

Analisis yuridis terhadap ketentuan-ketentuan dalam izin usaha pertambangan eksplorasi dan operasi produksi berdasarkan undang-undang nomor 4 Tahun 2009 tentang pertambangan mineral dan batubara (Studi kasus terhadap IUP eksplorasi timah PT. Bumi Palong dan IUP operasi produksi batubara PT. Mitra Tambang Barito) = Legal analysis on the terms and conditions of mining exploration license and exploitation based on the law No. 4 of 2009 regarding mineral and coal mining (Case studies of tin mining exploration license owned by PT. Bumi Palong and coal mining production operation license owned by PT. Mitra Tambang Barito)

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Abstrak

Skripsi ini membahas mengenai pemenuhan ketentuan-ketentuan yang telah diatur dalam pasal 39 Undang-Undang Nomor 4 Tahun 2009 tentang Pertambangan Mineral dan Batubara. Metode penelitian yang digunakan adalah metode yuridis normatif.

Dari hasil penelitian ditemukan bahwa IUP Eksplorasi Timah milik PT. Bumi Palong dan IUP Operasi Produksi Batubara milik PT. Mitra Tambang Barito tidak memenuhi ketentuan pasal 39 Undang-Undang Mineral dan Batubara. Kondisi tersebut dapat mengakibatkan izin tersebut menjadi tidak sah atau dibatalkan oleh pengadilan tata usaha negara. Penelitian ini menyarankan agar pemerintah segera membuat peraturan pelaksana dalam penyusunan Izin Usaha Pertambangan.

.....The following thesis is discussing about compliance with the terms and conditions regulated in the article 39 Law No. 4 of 2009 regarding Mineral and Coal Mining against Mining Exploration License and Production Operation. The thesis used juridical norms method as research implementation method.

The result of this thesis found that tin mining exploration license owned by PT. Bumi Palong and coal mining production operation owned by PT. Mitra Tambang Tambang Barito is not comply the article 39 law regarding mineral and coal mining. The consequence of that condition is the licenses would be void by administration court. This thesis recommends the Government too soon issuing the Government Regulation as the reference in formulating Mining Business License.