

ABSTRACT

Umar Aris, 2013, Legislation Politics of authorization arrangement in port sector in the implementation of regional autonomy in Indonesia, This Dissertation was supervised by Prof. Dr. Zudan Arif Fakrulloh, SH, MH as the main advisor and Prof. Dr. Satya Arinanto, SH, MH as co advisor.

The subject of this dissertation was ports control management in the implementation of regional autonomy, authority regulation on ports management between Central and Local Government on provincial or regional level, and efforts on ports management authority optimization as a public service institution in increasing social welfare.

This research applied the normative juridical method by studying relevant literatures and legislations. The writer concluded that the arrangement related to ports management based on the Law No.22 Year 1998 on Local Government came into force (from 2000 to 2004) had caused prolonged conflicts (or adhesive interests) between the central and local government. And yet, after the implementation Law No. 17 Year 2008 and Government Regulation No. 61 Year 2009 on Ports, the conflict had been resolved, in spite of that the local government was still demanding more as original local income.

Results of analysis implied that with the existence of regional autonomy policies by the Law No. 22 Year 1999 and Law No. 32 Year 2004 on Local Government, the mutual understanding between Central Government agencies in the implementation of ports management policies was still needed. The authorization of ports sector management still needed to be rearranged by which the local government was granted with greater role to manage the ports functioning as collector and feeder ports. Though this authority the local government could collect greater resources for their original local incomes. Furthermore, the port management had to be optimized so as it created synergy between central and local government.

At last, the writer suggested that the central government and the local government create conducive climate as well as constructed synergic views on the fact that ports were parts of the resources to improve the people's welfare. The central government needed to reformulate the substance of regulation No. 38 Year 2007 on Delegation of Authority between Central, Provincial and Regional/City Government by adding authorization portions to local government in ports management. Subsequently, the central government could make formulations and synergy scheme forms between central and local government and ports management including ports that had been commercially operated by Government-owned companies (Pelindo I, II, III and IV) proportionally in mechanism of business principles.