

# Tinjauan Kembali Harmonisasi Dalam Pembentukan Rancangan Peraturan Daerah (Studi Kasus: Provinsi DKI Jakarta, Provinsi Riau, dan Provinsi Sulawesi Selatan) = Review of Harmonization in Forming Draft Regional Regulations (Case Study: DKI Jakarta Province, Riau Province, and South Sulawesi Province)

Dafa Gusti El Kareem, author

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## Abstrak

Penelitian ini membahas tentang tinjauan kembali harmonisasi rancangan peraturan daerah di Kantor Wilayah Kementerian Hukum dan HAM Provinsi DKI Jakarta, Sulawesi Selatan, dan Riau berdasarkan ketentuan Pasal 58 Undang-Undang Nomor 13 Tahun 2022 Tentang Perubahan Kedua Atas Undang-Undang Nomor 12 Tahun 2011 Tentang Pembentukan Peraturan Perundang-Undangan yang ditindaklanjuti oleh Peraturan Menteri Hukum dan HAM No. 22 Tahun 2018 Tentang Pengharmonisasian Rancangan Peraturan Perundang-Undangan yang Dibentuk di Daerah Oleh Perancang Peraturan Perundang-Undangan. Penelitian ini merupakan penelitian hukum normatif dengan pendekatan peraturan perundang-undangan, studi pustaka, dan diiringi dengan wawancara oleh narasumber terkait. Hasil dari penelitian ini berdasarkan wawancara yang dilakukan oleh penulis adalah terdapat beberapa perbedaan pelaksanaan harmonisasi rancangan peraturan dari ke tiga Kantor Wilayah Kementerian Hukum dan HAM seperti perbedaan peraturan teknis, belum ditegakkan syarat administratif berupa Naskah akademis atau keterangan/penjelasan, dan terdapat perbedaan sistem pelaksanaan di mana terdapat kantor wilayah yang sudah menjalankan harmonisasi melalui sistem berbasis elektronik dan di sisi lain terdapat pelaksanaan harmonisasi masih melalui surat elektronik. Dari ketiga Kantor Wilayah Kementerian Hukum dan HAM terdapat hambatan pelaksanaan harmonisasi rancangan peraturan daerah seperti terbatasnya anggaran, terbatasnya sumber daya manusia, terbatasnya database peraturan perundang-undangan, dan pengajuan harmonisasi sangat dekat dengan jadwal pembahasan. Dengan demikian, tinjauan kembali yang ditawarkan oleh penulis adalah perubahan Peraturan Presiden Nomor 87 Tahun 2014 Tentang Peraturan Pelaksana Undang-Undang Nomor 12 Tahun 2011 Tentang Pembentukan Peraturan Perundang-Undangan, penegakkan syarat administratif, dan integrasi sistem aplikasi berbasis elektronik.

.....This research discusses reviewing the harmonization of draft regional regulations in the Regional Offices of the Ministry of Law and Human Rights in DKI Jakarta, South Sulawesi and Riau Provinces based on the provisions of Article 58 of Law Number 13 of 2022 concerning the Second Amendment to Law Number 12 of 2011 concerning the Formation of The Laws and Regulations followed up by the Regulation of the Minister of Law and Human Rights No. 22 of 2018 concerning Harmonization of Draft Legislation Formed in the Regions by Drafters of Legislation. This research is normative legal research with an approach to statutory regulations, literature study, and is accompanied by interviews with relevant informants. The results of this study based on interviews conducted by the author are that there are several differences in the implementation of the harmonization of draft regulations from the three Regional Offices of the Ministry of Law and Human Rights such as differences in technical regulations, administrative requirements in the form of academic papers or statements/explanations have not been enforced, and there are differences in the implementation system in where there are regional offices that have carried out harmonization through

electronic-based systems and on the other hand there are still harmonization implementations via electronic mail. From the three Regional Offices of the Ministry of Law and Human Rights there are obstacles to the harmonization of draft regional regulations such as limited budgets, limited human resources, limited database of laws and regulations, and submissions for harmonization are very close to the discussion schedule. Thus, the review offered by the author is an amendment to Presidential Regulation Number 87 of 2014 concerning Implementing Regulations of Law Number 12 of 2011 concerning the Formation of Legislation, enforcement of administrative requirements, and integration of electronic-based application system.