

Keabsahan perizinan berusaha melalui sistem online single submission (OSS) = Legitimate business licensing through an online single submission (OSS) system.

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Abstrak

Penelitian ini membahas mengenai keabsahan perizinan berusaha melalui sistem Online Single Submission (OSS) ditinjau berdasarkan Undang-Undang No. 30 Tahun 2014. Pelayanan Perizinan Berusaha Terintegrasi Secara Elektronik atau disebut juga Lembaga Online Single Submission (OSS) sebagai lembaga pelayan perizinan berusaha satu pintu yang dikelola dan dikoordinasikan oleh BKPM sesuai kewenangannya berdasarkan pada Undang-Undang No. 25 Tahun 2007. Implementasi sistem yang dinilai belum terlaksana secara sepenuhnya kerap kali membuat sebagian pelaku usaha kebingungan sebab adanya beberapa peraturan dari berbagai Kementerian, Lembaga, dan Pemerintah Daerah yang belum sesuai dengan Peraturan Pemerintah No. 24 Tahun 2018 serta sistem perizinan mandiri milik Kementerian dan Daerah yang masih belum terintegrasi dengan OSS. Adanya konsep izin dengan pemenuhan komitmen yang diterapkan dalam OSS memicu polemik dan kebingungan bagi beberapa stakeholders pula. Hal berbeda juga dilihat dalam penetapan izin yang berupa QR Code atau tanda tangan elektronik diterbitkan melalui sistem OSS. Hal ini juga menimbulkan polemik tersendiri pula mengenai keabsahan perizinan yang sesuai dengan syarat sahnya penerbitan keputusan dalam Undang-Undang No. 30 Tahun 2014. Dalam penelitian ini, Penulis menggunakan bentuk penelitian yuridis-normatif dan tipologi penelitian berupa deskriptif-analitis. Penelitian ini bertujuan untuk mengetahui keabsahan perizinan berusaha dan implementasi pelayanan publik yang sudah terintegrasi dengan sistem Online Single Submission (OSS).

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This research discusses the validity of business licensing through the Online Single Submission (OSS) system in terms of Law No. 30/2014. Electronically Integrated Business Licensing Services or also known as Online Single Submission (OSS) as a one-stop business licensing service agency managed and coordinated by BKPM in accordance with its authority based on Law No. 25 of 2007. The implementation of the system which is considered not fully implemented often makes some business actors confused because there are several regulations from various Ministries, Institutions and Local Governments that are not in accordance with Government Regulation No. 24 of 2018 as well as the independent licensing system belonging to the Ministry and Regions that are still not integrated with OSS. The existence of a license concept with fulfillment of commitments implemented in OSS triggered polemic and confusion for some stakeholders as well. Different things can also be seen in the issuance of permits in the form of QR codes or electronic signatures issued through the OSS system. This has also created a separate polemic regarding the validity of permits which are in accordance with the legal requirements for the issuance of decisions in Law No. 30 of 2014. In this study, the author uses a form of juridical-normative research and research typology in the form of descriptive-analytical. This study aims to determine the validity of business licensing and implementation of public services that have been integrated with the Online Single Submission (OSS) system.