

Perizinan terminal khusus (tersus) dan terminal untuk kepentingan sendiri (tuks) studi tentang perizinan pelabuhan di Samarinda Provinsi Kalimantan Timur = Licensing of port in the form of special terminal (tersus) and terminal for own interest (tuks) study on the licensing of port in Samarinda Province of East Kalimantan

Ismail, author

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Abstrak

[ABSTRAK

Penelitian ini mengkaji aspek hukum dari kepelabuhanan berupa Terminal Khusus Tersus dan Terminal Untuk Kepentingan Sendiri TUKS oleh Kementerian Perhubungan Republik Indonesia serta mengkaji permasalahan permasalahan terkait dengan perizinan Tersus dan TUKS di Kotamadya Samarinda Provinsi Kalimantan Timur Penelitian ini dilakukan karena adanya permasalahan adanya ketidaksesuain antara Undang Undang No 17 Tahun 2008 tentang Pelayaran Peraturan Pemerintah No 61 Tahun 2009 tentang Kepelabuhanan dengan ketentuan dalam Pasal 46 dan Pasal 47 Permenhub No PM 51 Tahun 2011 tentang Terminal Khusus dan Terminal Untuk Kepentingan Sendiri Selain itu terdapat perbedaan penafsiran mengenai batas batas Daerah Lingkungan Kerja DLKr dan Daerah Lingkungan Kepentingan Pelabuhan DLKp dari Pelabuhan Samarinda oleh Kantor Syahbandar dan Otoritas Pelabuhan KSOP Samarinda dengan Direktorat Jendral Perhubungan Laut Kementrian Perhubungan Ditjen Hubla serta belum adanya penyesuaian terhadap DLKr dan DLKp Pelabuhan Samarinda sesuai dengan amanat ketentuan dalam Pasal 351 UU No 17 Tahun 2008 Penelitian ini dilakukan di kota Samarinda Provinsi Kalimantan Timur karena Pelabuhan Samarinda merupakan jenis pelabuhan laut yang berada di Sungai Mahakam yang memiliki peranan yang sangat penting terhadap kegiatan perekonomian.

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ABSTRACT

This study examines the legal aspects of a port in the form of Special Terminal Tersus and Port for Own Interest TUKS by the Ministry of Transport of the Republic of Indonesia as well as examine issues related to licensing Tersus and TUKS in Samarinda East Kalimantan Province This study was conducted because of problem of the existence of the non conformance between Law No 17 Year 2008 Regarding on Shipping Government Regulation No 61 Year 2009 on Port with the provisions of Article 46 and Article 47 Regulation of Ministry of Transportation No PM 51 of 2011 on Special Terminal and Terminal for Own Interest In addition there are differences in interpretation of the limits of the Regional Working Environment DLKr and the Regional Environmental Interests Ports DLKp from the Port of Samarinda the harbor master 39 s Office and Port Authority KSOP Samarinda the Directorate General of Sea Transportation of Ministry of Transportation DGST and there is no adjustment to DLKr and DLKp Port Samarinda in accordance with the provisions of Article 351 of Law No 17 2008 The research was conducted in the city of Samarinda province of East Kalimantan because the Port of Samarinda is a type of sea port which is located in the Mahakam River which has a very important role on economic activity. ;This study examines the legal aspects of a port in the form of Special Terminal Tersus and Port for Own Interest TUKS by the Ministry of Transport of the Republic of Indonesia as well as examine issues related to licensing Tersus and TUKS in

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