

LEGAL STUDY OF DISPUTE RESOLUTION OF ME ACTS AGAINST THE LAW OF PLACING ADVERTISEMENTS WITHOUT RIGHTS

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Abstract

This study aims to determine and analyze the process of resolving disputes over the unlawful act of installing billboards and the legal consequences that occur if the billboard is installed incorrectly without rights. This study uses a normative research type with a legislative approach and an analytical approach. The types of legal sources use primary legal materials, secondary legal materials, and tertiary legal materials. Legal analysis will be studied in a qualitative prescriptive manner. The results of this study are the process of resolving disputes over the unlawful act of installing billboards, namely there are 2 paths or mechanisms, namely identifying or proving that the installation of billboards without rights meets the elements in Article 1364 of the Civil Code. In the settlement there are 2 efforts, namely Non-Litigation Efforts (Outside the Court) by seeking Negotiation, mediation, and Conciliation. However, if the Non-Litigation Effort is not successful and effective, then the Court Effort by filing a civil lawsuit in the Court can be carried out with the initial stage of filing a lawsuit (registration of the lawsuit, appointment of a panel of judges and determination of the trial date and mediation efforts), the examination stage (reading of the lawsuit, the defendant's response, replies and duplicates), the evidence stage (letters, witnesses, experts and others) and the final stage of the Conclusion and decision. After a court decision that has permanent legal force (completed or no legal efforts), then the execution will be carried out according to the wording of the decision and the legal consequences that occur if the error in installing a billboard without rights is the result of civil law related to the error in installing a billboard without rights, namely the perpetrator or installer is obliged to make compensation, stop the use of land without permission while dismantling the billboard without rights and returning the condition of the land or building to its original state.

Keywords: *Disputes, Unlawful Acts, Billboards .*

INTRODUCTION

The rapid development of urban development and economic activity has encouraged the increasing use of advertising media as a means of promoting goods, services, and certain activities. ¹Billboards have become a strategic instrument in the business world because they are able to reach a wider community effectively. Advertising is part of the world of commerce, namely advertising, which is a means of providing information about the existence of certain products with advantages, as a comparison with other products with the aim of attracting public interest in purchasing the product. Advertising is a form of information carried out by a person, agency/institution, or company, the content of which is an attractive message about a product or service aimed at the public. The widespread use of billboards as an advertising medium has opened up business opportunities for certain parties, who are engaged in the business of providing billboards to meet the needs of producers or traders as users on a rental basis. Advertising is any activity that aims to provide information to the general public about a product, service or other thing with the intention of attracting attention and desire for what is being informed. Good advertising is not only about attracting the attention of the general public, but it must be able to move people's desire to buy or control the goods or things being advertised. Visual media advertising is a type of advertising that utilizes writing and images that are processed

¹ Sanjaya, R., & Merina, B. (2022). Advertising Permit Policy. *Jurnal Enersia Publika: Energy, Social, and Public Administration*, 6(1), 42-58.

in such a way to communicate a certain message to others through visual media.² In Indonesia, a billboard has its own definition: a flat-shaped advertisement made of wood, metal, fiberglass, cloth, glass, plastic, and so on, installed independently, attached to a building with a fixed construction, and the advertisement is permanent. So, even billboards above shops fall into the billboard category. This media can open up new business opportunities for certain parties and can create a mutualistic symbiosis between the renter and the renter of the advertisement. Good advertisements not only contain attracting the attention of the general public, but also must be able to motivate people to buy or control the goods or services being offered. However, behind these economic benefits, the practice of installing billboards often gives rise to various legal issues, especially when done without the right or without valid permission from the authorities or the owner of the land where the advertisement is installed.

The unauthorized installation of billboards often involves exploiting public or private spaces without the owner's consent or meeting the licensing requirements set by the local government. This practice not only violates administrative regulations but also has the potential to cause harm to other parties, both material and immaterial. These losses can include damage to land or building rights, disruption to environmental comfort, reduction of the city's aesthetic value, and even endangering public safety if the billboard construction does not meet technical standards. From a civil law perspective, installing a billboard without a permit or without permission can be classified as an unlawful act as regulated in Article 1365 of the Civil Code. The elements of an unlawful act, namely the existence of an act, error, loss, and a causal relationship between the act and the loss, are often fulfilled in cases of installing billboards without rights. However, the application of the concept of unlawful acts in advertising disputes is not always simple, considering that there is often an overlap between civil law, administrative law, and spatial planning law. In reality, many billboards are installed without permission, either deliberately to avoid licensing fees or due to the perpetrator's ignorance.³

Legal issues become increasingly complex when disputes between land or building owners and advertising organizers are unavoidable. These disputes can arise due to the lack of permits, the expiration of the cooperation agreement, or the installation of advertisements that exceed the agreed limits. Land owners feel that the advertising organizers see the installation of advertisements on their land without permission or rights as violating the land owner's civil rights, which are guaranteed by Article 579 of the Civil Code, because in civil law every use of another person's property must be based on rights or permission. In addition, land owners will also see the installation of advertisements without permission on their land will cause losses, for example, hindering the use of the land or building by the owner or can damage the physical building or the environment on the owner's land, which is felt to reduce its economic value. Therefore, this action violates the principle of protecting private property rights, thus fulfilling the element of violating the subjective rights of others.⁴

In addition, installing billboards without rights is very contrary to the legal obligations of the perpetrator or advertising organizer because they have an obligation to comply with licensing regulations, respect the rights of others and do it in good faith. If these obligations are ignored, then the action is contrary to legal obligations. In addition, installing billboards without rights can be qualified as an unlawful act in civil law because it violates the property rights of others, is done without a valid legal basis, contains an element of error, and causes losses that have a causal relationship with the act. In many cases, the injured party faces difficulties in claiming their rights, either through litigation or non-litigation, due to differences in interpretation of the legal basis used, including whether the dispute is a pure civil dispute, an administrative dispute, or a combination of both.

Disputes regarding the unlawful installation of billboards without authorization can be resolved through various mechanisms, such as civil lawsuits in court, mediation, negotiation, and administrative efforts through local governments. However, each dispute resolution mechanism has advantages and disadvantages, as well as varying levels of effectiveness in providing legal certainty, justice, and protection of the rights of the parties. In judicial practice, it is not uncommon to find differing decisions in similar cases, both in terms of legal considerations and verdicts, thus creating legal uncertainty.⁵

Furthermore, the lack of comprehensive guidelines for resolving disputes over unauthorized billboard installations also impacts the effectiveness of law enforcement. Judges often must explore and interpret the law by

² Kasim, A., & Kamal, K. (2024). Legal Analysis of the Supervision of Advertising Permits in Palopo City. *Jurnal To Ciung: Jurnal Ilmu Hukum*, 4(1), 10-27.

³ Tarring, AD (2022). The Chaos of Advertising Installation Permits in Makassar City. *Amsir Litigation Journal*, 9(2), 160-169.

⁴ Anshori, ANM, Silfiah, AN, Romadhon, AH, & Mufarochah, S. (2024). Law Enforcement Against Illegal Billboard Installation in Sidoarjo Regency. *Journal of Legal Reform: Cogito Ergo Sum*, 7(1), 16-21.

⁵ Damayanti, A., Halimah, F., Ramadhani, RK, Ambarwati, UK, & Salsabela, Z. (2025). Alternative Dispute Resolution (APS). *Ekshis Journal*, 3(1), 95-111.

combining civil and administrative provisions, as well as regional regulations, ultimately opening up room for subjectivity in decision-making. This has the potential to diminish the sense of justice for the injured party and weaken the law's function as a means of social control.

METHOD

The type of research used is normative research. Normative legal research is also called doctrinal legal research, library research, or documentary study. It is called doctrinal legal research because it is conducted solely on written regulations or other materials. Normative research uses a theoretical-rational method with a deductive logical reasoning model (drawing conclusions from the general to the specific).⁶ The approach used in this paper is the Legislation Approach, which is an approach carried out by examining all laws and regulations related to the legal issues being handled and the Analysis Approach, an approach that emphasizes the logical and systematic reasoning process to describe, assess, and build legal norms, concepts, or events in order to obtain rational legal arguments that can be scientifically justified.⁷ Normative research uses deductive logical reasoning. Normative legal research uses logical and prescriptive analysis and argumentation. Normative legal research is generally qualitative in nature. Quantitative analysis and argumentation, such as statistical data in tables, diagrams, graphs, and figures, are also permitted as additional (secondary) research materials.⁸

RESULTS AND DISCUSSION

Dispute resolution process for unlawful acts of installing billboards

Unlawful Act Disputes (IAD) are a fundamental instrument in Indonesian civil law to restore the rights of individuals injured by the actions of others. Based on Article 1365 of the Civil Code (KUHPerdata), every unlawful act that results in harm requires the perpetrator to compensate for the loss. However, in modern practice, the interpretation of "unlawful" is no longer limited to violations of the text of the law alone (*onwetmatig*), but has expanded to include violations of propriety and prudence in society (*onrechtmatig*). One issue that can become a potential litigation issue is the unauthorized installation of advertising. Billboard installation is essentially a legitimate business activity as long as it complies with applicable laws, particularly those related to permits, spatial planning, and public safety. However, in practice, violations often occur, resulting in losses for other parties, and can therefore be classified as an unlawful act (PMH).

Unlawful acts (*onrechtmatige daad*) in the installation of billboards often arise due to violations of advertising regulations, such as installation without a permit, damaging the aesthetics of the city, disrupting traffic safety, or harming other parties (for example, land owners or competitors). Based on Article 1365 of the Civil Code (KUHPerdata)⁹, an act can be categorized as PMH if it fulfills the elements of an unlawful act, there is an error, there is a loss and there is a causal relationship between the act and the loss. In the context of installing billboards, unlawful acts can be installation without a permit, use of land without the owner's consent, violation of zoning provisions, and disputes that arise usually involve various parties, such as billboard owners, land owners, local governments, and affected communities.¹⁰

Before entering the formal process, the plaintiff or the objecting party must prove that the act of installing the billboard meets the elements of Article 1365 of the Civil Code. The first thing that must be proven is the existence of an act or the existence of an Act of Installing a billboard either on land owned by another person/plaintiff or without valid permission. Second, it must be seen that the act is against the law where the installation of a billboard without rights or permission violates the subjective rights of others, is contrary to the legal obligations of the perpetrator, or is contrary to propriety in society. Third, proving the existence of an error either due to intent or negligence, for example, wrong installation coordinates. Fourth, proving that the installation of a billboard without rights causes losses to the plaintiff or land owner, both material losses such as damage to land or buildings or immaterial losses such as aesthetic disturbances or commercial value of the land. And the final proof is proving a causal relationship where the loss from the installation of a billboard without rights causes direct losses to the

⁶ Juliardi, B., Runtunuwu, YB, Musthofa, MH, TL, AD, Asriyani, A., Hazmi, RM, ... & Samara, MR (2023). *Legal Research Methods*. Padang: Gita Lentera.

⁷ Syarif, M., Ramadhani, R., Graha, MAW, Yanuarita, T., Muhtar, MH, Asmah, N., Syahril, MAF, ... & Jannah, M. (2023). *Legal Research Methods*. Padang: Get Press Indonesia.

⁸ Peter Mahmud Marzuki. (2021). *Legal Research*. Jakarta: Kencana.

⁹ Vide Article 1365 of the Civil Code.

¹⁰ Munir Fuady. (2021). *Unlawful Acts: A Contemporary Approach*. Jakarta: Citra Aditya. P. 27.

plaintiff.¹¹ The injured party sends an official warning letter to the PMH perpetrator. The goal is to provide the perpetrator with an opportunity to admit their mistake, apologize, or pay compensation voluntarily. Another way is to conduct negotiations or mediation outside the court. If an agreement is reached, the parties can set it out in a contractually binding Peace Deed. Settlement through non-litigation or Alternative Dispute Resolution (APS) can be carried out because it is based on the provisions of Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution.¹² Dispute resolution, especially PMH disputes regarding the installation of advertisements without rights, has the advantage of avoiding lengthy and expensive processes, maintaining good relations between parties and achieving fast, effective, and flexible solutions.

The forms of dispute resolution primarily related to the installation of unauthorized advertising are negotiation (a two-party settlement) and mediation (a settlement with the assistance of a neutral third party). In addition to negotiation and mediation, there is also a conciliation mechanism that is similar to mediation, but with a more active role for the third party. The conciliator not only facilitates communication but can also provide suggestions or recommendations for dispute resolution. In disputes over unauthorized advertising, the conciliator can provide advice on the amount of reasonable compensation, the timeframe for removing the advertising, or the cooperation mechanisms that the parties can adopt in the future. Although the conciliator's recommendations are not binding, they often serve as the basis for the parties to reach an agreement. The outcome of non-litigation dispute resolution generally takes the form of a mutual agreement, outlined in a contract. This agreement can cover various matters, such as compensation payments, the removal or relocation of billboards, and future land use arrangements. Although it lacks the enforceability of a court decision, this agreement remains legally binding as long as it meets the requirements for a valid agreement. Therefore, it is crucial for the parties to formulate a clear and detailed agreement to avoid further disputes in the future.¹³

However, if non-litigation or out-of-court settlements are ineffective for one of the disputing parties, then litigation or court settlement is unavoidable. Litigation is a dispute resolution mechanism through an authorized judicial institution, in this case a district court. This process is formal, structured, and subject to applicable civil procedural law. Settlement through the courts aims to obtain a decision that has permanent legal force and can be enforced through an execution mechanism. The following are the stages of settlement through the courts or litigation in the case of disputes regarding the unlawful act of installing billboards. The stages of settlement through the courts related to installing billboards without rights are the lawsuit registration stage, the case examination stage, the evidence stage, and the judge's decision stage, where the decision can be in the form of an order to pay compensation, stop the act, or take certain actions such as dismantling the billboard. Conversely, if the PMH element is not proven, the plaintiff's lawsuit will be rejected.

Once a verdict is rendered, the parties have the right to pursue legal action if they are dissatisfied with the decision. These include an appeal to the high court and a cassation appeal to the Supreme Court of the Republic of Indonesia. Furthermore, under certain circumstances, the parties may also file for a judicial review if new evidence (*novum*) is discovered or if a judge made an error. This legal process demonstrates that litigation can take a considerable amount of time until a final and binding decision is reached. If the verdict has obtained final and binding legal force (*inkracht van gewijsde*) or if there are no legal remedies such as an appeal, cassation appeal, or judicial review, the next stage is the implementation of the verdict, or execution. In principle, the losing party is obligated to voluntarily implement the verdict. However, if this is not implemented, the winning party may file a request for execution with the court. In the context of advertising disputes, execution can take the form of forced removal of the billboard or seizure of the defendant's assets to fulfill the obligation to pay compensation or other actions in accordance with the verdict.¹⁴ The process of resolving disputes over unlawful acts of installing billboards can be seen as the same as the process of resolving other civil cases or disputes, especially disputes over unlawful acts, but if the dispute over the installation of billboards without permission is felt by the aggrieved party through the court or litigation mechanism, it will take a long time, but the litigation route has the advantage of legal certainty that binds all parties when the case has been decided. The aggrieved party has the right to use any mechanism that is felt to be able to fulfill their rights in the matter of installing billboards without rights that they feel are unlawful acts, for

¹¹ Cevitra, M., & Djajaputra, G. (2023). Unlawful Acts (*Onrechtmatige Daad*) According to Article 1365 of the Civil Code and Its Development. *UNES Law Review*, 6(1), 2722-2731.

¹² Vide Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution.

¹³ Harly C. Jonas. S., Judy Marria. S., ...& Miftakhul Huda. (2025). *Alternative Law for Dispute Resolution*. Bandung: Widina Media Utama. P. 27.

¹⁴ Azis, P., Kholid, M., & Nasrudin, N. (2024). Comparison of Dispute Resolution Institutions: Litigation and Non-Litigation. *Qanuniya: Journal of Legal Studies*, 1(2), 11-21.

example because they use their land or land.¹⁵ According to the theory of unlawful acts, the author analyzes the installation of advertisements without rights fulfills the elements of unlawful acts when viewed from the provisions of Article 1365 of the Civil Code, namely Every act that violates the law and brings harm to another person, requires the person whose fault causes the loss, to replace the loss. In the case of installing advertisements without rights, it is fulfilled because it is contrary to licensing regulations (violating written law), violates the subjective rights of others (for example property rights), and is contrary to propriety and prudence in society. Therefore, this action is not only an administrative violation, but can also give rise to civil liability in the form of compensation obligations.

The author's analysis is also based on the Alternative Dispute Resolution Theory (ADR) in the matter of the Dispute Resolution Process for the Unlawful Act of Installing Billboards without rights, resolving disputes related to installing billboards without rights outside the court or non-litigation is a relevant option because these disputes generally involve business interests, property rights, and administrative aspects that still allow for resolution through deliberation. Disputes related to installing billboards without rights will be suitable to be resolved with a Non-Litigation mechanism because the parties are allowed to sit together in resolving the dispute, the billboard installation dispute is not considered a serious crime, the existence of good interests and flexible solutions are prioritized over formal decisions.

Legal Consequences of Installing a Billboard Without Authorization

Legal consequences *refer* to the impact or consequences arising from a legal event, whether from a violation of legal norms, agreements, or administrative actions. Legal consequences do not arise spontaneously, but rather as a response of the legal system to human actions or natural events recognized by law.¹⁶ In the realm of civil law, legal consequences often stem from legal acts (*rechtshandeling*), namely actions whose subjects actually desire the emergence of these consequences. Conversely, in criminal law, legal consequences are more often imperative in the form of sanctions or suffering imposed by the state due to violations of prohibitive norms. Unlawful Acts (*onrechtmatige daad*) in Indonesian civil law are regulated in Article 1365 of the Civil Code, which states that every unlawful act that causes harm to another person requires the perpetrator to compensate for the loss, both material and immaterial losses. In addition to compensation, the consequences or results of unlawful acts can also be in the form of an obligation to restore the original condition (*restitutio in integrum*), for example, demolishing a building or anything built that violates the rights of others or returning rights to land that is controlled without rights. According to the court's decision, the judge can order certain actions as a form of restitution, not just the payment of money. And also the legal consequences of unlawful acts make the cancellation or termination of the action where the lawsuit cesera (stopping the continuing unlawful act).¹⁷

One of the unlawful acts that can occur is the installation of billboards without rights carried out on other people's land. Installing billboards without rights is an act that not only violates administrative provisions, but can also be qualified as an unlawful act (PMH). In the context of Indonesian civil law, the main basis for its regulation is found in Article 1365 of the Civil Code which states that every unlawful act that causes harm to another person requires the perpetrator to compensate for the loss.¹⁸ In practice, the installation of billboards without rights often occurs in the use of land or buildings owned by another party without permission, violations of spatial planning provisions, or disregard for applicable licensing procedures. Therefore, the author analyzes the installation of billboards without permission and also on other people's land or in public facilities without permission has become an unlawful category because it violates the property rights of the entitled party.

Placing advertisements without rights if they fulfill the elements of Article 1365 of the Civil Code, namely:

- a. There is an unlawful act;
- b. There is an error (intentional or negligent);
- c. There is a loss;
- d. There is a causal relationship between the act and the loss.

So if the above elements are fulfilled in the installation of billboards, especially if it is done without the permission of the landowner or violates applicable regulations, then the installer must be responsible for the consequences of his actions. The landowner has the right to refuse installation, dismantling and demand compensation because in addition to being a provision in Article 1365 of the Civil Code regarding unlawful acts,

¹⁵ Oktavia, L. (2024). Introduction to the Lawsuit Process in Civil Procedure Law. Indonesian Legal Media (MHI), 2(4).

¹⁶ Sudikno Mertokusumo. (2017). Understanding Law: An Introduction. Yogyakarta: Liberty. P. 67

¹⁷ Wulandari, R., Nisa, DAF, Farrohah, U., & Melati, SR (2024). Mechanism for Resolving Unlawful Acts (PMH) Land Disputes Through Customary Courts and Positive Legal Paths. JOURNAL OF STUDENT RESEARCH, 2(6), 132-145.

¹⁸ Sari, I. (2020). Unlawful Acts (PMH) in criminal law and civil law. Scientific Journal of Aerospace Law, 11(1).

Protection for the injured party, especially the landowner who installed billboards without rights or permission is guaranteed by the UUPA or Law No. 5 of 1960 concerning Basic Agrarian Principles. The problem or case of installing advertisements without legal rights must be viewed as a legal consequence from a civil law perspective because the installation of advertisements is often done on land, buildings, or spaces owned by other parties without permission. This violates property rights protected by law. In civil law, property rights are absolute, so that any use without the owner's consent can be sued as an unlawful act. In addition, there is no agreement or consent where in civil relations the use of an object owned by another person must be based on an agreement or permission. If the advertisement is installed without the consent of the land or building owner, then the act is considered to violate the principles of freedom of contract and good faith.

Furthermore, installing unauthorized advertising can cause losses for landowners or related parties because it can cause physical damage to buildings, can cause loss of aesthetic value or property function, and create inconvenience to landowners, especially if the land or place where the unauthorized advertising is installed disrupts businesses or businesses. Advertisements usually require permits from the local government. If installed without a permit, it can be considered a violation of applicable administrative regulations, including regional regulations, and can impact other parties, for example, by disrupting the surrounding environment. Although this is in the public domain, the impact can still be the basis for a civil lawsuit. Installing advertisements without a permit or permit can be categorized as not fulfilling the elements of caution (negligence) because installation without technical calculations can endanger safety.

If the installation of an advertisement without the right is proven to be against the law in the provisions of Article 1365 of the Civil Code, then what the party that violates the law must do according to the provisions of Article 1365 of the Civil Code is to compensate for the losses, both material losses and immaterial losses, where conceptually in civil law, anti-loss is an effort to restore the victim's rights to return to their original condition before the loss occurred (*restitutio in integrum*). For example, in material losses, the installer will compensate for damage to buildings or land and also loss of potential income, for example, the owner cannot use his land for other businesses. Material compensation aims to restore the victim's economic condition to the way it was before the unlawful act occurred. For immaterial losses that cannot be calculated with certainty, where the installation of an advertisement without the right makes other parties feel uncomfortable or disturbs privacy. Although difficult to measure, the judge has the authority to determine the amount of immaterial compensation based on a sense of justice. In addition to paying a sum of money, compensation can also take the form of an obligation to do or not do something, such as dismantling an unauthorized advertisement, restoring the land or building to its original condition, and stopping unauthorized use of the land. Determining the amount of compensation in cases of unauthorized advertisement installation is based on several principles, including:¹⁹

- 1) The principle of *restitutio in integrum*, namely returning the victim to its original condition;
- 2) The principle of *proportionality*, namely that compensation must be proportional to the loss experienced;
- 3) The principle of justice, namely considering the interests of both parties

If this matter is resolved in court, the judge in determining compensation will also consider the evidence presented, such as proof of ownership, proof of loss, and the relationship between the act and the loss. The perpetrator's fault is an important factor in determining liability for compensation. Fault can be intentional or *dolus*, where the billboard installer knowingly installed it on land that is not theirs or without rights, and negligence or *culpa*, where the installer was not careful in carrying out the installation without legality. The greater the level of fault, the greater the potential compensation imposed. In some cases, if intent is proven, the judge can impose greater compensation as a form of deterrent.

In addition, the responsibility for compensation is not only borne by one party. Several parties can be held responsible, including the advertising company, the product owner or the advertised party, and third parties involved in the installation. This responsibility can be joint and several if there is cooperation between these parties. Therefore, from this explanation, it can be understood that compensation is a legal consequence that occurs if an error occurs when a billboard is installed without rights. Compensation as a legal consequence of installing an advertisement without rights is a form of protection for property rights. Property rights in civil law are exclusive, so any violation of these rights must be accompanied by strict legal consequences. With the compensation mechanism, the law provides certainty and justice for the rights owner, as well as being a deterrent for other parties from committing similar violations. From the explanation above, the author's analysis is related to the legal consequences that occur

¹⁹ Tenripadang, A., & Mustarin, B. (2025). Analysis of Legal Protection of Property Rights in Indonesian Civil Law: A Perspective of Certainty and Justice. *Al-Ubudiyah: Journal of Islamic Education and Studies*, 6(2), 132-141.

if there is an error in installing a billboard without rights from a civil perspective, where in a civil law perspective the consequences of the action of installing a billboard without rights for the installer or related party are their obligation to carry out a court decision or if they use a non-litigation mechanism or alternative dispute resolution that must be fulfilled, the obligation to compensate and restore the situation before the installation of the billboard without rights, while the criminal legal consequences for the installer or related party in installing a billboard without rights occur if certain elements occur in the applicable criminal law in the installation of the billboard and administratively the legal consequences that occur if there is an error in installing a billboard without rights, namely being proven to violate the applicable administrative provisions regarding the installation of billboards related to the provisions made by the local government, then the legal consequences are dismantling, fines and revocation of permits.²⁰

According to the theory of property rights in the matter of Legal Consequences that Occur If the Wrong Installation of a Billboard Without Rights, it emphasizes the strongest and fullest rights over an object, which gives the owner the authority to use, enjoy, and maintain the object from interference by other parties protected in Article 24 of the UUPA and Article 1365 of the Civil Code. Installation of a billboard without rights is a form of violation of property rights because it is done without the consent of the land or building owner. In the perspective of the theory of property rights, this action is a form of illegal intervention against the exclusive power of the owner. Therefore, according to the theory of property rights, the legal consequences of installing a billboard without rights are that according to the wishes of the land owner, he can request the cessation of the installation of the billboard and demand the removal of the billboard without permission. In addition, according to the theory of property rights, the land owner has the right to compensation which is a consequence or legal consequence for the installer of the billboard without rights. Therefore, the theory of property rights emphasizes that any use of land or buildings without permission is an unauthorized act and must be subject to strict legal consequences.

CONCLUSION

The dispute resolution process for the unlawful act of installing billboards consists of two paths or mechanisms, namely identifying or proving that the installation of billboards without the right meets the elements in Article 1364 of the Civil Code. In the settlement there are two efforts, namely Non-Litigation Efforts (Outside the Court) by seeking Negotiation, mediation and Conciliation. However, if Non-Litigation Efforts are not successful and effective, then Court Efforts by filing a civil lawsuit in Court can be carried out with the initial stage of filing a lawsuit (Registration of the lawsuit, appointment of a panel of judges and determination of the trial date and Mediation Efforts), the examination stage (Reading the lawsuit, the defendant's response, replic and duplicate), the evidence stage (letters, witnesses, experts and others) and the final stage of Conclusion and decision. After a court decision has permanent legal force (completed or no legal efforts), the execution will be carried out according to the wording of the decision. The legal consequences that occur if there is an error in installing a billboard without rights, namely the civil legal consequences related to the error in installing a billboard without rights, are that the perpetrator or installer is obliged to pay compensation, stop using the land without permission, and also dismantle the billboard without rights and return the condition of the land or building to its original state.

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²⁰ Halipah, G., Purnama, DF, Pratama, BT, Suryadi, B., & Hidayat, F. (2023). Legal Review of the Concept of Unlawful Acts in the Context of Civil Law. *Journal of Research in the Serambi Hukum*, 16(01), 138-143.

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