

**PENERAPAN ASAS KEBEBASAN BERKONTRAK DALAM
PERJANJIAN FRANCHISE CV STORY GROUP SURAKARTA**

Skripsi

Diajukan untuk memenuhi salah satu syarat untuk memperoleh gelar
Sarjana pada Program Studi Ilmu Hukum

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ABSTRAK

Penelitian ini berjudul “Penerapan Asas Kebebasan Bekontrak Dalam Perjanjian Franchise CV Story Group” bertujuan untuk mengetahui tentang pengaturan asas kebebasan berkontrak pada perjanjian franchise di Indonesia, menganalisis penerapan asas kebebasan berkontrak pada perjanjian franchise pada CV Story Group Surakarta, serta menganalisis kendala yang dihadapi dalam penerapan asas kebebasan berkontrak pada perjanjian franchise CV Story Group Surakarta.

Penelitian ini menggunakan metode penelitian kualitatif dengan pendekatan yuridis sosiologis, dan spesifikasi penelitian bersifat deskriptif analitis. Objek penelitian ini meliputi segala informasi mengenai asas kebebasan berkontrak pada perjanjian franchise CV Story Group. Teknik pengumpulan data dalam penelitian ini didapat melalui studi pustaka dan studi lapangan,

Hasil ini penelitian menunjukkan bahwa penerapan mengenai asas kebebasan berkontrak pada perjanjian franchise di Indonesia belum terbukti dilaksanakan karena banyak franchisor yang membuat perjanjian franchise di Indonesia yang menggunakan perjanjian baku sehingga mengakibatkan posisi tawar menawar franchisor dan franchisee tidak seimbang.

Selain itu penelitian ini menunjukkan bahwa penerapan asas kebebasan berkontrak pada perjanjian franchise CV Story Group tidak terlaksana karena terdapat kendala internal yaitu penggunaan perjanjian baku secara sepihak oleh franchisor dan ketidakpahaman franchisee mengenai asas kebebasan berkontrak.

Kata Kunci : Perjanjian, Franchise, Perjanjian Baku, Asas Kebebasan Berkontrak, CV Story Group

ABSTRACT

This research is titled "The Application of the Principle of Freedom of Contract in the Franchise Agreement of CV Story Group" and aims to understand the regulation of the principle of freedom of contract in franchise agreements in Indonesia, analyze the application of the principle of freedom of contract in the franchise agreement of CV Story Group Surakarta, and analyze the constraints faced in the application of the principle of freedom of contract in the franchise agreement of CV Story Group Surakarta.

This research uses a qualitative research method with a sociological juridical approach, and the research specification is descriptive-analytical. The object of this research includes all information regarding the principle of freedom of contract in the franchise agreement of CV Story Group. Data collection techniques in this study were obtained through literature studies and field studies.

The results of this research indicate that the application of the principle of freedom of contract in franchise agreements in Indonesia has not been proven to be implemented because many franchisors create franchise agreements in Indonesia using standard agreements, resulting in an imbalance in the bargaining position between the franchisor and franchisee.

Furthermore, this research shows that the application of the principle of freedom of contract in the franchise agreement of CV Story Group is not implemented due to internal constraints, namely the unilateral use of standard agreements by the franchisor and the lack of understanding of the franchisee regarding the principle of freedom of contract.

Keywords: Agreement, Franchise, Standard