

### Cooperation Agreement between the Regional Government of Siak Regency and Private Companies in the field of Tanjung Buton Industry

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Received: 19 December 2024; Revised: 13 January 2025; Accepted: 24 February 2025

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#### ABSTRACT

*In accelerating the development of National Strategic Projects such as the Tanjung Buton Industrial area, cooperation in the form of partners or investment from the private sector has an important role in maximizing the potential of the Tanjung Buton Industrial area, this is what the Siak Regency Government does through PT Samudera Siak with PT Bosawa Bandar Indonesia as a Private Party. This research is Normative research conducted using observational research, namely using secondary legal materials to discuss problems by conducting direct research at the research location to obtain data and information obtained through interviews regarding the agreement between PT Samudera Siak and PT Bosawa Bandar Indonesia as a Private Party. And how the implementation of the agreement. The results of this study indicate that the signing of a joint venture cooperation between the President Director of PT Samudera Siak and the President Director of PT Bosowa Bandar Indonesia to develop the Tanjung Buton Industrial Area as a special economic zone through Presidential Regulation number 58 of 2017 is a spirit of commitment in building the regional economy, to implement management and development of the port area, then implement mutually beneficial cooperation and supporting the improvement of port service services. Implementing the cooperation agreement between the Siak Regency Government and Investors in the Tanjung Buton Industrial Area is a form of joint venture, which means cooperation between two or more business activities to achieve specific business goals. Implementing this cooperation agreement has not positively impacted economic development around the area, especially for small and medium enterprises, and absorption of labour/human resources per the Job Creation law's mission.*

**Keyword:** National Strategic Projects, Private Sector Cooperation, Siak Regency Government

#### 1. Introduction

Indonesia is a unitary state that adheres to a decentralization system in accordance with the enactment of Law Number 22 of 1999. This gives local governments the authority to manage their own government or seek their own income by utilizing existing resources in the area <sup>1</sup>. Siak Regency depends on oil and gas revenue sharing as its main source of income, which is a non-renewable natural resource <sup>2</sup>. Fuel from

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<sup>1</sup> Suwardi and Achmad Choerudin, 'The Optimization of Local Government Asset Utilization in Supporting Local Income (Pad): An Empirical Study in Salatiga City, Central Java, Indonesia', *Journal of Southwest Jiaotong University*, 56.5 (2021), pp. 415–23, doi:10.35741/issn.0258-2724.56.5.37.

<sup>2</sup> Kasman Arifin, Dina Hidayat, and Halimahtussakdiah, 'EFFECT OF SHARING FUNDS (DBH) FOR REGIONAL BUDGET INCOME (APBD) PRODUCING REGIONS (STUDIES IN INDONESIA UPSTREAM

fossils takes a very long time to be able to return to being a superior product material, as well as natural gas is a limited energy source and cannot be utilized sustainably as a source of state and regional income, so on that basis an idea or concept arises to explore new sources of income that are not limited by time and can continue to be developed<sup>3</sup>.

In the Siak Regency area, the Tanjung Buton Industrial Estate (KITB) in Siak Regency is very strategic, it can be used as a supporting factor for the development of new areas for the port service industry for ships that transport domestic products to be sent abroad, and vice versa, because the area is on the coast which has direct access to the Malacca Strait which is an international crossing for sea transportation<sup>4</sup>. So one of the businesses that has the potential to be developed is loading and unloading equipment and other equipment to support port services, and can provide attractiveness to service users in the Tanjung Buton Industrial Estate (KITB). Of course, to explore new sources of income requires qualified infrastructure. Given that the operation of the port (terminal) is open to business entities PT Pelindo (State-owned port operator company) no longer monopolizes this sector. The government should establish a Port Authority as the regulator of various activities at the Port. The Port Authority may be established for one or more ports, and will be responsible for issuing concession licenses, and then regulating the services performed by the Enterprises. In the Port sector the Government regulates in legislation through Law No. 17 of 2008 on Shipping, Government Regulation No. 61 of 2009 on Ports, Government Regulation No. 20 of 2010 on Water Transportation.<sup>5</sup>

To build infrastructure, the government of course cannot work alone but the private sector also has an important role in infrastructure development through cooperation between the government and the private sector<sup>6</sup>. The private sector plays an important role as an investor to invest in the development of infrastructure facilities and infrastructure<sup>7</sup>. Basically, not every domestic investor can make capital investments in Indonesia<sup>8</sup>. Domestic investors who can invest in Indonesia must be in the form of a business entity<sup>9</sup>. Article 5 paragraph (1) of Law Number 25 Year 2007 on Capital

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OIL AND GAS INDUSTRY)', *Dinasti International Journal of Education Management And Social Science*, 2 (2021), pp. 484–501, doi:10.31933/dijemss.v2i3.760.

<sup>3</sup> Kamla Malik and others, 'Biofuels Production: A Review on Sustainable Alternatives to Traditional Fuels and Energy Sources', *Fuels*, 5.2 (2024), pp. 157–75.

<sup>4</sup> Yuliasamaya Yuliasamaya, Zulkarnaini Zulkarnaini, and Syafriadiman Syafriadiman, 'SEKELUMIT MANGROVE DI SIRING MALAKA REKOMENDASI PENGELOLAAN BERKELANJUTAN', *Jurnal Ilmu Lingkungan*, 15.2 (2021), pp. 191–205.

<sup>5</sup> HUBAIDI, *Hukum Pengelolaan Barang Milik Daerah* (GENTA PUBLISHING, 2020).

<sup>6</sup> JEREMIAH MUTAMBA, *OPTIMISING STAKEHOLDER COOPERATION IN INFRASTRUCTURE DEVELOPMENT*, 2022, doi:10.2495/SC220101.

<sup>7</sup> Veronica Vecchi and others, 'Private Investments for Infrastructure', *Public Private Partnerships: Principles for Sustainable Contracts*, 2021, pp. 19–31.

<sup>8</sup> Jonathan Marpaung, 'LEGAL STUDY ON THE REQUIREMENTS FOR FOREIGN CAPITAL INVESTMENT IN THE INDUSTRIAL SECTOR IN INDONESIA.', *Journal of Syntax Literate*, 9.11 (2024).

<sup>9</sup> Edi Ribut Harwanto, 'Criminal Law Protection Against Illegal Investment Entities in Indonesia', *JL Pol'y & Globalization*, 115 (2021), p. 1.

Investment has determined the form of corporate entity that can make domestic investment. There are two forms of business entities that can conduct domestic investment activities, namely:

1. Take the form of a legal entity; and
2. Not in the form of a legal entity.

Investment has a very broad meaning because it includes direct investment and indirect investment, also known as portfolio investment. The fundamental difference between direct investment and indirect investment lies mainly in the management and supervision of the company and the ownership of shares in the company. In indirect investment, there is a separation of management and supervision carried out by investors, in other words, investors do not directly manage and supervise<sup>10</sup>. Whereas direct investment is an investor who invests directly in a business with the aim of being able to directly manage and benefit directly from the investment<sup>11</sup>.

To build infrastructure facilities in the Tanjung Buton Port Industrial Estate that can be used as a support for loading and unloading services, the Regional Government represented by the Regional Owned Enterprise PT. Samudera Siak (PT. SS) made cooperation with a private party, namely PT. Boswa Bandar Indonesia (PT.BBI) which is a domestic private company. This cooperation was outlined in the form of a joint venture agreement, from the agreement between the two parties, a new company was established, namely PT Siak Terminal Industri (PT STI). Aiming for management and development. A Joint Venture Agreement is an agreement between prospective shareholders of a joint venture company that is subject to treaty law.<sup>12</sup> Joint Venture Agreement is an agreement between two or more companies to run a business together. The agreement is born when there is an agreement between the two parties regarding the matters that become the object of the agreement. Agreement is the conformity of understanding and will between the two parties. Sometimes what is the will of the other party does not necessarily lead to the same thing, even though it finally applies reciprocally until the wishes of both parties meet and reach an agreement with each other<sup>13</sup>. This then gives birth to an agreement after the acceptance of the bargaining process (offerte). An agreement for one party means fulfilling the obligation to hold something that has been promised and can be demanded in the other party in the event that it is not kept<sup>14</sup>. The author in this bbb is very enthusiastic about observing and researching the form of the Siak Regency

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<sup>10</sup> Stefano Caselli, 'Legal Framework in Europe for Equity Investors', 2010, pp. 41–63, doi:10.1016/B978-0-12-375026-6.00004-0.

<sup>11</sup> Jan Peter Sasse, 'Foreign Direct Investment', in *An Economic Analysis of Bilateral Investment Treaties* (Springer, 2011), pp. 6–16.

<sup>12</sup> Penerapan Choice and others, 'Buletin Aksi Visi Penelitian Sosial Humaniora', 1 (2024).

<sup>13</sup> Aleksandra Patoska, 'AGREEMENT OF THE WILLS FROM THE CONTRACTUAL PARTIES AS ONE OF THE CONDITIONS TO MAKE A DEAL', *KNOWLEDGE-International Journal*, 28.6 (2018), pp. 1953–57.

<sup>14</sup> M Al Hafiz and Sukirno Sukirno, 'Compensation in the Termination of Agreement Due to Breach of Contract', *International Journal of Multi Discipline Science*, 7.1 (2024), pp. 36–42.

Regional Government Cooperation Agreement with Private Companies in the Industrial sector located in the Tanjung Buton Industrial Estate. The Regional Government through its Regional Owned Enterprises (BUMD) consists of PT Samudera Siak (PT.SS), PT Siak Pertambangan dan Energi (SPE), wants to develop its wings with local private companies. This is one of the bases for the author to contribute from observational research and normative legal research. Furthermore, based on the results of the author's brief observations during social interaction with several observers and local articles that there is a sluggishness in the Regional Owned Enterprises (BUMD) of Siak Regency. The author in this case takes one of the BUMDs, namely PT Samudera Siak, which is a representative of the Regional Government of Siak Regency with PT Bosowa Bandar Indonesia from the private sector.

## 2. Research Method

This research is a type of Normative legal research conducted by means of observation research, meaning that researchers use secondary legal materials such as books and scientific research to discuss problems by directly conducting research at the location of the research site to obtain materials, data and information related to this research through interviews with related parties <sup>15</sup>. While the nature of this research is descriptive analysis, which is to provide a clear and detailed description of the implementation of the Siak District Regional Government Cooperation Agreement with Investors in the Tanjung Buton Industrial Estate.

## 3. Result and Discussion

### 3.1 Form of Regional Government Cooperation Agreement with Private Companies in Tanjung Buton Industrial Estate

Tanjung Buton Industrial Estate is an industrial area located on the coast of Kampung Mengkapan and Sungai Rawa, Sungai Apit District, Siak Regency, Riau Province. The Industrial Area includes the Tanjung Buton Port which has a strategic position because it is located in the Malacca Strait and is the connecting access between the South China Sea and the Indian Ocean. Therefore, this strait is an international trade route for South and Southeast Asian countries with Europe, the Middle East and South Asia. Because of this potential, based on Presidential Regulation of the Republic of Indonesia Number 58 of 2017 Amendment to Presidential Regulation of the Republic of Indonesia No. 3 of 2016, the Tanjung Buton Industrial area is included in the International Strategic Project. National Strategic Projects are projects implemented by the Government, Regional Governments, and / or business entities that have a strategic nature to increase the growth of equitable development in order to improve

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<sup>15</sup> Zulfi Diane Zaini and Margareta Dolores, 'Responsibilities and Legal Protection for Notaries in Civil Procedure for Deeds That Have Been Issued', *Journal of Education Technology Information Social Sciences and Health*, 3.2 (2024), pp. 1316–25.

community welfare and regional development.<sup>16</sup> National strategic projects Presidential Regulation of the Republic of Indonesia No. 3 of 2016 are projects implemented by the Government, Regional Governments, and / or Business Entities that have a strategic nature to increase growth and equitable development in order to improve the welfare of the community and regional development.<sup>17</sup>

There are many ways that local governments can take, one of which is Domestic Investment or Foreign Investment. Investment both from domestic and foreign sources can help the economic development of a region, because investment can create new economic activities both in the activities of goods and services which in essence will add to the overall economic value and which ultimately plays an important role in the economic growth of a region and country. This was done by the Siak Regional Government through a Regionally Owned Enterprise, namely PT. Samudra Siak, which collaborated with the private sector, namely PT. Bosawa Bandar Indonesia as a Domestic Investment party. The form of investment agreement formed between the Regional Government of Siak Regency through PT Samudera Siak and private parties, namely PT Bosawa Bandar Indonesia, is a joint venture agreement. Where both parties agreed to invest capital to form a new business entity, namely PT Siak Terminal Indonesia (PT. STI) as outlined in the memorandum of understanding between PT Samudera Siak and PT Bosowa Corporindo Number 11/SS.ADM/VII/2016 and Number 003/BC.MOU.DIR/72016 dated July 22, 2016, the Tanjung Buton Port Management Cooperation Agreement between KSOP Class III Sungai Pakning and PT Samudera Siak Number PR.805 /1/1KSOP-SPK-2017 and Number 11/SS.OPS/KSP/III/2017 dated March 23, 2017; Cooperation Agreement between PT Samudera Siak and PT Bosowa Bandar Indonesia regarding the Management of Tanjung Buton Port agreement between PT SS Number 08/SS.OPS/III/2017 and PT BBI Number 001/MOU-BBI/III/2017 dated March 18, 2017.

The signing of a joint venture between the Director of PT Samudera Siak and the Director of PT Bosowa Bandar Indonesia to develop the Tanjung Buton Industrial Estate as a special economic zone through Presidential Regulation number 58 of 2017 is a spirit of commitment to building the regional economy, with the aim of developing the regional economy:<sup>18</sup>

1. Carry out the management and development of the Tanjung Buton Port Area as stipulated in the applicable laws and regulations.;
2. Carry out mutually beneficial cooperation both in terms of financial aspects and aspects of national benefits;

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<sup>16</sup> Suparjo Sujadi, 'Kajian Tentang Pembangunan Proyek Strategis Nasional (PSN) Dan Keadilan Sosial (Perspektif Hukum Pancasila)', *Jurnal Hukum Lingkungan Indonesia*, 4.2 (2018), pp. 1–24, doi:10.38011/jhli.v4i2.68.

<sup>17</sup> JDIH BPK, 'Peraturan Presiden Republik Indonesia No 3 Tahun 2016'.

<sup>18</sup> Juprizal, 'Wawancara Pada Tanggal 18 Desember 2024 Di Kantor PT.Samudera Siak'.



3. Supporting the Improvement of Port Services and the Trade Sector so as to provide attractiveness to users of the Port Area and the realization of good port facilities.

Regarding the agreement itself, in Book III, Second Chapter of the Indonesian Civil Code, we find the term agreement or agreement (contract or agreement) which has the same meaning as the definition of agreement, namely an event in which one person promises to another or two people promise each other to do or not do something.<sup>19</sup> In addition, Subekti (2000) also provides its own definition of an agreement, "Subekti provides a definition of 'agreement' as an event in which two people promise each other to carry out something."<sup>20</sup> Meanwhile, according to M. Yahya Harahap, "An agreement is a wealth law relationship between two or more people, which gives one party the right to obtain an achievement and at the same time obliges the other party to carry out the achievement."<sup>21</sup> There are many forms of agreements that exist both in the Civil Code and outside the Civil Code because in essence based on the principle of freedom of contract, it gives freedom to the parties who make agreements to formulate their own agreements. Joint Venture is usually a temporary partnership without using a company name, limited to the implementation of a specific business plan in which the people concerned agree to contribute capital and share profits and losses.<sup>22</sup> In essence, a Joint Venture is a form of cooperation between two or more parties where the parties already have their own business entity to achieve certain business objectives but these parties still maintain their respective legal entity status. From the business, the parties agree to share the profits and losses of the business. The form of investment is direct investment, where the investor participates in managing and supervising the company. In addition, in direct investment, investment is carried out by conducting business activities, or establishing companies / factories, and / or working on projects, unlike indirect investment which is carried out by buying securities or portfolios such as stocks or bonds.

In the implementation of the Joint Venture, careful planning must be carried out by the parties, one of which is by making a Memorandum of Understanding (MoU). In Black's Law Dictionary, what is meant by a memorandum is "the basis for starting the preparation of formal contracts in the future. And Understanding is defined as an indirect statement of agreement in relation to other agreements, either orally or in writing. Therefore, according to H. Salim HS, the definition of Memorandum of Understanding is the basis for the preparation of future contracts based on the agreement of the parties, either in writing or orally."<sup>23</sup> Memorandum of Understanding is very important in starting a Joint Venture, because the MoU contains the basics or principles agreed to build cooperation and the MoU can be said to be a preparation for

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<sup>19</sup> Handi Raharjo, *Hukum Perjanjian Di Indonesia* (Pustaka Yustitia, 2009).

<sup>20</sup> Subekti, *Hukum Perjanjian* (Intermasa, 2005).

<sup>21</sup> M. Yahya Harahap, *Segi-Segi Hukum Perjanjian* (Alumni, 1986).

<sup>22</sup> Ratnaningrum, *AKUNTANSI BISNIS DAN PENJUALAN NON REGULER* (Yayasan Prima Agus Teknik, 2022).

<sup>23</sup> Salim HS, *Perancangan Kontrak & Memorandum of Understanding* (Sinar Grafika, 2007).

a more serious agreement or contract. Then the structure of business cooperation based on Joint Venture, each party will regulate the control and responsibility of business operations, starting with the calculation of the amount of control and responsibility for business operations.<sup>24</sup> So that the terms majority shareholders and minority shareholders appear. In the form of a joint venture agreement between PT Samudera Siak and PT Bosowa Bandar Indonesia contained in Article 6 paragraph 2 which reads, in connection with this agreement, the composition of the company's shareholders at the time of the establishment of the company is as follows:

- a. Samudera Siak, holder/owner of 3000 (three thousand) shares in the Company representing 30% (thirty percent) of all shares issued in the Company.
- b. Bosowa Bandar Indonesia, holder/owner of 7000 (seven thousand) natural shares of the Company representing 70% (seventy percent) of all issued shares in the Company.

Looking at the contents of the agreement of the Parties, this cooperation is a public private partnership, which is a joint venture cooperation carried out between the state / region and the private sector by giving concessions to private contractor companies for a certain period of ownership in the public or private sector in the host state. In this cooperation, the private sector will guarantee finance, capital, technology, and know how, while the local or public partner usually provides labor and infrastructure.

From the form of cooperation agreement between PT Samudera Siak and PT Bosowa Bandar Indonesia which has been running for approximately 7 (seven) years, there has been no implementation of this cooperation. Where PT Bosowa Bandar Indonesia as the investor is still silent on the joint ventures cooperation agreement without significant progress. Seeing this, this is due to the growing assumption that upholding the teachings of the principle of freedom of contract can cause and give birth to injustice in an agreement. Therefore, according to the author, the form of joint ventures cooperation agreement between parties needs to be re-evaluated because in forming an agreement it is necessary to collect the agreement by the parties. Collection of the implementation of this promise or default is the absence of a performance that must be carried out as the content of the agreement in question. Therefore, according to the author, the form of joint ventures cooperation agreement between parties needs to be re-evaluated because in forming an agreement it is necessary to collect the agreement by the party. Collection of the implementation of this promise or default is the absence of a performance that must be carried out as the content of the agreement in question.

Based on Law Number 6 of 2023 which stipulates Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation which has become a law since March 31, 2023. In this Law, the government will increase labor absorption by encouraging investment and providing a large space for strengthening micro, small and medium enterprises (UMKM), but the most important thing is how to create ease of doing

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<sup>24</sup> SUPARJI, *Pokok-Pokok Pengaturan Penanaman Modal Di Indonesia* (UAI Press, 2016).

business, improve the investment ecosystem and business activities.

According to the author, entrepreneurs need certainty, convenience and transparency, this can be found with the implementation of the Law as a legal paying where investors invest their business capital. Because to increase economic growth is to enter as many investors as possible into an area. The more investment that enters, the greater the employment opportunities that involve the surrounding community. So through the legal certainty contained in Law Number 6 of 2023, it is an antidote for potential investors to invest, which may have been overlapping in licensing, and continued with the making of NSPK (Norms, Standards, Procedures and Criteria) in providing confidence and convenience in conducting business licensing.

In article 4 of Law Number 6 of 2023 which reads in order to achieve the objectives as referred to in article 3, the scope of this Government Regulation in lieu of Law regulates the strategic policies of copyright which include Improving the investment ecosystem and business activities, Employment, Ease, Protection, Empowerment of Cooperatives and MSMEs, Ease of doing business, Research and Innovation Support, Land Acquisition, Economic Zones, Central Government Investment and Acceleration of National Strategic, Implementation of Government Administration and Imposition of Sanctions.

According to the author, based on the article in the Law, it is known that there are problems that do not match the content with the reality that occurs around the area, because according to article 6 point (c) of Law Number 6 of 2023 concerning MSME Empowerment, participation is still very low and even barely visible when we are in the Tanjung Buton Industrial Estate. The role of the government in empowering the welfare of the community to be directly involved has not had an impact. This is not in accordance with the contents contained in the Job Creation law.

Analyze the form of cooperation agreement between the government and investors in the future to pay attention to the contents and points that benefit both parties and the third party, namely the community. Entrepreneurs or investors can cooperate with local entrepreneurs and MSMEs in the areas they invest in without any complicated licensing procedures.

### **3.2 Implementation of Local Government Cooperation Agreements with Private Companies by Law in the Tanjung Buton Industrial Zone to Increase Regional Revenue**

The results of the author's interview when visiting the office of PT Samudera Siak that since the signing of the MoU of joint cooperation between the parties there has been no intensity of development and development projects in the Tanjung Buton Industrial Estate. There are several things from the contents of this joint cooperation agreement that lack specificity and affirmation in each point of the agreement, and this is an obstacle to development development around the Tanjung Buton Industrial Estate.



While Tanjung Buton Industrial Estate is the third best port in Indonesia because it has strategic potential for investors to invest their business capital. The 5000-hectare land has loading and unloading activities from ships from within the country that transport various inter-island logistics goods and export commodities abroad. As when the author conducted a review of the Tanjung Buton Industrial Estate location directly, where the loading and unloading of peanuts that had been leaning for 2 (two) days was being carried out at that location. From the table above, the author continues that there is 5 hectares of land that has been leased or conveyed by PT KITB to partners:

- There is land that has been in the process of acquisition and compensation payment.
- There is a land area of approximately 3000 to 5000 hectares that cannot be shown its certificate.
- Land that is clean and clear as documented and FGD results is 542.4548 ha with certificates.
- HPI in the name of the Siak district government and 57.5452 of land with HGB certificate in the name of PT KITB.

From this description, it can be seen the condition and status of the land license that became the port Industrial Estate in Tanjung Buton. In this case the government has prepared a fairly large area of land. This means that the status of the land area given is 57 hectares. However, there are some obstacles, this is when doing a deepening with one of the field operations managers.<sup>25</sup> that there are still obstacles to ships that will dock to load and unload goods, this is because the length of the pier is still not able to accommodate large vessels. In the regulation of the Minister of Home Affairs Number 6 of 2007 concerning Technical Guidelines for the Preparation and Determination of Minimum Service Standards Article 1 point 8 which explains that the minimum service standards, hereinafter abbreviated as SPM, are provisions regarding the type and quality of basic services which are mandatory regional affairs that every citizen is entitled to obtain at a minimum. From this description, there must be the same perception between local governments in encouraging investment, so that it is hoped that investors in running their business will be able to boost the economy in the place where they invest.

The presence of the revision of the 2004 Regional Government Law with the issuance of Law Number 23 of 2014 concerning Regional Government in regulating policy regulations and investment regulations, especially basic investment services. Representative of Law Number 23 of 2014, the Siak District Government through the Port Business Entity PT Samudera Siak is committed to providing the best service for potential investors. This is stated in the commitment in the Master Plan, namely providing a large area of land for investors, facilitating all forms of licensing for potential investors who will invest in the area and providing human resources as a friendly workforce with integrity. In addition, PT Samudera Siak has also

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<sup>25</sup> Raiz, 'Interview with the Operations Manager at Tanjung Buton Industrial Estate on July 16, 2024'.

implemented the inaportnet application, an internet-based application used to manage ship and goods activities at the port. This application also provides access to ships for licensing such as sailing approval letters. With this application, it simplifies the application process for ship services such as inbound, mooring, tug and outbound axes and provides convenience in the application process for ship operating licenses and assists the process of importing goods.

Currently, services in the Tanjung Buton Industrial Estate continue to improve as a form of local government efforts to provide customer comfort with a service concept that is fast, efficient, clean, neat, guaranteed and safe. The results of the author's interview with the Assistant Manager of Public Relations.<sup>26</sup>

That the services provided include:

- Loading and unloading services from ships using heavy equipment, each of which has a different loading and unloading speed such as Box Crane (2 units) and Line Conveyor (1 unit).
- Clean water services for use on board. Clean water provided has gone through laboratory test results which can be directly used for daily needs.
- Tug service that will facilitate port activities related to ship delays in the Tanjung Buton Industrial Zone.
- Mooring services are one of the main services in this area for loading and unloading activities through the dock.
- Heavy Equipment Services to facilitate port activities to facilitate activities from the dock to the ship and vice versa.
- Stacking Service which is a storage service for imported goods when the goods get off the ship and have gone through the customs process which is on an area of approximately 2 hectares. In the form of stones, shells and all types of goods that have fulfilled administrative documents.
- Electricity Services, which provides electricity support facilities to facilitate activities to the Port and operational activities can take place for 24 hours.

In addition to the provision of services as port activities, the Tanjung Buton Industrial Estate Manager increases as many partnerships as possible with partners, which currently totals 32 (thirty-two) partners. One of them is PT Pelabuhan Indonesia (Pelindo) which agreed to establish a partnership in the provision of Tug Guide Ships. These ship guiding activities such as pushing, pulling, escorting and assisting ships to moor at the dock or unmoor out of the dock. From all the facts that the author found when doing a deepening using the observation research method, there are still obstacles and obstacles from the implementation of the cooperation agreement between the Regional Government and the Investor. Despite various efforts made and provided by the local government as the regional owner of the Tanjung Buton

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<sup>26</sup> Rolis, 'Interview on February 10, 2025 at Tanjung Buton Industrial Estate.'

Industrial Estate, investors are still sluggish and less eager to disburse business capital for development in improving the shared economy. This can be seen since the formation of the signing of the joint venture cooperation between PT Samudera Siak and PT Bosowa Bandar Indonesia until now it has not had an impact, only the provision of heavy equipment for transporting goods in the form of a Line Conveyor which has actually been standing for almost 2 years, and this is the result of the collection of promises by PT Samudera Siak to PT Bosowa Bandar Indonesia to implement the form of joint cooperation. However, until the author made observations in the field, this line conveyor machine was still not functioning. This is because it has not met the legal operational requirements of PT Sucofindo, a certification service company that provides legality and sustainability verification services including function-worthy certification, SNI certification and halal certification.

The existence of this line conveyor if it is functioned, it can cut the time of the crew in carrying out loading and unloading activities, where the standardization of loading and unloading activities is approximately 3 - 4 days, but if using a line conveyor tool it only takes approximately 10 hours to complete the loading and unloading activities. The condition of this line conveyor machine still does not have a cover, and is being pursued by the investor if it has received a license from PT.Sucopindo. If without a cover or protector, it is worried that it will damage the goods to be unloaded, especially if the type of goods is coal or shells. Judging from some of the obstacles faced by the manager of the Tanjung Buton Industrial Estate, the author agrees with Sumantoro's expression.<sup>27</sup> that "the motive of investors in investing capital is to seek profit. For this reason, it is necessary to find the relationship between the investor's motive to seek profit, and the objectives of the capital recipient country, namely efforts to achieve its national development goals. As also revealed by Hendrik Budi Untung in his book investment law that rational governments and regions are competing to prioritize policies that are towards the economy and the welfare of the community."<sup>28</sup> Because failure in this investment policy will have a direct impact on the economic development of the community.

In order for investors to invest, the government must provide facilities and infrastructure as well as other facilities. As a consequence, the government needs to organize planning steadily, including establishing effective implementation and supervision policies so as to achieve national development goals. With this approach, the role of investors can be directed to development priorities. With this approach, the theory of development is a process of cooperation and not a matter of dependence or conflict of interest. The impact of the cooperation agreement between the Siak District Government and Investors is still weak on investor interest in investing in the Tanjung Buton Industrial Estate. this requires several supporting facilities and development around the area. With the existence of supporting facilities and the involvement of

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<sup>27</sup> Sumantoro, *Hukum Investasi 'Pembahasan Dilengkapi Dengan Undang-Undang Nomor 25 Tahun 2007 Tentang Penanaman Modal'* (Nuansa Aulia, 2018).

<sup>28</sup> Hendrik Budi Untung, *Hukum Investasi* (Sinar Grafika, 2010).

local communities in the form of the presence of MSME players. Entrepreneurs are expected to be able to cooperate with small micro and medium enterprises to contribute to the economic development of the community around the area. The presence of investors based on statutory regulations brings major changes to the income per capita income of the surrounding population. No longer do national and foreign investors manage business actors without involving the local population. This makes inequality and inequality, adversely affecting the comfort and development around the Tanjung Buton port industrial area.

#### 4. Conclusion

Based on the description in the Discussion Chapter above, the authors draw several conclusions, including the following: The implementation of the cooperation agreement between the Regional Government of Siak Regency and Investors in the Tanjung Buton Industrial Estate is a form of joint ventures, which means cooperation between two or more business activities to achieve certain business objectives or participate in new projects using technology or resources owned by the parties. In a cooperation agreement based on good faith, it turns out that it is still not sufficient to meet the basic needs in the port area, this is because the contents of the cooperation agreement between the two parties have not been regulated in detail and specifically. As the recipient of capital cannot collect the promise of what is needed while the agreement does not appear. Meanwhile, investors do not feel confident to invest their business capital because there are other factors while the local government as a regional stakeholder has provided the best service commitments and facilities to attract potential investors. The implementation of this cooperation agreement has not been able to have a good impact on economic development around the area, especially on small and medium enterprises, absorption of labor / human resources in accordance with the mission of the Job Creation Law.

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