

# Tanggung jawab kontraktor industri minyak dan gas bumi dalam joint operating agreement/joint operating body = Liability of the contractor oil and gas industry on joint operating agreement joint operating body

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## Abstrak

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Hukum dalam kegiatan usaha hulu minyak dan gas bumi di Indonesia mengenal adanya suatu perjanjian yaitu joint operating agreement/joint operating body yang merupakan perjanjian derivatif dari Production Sharing Contract. Perjanjian ini mengatur adanya kesepakatan antara para pihak untuk melaksanakan operasi secara bersama-sama untuk mengelola suatu wilayah kerja. Penelitian ini penting dibahas melihat adanya ketidakjelasan dalam suatu kasus mengenai tanggung jawab antara kontraktor industri minyak dan gas bumi yang terikat dalam Joint Operating Agreement/Joint Operating Body tersebut dalam hal sole risk operations. Adapun temuan dari hasil penelitian yuridis normatif ini adalah meliputi kedudukan hukum para pihak dalam suatu joint operating agreement/joint operating body beserta tanggung jawab, hak dan kewajiban. Lebih lanjut lagi, ditemukan adanya pembatasan terhadap tanggung jawab para pihak berdasarkan perjanjian dengan mengaitkannya dengan kasus yang terjadi antara PT X dan PT Y.

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In the law of upstream oil and gas business activities in Indonesia, it is known that there is an agreement named joint operating agreement/joint operating body which is a derivative of Production Sharing Contract. In this agreement, the parties agree to carry out operations on the work area as a joint operation. This research is important to discuss seeing an uncertainty in a case concerning the liabilities between the parties mentioned in joint operating agreement/joint operating body in terms of sole risk operations. Findings from this juridist normative research includes issues regarding the position of the parties in joint operating agreement/joint operating body as well as responsibilities, rights, and obligations. Furthermore, it is known that there is a limitation of liability under these agreements and will be explained along with the case of PT X and PT Y.