



Increase in Regional Original Revenue in the Lebak Lebung Auction Management Contract Agreement in Banyuasin Regency

Marsudi Utoyo¹ Warmiyana ZA² Putri Sari Nilam Cayo³ Inka Verandera Nugraha⁴

^{1,2,3,4} Sumpah Pemuda School of Law, Palembang, Indonesia
mutoyo68@gmail.com

Abstract. Management and utilization of the Lebak Lebung River using traditional fishing gear, which has been ongoing for generations. This study's goal is to ascertain the contract agreement process for the management of the Lebak Lebung and River Auctions in Banyuasin Regency. The research method is an empirical juridical method supported by field research. The research results show that the auction agreement process for Lebak Lebung and Sungai in Banyuasin Regency was carried out by Regent's Decree, the auction was carried out openly; once a year; determination of the auction location by the Regent. In addition to protecting the environment and returning the item, the buyer must also pay 2.5% of the auction object's price auction object; providing roadways for water traffic; using labor from the village concerned. Auction buyers are prohibited from: Buying more than 3 (three) auction locations; using poison, explosives, and electric shock; catch fish in areas where rice is planted; transfer to a third party (3); control of ownership and inheritance must be ratified by the District Court and/or not be in dispute. In conclusion, the Lebak Lebung and River Auction agreement process in Banyuasin Regency is carried out based on local regional regulations, the miner maintains the preservation of the river and water environment, maintains smooth water traffic, carries out instructions from the Fisheries and Maritime Service, returns the auction object, uses labor from the village concerned.

Keywords: Auction, Lebak Lebung, Pengemin.

1 Introduction

An autonomous region is a legal community unit with territorial limits and the authority to handle issues relating to the government and the interests of the community under the Unitary State system of the Republic of Indonesia. In order to guarantee that each region may oversee its own regional households, an autonomous region was formed. One of them is by providing authority in the financial sector. It is hoped that regions can make policies in the financial sector so that they can do this collection of regional income sources, accountability as well supervision of regional finances, as well as holding revenue budgets and regional expenditure and its calculations.

Autonomous Regions have authority and responsibility in implementing community interests founded on the values of transparency, community involvement, and community accountability. Utilizing national resources and striking a financial balance

between the regions and the central are necessary for the implementation of regional autonomy. The goals of transferring this subject are to, among other things, develop the region in a number of areas, enhance community services, promote regional independence, and raise regional competitiveness in the process of growth [1].

There are four laws that can be used as the basis for establishing an autonomous region. The four laws are The laws pertaining to Laws Number 22 of 1999, Law Number 25 of 1999, Law Number 32 of 2004 about Government Regions, and Law Number 33 of 2004 concerning Financial Balance between the Central and Regional Governments are the laws that govern regional governments. Moreover, Law Number 23 of 2014, a new law pertaining to Regional Government was created by the government to further control regional administration.

The demand for increasing Original Regional Income is getting bigger along with it with many transfers of delegated government authority to regions along with the mass flow of people, goods, money, and documentation (P3D) to those places. Although the amount is generally sufficient, the regions must use more creativity to grow their Original Regional Income in order to facilitate the establishment of regional autonomy. Balancing funds are financial transfers made by the center to the regions accountability and freedom in spending their Regional Expenditure Budget [2].

In Law Number 23 of 2014, The revenue sharing fund (DBH) portion is composed of funds from certain APBN revenues that are allocated to producing regions based on certain percentage figures with the aim of reducing inequality in financial capacity between central and local governments; the special allocation fund (DAK) is composed of funds sourced from APBN revenues allocated to fund regional needs in the context of implementing decentralization; and the general allocation fund (DAU) is composed of funds from APBN revenues allocated with the goal of equalizing financial capacity between regions to fund regional needs in the context of implementing decentralization certain regions [3].

A necessary payment made by an individual or organization to the area without receiving any form of remuneration is known as a regional tax. It can be enforced in compliance with applicable rules and regulations and is used to finance the creation of regional administration and development [4]. This demonstrates that taxes are an obligatory payment based on law, and it cannot be avoided for those who are obliged to do so and for those who do not want to pay taxes, they can be forced to do so.

Regional taxes are separated into two categories: regency/city regional taxes and province regional taxes. The province has the right to establish provincial regional regulations, which will decide provincial regional taxes. In the meantime, the Regency/City has the authority to determine regional taxes; these are enumerated in the regional regulations for each regency or city. Ground water taxes, parking charges, non-metallic mineral and rock taxes, street lighting taxes, restaurant and hotel taxes, entertainment taxes, and advertising taxes are some of these levies, and swallow's nest taxes. fees for obtaining building and property rights [5].

Regional levies are the region's main source of income, which significantly contributes to the establishment of PAD. As per the stipulations of laws and regulations in Indonesia, currently levies can only be collected by regional governments. So in this way, the levies levied in Indonesia today are regional levies.

Retribution generally has a clear correlation with performance return, as the payment is made only in exchange for the government's approval of an accomplishment. Return of performance and retribution typically go hand in hand because the payment is shown solely to get an achievement from the Government [6]. Levy management is different from tax classification itself. Because levies provide direct rewards to parties who use the determined levy objects. The object of retribution as intended in the Regional Tax and Regional Retribution Law (PDRD) article 108 paragraph (1) consists of general services, business services, certain permits. So in regional service levies and direct regional levies can be designated. For example, market levies are paid due to the use of certain market space by the levy payer.

Management and utilization of river basins using certain fishing gear (such as nets in Banyuasin) which have been used and placed in certain areas of the river body for generations, or by conducting water auctions (as is done in several water areas in South Sumatra) which has been carried out for generations (when clan regulations still apply) until now it turns out that it is still being carried out but has been formalized in the guidelines of village and regional regulations, proving that there is a form of regulation of fishing rights licenses.

The general definition of A legal connection in which one party has the authority to demand something from another and the other is required to comply is called an agreement between two individuals or parties. a situation in which two people promise one another something or in which one individual makes a promise to another. A promise made by one person to another, or a promise made by two persons to one other, is called an agreement [7]. The Civil Code has regulations pertaining to this subject in Articles 1313 through 1351. As per Article 1313, An act by which one or more people bind themselves to one or more other people is called an agreement. This will be in accordance with may be expressed orally or in writing. From here arises a proposal (suggestion) and an acceptance (acceptance), giving rise to an agreement which results in the emergence of bonds for each party.

A deliberate promise between two parties and an agreement to bind ourselves to each other, giving give rise to responsibilities and rights that each participant must fulfill. As stated in Article 1234 of the Civil Code, rights and responsibilities that must be fulfilled in the form of completed accomplishments in an obligation to give or surrender something, to do something or not do something.

The agreement is a real event and its existence can be seen because in an agreement we can see or hear the promises pronounced by the parties who entered into the agreement or can also read it in a sentence containing the words of the promise that has been made and approved in writing by both parties. A written agreement is commonly referred to as a "contract".

An act by which one or more people tie themselves to one or more other people is defined as an agreement under the Civil Code. There is Article 1313 that governs this definition of the code. The Dutch term "overeenkomst" is translated as "agreement." It is typical to translate the word "overeenkomst" as "agreement." Thus, the meaning of the agreement under Civil Code Art. 1313 is the same as that of an agreement.

Asserts that In accordance with Article 1313 of the Civil Code, the agreement establishes legal relations between the parties and an asset agreement that requires one

party to carry out an accomplishment while granting the other party the right to demand that these accomplishments be carried out for the benefit of their interests and above reciprocal burden on both parties. Herlien Budiono provided understanding of agreements by emphasizing legal acts described as follows [8].

The upstream river is distinguished by its narrow, shallow body, high, steep cliffs, clear, swift-moving water, and sparse biota population in terms of both quantity and kind. Rivers that flow downstream are often larger, with moderate or steep banks, deep, murky water bodies, sluggish water flow, and a high concentration of aquatic biota with fewer varieties. The section of the river that borders the sea is known as the estuary. The river flows slowly in this part, with a deep, murky body of water and sloping, shallow rocks. River water moves upstream when sea level rises. The ebb and flow of sea water has a significant impact on the surface height of bodies of water. Because a variety of saltwater fish species can enter rivers, the water population is rather vast mouths.

According to limnology, there are two types of general waters, namely flowing waters (lotic water) and stagnant waters (lentic water). Examples of flowing waters are rivers or streams, canals and ditches; while stagnant waters are lakes, swamps, ponds, ponds, reservoirs and reservoirs. Participation involves or involves the community directly, can only be achieved if the community itself takes part, from the start, in the process and in formulating the results. Community involvement will guarantee a good and correct process. Thus, assuming that this causes the community to be well trained. Without any pre-conditions [9].

2. Method

By analyzing and interpreting theoretical issues pertaining to principles and the idea of law as an authentic and useful institution in a practical system, this research is empirical normative research, doctrine, and legal norm, as well as laws relating to Lebak Lebung and River Auction agreement process in Banyuasin Regency.

In this empirical normative method, the research focuses on qualitative descriptions by linking the issues discussed with statutory regulations, doctrine, jurisprudence, and relevant legal principles. This research uses a statutory approach to analyze various laws and regulations that regulate the mechanism for releasing prisoners by law. The data source for this research was obtained through literature study which includes secondary data such as principal, secondary, and third-level legal materials related to the legal issues discussed in this research [10].

3. Result and Discussion

The use of agreement theory and authority theory in discussing the problems of the Lebak Lebung and Sungai Auction Agreement Process in Banyuasin Regency, is very useful in implementing the application of the above theory, because to control and have the right to manage it is through an auction process, with the terms and conditions that apply in accordance with the regulations. area of Banyuasin Regency. The implementation process is carried out by elements of the regional committee based on

a decree from the Regent, thus the auction process is a process that has fulfilled the auction requirements which is an agreement from the buyer through the government. And the theory of authority is the government's authority in the case of the Banyuasin district government through the local sub-district head without distinguishing between auction participants who have met the requirements. And The regional government's jurisdiction is to provide conditions and decide the results of the winning bidders for the Lebak Lebung and Sungai auctions.

The management of Lebak Lebung in Kuala Puntian and Bunga Karang Villages, Regulations in Tanjung Lago District, Banyuasin Regency About the Lebak Lebung Auctions Second Amendment to Banyuasin Regency Regional Regulation Number 23 of 2005, as stated in Banyuasin Regency Regional Regulation Number 23 of 2012. Regarding the Lebak Lebung Auction in Banyuasin Regency, Second Amendment Regency Regional Regulation Number 23 of 2012, and Banyuasin Regency Regional Regulation Number 23 of 2005. In Tanjung Lago District, Banyuasin Regency, Kuala Puntian and Bunga Karang Villages oversee lebak lebung management. where the annual Sungai and Lebak Lebung auctions are held. In compliance with Regional Regulation Number 23 of 2012 Banyuasin Regency regarding the Second Amendment to Banyuasin Regency Regional Regulation Number 23 of 2005 concerning Lebak Lebung Auctions in Banyuasin Regency. Article 3 paragraph (1) auctions are carried out by:

1. The Committee for Auctions conducts the Lebak Lebung General Auction. determined by the Regent's Decree;
2. The sale is held directly in public and the initial bidding system is determined by the committee up to the highest bid price;
3. Held once a year, the auction time schedule and location are determined by the Regent and officially announced to the general public, accompanied by an attachment to the auction location;
4. Auction objects whose standard price is below Rp. 100,000,- (one hundred thousand rupiah) which are not sold in the public auction, are given to the village government to be sold at open auction as a means of generating revenue for the community; the implementation is arranged by Decree Regent in coordination with the district head;
5. The auction period is valid from January 1 to December 31 for a period of one (1) year of the year concerned;
6. In terms of the boundaries of each village where the auction is located has not been determined with certainty, then the auction will be held as follows referred to in paragraph (3) of this Article, is specifically determined by the Regent.

Benefits and objectives of holding a lebak lebung auction

The advantages of having a lebak lebung auction are actually rather admirable. They are as follows:

- a. Provide financial resources for village treasuries that are in need of money for development and village official salaries.
- b. Control fishing operations to prevent disputes between fishermen;

c. Decrease illicit fishing to ensure the preservation of fisheries resources

Based on the aforementioned goals, we have set up an economical system for using nature's resources, regulating it for the benefit of a vast population, and preventing excessive and damaging fishing (illegal fishing). Apart from that, though, the most crucial aspect of sustainability is the requirement to preserve a balance between the allowed use of fish resources and the balance of the natural capacities that are at hand.

Ogan Komering Ilir (OKI), Ogan Ilir (OI), Musi Banyuasin (MUBA), Banyuasin (BA), and Muara Enim (ME) are the districts that possess Lebak Lebung land. There were generally both positive and bad effects from the auctions that were implemented in each of the five districts. Because the lebak lebung auction generates regional revenue (PAD), it usually has a good effect on the government. However, there are individuals in the community who feel they have lost out (negative) and those who believe they have gained something (positive).

favorable effect

- a. This auction mechanism has the potential to boost Regional Original Income (PAD)
- b. It opens up job prospects as fish catchers and fish processing entrepreneurs (salted fish, smoked fish, bekasam, and processed fish goods like fish crackers).
- c. Interaction and collaboration among fishing fishermen are encouraged.

To guarantee the conservation of aquatic resources (both economically and ecologically valuable), areas holding lebak lebung auctions must take the following considerations into account:

1. Those in charge of using water resources, specifically those in charge of ecological and economic sustainability, are the bidders.
2. It is necessary to mobilize the departments and organizations in charge of assessing population and stock potential.
3. With the construction of fishermen's groups, fish resource management must be taken into account in an integrated and community-based manner (community development).
4. The auction winners' concern for protecting fish resources through the provision of sanctuary/reserve zones and the use of selective fishing gear to ensure the population's sustainability.
5. Because fishing gear is expensive, auctions are not held once a year to prevent management from depleting the available fish stocks. For the sake of our future generations, sustainability is something we must never stop thinking about.
6. Auctions of reserves are not appropriate.

It is envisaged that by taking the aforementioned actions, the sustainability and balance of fishery resources can be preserved for the benefit of our future generations, including our children and grandchildren. To guarantee the conservation of aquatic resources (both economically and ecologically valuable), areas holding lebak lebung auctions must take the following considerations into account:

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5. Because fishing gear is expensive, auctions are not held once a year to prevent management from depleting the available fish stocks. For the sake of our future generations, sustainability is something we must never stop thinking about.
6. Auctions of reserves ought not to occur.

It is envisaged that by taking the above actions, the sustainability and balance of fishery resources can be preserved for the benefit of our future generations, including our children and grandchildren.

4. Conclusion

AI has a tremendous potential to empower MSMEs and build a stronger, more competitive MSME group. But with this AI technology, there are still a number of obstacles to be solved. It is anticipated that the release of the Minister of Communication and Information's Circular Letter No. 9 of 2023 concerning Artificial Intelligence Ethics will help to safeguard the rights and interests of AI users, promote the development and responsible application of AI, and raise public awareness of the significance of AI ethics.

Auction Implementation Process

Fish resources, or any kind of fish and other aquatic biota present in the Lebak Lebung region and its rivers, are the auction's main focus, with the exception of biota that is legally protected. The Regent, in his capacity as regional head, issues a decree (SK) that establishes the auction object, which is decided upon by community recommendations.

1. Lebak Lebung, rivers, and other bodies of water are possible auction items. Not all waters, meanwhile, are suitable for auction purposes. The following waters are exempt from auctions: 1. The main river that serves as a route for transportation,
2. A coastal zone extending four nautical miles in either direction, from the shore to the open sea or toward the seas of an archipelago.
3. Nyurung land is a region where, at low water, the land is within the flow of a river, and in high water, the land is submerged in river water.
4. Fisheries reserves and sanctuaries in the rivers or Lebak Lebung.

Objects and Procedures for the Lebak Lebung Auction

The object of the Lebak Lebung Auction is the Lebak Lebung general area, Lebung inheritance which is determined by the Decree of the Head of Desci after obtaining approval BPD and ratified by the Regent.

Auctions are held publicly, directly, and in public, with the sub-district head's proposal, and a bidding procedure that gradually raises bids to the standard price set by the Regent:

1. Written offers are not accepted by the committee
2. The current year's January 1 through December 31 is the auction period.
3. The number of auction objects to be auctioned, the number of participants who meet the qualifications, and the number of observers present must be announced by the auction before any bids are accepted on auction objects.
4. The auction organizer is required to specify the standard price and the limits of the auction object area for every item up for auction.
5. The auction shall be deemed null and void in the event that the terms of points 1 through 4 above are not met.
6. The highest bidder at the auction pays the recipient's or depositor's Treasurer the auction price in cash at that moment.
7. The auction proceeds to the bidder with the second-highest price if the first-place bidder is unable to make a cash payment at that point. If both bidders are unable to make a cash payment at that point, the auction is canceled and rescheduled at that time.
8. Bidders who are not able to cover the bid price (as stated in point 10) will forfeit the right to rebid on the auction item and will be fined 10% of the highest bid amount.
9. With the consent of the auction supervisory committee, the auction executive committee may halt and cancel the auction for the relevant auction object if it determines that the highest bidder is unjustified.
10. Unsold auction items may be relisted for sale or returned to the regional government's C.q. District Fisheries Department if they are not sold after that.
11. It is not permitted for the auction committee or auction watchers to participate in the auction concurrently.
12. It is forbidden for members of the TNI, POLRI, village chiefs, regional officials, civil servants, and local officials to participate in the sale.
13. The item is returned to the open unsold auctions by the auction committee.
14. Reauction for auction items that did not sell for the amount specified in point
15. Obeys local laws when conducting its operations.
16. The second auction, as mentioned in point 16, takes place no later than 30 days following the previous one.
17. The auction will be deemed canceled if the conditions outlined in paragraphs 17 and 18 are not met

Distribution of Auction Results Distribution of auction results is as follows:

1. The results obtained from the Lebak Lebung Auction Activity are divided into 2 (two) parts, namely:
 - a. 62% (sixty two percent) profit sharing for the Village Government;
 - b. 38% (thirty eight percent) profit sharing for the Regional Government of Banyuwasin Regency.

2. Profit sharing managed by the Village Government as stated in letter an of paragraph (1):
 - a. 8% (eight percent) for Village Head/Lurah;
 - b. 7% (seven percent) for the Chair and Members of the Village Consultative Body (BPD);
 - c. 6% (six percent) for Village/Subdistrict Officials;
 - d. % (one percent) for security personnel;
 - e. 30% (thirty percent) for Village treasury.
 - f. 10% (ten percent) Environmental Conservation Fund, to rehabilitate the environment so that aquatic resources as a result of the auction object can be maintained and not damaged
3. Sharing of results managed by the Regional Government as intended in paragraph (1) letter b is 38% (thirty eight percent) or the remainder of the results managed by the Village Government.
4. All auction proceeds managed by the Regional Government as intended in paragraph (3) are deposited in full (gross) to the Regional treasury through the treasurer of the Banyuasin Regency Fisheries and Maritime Service.
5. The deposit of the results of the Lebak Lebung Auction as mentioned in paragraph (4), is handled by the Banyuasin Regency Fisheries and Maritime Service's recipient treasurer through Bank Sumsel Branch Pangkalan Balai Account Number 167.300.0002 no later than 1 (one) working day after the auction is completed.
6. All results of the Lebak Lebung Auction managed by the Village Government as referred to in paragraph (2) letters a, b, c, d, e and f, are submitted to the Village Government via the Village Head/Lurah immediately after the auction completed and recorded in the Village Revenue and Expenditure Budget (APBDesa) in accordance with the relevant Village/Subdistrict Regulations.
7. Costs for implementing the Lebak Lebung Auction amounting to 9% (Nine percent) and Conservation costs amounting to 9% (Nine percent) of the previous year's auction results are budgeted through the DPA SKPD of the Banyuasin Regency Fisheries and Maritime Service, and accounted for in accordance with the Legislative Regulations. applies. The distribution's results indicate that the Lebak Lebung Auction's outcomes have the potential to boost the village's revenue stream and create more job opportunities.

4. CONCLUSION

The Lebak Lebung and River Auction agreement process in Banyuasin Regency is (1) the General Auction conducted by the Auction Committee: Lebak Lebung determined by the Regent's Decree; (2) The auction is conducted directly in public and the initial bidding system is determined by the committee up to the highest bid price; (3) The auction is held once a year, the time schedule and location are determined by the Regent and officially announced to the general public, accompanied by an attachment to the auction location; (4) Auction objects whose standard price is below Rp. 100,000,- (one hundred thousand rupiah) which are not sold in the public auction, are given to the local Government to be auctioned off at public auction as a means of raising local funds; the

plans are set forth by Decree Regent, and the execution is supervised by the Subdistrict Head; (5) The auction period lasts for one (1) year, from January 1 to December 31 of the relevant year; (6) If the boundaries of each village where the auction is located are not certain, the Regent will specifically decide how the auction will be implemented as mentioned in this article's paragraph (3).

AUTHORS' CONTRIBUTIONS

Marsudi Utoyo, Konseptualisasi, Metodologi, Penelitian yang dilakukan, Kurasi data, Penulisan draf asli, mutoyo68@gmail.com

Warmiyana ZA, Methodology, Writing-review and editing

Putri Sari Nilam Cayo, Methodology, Writing, editing, and reviewing

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