

PELAKSANAAN PERJANJIAN KERJA SAMA DENGAN POLA PIR ANTARA PETANI PLASMA JAMUR DENGAN PT. BANJARNEGARA AGUNG DI BANJARNEGARA

INTISARI

Penelitian ini bertujuan untuk mengetahui pelaksanaan perjanjian kerja sama dengan pola PIR antara petani plasma jamur dengan PT Banjarnegara Agung tersebut, Apakah hak-hak dan kewajiban masing-masing pihak telah diatur secara adil, dan untuk mengetahui apakah ada hambatan-hambatan yang ditemui dalam melaksanakan isi perjanjian tersebut.

Penelitian diadakan untuk mendapatkan data sekunder dan data primer, data sekunder diperoleh melalui penelitian kepustakaan dengan menggunakan alat studi dokumen, sedangkan data primer diperoleh dengan menggunakan alat kuesioner dan wawancara, dan penelitian ini dilakukan di PT Banjarnegara Agung dan Pengadilan Negeri Banjarnegara.

Hasil penelitian menunjukkan bahwa dalam pelaksanaan perjanjian tersebut hak-hak dan kewajiban masing-masing pihak belum diatur secara adil oleh karena belum dapat dipenuhinya hak-hak para petani plasma yang tidak ada ruang gerak sedikitpun bagi para petani untuk ikut menentukan isi perjanjian tersebut. Sedangkan hambatan-hambatan yang ditemui dalam pelaksanaan perjanjian tersebut adalah ; latar belakang pendidikan petani yang rendah, kurang transparansinya perusahaan dalam perhitungan pembagian keuntungan, kondisi alam yang sangat dingin, dan perjanjian dibuat dengan kontrak baku yang dibuat dan ditentukan secara sepihak oleh perusahaan, hal ini menyebabkan para petani plasma hanya menerima apa adanya isi perjanjian tersebut, jadi untuk disarankan agar supaya kepentingan masyarakat luas terutama pihak ekonomi lemah dapat terlindungi, maka sudah selayaknya perjanjian baku diberi rambu-rambu, dengan diatur melalui Undang-Undang, Peraturan Pemerintah, atau setidaknya diawasi.

Kata kunci: *Kemitraan dengan pola PIR*

THE IMPLEMENTATION OF CONTRACT FOR COOPERATION BASED ON PIR SYSTEM BETWEEN MUSHROOM PLASMA FARMERS AND PT BANJARNEGARA AGUNG IN BANJARNEGARA

Suryanto¹, Emmy Pangaribuan², Roedjiono³
Abstarct

This research aims to know the implementation of contract for cooperation based on PIR system between PT Banjarnegara Agung and Plasma Farmers and to know whatever the rights and duties of each party have been regulated fairly and whether are barriers found in implementing the contract's content.

The research was performed to get secondary and primary data. The secondary data were obtained through library research by using documentary study, whereas primary data were obtained by using questionnaire & guided interview as instruments. The research was done in PT Banjarnegara Agung and the District Court of Banjarnegara.

The research results show that the implementation of contract for cooperation based on PIR system between plasma farmers and PT Banjarnegara Agung cannot be carried out well because it was made unilaterally by the company without providing the farmers chance for participation in the content formulation. The plasma farmer had to receive the contract contents.

The rights and duties of both parties are not regulated fairly because the farmers whose economy is weak and education is low do not receive their rights. Consequently, the contract causes imbalance.

The barriers for the implementation of the contract are:

1. The farmer's educational background is low.
2. The farmer's working ethnics is low in cultivating mushroom so that the outcome is not optimum
3. The enterprise lacks transparency in sharing the income, causing the farmer's not trust their partner
4. The condition of nature and high intensity of rain drop, and for distance to the location cause difficulties, such as in communication and transportation.
5. The farmer's family are away, forcing the farmers to frequently leave such that the instrument and farm are not well attended.

In order that the customer and the community with low economy can be protected, the research suggests that standard contract be suggested in the consumers law or in government decree, or at least be supervised. Furthermore, the judicial institution can protect consumers from standard contract. The judges are hopefully able to use their institution, good-will, obedience, customs, and misuse of situation as indicators to overcome standard contract.

Keyword : *partnership based on PIR system.*

¹ Faculty of Law Gadjah Mada University, Yogyakarta

² Faculty of Law Gadjah Mada University, Yogyakarta

³ Faculty of Law Gadjah Mada University, Yogyakarta