



THE CONSEQUENCES RECEIVED BY TRADERS OF IMPORTED USED CLOTHING (THRIFT) WITH THE EXISTENCE OF THE REGULATION OF THE MINISTER OF TRADE ON THE PROHIBITION OF IMPORTED USED CLOTHING IN THE CENTRAL BANJARMASIN SUB-DISTRICT

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Received 18-05-2024 | Revised form 20-06-2024 | Accepted 02-07-2024

Abstract

The activity of buying and selling imported used clothing (thrift) that is still found in Central Banjarmasin District is the reason for this research. The activities carried out by thrift merchants are contrary to the policy on the prohibition of imported used clothing in Indonesia. Due to the various impacts on humans and the environment, the import of used clothing is illegal in Indonesia. However, the attitude of imported used clothing traders who oppose this regulation makes them of course have consequences that will be accepted. This research uses empirical legal research methods with a sociological juridical approach and descriptive qualitative research. The results of the research obtained are, first, the implementation of the regulation on the prohibition of imported used clothing has not been carried out optimally because there are several obstacles such as differences in interpreting existing regulations, inadequate facilities and infrastructure, difficulty in knowing the origin of used clothing and rejection by imported used clothing traders (thrift). Second, the consequences received by used clothing traders are not so great because the consequences obtained are only temporary so that traders can still carry out buying and selling activities of imported used clothing (thrift) in Central Banjarmasin District.

Keywords: Consequences, Traders of Imported Used Clothes (Thrift), Regulation on the Prohibition of Imported Used Clothes

Abstrak

Aktivitas jual beli pakaian bekas impor (*thrift*) yang masih ditemui di Kecamatan Banjarmasin Tengah menjadi alasan adanya penelitian ini. Aktivitas yang dilakukan oleh pedagang pakaian bekas impor (*thrift*) sangat bertentangan dari adanya kebijakan tentang larangan impor pakaian bekas di Indonesia. Dikarenakan menimbulkan berbagai dampak terhadap manusia hingga lingkungan, impor pakaian bekas menjadi hal yang ilegal di Indonesia. Namun, sikap pedagang pakaian bekas impor yang menentang peraturan ini membuat mereka tentu saja memiliki konsekuensi yang akan diterima. Penelitian ini menggunakan metode penelitian hukum empiris dengan pendekatan yuridis sosiologis dan sifat penelitian deskriptif kualitatif. Hasil penelitian yang didapatkan yaitu, pertama, pelaksanaan peraturan larangan impor pakaian bekas belum dilakukan dengan maksimal karena terdapat beberapa kendala seperti perbedaan dalam memaknai peraturan yang ada, sarana dan prasarana yang belum memadai, kesulitan dalam mengetahui asal

pakaian bekas serta adanya penolakan oleh pedagang pakaian bekas impor (*thrift*). Kedua, konsekuensi yang diterima oleh pedagang pakaian bekas tidak begitu besar karena konsekuensi yang didapatkan hanya bersifat sementara sehingga pedagang masih dapat melakukan aktivitas jual beli pakaian bekas impor (*thrift*) di Kecamatan Banjarmasin Tengah.

Kata Kunci: Konsekuensi, Pedagang Pakaian Bekas Impor (*Thrift*), Peraturan Larangan Impor Pakaian Bekas

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Introduction

Thrift is a word that is often used for second-hand clothing that comes from overseas. Imported second-hand clothing or thrift is clothing that is resold after being used by someone else. Imported used clothing (*thrift*) can be referred to as premium used goods because these items still have good quality and are suitable for use by someone.¹ Thrift clothing usually consists of items that are rare, antique to items with well-known brands. Some types of items traded include vests, pants, jackets, hoodies, shirts, t-shirts, knitwear, blouses, crewnecks and others with brands from Uniqlo, Zara, Lacoste and so on. The rise of the phenomenon of buying and selling used imported clothing (*thrift*) in Indonesia, including the Central Banjarmasin District area of South Kalimantan Province, has made existing regulations considered as ordinary displays. Even though it is very clearly stated in the Minister of Trade Regulation Number 40 of 2022 concerning Export Prohibited Goods and Import Prohibited Goods regarding the prohibition of imported used clothing. In Appendix II Import Prohibited Goods Number IV Types of Used Bags, Used Sacks and Used Clothing, Number 23 with Tariff Post / HS (Harmonized System) 6309.00.00, it is stated that used clothing and other used goods are included in goods that are prohibited from import. The existence of this regulation is motivated by the many impacts that will be received by individuals and society. As the Minister of Trade in the 2014-2019 Working Cabinet, Rahmat Gobel said that the influx of imported second-hand clothing (*thrift*) into Indonesia makes the country a garbage collection country because

¹ Krishna Panolih dan M. Puteri Rosalina, *Barang Second Hand: Bekas Tapi Berkelas*, 21st October 2018, accessed on 4th July 2024 at 12.40 WITA, <https://www.kompas.id/baca/utama/2018/10/21/barang-second-hand-bekas-tapi-berkelas>.

the destruction of wasted textile materials containing chemicals and synthetics is difficult to do.² The health of individuals due to imported thrift clothing can also be compromised because based on the Used Clothing Import Analysis Report made by the Ministry of Trade said that after testing 25 samples of imported used clothing from Pasar Senen, it was found that the imported used clothing contained several types of microorganisms such as staphylococcus aureus bacteria, escherichia coli (e-coli) bacteria and mold fungi that can cause various diseases such as itching, indigestion to infections of the genital tract.³ A statement about the ban on the import of used clothing has also been made by President Joko Widodo. President Jokowi said that the buying and selling of imported used clothing can disrupt the domestic textile industry because the selling price of imported used clothing (thrift) is fairly cheap, causing domestic products to lose competitiveness.⁴ The fact that there are still traders of imported used clothing (thrift) in Banjarmasin Tengah District is a situation that is very contrary to the policies governing the prohibition of imported used clothing that already exist. This of course will create consequences that will be accepted by traders of imported used clothing (thrift) who carry out buying and selling activities of imported used clothing. Therefore, in this study the author wants to elaborate further on the consequences received by traders of imported used clothing (thrift) with the existence of the regulation of the minister of trade on the prohibition of imported used clothing.

Research Methods

² Yuli Saputra, *Impor Pakaian Bekas Ilegal: Indonesia 'Menjadi Penampung Sampah' dan Dianggap 'Tidak Punya Martabat'*, BBC News Indonesia, 19th September 2022, accessed on 4th July 2024 at 13.16 WITA <https://www.bbc.com/indonesia/articles/c4ndrwez9730>.

³ Tim Analisis, *Laporan Analisis Impor Pakaian Bekas*, (Jakarta, Kementerian Perdagangan, 2015), page. 19–28, http://bkperdag.kemendag.go.id/pengkajian/download_analisis?token=16da1605b5ec69f18bedc1dodbe412395b948becbf6ba2353d54a336001b37a1&file=eyJpZC16ljlHclEcUgrSVJwSnZWaXh5bDFaK2c9PSlSImRhdGEiOiJGNDg9Ino%3D.

⁴ Annisa Medina Sari, *Dasar Hukum dan Dampak Impor Pakaian Bekas di Indonesia*, 21st July 2023, accessed on 4th July 2024 at 13.24 WITA <https://fahum.umsu.ac.id/dasar-hukum-dan-dampak-impor-pakaian-bekas-di-indonesia/>.

This writing uses an empirical legal research method or can be referred to as law field research in which it examines the applicable legal provisions with what actually happens in society. Salim HS and Erlies Septiana said that empirical legal research is legal research that analyzes and examines the legal behavior of an individual or society related to the law and the primary data sources used.⁵ The approach in this writing uses a sociological juridical approach, namely research that observes the reactions and interactions created when a system of norms runs in society. Soerjono Soekanto said that this sociological juridical approach identifies and conceptualizes a law as a real and functional social institution in the actual system of life.⁶ The nature of research in this writing uses descriptive qualitative research, namely research that seeks to reveal problems and facts as they are, although sometimes an interpretation or analysis is given.⁷

Results And Discussion

1. Implementation of the Used Clothes Import Ban Regulation in Central Banjarmasin District

Based on Article 1 Paragraph 3 of Regulation of the Minister of Trade Number 18 of 2021 concerning Export Prohibited Goods and Import Prohibited Goods, the definition of import is the activity of entering goods into the customs area. Paragraph 7 of the same article and regulation also explains that goods prohibited from importation are goods that may not be imported. According to the Big Indonesian Dictionary, clothes are items that are worn such as pants, clothes and others.⁸ Meanwhile, the definition of used is something that has been used.⁹

⁵ Muhaimin, *Metode Penelitian Hukum*, Cetakan 1 (Mataram: Mataram University Press, 2020), page. 82.

⁶ Muhaimin, page. 83–84.

⁷ Sukiati, *Metode Penelitian Sebuah Pengantar*, Cetakan 1 (Medan: CV. Manhaji, 2016), page. 52.

⁸ Tim Redaksi Kamus Bahasa Indonesia, *Kamus Bahasa Indonesia* (Jakarta: Pusat Bahasa, 2008), page. 1105.

⁹ Aulia Nuril Firdaus, *Praktik Jual Beli Pakaian Bekas Ditinjau Dari Peraturan Menteri Perdagangan Nomor 51 Tahun 2015 Tentang Larangan Impor Pakaian Bekas (Studi Kasus Di Pasar Babebo Mangli Kecamatan*

So, used clothes are items such as clothes or pants that have been worn by others.

The scope of used clothing is:¹⁰

- a. Textile products that have been defective or unfit for use by the previous owner.
- b. Textile products that have been worn by someone as a human body covering.
- c. Textile products that are leftover products because they are not marketable.

Used clothing is an item that is prohibited from import. Regulations regarding the prohibition of imports of used clothing have existed since 2015, namely the existence of Regulation of the Minister of Trade Number 51 / M-DAG / PER / 7/2015 concerning the Prohibition of Imports of Used Clothing. The reason for the regulation has also been explained in Article 50 Paragraph 2 of Law Number 7 of 2014 concerning Trade which reads:

(2) the government prohibits the import or export of goods in the national interest on the grounds of: a. to protect national security or public interest, including social, cultural and public morals; b. to protect intellectual property rights and/or; c. to protect the health and safety of humans, animals, fish, plants and the environment.

The existence of sanctions against an importer who is declared to have imported goods in a non-new condition and goods designated as prohibited imports has also been explained in Articles 111 and 112 Paragraph 2 of Law Number 7 of 2014 concerning Trade which reads:

Article 111: Any importer who imports goods in a non-new condition as referred to in Article 47 Paragraph 1 shall be punished with a maximum imprisonment of 5 (five) years and/or a maximum fine of Rp5,000,000,000 (five billion rupiah). Article 112 Paragraph 2: Importers who import goods stipulated as prohibited goods for import as referred to in Article 51 Paragraph 2 shall be punished with a maximum imprisonment of 5 (five) years and/or a maximum fine of Rp5,000,000,000 (five billion rupiah).

Kaliwates Kabupaten Jember), (Jember, Universitas Islam Negeri Kiai Haji Achmad Siddiq Jember, 2021), page. 11–12.

¹⁰ I Made Dedy Priyanto dan Putu Edgar Tanaya, *Larangan Penjualan Pakaian Bekas Impor Di Indonesia*, (Denpasar, Universitas Udayana, 2017), page. 11.

The statements that have been regulated from the reasons for the prohibition of imported used clothing to the sanctions given to a person can be the legal basis for the enactment of regulations regarding the prohibition of imported used clothing. According to research conducted by I Made Dedy Priyanto and Putu Edgar Tanaya related to the prohibition of the sale of imported used clothing in Indonesia, the research results show that all activities of importing used clothing and used clothing originating from imports are prohibited so that both the activity and the object are illegal in Indonesia.¹¹

In implementing policies regarding the prohibition of imports of used clothing (thrift), it is necessary to have legal awareness owned by someone both the community who is the target group and the policy implementer. The data sources in this study were obtained from informants and respondents who have been determined, namely the South Kalimantan Provincial Trade Office, the Regional Office of the Directorate General of Customs and Excise (DGCE) of South Kalimantan and the Banjarmasin City Trade and Industry Office as informants as well as policy implementers and eight traders of imported used clothing (thrift) in Central Banjarmasin District as respondents as well as target groups. Legal awareness is the state of a person who understands the policies that have been made and apply to everyone. Achmad Ali said that legal awareness will be formed into two paths, namely positive and negative. Positive legal awareness possessed by a person will lead to legal obedience in society while negative legal awareness possessed by a person will lead to legal disobedience in society.¹² Based on research that has been conducted to informants and research respondents, the results show that the legal awareness of imported used clothing traders (thrift) in Central Banjarmasin District is still low because traders are aware of the existence

¹¹ Priyanto dan Tanaya, page. 33.

¹² Achmad Ali, *Menguk Teori Hukum (Legal Theory) dan Teori Peradilan (Judicialprudence) Termasuk Interpretasi Undang-Undang (Legisprudence)*, Edisi Pertama Cetakan 4, Volume 1 Pemahaman Awal (Jakarta: Kencana Prenada Media Group, t.t.), page. 302.

of regulations on the prohibition of imported used clothing but traders choose to reject these regulations so that there are still many imported used clothing traders (thrift) in this Central Banjarmasin District. This legal awareness is included in negative legal awareness because it creates a legal disobedience in society. As for policy implementers or informants, their legal awareness is good because policy implementers already know, understand and make the regulation the legal basis for implementing their policies.

In addition to legal awareness possessed by policy implementers and target groups, implementing a policy also requires law enforcement by policy implementers. Law enforcement is the activity of implementing something that has been regulated in the rules of legislation with the maintenance, creation and defense of peace carried out with the aim of increasing legal certainty and order in society. In carrying out law enforcement, the existence of legal awareness of the community and law enforcement officials is a very important factor.¹³ Based on the research that has been conducted, the results show that policy implementers only interpret the import of used clothing activities that are prohibited, even though not only the import activities but the object, namely used clothing originating from imports, is also prohibited from circulating in Indonesia. The interpretation of the policy implementer makes the policy implementer assume that the imported used clothing trader (thrift) in Banjarmasin Tengah District is not someone who violates the rules because the trader only conducts inter-island trade. Policy implementers said that to their knowledge, there are no thrift traders in Banjarmasin Tengah Sub-district who import used clothing. However, after conducting interviews with thrift traders, researchers found that there was still one trader who imported used clothing and one other trader who owned used clothing that came from imports, while the rest were still indicated to have violated the existing policy because the origin of the used clothing still had to be found out, whether it was imported or not.

¹³ Sanyoto, *Penegakan Hukum Di Indonesia*, Jurnal Dinamika Hukum, Volume 8, Number 3 (September 2008): page. 200, <https://dinamikahukum.fh.unsoed.ac.id/index.php/JDH/article/download/74/226>.

As policy implementers, of course each implementer has its authority. The Regional Office of the Directorate General of Customs and Excise (DGCE) of South Kalimantan is an agency that has an important role in terms of supervising and monitoring the entry and exit of goods, both exports and imports. As the agency closest to the traffic activities in and out of goods, there are four functions of Customs and Excise, namely:¹⁴

- a. Trade Facilitator, namely providing trade facilities aimed at reducing costs so as to create a conducive trade climate.
- b. Industrial Assistance, which provides support for domestic industries to achieve good quality so that they can compete in the global industry.
- c. Revenue Collector, namely optimizing the revenue obtained by the state with the existence of import duties, excise and PDRI.
- d. Community Protector, namely providing protection to the community from prohibited or restricted goods that create health, security and morality problems.

The fourth function, namely as a community protector, is a function that is in accordance with the regulation on the prohibition of imported used clothing from the Ministry of Trade because some of the impacts resulting from the import of used clothing and used clothing originating from imports can endanger health and local industries so that they must always be monitored by Customs and Excise. As a community protector, Customs and Excise of Banjarmasin City have carried out their functions properly because they always supervise the entry and exit of goods from Trisakti Port as an official port in Banjarmasin City.

The government and local governments have the authority to supervise trade activities, as stated in Article 98 Paragraph 1 of Law Number 7 Year 2014 on Trade. In the next article, namely Article 99 Paragraph 1 and Article 100, it is stated

¹⁴ Kementerian Keuangan Direktorat Jenderal Bea dan Cukai, *Direktorat Jenderal Bea dan Cukai Sebagai Trade Facilitator dan Industrial Assistance*, 30 Desember 2019, accessed on 5th July 2024 at 9.00 WITA <https://www.beacukai.go.id/berita/direktorat-jenderal-bea-dan-cukai-sebagai-trade-facilitator-dan-industrial-assistance.html>.

that supervision carried out by the government is carried out by the Minister and in carrying out this supervision the Minister appoints supervisory officers in the field of trade with a valid and official letter of assignment. Based on interviews with the South Kalimantan Provincial Trade Office, they said that the authority related to the supervision of prohibited goods is not with the South Kalimantan Provincial Trade Office but with the center directly, namely the Ministry of Trade. However, if desired, the Ministry of Trade could get assistance from the South Kalimantan Provincial Trade Office in monitoring prohibited goods in the South Kalimantan region. So far, the Trade Office of South Kalimantan Province has never supervised traders of imported used clothing (thrift) in Banjarmasin City including Central Banjarmasin District because they know that used clothing traders in Banjarmasin City are not someone who imports used clothing (thrift) but only someone who conducts inter-island trade. The circulation of used clothing that is already in the retail scope also makes it one of the difficulties in finding out the truth of the origin of the used clothing. In addition, the South Kalimantan Provincial Trade Office also said that they do not have jurisdiction because Central Banjarmasin Sub-district is included in the scope of the Banjarmasin City Trade and Industry Office.

As the authorized agency for Banjarmasin City, including Central Banjarmasin Subdistrict, the Banjarmasin City Trade and Industry Office has one of its functions, which is to collect and process data on export and import activities and monitoring.¹⁵ Monitoring is an activity that provides guidance to business actors. So far, the Banjarmasin City Trade and Industry Agency has never monitored and followed up on imported used clothing traders (thrift) in Central Banjarmasin District because to their knowledge, the used clothing traders in Central Banjarmasin District are not importers but only traders who conduct inter-island trade transactions. Furthermore, the absence of direction from the South Kalimantan Provincial Trade Office also prevents the Banjarmasin City Trade and Industry Office from taking further action against thrift traders.

¹⁵ Dinas Perdagangan dan Perindustrian Kota Banjarmasin, *Bidang Penguatan dan Pengembangan Perdagangan*, 2023, accessed on 5th July 2024 at 9.17 WITA, <https://disperdagin.banjarmasinkota.go.id/p/bidang-penguatan-dan-pengembangan.html>.

The implementation of any policy, of course, requires adequate facilities and infrastructure, including the policy of prohibiting the import of used clothing (thrift). In carrying out their duties and functions as policy implementers, the South Kalimantan Provincial Trade Office, the Regional Office of the Directorate General of Customs and Excise (DGCE) of South Kalimantan and the Banjarmasin City Trade and Industry Office require work facilities, both budget, number of people, quality of implementers, power possessed and information about policy implementation.¹⁶ Based on interviews with government agencies, the South Kalimantan Provincial Trade Office said that they could not conduct direct socialization due to budget constraints. Socialization is carried out by the Ministry of Trade through a zoom meeting where the South Kalimantan Provincial Trade Office will include prospective business actors and business actors both importers, exporters and distributors under their guidance to participate in the socialization. Direct enforcement also cannot be done because of the government's limitations in finding out the origin of used clothing whether it comes from abroad or not. Enforcement and supervision of imported used clothing (thrift) involves several parties because the scope of circulation of used clothing has reached retail so it is difficult to do. Just like the South Kalimantan Provincial Trade Office, the Customs and Excise also experienced obstacles in the facilities and infrastructure owned, but the obstacle was in officers who could not supervise each border continuously. Geographical factors are a major obstacle in monitoring the entry and exit of goods. Although supervision has been carried out at the official port, namely Trisakti Port Banjarmasin, it does not rule out the possibility that there are still used clothing traders who enter used clothing through rat ports. Land borders that are not all accessible can also be a factor in the entry of used clothing smuggling into the Central Banjarmasin Sub-district area. The fact that there are still traders who import used clothing (thrift) is clear evidence that these traders escape the supervision of the entry of goods from Customs and Excise. In contrast to the

¹⁶ Jumroh dan Yoga Jusri Pratama, *Implementasi Pelayanan Publik: Teori dan Praktik*, Cetakan 1 (Sumatera Barat: Penerbit Insan Cendekia Mandiri, 2021), page. 128–29.

Banjarmasin City Trade and Industry Agency, the agency said that so far they have never conducted socialization, appeals, monitoring or prosecution of imported used clothing traders (thrift) who violate the Minister of Trade Regulation No. 40 of 2022 concerning Export Prohibited Goods and Import Prohibited Goods, especially regarding the prohibition of imported used clothing.

Based on the research that has been conducted, the results show that the implementation of regulations regarding the prohibition of imports of used clothing (thrift) in Central Banjarmasin District has not been carried out optimally due to several obstacles such as differences in the meaning of the actual regulations as understood by government agencies, inadequate facilities and infrastructure, difficulties in finding out the truth of the origin of used clothing (thrift) in Central Banjarmasin District and rejection by used clothing traders (thrift) against the existence of these regulations. Therefore, the implementation of the policy can only be limited to socialization and supervision at official ports.

2. Consequences Received by Imported Used Clothing Traders (Thrift) in Central Banjarmasin Subdistrict Against the Regulation on the Prohibition of Imported Used Clothing

According to the Big Indonesian Dictionary, consequences are the result of an action.¹⁷ Consequence is something that results from the existence of a cause. In another sense, the consequence is the result that is received directly from an action that has been done.¹⁸ In this study, consequences are defined as the consequences received by thrift merchants in Banjarmasin Tengah Subdistrict who have been buying and selling imported used clothing even though there is already a policy that regulates the prohibition of imported used clothing (thrift). Based on

¹⁷ Badan Pengembangan dan Pembinaan Bahasa, Kementerian Pendidikan, Kebudayaan, Riset, dan Teknologi Republik Indonesia, *KBBI Daring*, accessed on 5th July 2024 at 13.42 WITA, <https://kbbi.kemdikbud.go.id/entri/konsekuensi>.

¹⁸ Kholida Qothrunnada, *Konsekuensi Adalah: Perbedaan dengan Hukuman dan Contohnya*, Berita, *Detik Bali* (blog), 24 Januari 2023, accessed on 5th July 2024 at 13.46 WITA, <https://www.detik.com/bali/berita/d-6531398/konsekuensi-adalah-perbedaan-dengan-hukuman-dan-contohnya>.

research that has been conducted on the implementation of the Minister of Trade Regulation Number 40 of 2022 concerning Export Prohibited Goods and Import Prohibited Goods, especially regarding the prohibition of imported used clothing, of course, will produce consequences for the target group. The consequences received by the targeted community or target group can be in the form of things that are expected because they are positive or things that are not expected because they make one party feel disadvantaged.¹⁹ After conducting interviews with traders of imported used clothing (thrift) in Banjarmasin Tengah Subdistrict, the results showed that out of eight traders, only three had received warnings and actions from the government regarding the ban on imported used clothing. Some of these traders said that the warnings and actions taken by the government were detrimental to them so that they did not get used clothing stock for quite a long time and their buying and selling activities became quiet. In addition to the stock of used clothes being empty for some time and the buying and selling becoming quiet, the income they get also decreases so it has a huge impact on their economy. However, they said that this did not last long because afterward they were still able to carry out the activities of buying and selling imported second-hand clothing (thrift) as usual.

Other thrift merchants said that they have never received any warnings or actions from the government, leaving some merchants without any consequences from the regulation on the import of used clothing. To date, these traders are still buying and selling thrift clothing in Banjarmasin Tengah Sub-district, so they are still making a fortune from it. As explained earlier, there are several factors that make the implementation of the thrift import ban policy difficult. So, so far the consequences received by traders of imported used clothing (thrift) from the existence of regulations prohibiting the import of used clothing are not so great because traders can still carry out used clothing buying and selling activities freely in Central Banjarmasin District.

¹⁹ Jumroh dan Pratama, *Implementasi Pelayanan Publik : Teori dan Praktik*, page. 122.

Conclusion

Based on the explanation above, it can be concluded that there are several obstacles that cause the implementation of the policy on the prohibition of imports of used clothing (thrift) in Banjarmasin Tengah District cannot be carried out optimally. These obstacles include differences in the meaning of what is understood by government agencies as policy implementers with the actual meaning of the regulation. Government agencies interpret that only the import of used clothing is prohibited in Indonesia, while in reality it is not only like that. In addition to the prohibited activities of importing used clothing, the object, namely in the form of imported used clothing (thrift) is also something that is prohibited so that its circulation is illegal. Other obstacles also exist from the facilities and infrastructure owned by policy implementers. Apart from that, the difficulty in conducting research related to the correctness of the origin of used clothing and the rejection of imported used clothing traders (thrift) to the regulation are also obstacles in the implementation of the policy on the prohibition of imported used clothing. So far, the consequences received by traders of imported used clothing (thrift) in Banjarmasin Tengah District are not so significant because traders of imported used clothing (thrift) can still carry out used clothing buying and selling activities until now even though there are several traders who have been disadvantaged.

BIBLIOGRAPHY

- Ali, Achmad. *Menguak Teori Hukum (Legal Theory) dan Teori Peradilan (Judicialprudence) Termasuk Interpretasi Undang-Undang (Legisprudence)*. Edisi Pertama Cetakan 4. Volume 1 Pemahaman Awal. Jakarta: Kencana Prenada Media Group, t.t.
- Badan Pengembangan dan Pembinaan Bahasa, Kementerian Pendidikan, Kebudayaan, Riset, dan Teknologi Republik Indonesia. *KBBI Daring*. Accessed on 5th July 2024. <https://kbbi.kemdikbud.go.id/entri/konsekuensi>.
- Dinas Perdagangan dan Perindustrian Kota Banjarmasin. *Bidang Penguatan dan Pengembangan Perdagangan*, 2023. Accessed on 5th July 2024. <https://disperdagin.banjarmasinkota.go.id/p/bidang-penguatan-dan-pengembangan.html>.
- Firdaus, Aulia Nuril. *Praktik Jual Beli Pakaian Bekas Ditinjau Dari Peraturan Menteri Perdagangan Nomor 51 Tahun 2015 Tentang Larangan Impor Pakaian Bekas (Studi Kasus Di Pasar Babebo Mangli Kecamatan Kaliwates Kabupaten Jember)*. Universitas Islam Negeri Kiai Haji Achmad Siddiq Jember, 2021.
- Jumroh, dan Yoga Jusri Pratama. *Implementasi Pelayanan Publik : Teori dan Praktik*. Cetakan 1. Sumatera Barat: Penerbit Insan Cendekia Mandiri, 2021.
- Kementerian Keuangan Direktorat Jenderal Bea dan Cukai. *Direktorat Jenderal Bea dan Cukai Sebagai Trade Facilitator dan Industrial Assistance*, 30 Desember 2019. Accessed on 5th July 2024. <https://www.beacukai.go.id/berita/direktorat-jenderal-bea-dan-cukai-sebagai-trade-facilitator-dan-industrial-assistance.html>.
- Muhaimin. *Metode Penelitian Hukum*. Cetakan 1. Mataram: Mataram University Press, 2020.
- Panolih, Krishna, dan M. Puteri Rosalina. *Barang Second Hand: Bekas Tapi Berkelas*, 21 Oktober 2018. Accessed on 4th July 2024. <https://www.kompas.id/baca/utama/2018/10/21/barang-second-hand-bekas-tapi-berkelas>.
- Priyanto, I Made Dedy, dan Putu Edgar Tanaya. *Larangan Penjualan Pakaian Bekas Impor Di Indonesia*. Universitas Udayana, 2017.
- Qothrunnada, Kholida. *Konsekuensi Adalah: Perbedaan dengan Hukuman dan Contohnya*. Berita. *Detik Bali* (blog), 24 Januari 2023. accessed on 5th July 2024.

