

**Pemetaan Irisan Kewenangan Penerima Delegasi Sebagian Kewenangan
Presiden dalam Manajemen Aparatur Sipil Negara dan Implikasinya
terhadap Pengelolaan Aparatur Sipil Negara**

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Abstrak

Sejak disahkannya UU Nomor 20 Tahun 2023 tentang Aparatur Sipil Negara, terdapat beberapa perubahan penting yang berkaitan dengan Manajemen ASN. Perubahan tersebut antara lain berupa peleburan ruang lingkup Manajemen PNS dan PPPK hingga penghapusan KASN. Hal tersebut tentu berpengaruh terhadap bentuk kewenangan, baik terkait irisan maupun implikasinya pada beberapa lembaga yang menerima delegasi kewenangan Presiden dalam konteks Manajemen ASN (Kemenpan-RB, BKN, LAN). Berpijak pada hal demikian, maka penulis bermaksud untuk meneliti dua hal. Pertama, menganalisis irisan kewenangan penerima delegasi sebagian kewenangan Presiden dalam Manajemen Aparatur Sipil Negara. Kedua, menelaah implikasi irisan kewenangan tersebut terhadap pengelolaan Aparatur Sipil Negara. Penulis menggunakan jenis penelitian hukum normatif melalui studi kepustakaan. Berdasarkan penelitian yang dilakukan, terdapat beberapa hasil yang ditemukan. Pertama, tidak semua unsur Manajemen ASN di dalam UU 20/2023 memuat irisan kewenangan antara Kemenpan-RB, BKN, dan/atau LAN sebagai lembaga penerima delegasi kewenangan Presiden. Pada ruang lingkup Manajemen ASN yang meliputi perencanaan kebutuhan, pengadaan, pengelolaan kinerja, pengembangan talenta dan karier, pengembangan kompetensi, dan pemberhentian, terdapat irisan kewenangan yang tegas antara Kemenpan-RB, BKN, dan/atau LAN. Akan tetapi pada ruang lingkup Manajemen ASN penguatan budaya kerja dan citra institusi serta pemberian penghargaan dan pengakuan tidak ditemukan adanya irisan kewenangan. Kedua, secara umum desain irisan kewenangan dalam UU 20/2023 memberi implikasi yang lebih efektif dan efisien pada pengelolaan ASN karena terdapat batasan kewenangan yang lebih tegas pada sebagian besar ruang lingkup Manajemen ASN. Selain itu, pemberlakuan UU 20/2023 berimplikasi pada perubahan kewenangan kelembagaan Kemenpan-RB, BKN, dan LAN dibandingkan kewenangan pada UU ASN sebelumnya.

Kata Kunci: UU ASN, Irisan Kewenangan, Manajemen ASN, Lembaga Negara

The Authority's Mapping of The Delegation Recipients Part ff The President's Authority in The Management of The State Civil Apparatus and Its Implications for The Management ff The State Civil Apparatus

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Abstract

Since the enactment of UU 20/2023 concerning State Civil Apparatus, there have been several important changes relating to ASN Management. These changes include, among other things, merging the scope of PNS and PPPK management and eliminating KASN. This certainly affects the form of authority, both in relation to its intersection and implications for several institutions that receive delegations of authority from the President in the context of ASN Management (Kemenpan-RB, BKN, LAN). Based on this, the author intends to research two things. First, analyze the intersection of the authority of the recipient of the delegation, part of the President's authority in the Management of the State Civil Apparatus. Second, examine the implications of this intersection of authority for the management of the State Civil Service. The author uses a type of normative legal research through literature study. Based on the research conducted, several results were found. First, not all elements of ASN Management in UU 20/2023 contain a division of authority between Kemenpan-RB, BKN, and/or LAN as institutions receiving delegations of Presidential authority. In the scope of ASN Management which includes needs planning, procurement, performance management, talent and career development, competency development, and dismissal, there is a clear division of authority between Kemenpan-RB, BKN, and/or LAN. However, within the scope of ASN Management, strengthening work culture and institutional image as well as providing awards and recognition, no intersection of authority was found. Second, in general the design of the intersection of authority in UU 20/2023 has more effective and efficient implications for ASN management because there are stricter authority boundaries in most of the scope of ASN Management. Apart from that, the enactment of UU 20/2023 has implications for changes in the institutional authority of the Kemenpan-RB, BKN, and LAN compared to the authority in the previous UU ASN.

Keywords: UU ASN, Fragment of Authority, ASN Management, State Institutions