

ABSTRACT

Rapid progress in the field of telematics encourage businesses logistics-logistics electronic transactions (e-Logistics). However, in its implementation, businesses not optimally implemented electronic system reliably and safely, so that the electronic system malfunction caused by an unlawful act resulting in the loss of e-Logistics execution of the agreement. This study aims to find businesses liable for losses caused by tort liability and the development of businesses against losses in case of malfunction caused by tort liability as well as concept development businesses against loss due to a tort in the implementation of e-treaty Logistics in Indonesia as a national logistics development efforts.

This research method using normative juridical approach. Specification of the research is descriptive-analytical. Data was collected through the study of documents (secondary data). Methods of data analysis are presented in descriptive qualitative. Data analysis also uses a comparative approach to the legal responsibilities of Post Business Actors in Germany and in Switzerland in the implementation of e-Logistics. Study site is Jakarta, Bandung, Semarang, and Yogyakarta.

Results showed that entrepreneurs responsibility for losses due to unlawful act in the implementation of e-Logistics, including negligence liability, professional liability, and strict product liability. Responsibility for the development of businesses against loss due to malfunction resulting in the implementation of tort e-Logistics, guided by interactive justice and ex-ante liability, through the implementation of safety regulation and standards (HR, systems, devices, services, operations, business , and quality) are commonly applicable in the business world, so that the implementation of the electronic system (e-Logistics) take place in a secure and trustworthy connection. Concept development responsibilities businesses against loss due to a tort in the implementation of e-Logistics agreement as a national logistics development efforts, pursued through the draft ministerial regulations in the field of communication and information logistics are organized by postal businesses. Draft of Ministerial Regulations includes responsibilities, status, roles, functions, legal entity / law, treaties, legislation, which includes the legal aspects of the audit, the minimum requirements, standardization of devices, electronic certification, reliability certification, licensing, and insurance. Furthermore, correlated with the electronic control system (e-logistics) based on the function and role of the organization (HR and devices). Its application can refer to the practice of business communities in the German and Swiss Post. Concept development responsibilities businesses related to the development of national logistics system (Sislognas) are connected to networks and global logistics online ASEAN (one-stop wide web connection and communication of trade messages delivery system).