

SUMMARY

KAJIAN HUKUM PENERAPAN ASAS-ASAS PERJANJIAN DALAM KONTRAK BAKU BERDASARKAN SISTEM HUKUM DI INDONESIA

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Subject : asas-asas perjanjian, kontrak baku, sistem hukum
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Description :

In everyday life often used the term of the agreement, although it was only made orally but in the world of business agreement is a very important thing because it involves the business field that was involved. Contract as a form of engagement is derived from the agreement. Today has evolved a written contract in another form, known as the standard contract (standard contract), which is also called standard contract. Assessment and analysis of this study is based on a reference theoretical principles of contract law and the basic principles of contract law. Normative Legal research, done by researching library materials or secondary data in the form of a court decision, analyzed based on the legislation in force. Standard contracts in response to the demands of communities that apply universally. With the use of standard contracts, then businesses will gain efficiency in spending, energy and time .. The existence of standard contracts which had been prepared by one of the parties (employers) with clauses that have been standardized (standardized), has closed the opportunity for other parties to negotiate or change the clauses that have been standardized it. Various views over the standard contract questioning the principle of freedom of contract and the principle konsesualisme which is a condition of validity of the contract and also the principle of the binding force of a binding agreement in the contract that has been standardized. It must be addressed in a positive way, especially the efficiency and effectiveness of business activity should be supported by the application of the principles of the agreement are still to ensure legal certainty and a sense of fairness for the parties to conclude contracts and provide sanctions for businesses in terms of violation of the consumer. Also in making the agreement should be based in good faith between the parties so as to create a healthy agreement

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