

Penanaman modal asing di sektor hulu minyak dan gas di Indonesia studi kasus pengajuan aplikasi izin prinsip oleh PT Mentari Pambuang Internasional = Foreign direct investment in the upstream sector of oil and gas industry in Indonesia case study the submission of principle license application by PT Mentari Pambuang Internasional

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Abstrak

Penelitian ini membahas tentang pengaturan penanaman modal asing di industri hulu migas menurut peraturan perundangan-undangan dan prosedur penerbitan izin prinsip kepada penanam modal asing, serta penolakan oleh Badan Koordinasi Penanaman Modal untuk memproses izin prinsip yang diajukan oleh PT MPI sebagai studi kasus. Penelitian yang menggunakan metode yuridis normatif ini menunjukkan bahwa Kontrak Kerja Sama sebagai bentuk dari investasi di bidang hulu migas; untuk mendapatkan izin prinsip, PT MPI harus mengisi formulir yang ada di Badan Koordinasi Penanaman Modal; dalam hal menerbitkan izin prinsip Badan Koordinasi Penanaman Modal membutuhkan delegasi dari kementerian terkait, dan Badan Koordinasi Penanaman Modal tidak memiliki kewenangan untuk menerbitkan izin prinsip untuk bidang hulu migas.

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This thesis discusses about the regulatory of foreign direct investment in the upstream sector of oil and gas industry according to Indonesian Legislation and the issuance procedures of principle license to the foreign investors. It also discusses the refusal from Investment Coordinating Board process Principle License requested by PT MPI as the case study. The normative juridical approach shows that in the upstream sector of oil and gas industry, foreign investor can participate in the form of Production Sharing Contract as regulated by The Law Number 22 Year 2001; to get Principle License, PT MPI needs to fill the application from Investment Coordinating Board; in order to issue principle license Investment Coordinating Board needs delegation from Directorate General of Oil and Gas, and Investment Coordinating Board is not authorized to issue the Principle License for the upstream sector of oil and gas.