indonesia's claims system is robust. Pos Indonesia can run well if managed properly.

However, not all claims can be resolved satisfactorily. For example, in some cases of claims related to late delivery, consumers often struggle to obtain appropriate compensation. These delays can occur due to external factors such as bad weather or unforeseen logistical issues. Despite this, PT. Pos Indonesia often faces difficulties in handling delay claims, due to a lack of supporting evidence and unclear compensation rules for late deliveries. To improve customer satisfaction and ensure fair claim resolution, PT. Pos Indonesia needs to ensure a clearer and more transparent compensation policy. Consumers should have easy access to this information to properly file claims[28]. This policy should cover a range of situations, such as lost, damaged, or delayed items, and provide procedures that are easy for consumers to understand and follow. A clear compensation policy is expected to reduce consumer complaints and enhance the company's image as a reliable delivery service provider.

4. Solutions That Can Be Taken to Improve Legal Protection for Consumers

To improve legal protection for consumers in shipping, PT. Pos Indonesia needs to implement a new policy that responds more quickly to customer complaints. One step that can be taken is to strengthen the shipping insurance system. This insurance will provide better protection for consumers in the event of damage or loss of goods during shipping. Currently, many consumers still don't understand the benefits of shipping insurance, so the company needs to be more proactive in providing information regarding the benefits and provisions of this insurance. Furthermore, this policy should be more flexible and transparent in terms of the claims submission procedure and the amount of compensation provided, so consumers feel safer and more protected. As part of efforts to improve consumer protection, PT. Pos Indonesia must ensure its shipping insurance policy is clear and easy to understand for service users. This insurance should cover all matters related to shipping, such as damage, loss, or delays. Furthermore, the claim submission procedure and compensation mechanism must be explained in detail, both in writing and through a digital system that consumers can access at any time. By providing clear and transparent

[28] A. A. Cahya, A. N., & Sudiro, "Perlindungan Hukum Terhadap Konsumen (Studi Kasus Informasi Flash Sale Menyesatkan Bagi Konsumen," *UNES Law Review* 6, no. 3 (2024): 7839–49.

information, consumers will more easily understand their rights and how to file a claim if a problem occurs during the shipping process.

One crucial aspect of improving consumer legal protection is the importance of providing consumer education. Many consumers still lack a complete understanding of their rights regarding shipping, particularly regarding how to file claims, obtain compensation, and insurance requirements. PT. Pos Indonesia can organize educational programs involving various media, such as websites, social media, and printed materials, to clearly explain consumer rights and procedures for damaged or lost goods. This program will increase consumer awareness, thereby accelerating the claims resolution process and reducing consumer complaints.

Furthermore, PT. Pos Indonesia must improve its communication regarding the terms and conditions of shipping, particularly those related to consumer rights and obligations. Many consumers do not fully understand the terms of delivery services, such as the limits of the company's liability for shipped goods. This leads to misunderstandings and consumer disappointment. Therefore, the company must clearly explain these terms in all forms of communication with consumers, whether through the website, shipping forms, or customer service applications. With better communication, it is hoped that there will be a reduction in disputes between the company and consumers. In addition to improving the claims procedure, PT. Pos Indonesia must also implement a more flexible and transparent compensation policy. If a shipped item is damaged, lost, or arrives late, the company is required to provide compensation according to the value of the item and the type of service used. For example, if the shipped item is not insured, consumers can receive compensation in the form of a refund or replacement of the item at a value determined by the company's policy. This more flexible policy will increase customer satisfaction and reduce complaints that often arise from inefficient claims processes.

To strengthen legal protection for consumers, PT. Pos Indonesia should further encourage the use of insurance in shipping. This insurance will provide a sense of security to consumers, as they can file a claim for compensation if their goods are damaged or lost. In this regard, companies can also educate consumers about the importance of insurance and offer a variety of insurance products that match the value of the goods being shipped. With adequate insurance, consumers will feel more protected and confident that the company will be responsible for any potential risks. PT. Pos Indonesia also needs to expand its efforts to disseminate information about legal protection for consumers, particularly regarding consumer rights during shipping. One effective method is to hold seminars or workshops involving consumers, consumer organizations, and other relevant parties. At these events, PT. Pos Indonesia can provide clear explanations of consumer rights, claim procedures, and how to avoid problems during shipping. With broader outreach, it is hoped that the public will better understand their rights and reduce the possibility of false or invalid claims.

To ensure optimal consumer legal protection, PT. Pos Indonesia must ensure that its policies are always in line with applicable regulations, including Law Number 8 of 1999 concerning Consumer Protection. The government also needs to conduct stricter oversight of delivery service companies to ensure they comply with all provisions of consumer protection law. This can be done by imposing stricter sanctions on companies that violate consumer rights and fail to provide appropriate compensation. PT. Pos Indonesia needs to collaborate with independent oversight bodies, such as consumer protection agencies and government agencies that regulate regulations, to ensure consumer rights are properly protected. This collaboration can take the form of regular inspections of the claims submission and compensation fulfillment systems, as well as reviews of the company's consumer protection policies. With stricter oversight, consumers will feel more confident and the company will be more motivated to comply with applicable legal regulations.

D. Conclusion

Legal transformation in the freight transportation sector at PT Pos Indonesia has shown significant progress, particularly through the use of digital technology, such as online tracking systems and app-based services, which improve efficiency and accessibility. From a regulatory perspective, consumer legal protection is well established through provisions in the Civil Code, Commercial Code, and Law Number 8 of 1999 concerning Consumer Protection, which regulates consumer rights and business actors' responsibilities.

However, in practice, various obstacles persist, particularly related to the compensation claims process, which tends to be complicated, lacks transparency, and is time-consuming. This indicates a gap between legal norms and their implementation on the ground. Furthermore, consumers' lack of understanding of their rights, including those related to insurance coverage, also impacts the effectiveness of legal protection.

Therefore, improvements are needed through simplifying claims procedures, increasing service transparency, strengthening consumer education, and optimizing the use of digital systems for submitting and monitoring claims. Furthermore, regulatory updates that adapt to technological developments and stricter oversight are also important factors in increasing the effectiveness of legal protection. With these steps, it is hoped that consumer protection in the freight transportation sector can be implemented more optimally, fairly, and provide legal certainty for all parties.

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