

ABSTRAK

Tanggung Jawab Hukum Pemilik Hewan Berizin: Analisis Pembuktian dan Perhitungan Ganti Rugi Akibat Kelalaian dalam Pengawasan

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Penelitian ini mengkaji bagaimana tanggung jawab hukum atas kerugian yang disebabkan oleh hewan peliharaan diatur dan diterapkan terhadap pemilik yang telah memiliki izin atau dokumen bukti kepemilikan. Penelitian bersifat normatif-kualitatif dengan pendekatan perundang-undangan, konseptual, dan studi kasus (analisis yurisprudensi), serta menggunakan bahan hukum primer dan sekunder berupa KUHPerdata, KUHP, Undang-Undang No. 41/2014, peraturan pelaksana dan putusan pengadilan. Hasil penelitian menunjukkan bahwa meskipun pemilik telah memiliki izin atau dokumen kepemilikan, prinsip *strict liability* sebagaimana diatur Pasal 1368 KUHPerdata tetap menempatkan pemilik bertanggung jawab atas kerugian yang ditimbulkan hewan; dokumen kepemilikan lebih berfungsi sebagai legitimasi administratif dan faktor yang dapat meringankan sanksi administrative, namun tidak menghapus kewajiban mengganti kerugian. Penelitian juga memaparkan mekanisme pembuktian di pengadilan (buku vaksinasi, microchip, bukti perawatan, saksi, rekaman CCTV) serta rekomendasi kebijakan seperti registrasi nasional, pedoman perhitungan ganti rugi, dan asuransi tanggung jawab hewan. Implikasi penelitian ini penting bagi pembuat kebijakan, penegak hukum, dan pemilik hewan untuk mencegah dan mengelola risiko hukum secara efektif.

Kata kunci: tanggung jawab, pemilik hewan, izin kepemilikan, *strict liability*, ganti rugi.

ABSTRACT

Legal Responsibility of Licensed Animal Owners: Evidentiary Analysis and Calculation of Damages consequences of Negligence in Supervision

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This study examines how legal liability for losses caused by pets is regulated and applied to owners who already have a permit or proof of ownership document. The research is normative-qualitative with legislative, conceptual, and case study approaches (jurisprudence analysis), and uses primary and secondary legal materials in the form of Civil Code, Criminal Code, Law No. 41/2014, implementing regulations and court decisions. The results of the study show that even though the owner already has a permit or ownership document, the principle of strict liability as stipulated in Article 1368 of the Civil Code still places the owner responsible for the losses caused by animals; ownership documents function more as administrative legitimacy and a factor that can mitigate administrative or criminal sanctions, but do not remove the obligation to compensate for losses. The research also describes the mechanism of proof in court (vaccination books, microchips, evidence of treatment, witnesses, CCTV footage) as well as policy recommendations such as national registration, guidelines for calculating compensation, and animal liability insurance. The implications of this research are important for policymakers, law enforcement, and animal owners to effectively prevent and manage legal risks.

Keywords: *responsibility, animal owners, ownership permits, strict liability, compensation.*