

Implementation Of Registration Of Micro, Small, And Medium Enterprises Licensing In The Investment Office And One-Stop Integrated Licensing Services Binjai City

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ABSTRACT

This study aims to describe the implementation of business license registration for micro, small and medium enterprises in Binjai City, considering that the licensing process for business activities has undergone changes with an electronically integrated system, the author is interested in reviewing it in the form of research. The formulation of the problems in this study is how to regulate the licensing of micro, small and medium enterprises in Indonesia, how is the mechanism for licensing services for micro, small and medium enterprises in Binjai City, and how to implement the registration of micro, small and medium enterprises licensing in the Investment and One-Stop Integrated Licensing Service of Binjai City. The research method used is descriptive with empirical types of research, data collection methods are carried out by observation and interviews, the analysis used is qualitative analysis. Brief Description in the study, namely the licensing service for Micro, Small and Medium Enterprises in Binjai City is carried out with a risk-based licensing service system, the type of licensing obtained through risk-based business licensing is a business license based on the level of risk of business activities. The level of risk of such business activities determines the type of business license required. Through this system, the Government maps the level of risk in accordance with the business field or the Standard Classification of Indonesian Business Fields.

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1. INTRODUCTION

MSMEs are certainly very important for the Indonesian economy, because MSMEs have positive characteristics as a sector that is able to provide large jobs and accommodate the role of the poor and dominant in the economic structure.(Nugraha 2019) MSMEs have many advantages in optimizing the use of national resources. Nevertheless its development is still constrained by various classical problems. One of them is the difficulty in obtaining the legality or formalities of the business. What is meant by the formalization of MSMEs is the granting of permits for certain business activities and legal entity status for MSMEs in accordance with the provisions of the applicable laws and regulations.(Wardani 2017)

MSME activities are a form of community business whose establishment is based on individual initiatives, most people think that MSMEs only benefit parties involved in their business activities, even though MSMEs play a very important role in reducing unemployment in Indonesia. MSMEs absorb a lot of labor, besides that MSMEs also contribute to regional income and state income.(Wardani 2017)

One of the authorities of the government, both central and local governments, is to issue permits, permits as a manifestation of granting legality to a person or business actor or certain activities both in the form of permits and business registration marks.(Karina D 2022). The licensing policy issued by the government has accommodated the public interest and provided space for the implementation of business rights. The efficiency and effectiveness of business license arrangements have a contributed to the ranking of the business climate and competitiveness open-access a country.

Licensing is an important component in data collection and processes for monitoring business activities in a country. Through licensing, the government gets the authority to know and regulate the commercial system that occurs in the community in general. Licensing can also provide basic data that can be used as a reference for making future policies (Zulkarnaini and Petrian 2016).

Public services are one of the important components in the implementation of licensing services. Public services or public services carried out by Government Agencies and State-Owned Enterprises and the Private Sector are expected to provide satisfaction for the community as a whole and be able to provide comfort and security. The government as a public service must realize the duties of these services in the performance of local governments. Basically, human beings need service, and it can even be said that service is inseparable from human life.

People always demand quality public services from the government at all times, although these demands often do not match expectations because empirically the public services that have occurred so far are still convoluted, slow, expensive, and tiring.(Riza and Mashur 2017). Binjai City is currently one of the buffer cities of the provincial capital (Medan) with a land area of 90.23 Km².(Statistik 2020) The development of the world of micro and medium enterprises in Binjai City in the period 2018 to 2020 has increased, it was recorded that the number of small and medium-sized industries in Binjai City in Binjai City in 2018 was 682 businesses, then in 2019 there were 716 businesses and in 2020 there were 827 businesses recorded.

The increase in the number of MSMEs is actually inseparable from the required procedures for obtaining business licenses. Prosperity is achieved if the government provides legal protection to small and medium enterprises (SMEs). Protection of domestic business actors and products of this scale will provide economic benefits, because after all the life and development of the world of trade requires special attention, especially to SMEs.(Widiarty 2019)

In order for these micro, small and medium enterprises to develop properly, permits have a very important role in encouraging the growth of the micro and small business world, because permits are instruments used in administrative law, for the government the permit is used as a juridical means to control the behavior of citizens. In addition to being important for the government, permits are also very important for citizens to get approval from the government and have legal force. The licensing system can directly affect various aspects, namely the physical environment, the arrangement of business areas, business development, and the economy.

2. METHODS

This research is descriptive research. Descriptive research is research that aims to describe something in a certain area and at a certain moment. Usually in this study, researchers have obtained or have an overview in the form of preliminary data about the problem to be studied. In descript, give research a researcher has often used theories and possibly also hypotheses.(Dillah 2015)

This type of research uses a type of empirical juridical legal research, empirical legal research is carried out to see a legal truth and reality that occurs in society by looking from an empirical point of view. The methods used in this study are library research and field research. Data collection is carried out using interview techniques. The interview was conducted with Mr. Eka Jaya Saputra, S.H. as the Head of the Development and Supervision Section of the Investment and One-Stop Integrated Licensing Service of Binjai City, which is located at Jalan Jambi No.3, West Rambung Village, South

Binjai District, Binjai City. In this study is to find out licensing services for micro, small and medium enterprises in Binjai City

Is a binding legal material, the Constitution of the Unitary State of the Republic of Indonesia of 1945, the Civil Code, Law of the Republic of Indonesia Number 20 of 2008 concerning Micro, Small, and Medium Enterprises, Government Regulation of the Republic of Indonesia Number 24 of 2018 concerning Electronically Integrated Business Licensing Services, Government Regulation of the Republic of Indonesia Number 7 of 2021 concerning Convenience, Protection, and Empowerment of Cooperatives and Micro, Small, and Medium Enterprises as well as other laws and regulations related to peneli. Is data obtained from the draft law, research results, works from legal circles, books, and so on, which provide explanations of primary legal materials(Soekanto, n.d.)

3. FINDINGS AND DISCUSSION

In applying or registering for business licenses for Micro, Small, and Medium Enterprises (MSMEs) carried out with an electronically integrated method, the parties who can apply are business actors, the term business actors are commensurate with the terms business actors and economic actors.(Hartono 2007) Business actors are subjects who carry out business activities or carry out economic activities. A business person is a subject who carries out business activities the same as an economic actor. Economic actors are subjects who carry out or carry out economic activities that can be in the form of producing goods and / or services, or distributing goods or services before business licensing services(Hartono 2007)

From the above understanding, it means that those who include the perpetrator business is not only manufacturer producers who produce goods and / or services, but also partners, including agents, distributors, and networks

who carry out the function of distributing and marketing goods and / or services to the wider community as users and/or users of goods and/or services.(Widjaja and Yani 2000)

Licensing is the granting of legality to a person or business actor or certain activities, both in the form of permits and business registers. Permits are one of the most widely used instruments in administrative law, for driving the behavior of citizens. In addition, permission can also be interpreted as dispensation or release/release from a prohibition. There is also an understanding of permits in the narrow as well as broad sense.

Requirements in licensing are things that must be met to obtain the requested permit, which is in the form of documents and completeness or papers. The nature of these terms also depends on their nature, there are constitutive permits and conditional permissions. The constitutive nature of the permit means that a certain act must be fulfilled is determined first, namely in granting permission, a concrete act is determined which if not fulfilled can be subject to applicable sanctions. While conditional means that the assessment only exists and can be assessed after the required action occurs.

The Binjai City Investment and One-Stop Integrated Licensing Service Office is an agency in charge of the process of issuing business licenses, both large-scale businesses and micro, small and medium enterprises (MSMEs), in Binjai City. The implementation of permit registration for MSMEs in Binjai City is carried out by an electronically integrated method through the OSS institution which has been running since 2018.

Licensing registration in 2020, which recorded only 208 MSMEs registering their business licenses, based on the results of the author's interview, the decline occurred due to the Covid-19 pandemic that hit so that services for licensing were hampered, it was seen that there was a very significant increase in the number of permit applications in 2021 where the Investment and One-Stop Integrated Licensing Service registered 1630 MSMEs in Binjai City. Pelaksanaan pendaftaran atau permohonan perizinan yang berkaitan dengan UMKM melalui lembaga OSS tersebut dilakukan dengan sistem yang berbasis risiko untuk mempermudah mendapatkan Nomor Induk Berusaha (NIB), setelah pelaku usaha mendapatkan NIBnya maka pelaku usaha atau pemohon perizinan dapat mengurus perizinan berusahnya, Adapun perizinan berusaha tersebut terbagi menjadi 2 (dua) bagian yakni izin usaha dan izin komersial atau operasional

Micro, Small and Medium Enterprises (MSMEs) are businesses that are able to expand employment opportunities and provide broad economic services to the community. This sector can also play a role in equalization and increase income, encourage economic growth and realize national stability. When referring to Law Number 20 of 2008 concerning MSMEs, the concept of micro, small and medium enterprises has many first meanings, businesses that are established for the purpose of economic activities and not non-profit activities. Second, a business that is productive or generates profit or profit from the business. Third, an independent or independent business is not a part, branch, or affiliate of another business: and the fourth is a business owned by an individual or business entity.

Micro, Small and Medium Enterprises (MSMEs) have many advantages in optimizing the use of national resources. Nevertheless its development is still constrained by various classical problems. One of them is the difficulty in obtaining the legality or formalities of the business. What is meant by the formalization of MSMEs is the granting of permits for certain business activities and legal entity status for MSMEs in accordance with the provisions of the applicable laws and regulations.

From the licensing aspect, the obstacles that are often faced by the Binjai City Investment and One-Stop Integrated Licensing Service in organizing licensing activities for businesses including MSMEs in Binjai City are as follows:

1. Awareness of Business Actors

The lack of awareness of business actors that a business license is a very important instrument for running their business, because if the business does not have a license, be it a business license or a commercial and/or operational license, it could be that the business being run is closed by the local government due to the absence of a permit.

2. Business Licensing Education

The lack of education related to business licensing to the community is also one of the obstacles for the Binjai City Investment and One-Stop Integrated Licensing Service to maximize business licensing services in Binjai City. The assumption that the scale of a business is small and does not have a significant impact on the regional economy makes the community or business actors unwilling to obtain a business license because according to the community, the process of obtaining a business license is considered difficult and convoluted.

Based on this description, it can be seen that the obstacles in the business licensing service process for MSMEs in the Binjai City Investment and One-Stop Integrated Licensing Service are located in external factors so that it becomes a challenge for the agency to overcome obstacles or obstacles that occur directly.

4. CONCLUSION

Regulation of licensing services for Micro, Small and Medium Enterprises is carried out to obtain aspects of legal certainty for business implementation, there are several laws and regulations governing the licensing of micro, small and medium enterprises in Indonesia, including Law Number 20 of 2008 concerning Micro, Small, and Medium Enterprises, Government Regulation of the Republic of Indonesia Number 24 of 2018

concerning Electronically Integrated Business Licensing Services, Government Regulation of the Republic of Indonesia Number 7 of 2021 concerning the Ease, Protection, and Empowerment of Cooperatives and Micro, Small, and Medium Enterprises, as well as Regulation of the Minister of Cooperatives and Small and Medium Enterprises Number 2 of 2019 concerning Electronically Integrated Business Licensing for Micro-Small Enterprises.

The licensing service mechanism for Micro, Small and Medium Enterprises in Binjai City is carried out with a risk-based licensing service system, the type of licensing is obtained through Risk-Based Business Licensing which is a business license based on the level of risk of business activities. The level of risk of such business activities determines the type of business license required. Through this system, the Government maps the level of risk in accordance with the business field or the Standard Classification of Indonesian Business Fields. There are at least 8 (eight) classifications that can be applied for permission.

The implementation of registration for Micro, Small and Medium Enterprises licensing at the Binjai City Investment and One-Stop Integrated Licensing Service is carried out to provide benefits for business actors such as legal protection facilities, promotional facilities, proof of compliance with the law, and facilitate access to financing. With licensing through the OSS mechanism, it can facilitate business actors to connect with all stakeholders and obtain permits safely, quickly and in real time. Until 2021, there were 2869 MSMEs that had been registered and obtained permits to carry out their business in Binjai City.

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Hasdiana Juwita Bintang: Implementation Of Registration Of Micro..

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