

ABSTRACT.

RUSYDI ARLOND, legal Certainty to the Upstream Oil and Gas business activities, related to The Current Regulations in Indonesia. The Disertation was wrote under the guidance by Prof.Dr.Takdir Rachmadi,SH,LLM as Main Advisor and Prof.Dr.Faisal Santiago SH.MM as Co Advisor.

In many public discussions, published in some media, the regulatory of natural resources is under scrutiny, which is characterized by numerous licenses acticity for several porpouses,in the same of working area, giving an impact on the legal uncertainty of licensing.

This disertation research is expected to provide: a.To know the Implementation impact of the upstream oil and gas activities in the field that is appointed by Minister of Energy and Mineral Resources as the authority of oil and gas in Indonesia based on National Reg No 22 of the 2001 related to several act sector regulations.b.To find out the couese of the overlapping of permits related to upstream oil and gas activities in the field. c. To Find alternatif solution in the form of suggestions on constraints, concerning matters pertaining to arrange the Government legal permit of upstream oil and gas activities in order to provide legal certainty in the upstream oil and gas business license in Indonesia.

This research is conducted by Normative research metode by reviewing all applicable laws and regulations related to upstream oil and gas activities, and conducting the sample test in order to enrich the results of the research by observing facts about the current situation in the region of The Indonesian mining law.

Conclusion of the research are, a.Implications of licensing for upstream Oil and Gas activities, through the signing of the PSC (Production Sharing Contract), wich is set under the law No. 22 Year 2001 on Oil and Gas,very vulnerable to the occurance of duplication of permit in a similar working area, and Legal implications encountered in the implementation stage in upstream oil and gas activities there are approximately 87 other types of sector regulations that also effect on the upstream oil and gas activities must also be completed by the investors, eventhough they have been signing the PSC.b.Lots of regulations that apply in a work area which was not well coordinated, cause of the overlapping of lincensing in the same work area both fellow actors oil and gas activities as well as with activities in other sectors so that the trigger of a conflict of interst . at the same time there is not yet regulation at the level of law, regulating the scaled priority of natural resources utilization ,so this condition encourages the creation of duplication of permits permissions granted to contractors of natural resources activity in the same work area.c.Current licensing of upstream oil and gas activities is a non systemic permit, since all licenses from other sectors have not been confirmed in the licensing given through the PSC. all of these have an impact on The emergence of legal uncertainty in the field.

Keywords: Legal permit, Upstream oil and gas activities,PSC