

## Legal protection of legal metrological violations

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**Abstract:** *The implementation of legal metrology in the business activities of business actors to consumers in general in daily life is often experienced by consumers, the designation of legal metrology measurement tools, these measurements are not only limited to KIR, market scales and gas stations but are also intended for Business Activities, Interests general (security, health, safety and environment), Handover / handover of goods, Determination of wage collection (tea, coffee, rubber plantations, etc.). Determine the final product (LPG, cement, fertilizer, etc.), Implement legislation such as telephone pulses, electricity, water meters, and so on. The implementation of legal metrology is an instrument of consumer protection. Standards and measurements that are subject to legal metrology arrangements for example are intended to provide consumer protection in the face of practices that are not transparent and difficult to check by consumers such as in the fields of fuel oil (BBM), setting telephone bills, selling rice, setting up electricity, water and electricity bills gas. The accuracy and consistency of measurements can be guaranteed if there is a regulation by the state or government. The standard is intended to create a healthy and fair market, especially for consumers.*

**Key Words:** *Legal Protection, Metrological, Legal Metrological Violations.*

### 1. INTRODUCTION:

Media in offering goods and services, one of which is traditional markets. In traditional markets between businesses and consumers bargaining for goods and services. Business actors in traditional markets are those that produce or make a product of goods and services, meaning that business actors in traditional markets are business actors who only sell one product from business actors producing products or larger in retail or retail. Retail product sales are carried out to serve consumers or people who need small size products to meet their daily needs. Activities in this traditional market are inseparable from the use of measuring instruments, measurements, scales and equipment (UTTP). This is done because in traditional markets product transactions often occur in retail.

In order to serve the interests of consumers, one of the government affairs that is the authority of the District government/city is the implementation of legal metrology in the form of Tera, Tera Ulang, and the supervision of the Metrology. In some literature the sense of metrology is the science that learns about the ways of measurement, calibration and accuracy, both in the field of industry, science and technology.

Metrology (measurement science) is a discipline that examines the way of measurement, calibration and accuracy in the fields of industry, science and technology. Metrology covers three main things:

1. Determination of the definition of an internationally accepted unit of measure (e.g. meters)
2. The embodiment of measuring units based on scientific methods (e.g. the value of meters using laser beams)
3. Setting the traceability chain by determining and recording the value and accuracy of a measurement and disseminating that knowledge (e.g. the link between the measuring value of a threaded micrometer in the workshop and the long.

The legality of metrology in Indonesia rests on the Law of the Republic of Indonesia Number 2 of 1981 concerning Legal Metrology relating to the manufacture, distribution, sale, use, and inspection of measuring devices, measurements, weighing and equipment.

Based on Article 1 letter a of Law Number 2 of 1981 Metrology is the science of broad measurements and Article 2 letter b of Law Number 2 of 1981, Legal Metrology is a metrology that provides units of measurement, measurement methods and measuring instruments, which require technical and regulatory requirements under the Law that require approval of general requirements in terms of measurement accuracy. The implementation of legal metrology is one of the instruments to protect consumers. Standards and measurements that are subject to legal metrology arrangements are issued to provide protection to consumers in agreements that are not transparent and difficult to ensure by consumers such as in the fields of (1) refueling fuel (BBM), (2) setting telephone bills, (3) sales of rice, (4) determination of electricity, water and gas bills. The accuracy and consistency determined can be agreed by the state or government. These standards are created to create a healthy and fair market for consumers. In this case, in the interest of the Government, the Government has enacted Law No. 2 of 1981 concerning Legal Metrology in overcoming fraud or overcoming actions taken by business parties.

In this case, for example, measuring weighing tools that are often used by traders in the market, used by gas stations to sell fuel to the public, measuring KWH electricity owned by PLN, measuring PDAM meters, Argo Taxis or further Public health which must also be done periodically. However, if it is not done tera or repeated it will be ascertained as a consumer or the community will get extraordinary losses. In this case to provide protection to consumers against actions that violate legal metrology such as measuring instruments or scales used can be accounted for on the correctness of the measure, in this case protection for the community of certainty of weighing tools must have legal certainty and support for consumers that consumers need. Based on the description above and to provide legal protection to consumers, this study was submitted by the author entitled the title “**Legal Protection Of Legal Metrological Violations**”.

## **2. METHOD:**

### **2.1. Nature of Research and Approach Method:**

This research is a descriptive analysis, which is expected to obtain a detailed and systematic picture of the problem to be examined. The analysis is intended based on the description, the facts obtained will be analyzed carefully how to answer the problem.( Sunaryati Hartono , 1994) And this research includes research on the principles of law, legal sources, laws and regulations and several books on legal metrology and consumers that are available to find out consumer protection and sanctions against violations of legal metrology. Legal research is basically a scientific activity which is basically on the method. Systematics and certain thoughts by analyzing it, then an in-depth examination of the legal facts will then be generated in the relevant phenomena. This type of research is using the type of Empirical Juridical research, and refers to positive legal norms contained in legislation and other legal materials. (Ibrahim Johni , 2005)

### **2.2. Data Collection Techniques and Tools**

Data collection used in this research is through library research (library research), which is collecting data by reviewing the literature, in the form of legislation, scientific work, research results, and other documents related to the object of research, to support data conduct research, directly spaciousness using data collection tools, namely: study documents, interviews, questionnaires. As a Normative Law study, this research focuses on library research data. The legal materials used in this study are as follows:

- Primary Legal Material, in the form of Laws and Regulations related to the object of research, which include: Law Number 2 of 1981 concerning Legal Metrology, Law Number 8 of 1999 concerning Consumer Protection and Policies and Regulations made the Central Government Apparatus and Regional Government.
- Secondary Legal Materials, namely materials that can provide an explanation of primary legal materials, such as the results of seminars or other scientific meetings, opinions of legal experts are closely related to the object of research.( Roni Hanitijo Soemitro , 1982)
- Tertiary Legal Materials, i.e. legal materials which are supporting in nature to be able to provide instructions and explanations for primary and secondary legal materials such as Legal Journals, Scientific Journals, Newspapers, Internet, as well as papers relating to the object of research. (Soerjono Soekanto and Sri Mamudji, 1990)

### **2.3. Data Analysis:**

Data Analysis is a process of organizing and sorting data into patterns, categories and basic units of description so that themes can be found and work hypotheses can be formulated as suggested by the data. Data analysis is done qualitatively, i.e. by collecting data, tabulating, reducing, breaking down, systematizing, analyzing and linking it with applicable regulations, combining with the opinion of legal experts, and subsequently writing conclusions using deductive methods.

## **3. DISCUSSION:**

### **3.1. Rights and Obligations of Consumers and Business Actors:**

The implementation of legal metrology in the era of decentralization is based on Law No. 2 of 1981 concerning Legal Metrology which is a legal product in a centralized government. After entering the era of decentralization which began in 1999 with Law Number 22 of 1999 concerning Regional Government which was then replaced by Law Number 32 of 2004 and Act Number 23 of 2014, the system of governance that involved the authority of the central and regional governments different. In the centralistic and decentralized eras the implementation of legal metrology remains related to the interests of consumer protection. Thus Law No. 2 of 1981 concerning Legal Metrology has aspects of consumer protection in both the centralized and decentralized eras. To protect the interests of consumers against the activities of business actors based on Law No. 8 of 1999 concerning Consumer Protection which mandates the government, business actors, and consumers to carry out consumer protection efforts based on benefits, justice, balance, security, and consumer safety and legal certainty.

In this case the implementation of legal metrology becomes a mandatory affair that is placed in the Regency / City. Based on the mandate of Law Number 23 of 2014 concerning Regional Government, the implementation of legal metrology is left to the Regency / City. For this reason, activities related to measuring, measuring, weighing and tara are the authority of the regency / city government. In this case there is also a Government Regulation Number 38 of 2007 concerning the Sharing of Government Affairs between the Government, Provincial Governments and City / Regency Governments. In the regulation, the legal metrology activities that have been carried out by the provincial government, have shifted to the Regency / City Government. The problem of everything in measuring, measuring, weighing and weighing broadly what is commonly called the "metrology" problem includes all theories and practices related to measurement, namely its type, nature, accuracy and truth.

Metrology relating to units of measurement, methods or methods of measurement and measuring devices, measurements, weighing and equipment and technical requirements and supplementary regulations specified in or based on the Law aimed at and correct measurement called "legal metrology". Regulations on metrology are becoming increasingly important because of orderly measures, in all fields concerning also aspects of safety for humans themselves, such as doses of medicines, injections, measurements of blood pressure, human temperature, noise pollution, measurements in navigation and so forth.

In addition, the order of measurement also includes efforts to uniform the Unit System in its size, measurement, scale and equipment using the International System unit (SI) which is also called the Modern Metric System. Such uniformity efforts in Indonesia have been carried out since 1923 in stages. With a transition period of 10 (ten) years, which in its implementation is 15 (fifteen) years, then in Indonesia since January 1, 1938 the Metric System Unit officially applies in size, measure, scale and equipment that replaces the traditional System Unit such as you, catty and so forth. It is realized that traditional measures and their tools are limited in their use and gradually the community will familiarize themselves with the unit of measurement as stated in this Law. In promoting the material of this Law in order to achieve orderly measurement in all fields, it will be carried out with a persuasive and educative approach. In general, legal metrology is an activity carried out to measure, weigh, and give a rating to an object / item so that the object / item complies with established standards and the dosage is also in accordance with what has been determined by the producers.

Based on Article 1 Letter (b) of Law Number 2 of 1981 Concerning Legal Metrology, namely metrology that manages units of measurement, methods of measurement and measuring instruments, which involves technical and regulatory requirements based on laws aimed at protecting public interest in terms of measurement. To get UTTP (Measuring, Measuring, Weighing and Equipment) Measures that are correct, precise, and thorough, testing must be carried out by employees who are entitled to the regional metrology directorate / unit. From the test results, it can be seen that UTTP who fulfills the requirements in terms of truth, sensitivity, or does not meet the requirements will be given a valid sign, while those who do not meet the requirements will be marked off. In Law Number 2 of 1981 Concerning Legal Metrology discusses the rules of chapters consisting of: General Provisions, Units, Unit Standards, Measuring Instruments, Measures, Weighing, and Equipment, Signs, Items in a State Enclosed, Prohibited Acts, Criminal Provisions, Oversight and Investigation, Transitional Rules and Closing Provisions.

The units stipulated in the legal metrology law that is every valid valid measurement unit must be based on decimals, using SI units (Article 2) and Article 3 Paragraph (1) Letter a The basic unit of length is meters; b. The basic unit of mass is kilograms; c. The basic unit of time scale is the second; d. The basic unit of electric current is ampere; e. The basic unit of thermodynamic temperature is kelvin; f. The basic unit of magnitude of light is the candela; g. The basic unit of quantity is a mole. The definitions that apply to the basic units in this article are the latest definitions established by the General Conference for Measures and Scales. The problem of everything in measuring, measuring, weighing, and weighing in organizing legal metrology is one of the instruments of consumer protection. Standards and measurements that are subject to legal metrological arrangements, for example, are intended to provide consumer protection in the face of practices that are not transparent and are difficult for consumers to check.

Based on Law No. 8 of 1999 concerning Consumer Protection, efforts to guarantee legal certainty to provide protection to consumers have regulated the rights and obligations of consumers and business actors. Consumer protection aims to increase awareness, ability and independence of consumers to protect themselves, uplift the dignity of consumers by avoiding negative access to the use of goods and / or services, increasing consumer empowerment in choosing, determining, and demanding their rights as consumers, creating consumer protection system that contains elements of legal certainty and information disclosure as well as access to information, fostering awareness of businesses about the importance of consumer protection so as to grow honest and responsible attitude in trying and improving the quality of goods and / or services that ensure the continuity of the business of producing goods and / or services, health, comfort, security and consumer safety.

Consumer Rights and Obligations based on Law Number 8 Year 1999, namely:

**Consumer rights are regulated in Article 4, namely:**

- The right to comfort, security and safety in consuming goods and / or services;
- The right to choose goods and / or services and to obtain goods and / or services in accordance with the exchange rate and conditions and guarantees promised;
- The right to true, clear and honest information about the conditions and guarantees of goods and / or services;
- The right to be accompanied by his opinions and complaints on goods and / or services used;
- The right to obtain advocacy, protection and efforts to resolve consumer protection disputes appropriately;
- The right to consumer education and guidance;
- The right to be treated or served properly and honestly and not discriminatory;
- The right to receive compensation, compensation and / or compensation, if the goods and / or services received do not comply with the agreement or are not as intended;
- Rights are regulated in the provisions of other laws and regulations.

**Consumer obligations based on Article 5, namely:**

- Read or follow information instructions and procedures for the use or utilization of goods and / or services, for security and safety;
- Having a good intention in conducting transaction of purchasing goods and / or services;
- Pay according to the agreed exchange rate;
- Following efforts to properly resolve consumer protection disputes.

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Rights and Obligations of Business Actors based on Law Number 8 of 1999, namely:

**Rights of business actors according to Article 6 are :**

- The right to receive payments in accordance with the agreement regarding the conditions and exchange rates of the goods and / or services traded;
- The right to obtain legal protection from consumer actions in bad faith;
- The right to conduct self-defense properly in the settlement of consumer dispute law;
- The right to good reputation rehabilitation if it is legally proven that consumer losses have not been caused by traded goods and / or services;
- Rights are regulated in the provisions of other laws and regulations.

**The obligations of business actors in Article 7 are:**

- In good faith in carrying out its business activities;
- Provide true, clear and honest information about the conditions and guarantees of goods and / or services and provide an explanation of the use, repair and maintenance;
- Treat or serve consumers properly and honestly and not discriminatory;
- Guarantee the quality of goods and / or services produced and / or traded based on the provisions of the applicable quality standards of goods and / or services;
- Give consumers the opportunity to test, and / or try certain goods and / or services as well as provide guarantees and / or guarantees for goods made and / or traded;
- Provide compensation, compensation and / or compensation for losses resulting from the use, use and utilization of traded goods and / or services;
- Give compensation, compensation and / or replacement if the goods and / or services received or utilized are not in accordance with the agreement.

In the case of fulfilling the rights and obligations of consumers in the law also provides a balance in the fulfillment of the rights and obligations of business actors based on benefits, justice, balance, security and safety of consumers, and legal certainty.

### 3.2. Prohibited Actions in Legal Metrology:

In maintaining the balance of legal relations between business actors and consumers, it has been clearly regulated in the laws and regulations on actions prohibited by business actors to consumers to provide legal certainty to consumers in the implementation of legal metrology. The implementation of legal metrology in the business activities of business actors to consumers in general in daily life is often experienced by consumers, the designation of legal metrology measurement tools, these measurements are not only limited to KIR, market scales and gas stations but are also intended to :

- Business activities,
- Public interest (security, health, safety and environment),
- Handover / handover of goods,
- Determine wage collection (tea, coffee, rubber plantations, etc.).
- Determine the final product (LPG, cement, fertilizer, etc.),
- Implement laws and regulations such as telephone pulses, electricity, water meters, and so on.

Pursuant to Article 12 of Law Number 2 of 1981, with Government Regulations stipulating measuring devices, measurements, weighing and equipment which: a. Must be chastened and retested; b. released from tera or re-tera, or from both; c. the conditions must be met. Every entry of measuring instruments, measure, weigh and equipment into the territory of the Republic of Indonesia must be with the permission of the Minister.

In carrying out business activities by business actors, the law regulates actions prohibited by business actors based on Article 8 of Law Number 8 of 1999, namely:

Business actors are prohibited from producing and / or trading goods and / or services that :

- Does not meet or does not comply with the required standards and provisions of laws and regulations;
- Not in accordance with the net weight, net or net content, and the amount in the calculation as stated on the label or label of the item;
- Not in accordance with the size, measurement, scale and amount in the calculation according to the actual size;
- Not in accordance with the conditions, guarantees, features or efficacy as stated in the label, label or description of the said goods and / or services;
- Not in accordance with certain quality, level, composition, processing, style, mode, or usage as stated in the label or description of the said goods and / or services;
- Not in accordance with the promises stated in the label, label, description, advertisement or promotion of the sale of said goods and / or services;
- Not mentioning the expiration date or the best period of use / utilization of certain goods;
- Not following the provisions of halal production, as stated in the "halal" statement stated on the label;
- Do not put a label or make an explanation of goods that contain the name of the item, size, net / net weight / contents, composition, rules of use, date of manufacture, side effects, name and address of the business actor as well as other information for use which according to the provisions must be installed / made;
- Does not include information and / or instructions for the use of goods in the Indonesian language in accordance with applicable laws and regulations.

Business actors are prohibited from trading goods that are damaged, defective or used, and are contaminated without providing complete and correct information on the said items.

Business actors are prohibited from trading pharmaceutical preparations and food that are damaged, defective or used and polluted, with or without providing complete and correct information.

Business actors who violate paragraphs (1) and (2) are prohibited from trading such goods and / or services and are obliged to withdraw them from circulation.

In Article 9 as follows:

Business actors are prohibited from offering, promoting, advertising goods and / or services incorrectly, and / or as if:

- The goods have met and / or have discounted prices, special prices, certain quality standards, certain styles or modes, certain characteristics, certain history or uses;
- The goods are in good condition and / or new;
- The goods and / or services have obtained and / or have sponsors, approvals, certain equipment, certain benefits, certain work characteristics or accessories;
- The goods and / or services are made by companies that have sponsors, approvals or affiliations;
- The goods and / or services are available;
- The item does not contain hidden defects;
- The said goods are the completeness of certain goods;

- The goods come from certain regions;
- Directly or indirectly degrading other goods and / or services;
- Use excessive words, such as safe, harmless, do not contain risks or side effects without complete information;
- Offering something that contains an uncertain promise.

Goods and / or services as referred to in paragraph (1) are prohibited from being traded.

Business actors who violate paragraph (1) are prohibited from continuing the offer, promotion and advertising of said goods and / or services.

Pursuant to Article 10, businesses in offering goods and / or services intended for trading are prohibited from offering, promoting, advertising or making false or misleading statements regarding :

- Prices or tariffs of goods and / or services;
- Usability of goods and / or services;
- Conditions, dependents, guarantees, rights or compensation for goods and / or services;
- Discounted offers or attractive prizes offered;
- Danger of using goods and / or services.

According to Article 11, business actors in the case of sales made through sale or auction are prohibited from deceiving / misleading consumers by:

- Stating the goods and / or services as if they meet certain menu standards;
- Stating the goods and / or services as if they do not contain hidden defects;
- Not intending to sell the goods offered but with the intention to sell other goods;
- Not providing goods in a certain amount and / or sufficient amount with the intention of selling others;
- Not providing services in a certain capacity or in sufficient quantities with the intention of selling other services;
- Raise the price or tariff of goods and / or services before making a sale.

Article 12 Entrepreneurs are prohibited from offering, promoting or advertising an item and / or service at a specific price or rate in a certain time and amount, if the business actor does not intend to implement it in accordance with the time and amount offered, promoted, or advertised.

According to Article 13:

Business actors are prohibited from offering, promoting, or advertising goods and / or services by promising gift giving in the form of other goods and / or services for free with the intention of not giving it or giving it not as promised.

Entrepreneurs are prohibited from offering, promoting or advertising medicines, traditional medicines, food supplements, medical devices, and health services by promising gift giving in the form of other goods and / or services

According to Article 14 Business actors in offering goods and / or services intended to be traded by giving prizes through lottery, are prohibited from :

- Not withdrawing prizes after the promised deadline;
- Announce the results not through the mass media;
- Give a gift that is not as promised;
- Replacing gifts that are not equivalent to the value of the promised prize.

Pursuant to Article 15 Business actors in offering goods and / or services are prohibited from carrying out coercion or other methods that can cause both physical and psychological harm to consumers.

Based on the sound Article 16 Business actors in offering goods and / or services through orders are prohibited from :

- Not keeping the order and / or agreement on the completion time as promised;
- Do not keep promises for a service and / or achievement.
- In Article 17:

Advertising businesses are prohibited from producing advertisements that :

- Confuse consumers regarding the quality, quantity, materials, uses and prices of goods and / or services and the timeliness of receipt of goods and / or services;
- Fraudulent guarantees / guarantees for goods and / or services;
- Contains false, wrong or incorrect information about goods and / or services;
- Does not contain information regarding the risks of using goods and / or services;
- Exploiting an incident and / or a person without the relevant authorization or consent;
- Violate ethics and / or statutory provisions regarding advertising.

Advertising businesses are prohibited from continuing the circulation of advertisements that have violated the provisions in paragraph (1).

In line with the law on consumer protection for acts prohibited by business actors, in this case for the implementation of legal metrology, there are also prohibited acts, namely :

In Article 25 it is prohibited to have, put, exhibit, wear or order to use:

- Measuring devices, measurements, weighing and or equipment that are marked off;
- Measuring instruments, measurements, weighing and or equipment that are not legally valid or are not accompanied by a validation certificate, except as referred to in Article 12 letter b of this Law;
- Measuring instruments, measurements, weighing and / or equipment with damaged signatures;
- Measuring devices, measurements, weighing and / or equipment after which repairs or changes are made which can affect the length, contents, weight or designation, which before being reused are not authorized by authorized employees.
- Measuring instruments, measurements, weighing and / or equipment whose length, contents, weight or designation deviate from the value that would otherwise be allowed under Article 12 letter c of this Law to be recycled;
- Measuring devices, measurements, weighing and / or equipment having special markings that enable people to determine the size, measurement or scale according to the basis and designation other than those referred to in Article 6 and Article 7 of this Law;
- Measuring instruments, measurements, weighing and or equipment thereof for purposes other than those referred to in or under this Law;

At the place of business; in place to determine the size or scales in the public interest; at the place of surrender; in the place of determining fees or wages based on size or scales.

Pursuant to Article 26, it is forbidden to offer to buy, sell, offer to rent, lease, procure inventory for sale, rent or surrender or trade in any way:

- Measuring devices, measurements, weighing and / or equipment marked with a cancelation mark;
- Measuring instruments, measurements, weighing and / or equipment that are not legally valid, or are not accompanied by a validation certificate, except as referred to in Article 12 letter b of this Law;
- Measuring instruments, measurements, weighing and / or equipment whose warranty mark is damaged.

In Article 27:

It is forbidden to install measuring instruments, pointing devices or other tools in addition to measuring devices, measurements or weighings that have been hogged or that have been hogged.

Measuring, measuring or weighing instruments that are changed or added in the manner referred to in paragraph (1) of this article are treated as not being hired or not re-dated.

Article 28 Prohibited from places as mentioned in Article 25 of this Law uses or orders to use:

- Measuring instruments, measurements, weighing and equipment in other ways or in other positions than they should;
- Measuring devices, measurements, weighing and equipment to measure, measure or weigh over their maximum capacity;
- Measuring instruments, measurements, weighing and equipment to measure, measure, weigh or determine the size is less than the lowest limit determined based on a Ministerial Decree.

Article 29:

It is forbidden to use designations and unit symbols other than those that apply according to Article 7 of this Law on announcements of goods sold by measuring, measuring, weighing, whether in newspapers, magazines or patches, on the label attached or included in the goods or packages of goods or on their own packaging, as well as other notices stating their size, size or weight.

The prohibition referred to in paragraph (1) of this article does not apply to notifications :

- Regarding immovable objects located outside the territory of the Republic of Indonesia;
- About moving objects sent outside the territory of the Republic of Indonesia.

Movable objects which are sold according to size, measurement or scale in the original packaging must include the designation or symbol of the unit applicable in accordance with Article 7 of this Law when the object is entered into the territory of the Republic of Indonesia.

Article 30 It is forbidden to sell, offer to buy, or trade in any way, all goods according to size, measurement, scale or amount other than according to the actual size, net content, net weight or actual amount.

Article 31 Prohibited from making, distributing, wrapping or storing for sale, or offering to be purchased, all goods in a wrapped condition whose size, net content, net weight or amount is calculated:

- a. Less than stated on the packaging or label, or

Notwithstanding the provisions stipulated in Article 22 of this Law.

### 3.3. Legal Protection Against Violations of Legal Metrology According To Law Number 2 of 1981 Concerning Legal Metrology

The implementation of legal metrology is an instrument of consumer protection. (John Brich, A.R., 2003) Standards and measurements that are subject to legal metrology arrangements for example are intended to provide consumer protection in the face of practices that are not transparent and difficult to check by consumers such as in the fields of (1) refueling fuel (BBM), (2) setting telephone bills, (3) sales of rice, (4) determination of electricity, water and gas bills. (John Brich, A.R., 2003) The accuracy and consistency of measurements can be guaranteed if there is a regulation by the state or government. The standard is intended to create a healthy and fair market, especially for consumers. (Alan Johnston, 2019)

According to United Nations Food and Agriculture Organization data, spending on household needs in Indonesia reached 45%, in China reached 39%, and in the United States reached 13%. (Alan Johnston, 2019) Consumers must be protected from losses suffered due to inaccurate measurement practices or fraudulent actions taken by business actors.

Law No. 8/1999 concerning Consumer Protection mandates the government, business actors, and consumers to carry out consumer protection efforts based on benefits, justice, balance, security, and consumer safety and legal certainty. One of the most important consumer rights is to obtain goods and services in accordance with the exchange rate and conditions and guarantees promised. For this reason, honest and correct information and conditions regarding the goods being traded must be conveyed properly.

Fulfillment of consumer protection by law against acts of violation of legal metrology has been clearly regulated the rights and obligations of business actors and consumers as well as acts prohibited by law to provide legal certainty to consumers. If in the case of fulfillment that is part of the consumer is not fulfilled, not noticed or ignored then in obtaining legal certainty there is an institution that provides protection for the interests of consumers. Settlement of consumer disputes outside the court is intended to reach an agreement on the form and amount of compensation and / or regarding certain actions to ensure that there will not be a recurrence or that the loss suffered by the consumer will not recur. In the settlement of consumer disputes there are 2 ways in the process of resolution, namely through the court (litigation) and outside the court (non litigation). Settlement of consumer disputes through the court refers to the provisions concerning the general court of law in force with regard to the provisions in Article 45 of the Consumer Protection Act.

Under Article 45 it reads as follows:

- Every disadvantaged consumer can sue a business actor through an institution tasked with resolving disputes between consumers and business actors or through the courts within the general court environment.
- Settlement of consumer disputes can be reached through the court or outside the court based on the voluntary choice of the parties to the dispute.
- Settlement of disputes outside the court as referred to in paragraph (2) does not eliminate criminal liability as regulated in the Act.
- If an effort to settle a consumer dispute resolution out of court has been chosen, a lawsuit through the court can only be taken if the said effort is declared unsuccessful by one of the parties or by the disputing party.

Meanwhile, for the resolution of consumer disputes outside the court by law the agency that has been handling consumer disputes is the Consumer Dispute Settlement Agency. The government established a consumer dispute resolution body in the Second Level Region to settle consumer disputes outside the court. In resolving consumer disputes the duties and authority of the consumer dispute resolution body in resolving consumer disputes include :

- Carry out handling and resolution of consumer disputes, by means of mediation or arbitration or conciliation;
- Providing consumer protection consultations;
- Supervise the inclusion of standard clauses;
- Report to the general investigator if there is a violation of the provisions in this Law;
- Receive complaints, both written and unwritten, from consumers regarding violations of consumer protection;
- Conduct research and inspection on consumer protection;
- Calling business actors who have violated consumer protection;



- Summon and present witnesses, expert witnesses and / or anyone who is deemed aware of violations of this Law;
- Requesting the assistance of investigators to present business actors, witnesses, expert witnesses, or everyone as referred to in letter g and letter h, who are not willing to fulfill the summons of the consumer dispute resolution agency;
- Obtain, examine and / or assess letters, documents, or other evidence for investigation and / or examination;
- Decide and determine whether or not there is a loss on the part of the consumer;
- Give decisions to business actors who violate consumer protection;
- Imposing administrative sanctions on business actors violating the provisions of this Law.

#### 4. CONCLUSION:

The implementation of legal metrology in the business activities of business actors to consumers in general in daily life is often experienced by consumers, the designation of legal metrology measurement tools, these measurements are not only limited to KIR, market scales and gas stations but are also intended for Business Activities, Interests general (security, health, safety and environment), Handover / handover of goods, Determination of wage collection (tea, coffee, rubber plantations, etc.). Determine the final product (LPG, cement, fertilizer, etc.), Implement legislation such as telephone pulses, electricity, water meters, and so on. The implementation of legal metrology is an instrument of consumer protection. Standards and measurements that are subject to legal metrology arrangements for example are intended to provide consumer protection in the face of practices that are not transparent and difficult to check by consumers such as in the fields of fuel oil (BBM), setting telephone bills, selling rice, setting up electricity, water and electricity bills gas. The accuracy and consistency of measurements can be guaranteed if there is a regulation by the state or government. The standard is intended to create a healthy and fair market, especially for consumers.

#### REFERENCES:

##### Books:

1. Brich, John, 2003, *Benefit of Legal Metrology for the Economy and Society, A Study for the International Committee of Legal Metrology*, International Committee of Legal Metrology.
2. Hartono, Sunaryati, 1994, *Legal Research in Indonesia at the End of the 20th Century*, Bandung, Publisher: Alumni.
3. Johni, Ibrahim Johni, 2005, *Theory and Method of Normative Legal Research*, Malang, Publisher: Bayu Media Publishing.
4. Johnston, Alan, 2009, *The Important of Metrology for Consumer Protection*, Measurement Canada, Canada.
5. Soekanto, Soerjono and Sri Mamudji, 1990, *Normative Legal Research A Brief Review*, Jakarta, Publisher: Rajawali Press.
6. Soemitro, Roni Hanitijo, 1982, *Legal Research Methodology*, Jakarta, Publisher: Ghalia Indonesia.

##### Laws:

7. Law Number 2 of 1981 Concerning Legal Metrology.
8. Law Number 8 of 1999 Concerning Consumer Protection