Increased Understanding of Legal Awareness Regarding the Preparation of Written Sales and Purchase Agreements/Contracts in Order to Support Community Economic Activities in Tajun Village, Buleleng Regency

Dewa Gede Sudika Mangku1*, Ni Putu Rai Yuliartini2

1 Faculty of Law and Social Sciences, Ganesha University of Education, Indonesia, dewamangku.undiksha@gmail.com
2 Faculty of Law and Social Sciences, Ganesha University of Education, Indonesia, raiyuliartini@gmail.com

A B S T R A K

Perjanjian/kontrak merupakan hal yang sangat penting dalam dunia usaha termasuk dalam jual beli hasil pertanian dan perkebunan. Dalam transaksi jual beli hasil pertanian dan perkebunan, para petani dalam melakukan transaksi sangat sedikit mengerti perjanjian jual beli secara tertulis dan hanya menggunakan perjanjian secara lisan dan sebatas nota/kwitansi dengan tengkulak, pedagang besar atau eksportir. masih banyak dijumpai praktik di bawah tangan atau dilakukan tanpa didasari dengan dokumen hukum perjanjian/kontrak. pemahaman masyarakat Desa Tajun tentang pembuatan perjanjian/kontrak jual beli masih terbatas, akibatnya kegiatan yang semestinya dilengkapi dokumen hukum berupa perjanjian/kontrak tersebut belum tersedia. Tujuan dilaksanakannya program pengabdian kepada masyarakat ini adalah untuk: (1) untuk meningkatkan pemahaman kelompok tani di Desa Tajun mengenai anatomi kontrak perjanjian serta terkait pentingnya perjanjian/kontrak jual beli (2) melatih keterampilan mitra dalam membuat penyusunan perjanjian/kontrak jual beli. Metode yang digunakan dalam pelaksanaan kegiatan program pengabdian kepada masyarakat ini adalah dengan sistem jemput bola. Hasil menunjukkan bahwa program telah dilaksanakan sesuai rencana. Dari pelaksanaan program pengabdian kepada masyarakat tersebut, masyarakat sasaran mendapat manfaat berupa adanya peningkatan pemahaman mitra terkait kesadaran hukum dan perjanjian/kontrak jual beli secara tertulis dan mampu menyusun perjanjian/kontrak jual beli sederhana dalam rangka menunjang kegiatan perekonomian masyarakat di Desa Tajun.

A B S T R A C T

Agreements/contracts are very important in the business world, including in the buying and selling of agricultural and plantation products. In buying and selling transactions for agricultural and plantation products, farmers in carrying out transactions have very little understanding of written sales and purchase agreements and only use verbal agreements and are limited to notes/receipts with middlemen, wholesalers or exporters. There are still many practices that are underhand or carried out without being based on legal agreement/contract documents. The Tajun Village community's understanding of making sales and purchase agreements/contracts is still limited, as a result, activities that should be accompanied by legal documents in the form of agreements/contracts are not yet available. The aim of implementing this community service program is to: (1) increase the understanding of farmer groups in Tajun Village regarding the anatomy of contract agreements and the importance of sales and purchase agreements/contracts (2) train partners' skills in drafting sales and
purchase agreements/contracts. The method used in implementing this community service program activity is a pick-up and drop-off system. The results show that the program has been implemented according to plan. From the implementation of this community service program, the target community benefits in the form of increasing partners' understanding regarding legal awareness and written sales and purchase agreements/contracts and being able to draw up simple sales and purchase agreements/contracts in order to support the economic activities of the community in Tajun Village.

**INTRODUCTION**

Agreements/contracts are very important in the business world, including in the buying and selling of agricultural and plantation products, considering that these rights in contract law are a form of manifestation of legal certainty. Therefore, every agreement/contract should be made in writing in order to obtain legal certainty, so that the goal of legal certainty can be realized (Putri & Budiana, 2018). Currently, almost all business activities are carried out through making agreements/contracts, but there are quite a few business actors who do not understand the importance of the contents of the agreement/contract properly. For this reason, care and caution is required in drawing up an agreement/contract. Therefore, the parties bound to the contract are obliged to comply with the contents of the contract. This is what business actors must realize, that the agreements/contracts they make will determine the continuity of their business. Mistakes or ignorance in the process of making agreements/contracts can make their business profit or loss (Dakum et al., 2020).

When talking about agreements/contracts, you will think of written agreements/contracts. This understanding is not wrong, the agreement/contract can be considered a written agreement. However, in principle, agreements/contracts are not only in written form, agreements/contracts can also be in unwritten form or can be called oral agreements. Oral agreements/contracts are very often carried out by the community, for example buying and selling in traditional markets, agreements to borrow and borrow goods. An agreement/contract can be made by an individual with an individual, a group of individuals with an individual or a group of individuals with a group of individuals or between an individual and a legal entity or a legal entity and a legal entity based on an agreement. Agreements/contracts can also be made by business actors (Anggraeni, Rizal, 2019).

A sales and purchase agreement/contact made is considered valid if it meets subjective and objective conditions, fulfillment of these conditions results in the agreement that has been made becoming valid. The agreement is also binding on the parties regarding their rights and obligations, so that the fulfillment of the conditions for the validity of an agreement is absolutely mandatory. In the future, if a problem or dispute occurs, the resolution can be based on the agreed agreement. Binding power is regulated in Article 1338 of the Civil Code explaining that "all agreements that are legally made are valid as law for those who make them (paragraph 1) an agreement cannot be withdrawn other than by agreement of both parties or for reasons determined by law. "The law is stated to be sufficient for that (paragraph 2) that an agreement must be carried out in good faith (paragraph 3)".

In its development, the people of Tajun Village, in carrying out their business activities, always interact with other parties to market their business results, for example with consumers or other business actors (middlemen, wholesalers or exporters). The activity of marketing business results is outlined in a sales and purchase contract, so that the preparation of a sales and purchase agreement/contact must be correct in order to avoid errors or obstacles in implementing the agreement/contact. (Diputra, Rio, 2018). This is because
agreements/contracts are activities that are commonly carried out by the community, even village residents (Yudhantaka, 2017).

Tajun Village is located in Kubucespat District, Buleleng Regency, Bali Province. Tajun Village has diverse potential, one of which is the leading commodity, namely in the agricultural and plantation sectors (coves, coffee, coconut, vanilla). The agricultural and plantation sectors are the most influential sectors in supporting the community's economy, especially as the number of farmers/planters in Tajun Village reaches 2,812 people, this number dominates the population data based on occupation in Tajun Village. This diversity of livelihoods forms diverse thought patterns in the Tajun Village community. The mindset of society is not formed in such a simple way but through a long process and many factors influence it, such as education, family, social or economic strata. Data collected from the official Tajun Village website shows that the number of people who have not completed elementary school reaches 756 people, while the number of people who have never attended school reaches 2,570 people. This number is quite large and dominates the education level in Tajun Village. This is certainly a problem considering that differences in education, family, social or economic strata greatly influence a person's mindset, coupled with the condition of differences in the interests and desires of one person and another which often lead to clashes that give rise to conflict in society (Subekti, Lestari, 2020). Therefore, to prevent these negative things from happening, a law is needed that regulates relationships and develops an attitude of legal awareness in all aspects of life.

The geographical location and strategic area of Tajun Village, which is crossed by the Kintamani-Singaraja transportation flow, is a potential situation for economic development and is supported by the existing geographical conditions. So, in a business activity, a good and correct agreement/contract is needed in order to provide legal certainty for the parties (Aina, Ramadhani, 2021).

There are several fundamental problems faced by the people of Tajun Village, making it difficult for Tajun Village to develop the potential and business opportunities that have been described previously as a basis for developing the creative economy. First, in buying and selling transactions for agricultural and plantation products, farmers (the majority of whom are elementary school graduates) in carrying out transactions understand very little about written sales and purchase agreements and only use verbal agreements and limited to notes/receipts with middlemen, wholesalers or exporters. Thus, it is not uncommon to find losses due to weak agreements and this often results in default in agreements/contracts from buying and selling transactions of business products sold by farmers. Second, there are still many practices that are underhand or carried out without being based on legal agreement/contract documents. This is because the people of Tajun Village consider a buying and selling transaction to be an ordinary
transaction and is often carried out in general. Conditions like this result in people not seeming to pay attention to the importance of legal documents related to buying and selling. Third, regarding the understanding of the Tajun Village community regarding making sales and purchase agreements/contracts is still limited, as a result activities that should be accompanied by legal documents in the form of agreements/contracts are not yet available. However, the implementation of the agreement/contract carried out by the people of Tajun Village is legal and in accordance with Article 1320 of the Civil Code which states that agreements are made in writing or orally. However, if the agreement is not made in writing then when a dispute occurs it will be difficult to take legal action to protect each party.

In connection with the conditions in the field mentioned above, legal problems that occur in a sale and purchase agreement/contract are very detrimental to the parties in the business world. Business actors must have knowledge and skills in making a sales and purchase contract so that they can avoid mistakes and minimize disputes arising from an agreement/contract. This is reinforced, with the condition of the livelihood of the people of Tajun Village, it cannot be denied that they will always be involved in agreements/contracts. For example, traders need an agreement even though the sale and purchase agreement made is an unwritten agreement or an oral agreement. Farmers will need a written contract if they enter into an agreement to buy and sell land or buy and sell crops in large quantities.

It is necessary to increase understanding and awareness of this knowledge and skills, so that the people of Tajun Village can draw up sales and purchase agreements/contracts properly and correctly so that they can avoid mistakes in drafting sales and purchase agreements/contracts and provide legal certainty to the parties so that they can help support activities. community economy. Skills training in drafting sales and purchase agreements/contracts in order to support community economic activities in Tajun Village. Apart from that, the form of developing Tajun Village as a legally aware village (in the form of training in making sales and purchase agreements/contracts) based on local wisdom is also in accordance with the Pawongan concept (maintaining harmonious relations with others) which is in the Tri Hita Karana philosophy of Balinese society.

METHOD

Based on the problems faced, the method used in implementing community service program activities is a pick-up and drop-off system. The pick-up system in question, namely the team implementing community service activities, is proactive in resolving problems experienced by partners starting from identify problems, formulating problems, analyzing problem solving, and implementing problem solving. Apart from the ball picking up method used in this community service program activity, there are also supporting methods in implementing the program. The supporting methods in question are socialization and discussion packaged in the form of FGD. Apart from that, in implementing this community service program, it will also refer to a synergistic pattern between academics from the Ganesha University of Education and practitioners (notaries) towards the Tajun Village Farmers Group, Buleleng Regency.

There are several methods for carrying out activities in the form of socialization, discussions and FGDs covering several things, namely: (1) Legal education regarding community legal awareness, implementation of this counseling and assistance, including providing material regarding legal issues that occur in Tajun Village by involving experts in their fields. The indicator of program success in this activity is that partners are able to understand and analyze legal issues that are problems for partners and are able to increase legal understanding and legal awareness
in the community. Thus, legal awareness that is built becomes a basis for the realization of legal values and objectives, because if existing laws in society are implemented with full awareness, then the values of legal certainty, usefulness, justice and legal objectives to achieve prosperity, happiness and order for society to be realized. (2) Socialization and assistance regarding material on the anatomy of contractual agreements, the legal basis of agreements, the principles of agreements, the legal languages used in writing contractual agreements, which includes providing material regarding the basics of agreements/contracts involving experts in their fields. An indicator of the success of the program in this activity is that partners are able to understand and analyze the anatomy of the contract agreement, the legal basis of the agreement, the principles of the agreement, the legal languages used in drafting a sale and purchase agreement/contract. (3) Skills training and assistance in making sales and purchase agreements/contracts. The indicator of program success in this activity is that partners are able to draw up sales and purchase agreements/contracts in order to support the economic activities of the Tajun Village community.

RESULT AND DISCUSSION

Result

From the percentage of implementation of these activities, the number of participants who took part in this community service activity was 50 (fifty) people. To increase public legal awareness and public understanding regarding the preparation of sales and purchase agreements/contracts, outreach activities were carried out with resource persons who are legal practitioners in this field, namely Notary I Kadek Dony Hartawan, S.H., M.Kn.

In the socialization of this community service activity, the resource person explained in general that an agreement is a written or oral agreement made by two or more parties, where the agreement is included in the realm of private law, which means that a legal situation is formed due to the existence of one party or more than binding himself to another party. Meanwhile, a contract is an expression of an agreement, agreement and understanding. The existence of a sales and purchase agreement or contract is necessary to regulate the legal relationship of the parties binding themselves to each other. This sale and purchase agreement or contract is also a form of trust, mutual interests, good ethics and strength. The things that can be agreed upon are free from anything that does not violate the law, morality and order.

The presentation of material by the source also explained the benefits of agreements in terms of buying and selling or business, including: 1) minimizing risks that could arise; 2) as a means of cooperation; as a medium for developing business; 3) as a means of proof in the event of a dispute; and 4) guarantee legal certainty because all interests, rights and obligations are regulated by agreement or contract. Agreements are also important to protect all business transactions, and agreements can regulate legal relationships so as not to cause disputes and claim compensation for violations. This violation is commonly known as Default. Regarding Default, Article 1243 of the Civil Code explains, Reimbursing costs, losses and interest due to failure to carry out an agreement becomes mandatory if the debtor, even though he has been declared negligent, is still careless in fulfilling the agreement or something that must be given or carried out within the specified time, beyond the specified time.

Agreements are also very important as a basis for actions between one party and another, as well as as a limitation on the actions of the parties, agreements can also safeguard the rights and obligations of the parties, and can be proof that what is agreed is valid. To be said to be valid and have binding legal provisions, an agreement must fulfill the requirements based on article 1320 of the Civil Code, namely:
1. Their agreement is binding on themselves;
2. Ability to create an agreement;
3. A particular subject matter;
4. A cause that is not prohibited.

First, the purpose of their binding agreement is that there is an agreement between the parties. This means that there must be approval or agreement from the parties making the agreement and there must be no coercion or pressure, but when carrying out or making an agreement it must be done consciously and of one’s own will. Second, the meaning of competence to make an agreement is that the parties making an agreement must be legally competent and have the legal standing to make an agreement. What is meant by a person who is legally incompetent is regulated in Article 1330 of the Civil Code, namely: 1) a child who is not yet an adult; 2) people placed under guardianship; 3) women who are married in cases determined by law and in general all people who are prohibited by law from making certain agreements. Third, the purpose of a certain thing, namely, in order for an agreement to be declared valid, there must be an object of the agreement in the form of goods or services, for example giving something, doing something, or not doing something as stated in Article 1234 of the Civil Code. Fourth, the meaning of a cause that is not prohibited is not to promise something that is prohibited by law or that is contrary to the law, the values of decency or public order.

Discussion

Training can be defined as a systematic effort to master skills, rules, concepts, or ways of behaving that have an impact on improving performance. Furthermore, according to Dearden in (Kamil, 2010: 7), training basically includes teaching and learning processes and exercises aimed at achieving a certain level of competency or work efficiency. This training was given by a legal practitioner, namely Notary I Kadek Dony Hartawan, S.H., M.Kn., where in the training the resource person emphasized that partners must at least be able to draw up simple agreements/contracts. The things that must be done in making a simple contract are: (1) Determine the title; (2) Complete the complete identity of the subject; (3) Determine the object clearly; (4) Value (the amount, method and time of payment of wages or compensation that is fair and in accordance with regulations); (5) The term of the agreement/contract; (6) Rights and obligations, as well as responsibilities of each party in the contract; (7) Problem solving; (8) Additional clauses (addendum); (9) Complete the closing with witnesses.

In this community service activity, apart from the aim of making partners more aware of the law and understanding more about sales and purchase agreements/contracts through the socialization that has been carried out, it is also hoped that partners will be able to draw up sales and purchase agreements/contracts in order to support the economic activities of the community in Tajun Village, Therefore, in this community service activity, training is also carried out. When running a business, it must be carried out carefully by taking into account the common interests, especially the interests of the community, with the aim of the 2023 Undiksha Senadimas Proceedings to improve the economy. Therefore, a security device is needed which is none other than an agreement in a contract.

In order to increase legal awareness regarding the preparation of sales and purchase agreements/contracts and support the economic activities of the community in Tajun Village, Buleleng Regency, there are several stages of the agreement process that need to be considered:
1. Need Identification: At the initial stage, interested parties must identify the needs and objectives of the agreement/contract. Whether it is purchasing land, goods or certain services.

2. Negotiation: Once the need is identified, the parties involved negotiate. They discuss the terms, price, time, and the rights and obligations of each party.

3. Drafting the Contract: After reaching an agreement through negotiation, the contract agreement is written in writing. The contents of the contract must be clear, complete and binding on both parties.

4. Understanding and Agreement: The parties involved must understand the contents of the contract well. If there is any ambiguity, clarification needs to be made. Once convinced, the parties sign a contract as a sign of agreement.

5. Implementation: The contract agreement comes into force and the parties must comply with all agreed provisions. This includes payment, delivery of goods, or performance of services.

6. Evaluation and Improvement: After the contract ends, an evaluation needs to be carried out. Did everything go according to plan? If there is a problem, it needs to be fixed so that the next deal process is better.

By understanding and following this agreement process, it is hoped that legal awareness regarding sales and purchase agreements/contracts in Tajun Village can increase, so that the community’s economy can also be boosted.

Apart from that, in implementing this community service program, there are several things that need to be considered in an effort to increase legal awareness related to the process of drafting sales and purchase agreements/contracts in Tajun Village, Buleleng Regency, in order to have a positive impact on the economic activities of the community in these areas, namely as follows:

1) Increasing Legal Understanding: Through workshops, training and legal education held, the Tajun Village community can increase their understanding of legal aspects related to drafting sales and purchase agreements/contracts. This provides a stronger basis for them in transactions.

2) Dispute and Conflict Prevention: With a better understanding of the law, people can apply legal principles in sales and purchase agreements/contracts. This can reduce the risk of disputes or conflicts, thereby creating a more stable business environment.

3) Increased Trust and Transparency: Legal awareness can increase trust between parties in buying and selling transactions. People who feel protected by law tend to have more trust and participate actively in local economic activities.

4) Empowerment of Local Economic Actors: Increased legal awareness provides local economic actors, including traders and farmers in Tajun Village, the tools to protect their rights and interests. This can encourage local economic growth and community empowerment.

5) Understanding of Local Regulations: By providing socialization regarding village regulations regarding buying and selling transactions, the community can more easily understand and comply with applicable regulations. This is important to ensure that economic activities run in accordance with applicable regulations.

6) Effective Conflict Resolution: Increasing legal awareness can also support more effective conflict resolution through understanding the available dispute resolution mechanisms, both through mediation and formal legal processes.
7) Participation in Development Programs: Legal awareness can increase community participation in village development programs that involve economic activities. This creates a synergy between economic empowerment efforts and legal understanding.

8) Improving the Quality of Agreements/Contracts: With better understanding, the community can draw up sales and purchase agreements/contracts that are of higher quality and suit their needs. This can help optimize transaction benefits and reduce legal risks.

Increasing legal awareness in Tajun Village, Buleleng Regency, is not only beneficial for individuals but also has a positive impact on overall economic activities. Continuous efforts in legal education and community empowerment can strengthen the legal foundation at the village level and improve community welfare.

Legal awareness in efforts to prepare written sales and purchase agreements/contracts has a crucial role in obtaining clear agreements and legal certainty. The following are several things that can be achieved through increasing legal awareness in the context of drafting sales and purchase agreements/contracts:

a) Understanding Parties’ Obligations and Rights: Legal awareness allows parties involved in a buying and selling transaction to clearly understand the obligations and rights of each party. This creates a strong foundation for avoiding future misunderstandings.

b) Drafting a Comprehensive Agreement: With legal awareness, the parties can draft a more comprehensive and detailed sale and purchase agreement/contract. The clearer and more complete the agreement, the less likely it is that different interpretations will occur at a later date.

c) Applicable Legal Provisions: Legal awareness allows the parties involved to know and clearly state the legal provisions that apply to the transaction. This includes understanding contract law, civil law, and local regulations that may affect agreements.

d) Anticipating Legal Risks: Parties who have legal awareness tend to be better able to identify and anticipate legal risks that may arise during the implementation of an agreement. Preventive steps can be taken to reduce these risks.

e) Get More Written Agreements: With legal awareness, parties will be more likely to express their agreements in writing. Written documentation creates concrete evidence that can be used as a reference if a dispute arises at a later date.

f) Certainty Regarding Compensation and Breach of Contract: Legal awareness helps parties to determine clear compensation provisions in the agreement. This creates certainty regarding the consequences that will be faced if one party does not fulfill its obligations.

g) Understanding of Dispute Resolution Procedures: Legal awareness allows the parties involved to include dispute resolution clauses in agreements, either through mediation, arbitration, or formal legal procedures. This helps prevent and resolve disputes more effectively.

h) Increased Trust: Legal awareness can increase trust between parties in buying and selling transactions. Clear written documentation creates confidence that the agreement will be respected and implemented according to the agreement that has been made.

By increasing legal awareness, economic actors in Tajun Village, Buleleng Regency, can create stronger sales and purchase agreements/contracts, provide legal certainty, and support sustainable economic growth.
CONCLUSION

Based on the results and discussion above, it can be concluded that the community service program entitled: "Increasing Understanding of Legal Awareness Regarding the Preparation of Written Sales and Purchase Agreements/Contracts in Order to Support Community Economic Activities in Tajun Village, Buleleng Regency" has been implemented according to plan. The implementation of the community service program is by providing outreach and assistance related to community legal awareness and drafting sales and purchase agreements/contracts in Tajun Village as well as providing training and assistance in drafting sales and purchase agreements/contracts in order to support community economic activities in Tajun Village. The results of implementing this community service program show that there is an increase in partners' understanding regarding legal awareness and sales and purchase agreements/contracts and are able to draw up simple sales and purchase agreements/contracts in order to support community economic activities in Tajun Village.
REFERENCES


