

THE EFFECTIVENESS

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The Effectiveness of Partnership Programs and Environmental Development by State-Owned Enterprises (BUMN) in Empowering Micro and Small Businesses in Lampung

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Abstract

Article 88 of Law Number 19 of 2003 jo. SOE Minister Regulation Number PER-02/MBU/7/2017 stipulates that BUMN companies (State Owned Enterprises) are required to implement PKBL (Partnership and Community Development Programs). The obligation to implement PKBL is basically intended to be able to contribute in the effort to empower micro and small businesses in Indonesia. This study discusses the effectiveness of the implementation of PKBL at PT Jasa Raharja (Persero) Lampung Branch and the obstacles faced in implementing PKBL in an effort to empower micro and small businesses in Lampung. This research is an empirical normative legal research with a descriptive type of research as well as an applied normative approach (applied law approach). The results of the study indicate that in the context of empowering micro and small businesses, PT Jasa Raharja (Persero) Lampung Branch has implemented a Partnership Program (PK) which is distributed in 2 (two) forms, namely loans to finance business capital and guidance to fostered partners. Meanwhile, the Community Development Program (PBL) has also been implemented and distributed in 3 (three) forms, namely in the fields of education and training, community social assistance, and worship facilities. In the implementation of PKBL, obstacles were found, namely the problem of refunding funds from several fostered partners that were not smooth. Another obstacle is the distance between the place of business or the location of the program which is quite far from the office of PT Jasa Raharja (Persero) Lampung Branch so that it results in not being able to optimally carry out field surveys or provide guidance to each fostered partner or to all fostered partners.

Keywords: Effectiveness, PKBL, PT Jasa Raharja (Persero).

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INTRODUCTION

The existence of the company is basically a part or subsystem of the community where the company itself is located. As part of the system in the community, the company must not only be able to maintain good relations with the community, it is also required to pay attention and be able to provide benefits to the local community. (Tom Cannon, 1995) in this case states that a business requires external resilience and internal orders, regulations and means that can trigger business activities, as well as business mechanisms that exist in the midst of community life itself. If this does not work well, then business activities will experience a setback.

Business activities require social stability in planning and investing, which in turn will generate

profits in the future. Likewise, according to The Business Roundtable's (Nursahid, 2006) view, the existence of a company is very dependent on the support of the wider community. In view of this, the company has a responsibility to the community at large as one part of the constituents, because the community and the constituents have enabled the company to obtain such preferential treatment.

As in private companies (Private-Owned Enterprises/ BUMS) that must implement Corporate Social Responsibility (CSR) programs, state-owned companies (State-Owned Enterprises/ BUMN) are also required to have and implement a program called the Partnership Program and Community Development (PKBL). Article 88 Paragraph (1) of Law Number 19 of 2003 concerning State-Owned Enterprises (BUMN) states that SOEs can set aside a portion of their net

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profits for the purposes of fostering small businesses/cooperatives as well as fostering the community-founded SOEs. The implementation of these provisions is further regulated in the Minister of SOE Regulation Number PER-02/MBU/7/2017 which requires SOEs to set aside 2% of their net profits to assist with capital for small businesses/cooperatives as well as empowering environmental conditions by SOEs through the Partnership Program and Community Development (PKBL).

The Partnership and Community Development Program (PKBL) is a form of implementing corporate social responsibility activities in BUMN. This program consists of two sub-programs, namely the Partnership Program (PK) and the Community Development Program (PBL). The Partnership Program is a program to improve the ability of small businesses to become strong and independent through the use of funds from the profits of SOEs. Meanwhile, the Community Development Program is a program for empowering the social condition of the community by SOEs through the use of funds from the profits of SOEs (Muhammad Imam, 2015).

The forms of the Partnership Program (PK) include providing loans for working capital and/or purchasing fixed assets, mentoring programs in the context of capacity building for fostered partners. The form of Community Development Program (PBL) activities are carried out by providing assistance to victims of natural disasters, education/training assistance, health improvement assistance, facilities and/or infrastructure development assistance, worship facilities assistance and nature conservation assistance (Riyanto Agus, 2015).

Law No. 19 of 2003 concerning State-Owned Enterprises (BUMN) determines the scope of the Partnership and Community Development Program (PKBL) to be given to both forms of BUMN, namely a Limited Liability Company (Persero) with a civil legal status and a Public Company (Perum) (Solihin, 2011). One of the SOEs in the form of a Limited Liability Company that implements the Partnership and Community Development Program (PKBL) is PT Jasa Raharja (Persero) Lampung Branch which is engaged in social insurance. The business activities carried out by PT Jasa Raharja (Persero) in addition to serving the payment of compensation claims for traffic accidents, PT Jasa Raharja (Persero) also has the obligation to foster partners with micro and small business actors and carry out empowerment of the social conditions of the community in their environment.

Based on the description in the background above, the problems in this research are: how is the effectiveness of the implementation of the Partnership and Community Development Program (PKBL) at PT. Jasa Raharja (Persero) Lampung Branch in an effort to

empower micro and small businesses in Lampung? what are the obstacles faced in the implementation of the Partnership and Community Development Program (PKBL) by PT. Jasa Raharja (Persero) Lampung Branch in an effort to empower micro and small businesses in Lampung?

METHOD OF RESEARCH

Legal/empirical sociology research, which includes research on legal identification (unwritten) and research on the effectiveness of law in the community/field (Soerjono Soekanto, 2001). The research method used in this study is based on normative law (law) (Soerjono Soekanto and Sri Mamuji, 1994) Nevertheless, we are not studying the norm system in the rule of law but observing how the reactions and interactions occur when the norm system works in society.

DISCUSSION

A. The Effectiveness of the Partnership and Community Development Program (PKBL) at PT. Jasa Raharja (Persero) Lampung Branch in Efforts to Empower Micro and Small Businesses in Lampung Follow Criminal Corruption

PT Jasa Raharja (Persero) Lampung Branch is one of the branch offices of PT Jasa Raharja (Persero) as a BUMN engaged in social insurance. PT Jasa Raharja (Persero) which aims to implement and support government program policies in the fields of economy, social security and national development by applying the principles of a limited liability company. (Hasan Fauzi, 2010) In line with Law Number 19 of 2003, PT Jasa Raharja (Persero) committed to implementing the Partnership and Community Development Program.

1. Effectiveness of the Implementation of the Partnership Program of PT Jasa Raharja (Persero) Lampung Branch

The Partnership Program (PK) is a program to improve the ability of micro and small businesses to become strong and independent by using funds from the profit share of SOEs. Article 9 Paragraph (1) Regulation of the Minister of SOE Number PER02/MBU/7/2017 stipulates that the Partnership Program funds are distributed in the form of: a. Loans to finance working capital and/or purchase of fixed assets in order to increase production and sales; b. Additional loans to finance short-term needs to fulfill orders from business partners of the Fostered Partners; and c. Construction Burden.

The source of funds used in the distribution of the Partnership Program (PK) at PT Jasa Raharja (Persero) Lampung Branch comes from and is in accordance with the instructions from the Head Office, namely using the PK budget. Realization of the distribution of PK funds in the form of lending as business capital to fostered partners where all the budget obtained is sourced from the head office. While

the budget for the grants of the fostered partners is used as a burden for the guidance of the fostered partners. PT Jasa Raharja (Persero) Lampung Branch in implementing the Partnership Program (PK) with the following stages (Irene Sarrang, 2015):

a) Determination of Partnership Program Targets

Before implementing the Partnership Program (PK), the first thing to do is determine the target of PK. The process of determining PK targets is very important, because it is directly related to the entire flow of PK implementation at PT Jasa Raharja (Persero) Lampung Branch and is directly related to the business community. In determining PK targets, there are several activities carried out, namely: 1) Preparation of Annual Work Plans and Budgets 2) Information Dissemination and Implementation Socialization 3) Collection of Partner Application Proposals 4) Administrative Selection (registration, budget verification, suitability of criteria), and 5) Survey and Feasibility Analysis of Partnership Program Loans (compatibility of proposal data with those in the field, responses to survey results and determination).

The report from the survey results and feasibility analysis will then be evaluated and given a response whether or not to become a foster partner of PT Jasa Raharja (Persero) Lampung Branch. For proposals that are not accepted, a letter of rejection of the proposal will be given no later than 30 days. Meanwhile, proposals that are received and have passed the survey will be officially designated as a foster partner of PT Jasa Raharja (Persero) Lampung Branch and then enter the stage of distributing Partnership Program funds.

The next flow is the administrative selection, namely adjustments based on the criteria contained in the Standard Operating Procedures for PKBL at PT Jasa Raharja (Persero) and also the selection of additional documents. Then enter the survey stage where at this stage it is necessary to analyze whether the micro-small business is indeed eligible for a PK loan. Based on the results of the research that has been done, at this stage it has been carried out as it should. This can be seen in the activities carried out in accordance with the stages as agreed, approved and determined by PT Jasa Raharja (Persero) Lampung Branch.

b) Distribution of Partnership Program Funds

After determining the target of the Partnership Program (PK), the next step is to distribute PK funds. The process of distributing these funds is carried out after the fostered partners will officially cooperate with PT Jasa Raharja (Persero) Lampung Branch, namely with an agreement between the two parties. PT Jasa Raharja (Persero) Lampung Branch through PK currently has established partnerships with many fostered partners from micro and small businesses. These fostered partners have various business fields,

some of which are engaged in the industrial sector, trade sector, livestock sector, fishery sector, and the service sector. The loan size of the fostered partners also varies between Rp. 5,000,000.00 up to Rp. 35,000,000.00.

The distribution of PK funds is carried out based on the Standard PKBL Operational Procedure at PT Jasa Raharja (Persero) Lampung Branch, namely as follows:

1) Signing of Partnership Program Loan Agreements to Foster Partners.

The signing is carried out by the responsible party and the fostered partner in accordance with the authorization decree that has been determined by PT Jasa Raharja (Persero) Lampung Branch. The contents of the agreement include, among others, the rights and obligations of the parties. The main obligation of PT Jasa Raharja (Persero) Lampung Branch in the Partnership Program (PK) is to lend PK funds as mutually agreed. Meanwhile, the rights are: a) Receiving a refund of the loan along with loan administration services according to the agreed term and method of payment. b) The right to conduct inspections and request information needed in an effort to provide guidance to the fostered partners, including to conduct audits from various aspects of the fostered partners from time to time.

Furthermore, for the fostered partners, among others, their obligations to: a) Make payments on the principal of the loan as well as the agreed loan administration services. b) Submit periodic reports per semester to PT Jasa Raharja (Persero) Lampung Branch.

In reality, the regulation on rights and obligations above is not fully implemented, because there are several fostered partners who are always not on time (late) in payment of installments. For such fostered partners, the quality of the loans is classified as substandard, this means that the fostered partners have been declared negligent in fulfilling their obligations. This non-fluency in loan repayments is due to their business being empty of buyers, so it is difficult to make installment payments on time. However, in general, the foster partners have carried out their other obligations well.

2) The order for disbursement of funds to the finance department to transfer funds to the foster partner's account.

The distribution of the Partnership Program funds takes approximately 2 weeks to wait for the disbursement of funds, this is because there are several flows that must be passed by the fostered partner, such as creating a bank account. The next step is to give orders to the Finance Division to transfer funds to each foster partner's account. At this stage, there will also be direct direction from the Head of the PKBL Unit to the fostered partners so that the funds can actually be

realized and used for the business needs of the fostered partners, after which the funds are ready to be taken directly by the fostered partners.

3) Repayment of PK loans by fostered partners to PT Jasa Raharja (Persero) Lampung Branch.

After the disbursement of funds, PT Jasa Raharja (Persero) Lampung Branch will conduct monitoring to ensure the fostered partners make installment payments of funds in the amount and time that have been determined in accordance with what in the agreement along with loan administration services at 3% per annum. This installment payment is made in 2 (two) methods, namely through direct payment through the office counter of PT Jasa Raharja (Persero) Lampung Branch or by deposit/transfer to the account of PT Jasa Raharja (Persero) Lampung Branch. In the loan repayment stage, it is known that in its realization there are still fostered partners who are not obedient and orderly in returning loan funds according to the agreed date. This means that some of the fostered partners are still late in making payments for various reasons stated.

c. Monitoring and Coaching

Monitoring is an activity to monitor the development of the fostered partner's business after receiving PK funds and overseeing the refund made by the fostered partner. Monitoring is carried out based on information from the finance department regarding the presence or absence of installment payments. In addition, monitoring is also carried out based on reports submitted by fostered partners. For loans of fostered partners that are classified as problematic, there will be handling of non-performing loans, namely by submitting letters of arrears in installments to the fostered partners with procedures for handling non-performing loans.

PK fund loans are assessed for quality based on the timeliness of repayment of the loan principal and administrative services from the fostered partners. The classification of loan quality listed in the Standard Operating Procedures for PKBL at PT Jasa Raharja (Persero) is current, substandard, doubtful, and loss. Based on the results of the study, there were several fostered partners whose loan quality was classified as substandard, namely there was a delay in payment exceeding 30 days but not exceeding 180 days from the payment date as agreed in the agreement.

During the implementation of the Partnership Program, PT Jasa Raharja (Persero) Lampung Branch also carried out coaching for fostered partners. This guidance is carried out in the form of education and training in the fields of finance and human resources by presenting an expert or expert in the field. In addition, the form of coaching that is also carried out by PT Jasa Raharja (Persero) Lampung Branch is participating in exhibitions by marketing and promoting the products of fostered partners that are considered of good quality.

2. Implementation of the Community Development Program of PT Jasa Raharja (Persero) Lampung Branch

The Community Development Program (PBL) is a program to empower the social condition of the community through the use of funds from the profits of SOEs. The form of this program is in the form of grants or free assistance to the community. [18] The purpose and objective of implementing the distribution of PBL funds is to increase PT Jasa Raharja (Persero) Lampung Branch's concern for the community environment and to empower the social conditions of the community around the province Lampung.

The Community Development Program (PBL) consists of 6 forms as stated in Article 9 Paragraph (3) of the Minister of SOE Regulation Number PER-02/MBU/7/2017, namely: a. Aid to Natural Disaster Victims; b. Assistance in education, in the form of training, educational infrastructure and facilities; c. Health promotion assistance; d. Assistance for the development of public facilities and/or infrastructure; e. Assistance for worship facilities; f. Nature conservation assistance; and/or g. Community social assistance in the context of poverty alleviation.

In the realization of the distribution of the Community Development Program (PBL) funds for PT Jasa Raharja (Persero) Lampung Branch, it was allocated into 3 (three) of 7 (seven) forms of the Community Development Program, namely education and training, community social assistance and worship facilities. The source of distribution funds and the allocation of funds used in the distribution are in accordance with the Central Office's instructions, namely using the Environmental Development Program (PBL) budget (Ni Ketut and Ida, 2016).

The implementation of PBL is almost the same as the implementation of the Partnership Program (PK), where initially the PKBL Unit prepares the PKBL Annual Work Plan and Budget with the approval of the Finance Division and the Branch Head of PT Jasa Raharja (Persero) Lampung Branch. The implementation of PBL begins with an application or proposal from the applicant. The proposal is examined and then processed by the PKBL Unit of PT Jasa Raharja (Persero) Lampung Branch.

Following are the inspection stages: a. Administrative selection is carried out to find out the applicant, the location or place where it is held, the type or form of assistance requested, the amount of need, conformity with the budget, work plan and implementation time. b. Feasibility Survey and Analysis (if needed), is carried out to determine the feasibility of the application, add field facts that have not been included in the proposal, determine the location or place to be assisted, and assess the type of assistance needed. c. Submitting proposals from the results of

administrative selection and surveys containing the background of the proposal, the basis for considerations based on the information obtained, as well as recommendations for rejection or approval. d. Submit a rejection or approval letter to the applicant.

After the proposal is approved, the parties sign the Minutes of Handover of PBL which states that PT Jasa Raharja (Persero) Lampung Branch has handed over the funds to the beneficiary and a statement that the PBL funds have been received by the beneficiary. After the PBL funds are disbursed, PT Jasa Raharja (Persero) Lampung Branch conducts supervision at the place or community receiving the Community Development Program funds to carry out the program. If the program has been implemented, the recipient of the environmental development fund is required to submit a report on the use of PBL funds which contains details of the funds used to ensure that the funds are actually used for the benefit of community development

B. Constraints Faced in the Implementation of the Partnership and Community Development Program (PKBL) by PT. Jasa Raharja (Persero) Lampung Branch in Efforts to Empower Micro and Small Businesses in Lampung

In its realization, the implementation of the Partnership and Community Development Program (PKBL) at PT Jasa Raharja (Persero) Lampung Branch is inseparable from the various obstacles faced. These constraints mainly occurred in the process of distributing loan funds to foster partners. Barriers or obstacles that are often faced in the process of distributing funds for the Partnership Program (PK) are at the stage of returning the funds, which in some of the fostered partners are still not running smoothly. This is because the business they run does not always run well and smoothly.

Another problem is that sometimes the Partnership Program (PK) is often misunderstood by the partner community as a grant fund. Because it is perceived as a grant, they assume it will not be a problem if it is not returned. So there are some foster partners who underestimate the refund, thus causing the refund to be classified as substandard. This is the importance of briefing at the beginning of program implementation, to provide a correct, clear and comprehensive understanding of this program.

The next obstacle or obstacle is the lack of human resources, especially in the implementation of monitoring and coaching. The limited human resources (employees/ employees) owned by PT Jasa Raharja (Persero) Lampung Branch have resulted in direct monitoring of the location where the fostered partner's business is located can only be carried out on the fostered partner who has problems. This is due to the limited number of employees and distance constraints. Which is quite far from the office of PT Jasa Raharja

(Persero) Lampung Branch. On the other hand, when conducting coaching there were several fostered partners who were not present for various reasons so that the results of the implementation of the coaching were not as optimal as expected.

CONCLUSION

The effectiveness of the implementation of the Partnership Program (PK) at PT Jasa Raharja (Persero) Lampung Branch is channeled into 2 (two) forms, namely loans to finance business capital and guidance to foster partners. The process of implementing the Partnership Program (PK) is carried out in 3 (three) stages, namely determining the targets of the Partnership Program (PK), distributing Partnership Program funds (PK), as well as monitoring and coaching. Meanwhile, the Community Development Program (PBL) has been implemented and distributed in 3 (three) forms, namely in the fields of education and training, community social assistance, and worship facilities.

Constraints or obstacles faced in the implementation of the Partnership Program (PK), especially regarding the problem of returning funds from some of the fostered partners that were not running smoothly. This is due to a misunderstanding of the fostered partners regarding the distribution of loan funds and the constraints on the fostered partners' businesses that are not developing so that the fostered partners have difficulty obtaining funds to pay or pay off installments. Meanwhile, the obstacles faced in the implementation of the Community Development Program (PBL) are the distance from the place of business or the location of the program which is far from the office so that PT Jasa Raharja (Persero) Lampung Branch cannot optimally carry out field surveys to all its fostered partners.

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