

Analisis yuridis penerapan kontrak bagi hasil gross split di kontrak bagi hasil wilayah kerja Offshore North West Java (ONWJ) = Juridical analysis to the production sharing contract with gross split in di production sharing contract contract area Offshore North West Java (ONWJ)

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Abstrak

ABSTRAK

Kontrak bagi hasil gross split merupakan salah satu bentuk pengelolaan usaha hulu minyak dan gas bumi yang baru saja diberlakukan di Indonesia selain kontrak bagi hasil dengan cost recovery dan pertama kali di terapkan dalam Kontrak Bagi Hasil gross split di Wilayah Kerja ONWJ. Terdapat dua permasalahan di dalam penelitian ini. Pertama, bagaimana perbedaan Kontrak Bagi Hasil cost recovery dan Kontrak Bagi Hasil gross split, Kedua, Bagaimana Penerapan Kontrak Bagi Hasil gross split di Wilayah Kerja ONWJ. Dalam penelitian ini penulis menggunakan metode penelitian hukum normative dan komparatif dengan melakukan studi kepustakaan dan membandingkan dua bentuk kontrak. Hasil penelitian menunjukkan bahwa terdapat perbedaan dasar yaitu mekanisme bagi hasil dan masih banyak permasalahan yang harus di selesaikan dalam pelaksanaan kontraknya. Kesimpulannya adalah perbedaan mendasar adalah mekanisme bagi hasil dll, serta perlu banyak perbaikan dan pembelajaran dalam penerapan Kontrak Bagi Hasil gross split di Wilayah Kerja ONWJ. Kata Kunci: Kontrak Bagi Hasil gross split, penguasaan Negara, minyak dan gas bumi, ONWJ.

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ABSTRACT

Gross split Production Sharing Contract is one of upstream oil and gas business management that has just been implemented in Indonesia besides cost recovery production sharing contract and first applied in the gross split Production Sharing Contract in Working Area ONWJ. There are two problems in this tesis. First, how is the difference between cost recovery Production Sharing Contract and Gross Split Production Sharing Contract, Second, How is the Application of gross split Production Sharing Contract in Working Area ONWJ. In this tesis the authors use normative and comparative legal research methods by conducting literature studies and comparing the two forms of contracts. The result of the research shows that there are basic difference that is profit sharing mechanism and there are still many problems that must be solved in the implementation of the contract. The conclusion is the fundamental difference is the profit sharing mechanism etc, as well as the need for many improvements and lessons learned in the application of the gross split Production Sharing Contract in ONWJ Working Area. Keywords gross split production sharing contract, state control, oil and gas