

ABSTRAK

Kelangkaan tabung oksigen saat pandemi covid-19 yang melanda Indonesia sangatlah merugikan masyarakat Indonesia. Kelangkaan tabung oksigen di Indonesia sendiri dipicu karena meningkatnya kasus positif covid-19 di Indonesia sehingga masyarakat yang terinfeksi covid-19 membutuhkan tabung oksigen guna membantu dalam penyembuhan dari penyakit tersebut. Masyarakat selaku konsumen kesulitan untuk mendapatkan tabung oksigen di pasaran, dan jika ada di pasaran harganya terlampau mahal jika dibandingkan dengan harga tabung oksigen sebelum kasus covid-19 mewabah di Indonesia dan mengalami peningkatan yang signifikan di bulan Juli 2021. Tujuan dari penulisan ini adalah untuk menganalisis terkait dengan bentuk perlindungan konsumen dalam kasus langkanya tabung oksigen saat pandemi covid-19 dan untuk menganalisis terkait dengan upaya pemerintah didalam menangani dan menyelesaikan kelangkaan tabung oksigen saat pandemi covid-19 di Indonesia. Metode penelitian ini menggunakan pendekatan yuridis normatif dengan pendekatan peraturan perundang-undangan serta menggunakan bahan hukum primer berupa Undang-Undang Perlindungan Konsumen dan peraturan terkait. Hasil penelitian memperlihatkan bahwa adanya kasus kelangkaan tabung oksigen saat pandemi covid-19 melanggar hak konsumen salah satunya hak untuk memilih barang dan/ atau jasa sesuai dengan nilai tukar yang sebagaimana hal tersebut tertera di dalam Undang-Undang Perlindungan Konsumen Pasal 4 huruf b. Terkait dengan upaya pemerintah yang telah dilakukan, pemerintah telah membuat berbagai kebijakan salah satunya dengan mengeluarkan keputusan menteri yang mengatur terkait dengan harga eceran tertinggi untuk obat-obatan selama pandemi covid-19, akan tetapi upaya tersebut masih dinilai kurang untuk melindungi terhadap kasus kelangkaan tabung oksigen, karena di dalam keputusan tersebut tidak mengatur terkait harga eceran tertinggi tabung oksigen.

Kata Kunci: Perlindungan Konsumen, Kelangkaan, Covid-19

ABSTRACT

The scarcity of oxygen cylinders during the COVID-19 pandemic that hit Indonesia was very detrimental to the people of Indonesia. The scarcity of oxygen cylinders in Indonesia is due to an increase in positive cases of covid-19 in Indonesia so that people infected with COVID-19 need oxygen cylinders to help in healing from the disease. The public as consumers find it difficult to get oxygen cylinders on the market, and if they are on the market the price is too expensive when compared to the price of oxygen cylinders before the Covid-19 case broke out in Indonesia and experienced a significant increase in July 2021. The purpose of this paper is to analyze consumer protection in the case of the scarcity of oxygen cylinders during the covid-19 pandemic and to analyze related to the government's efforts to handle and resolve the scarcity of oxygen cylinders during the covid-19 pandemic in Indonesia. This research method uses a normative juridical approach with a statutory approach and uses primary legal materials in the form of the Consumer Protection Act and related regulations. The results of the study show that the case of a shortage of oxygen cylinders during the covid-19 pandemic violated the rights of consumers, one of which was the right to choose goods and/or services in accordance with the exchange rate as stated in the Consumer Protection Act Article 4 letter b. Regarding the government's efforts that have been made, the government has made various policies, one of which is by issuing a ministerial decree that regulates the highest retail price for medicines during the covid-19 pandemic, but these efforts are still considered insufficient to protect against cases of scarcity of

oxygen cylinders, because the decision does not stipulate the highest retail price for oxygen cylinders.

Keyword: consumer protection, scarcity, covid-19.