

KONSTRUKSI HUKUM PERJANJIAN VISIT STORE ENDORSEMENT MELALUI WHATSAPP ANTARA KEY OPINION LEADER (KOL) DAN PELAKU USAHA RESTORAN SATE RATU YOGYAKARTA

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INTISARI

Penelitian ini bertujuan untuk menganalisis konstruksi hukum dan bentuk perjanjian *visit store endorsement* melalui WhatsApp antara Key Opinion Leader (KOL) dengan pelaku usaha restoran Sate Ratu Yogyakarta, yaitu Bapak Fabian Budi Seputro selaku pemilik restoran tersebut yang dalam pelaksanaan perikatan *visit store endorsement* diwakili oleh KOL Specialist. Selain itu, penelitian ini juga menganalisis perlindungan hukum bagi para pihak dalam perjanjian tersebut.

Penelitian ini menggunakan metode penelitian normatif empiris. Penelitian normatif dilakukan melalui studi kepustakaan untuk memperoleh data sekunder. Kemudian, dilakukan penelitian lapangan melalui wawancara kepada responden dan narasumber untuk memperoleh data primer. Data dianalisis menggunakan metode kualitatif dan dipaparkan secara deskriptif.

Hasil penelitian ini menghasilkan dua kesimpulan. Pertama, konstruksi hukum perjanjian yang diterapkan dalam perjanjian *visit store endorsement* antara KOL dan KOL Specialist restoran Sate Ratu Yogyakarta dikualifikasikan sebagai perjanjian melakukan jasa tertentu dan berbentuk perjanjian tertulis secara elektronik yang sah karena kesepakatan dilakukan melalui media sosial WhatsApp. Kedua, perlindungan hukum para pihak dapat diwujudkan dalam dua bentuk. Pertama, bentuk perlindungan hukum internal berupa pencantuman klausul jangka waktu penayangan konten video *visit store endorsement*, pencantuman klausul denda, pencantuman klausul Alternatif Penyelesaian Sengketa (APS), dan perumusan klausul secara proporsional. Kedua, bentuk perlindungan hukum eksternal bersumber dari KUH Perdata, UU ITE, serta peraturan perundang-undangan dan asas-asas relevan lainnya yang berfungsi sebagai kerangka normatif agar perjanjian ini mampu menciptakan keadilan, kemanfaatan, dan kepastian hukum.

Kata Kunci: Perjanjian Jasa Tertentu, *Visit Store Endorsement*, Key Opinion Leader (KOL), Perjanjian Elektronik

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THE LEGAL CONSTRUCTION OF VISIT STORE ENDORSEMENT

AGREEMENTS CONDUCTED THROUGH WHATSAPP

BETWEEN KEY OPINION LEADER (KOL)

AND SATE RATU YOGYAKARTA

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ABSTRACT

This research aims to analyze the legal construction and form of the visit store endorsement agreement conducted via WhatsApp between a Key Opinion Leader (KOL) and the business owner of Sate Ratu Restaurant Yogyakarta, Mr. Fabian Budi Seputro, who was represented by a KOL Specialist in the execution of the engagement. Furthermore, this study also analyzes the legal protection for the parties involved in the agreement.

This research employs a normative-empirical research method. Normative research was conducted through a literature study to obtain secondary data. Subsequently, field research was carried out through interviews with respondents and informants to obtain primary data. The data obtained were analyzed using qualitative methods and presented descriptively.

The results of this research yield two conclusions. First, the legal construction of the agreement applied in the visit store endorsement between the KOL and the KOL Specialist of Sate Ratu Restaurant Yogyakarta can be qualified as an agreement to perform specific services and is in the form of a valid electronic written agreement, as the agreement was reached through the WhatsApp social media platform. Second, legal protection for the parties can be manifested in two forms. First, internal legal protection in the form of including clauses regarding the duration of the visit store endorsement video broadcast, penalty clauses, Alternative Dispute Resolution (ADR) clauses, and the formulation of proportional clauses. Second, external legal protection originates from the Indonesian Civil Code (KUH Perdata), the Law on Electronic Information and Transactions (UU ITE), as well as other relevant laws and regulations and legal principles that serve as a normative framework to ensure that the agreement creates justice, benefit, and legal certainty.

Key Words: *Spesific Service Agreement, Visit Store Endorsement, Key Opinion Leader (KOL), Electronic Agreement, Legal Protection*

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