

***IMPLICATIONS OF MINISTER OF TRADE REGULATION NUMBER 4 OF 2023 CONCERNING PROCUREMENT AND DISTRIBUTION OF SUBSIDIZED FERTILIZER FOR THE AGRICULTURE SECTOR ON THE AUTHORITY AND SUPERVISION OF BUMH HOLDINGS IN THE DISTRIBUTION OF SUBSIDIZED FERTILIZER***

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***ABSTRACT***

*This research aims to find out and examine the implications of Minister of Trade Regulation number 4 of 2023 concerning the Procurement and Distribution of Subsidized Fertilizers as well as supervision of BUMH fertilizer Holdings. This research is normative-empirical, starting from the provisions of written positive law that are applied to legal events in society.*

*The data analysis method in this research uses a descriptive-analytical approach, which is a study aimed at producing and explaining existing realities or facts and describing a problem regarding the authority in the implementation of the procurement and distribution of subsidized fertilizers by the State-Owned Enterprises Holding. The data obtained from primary sources includes results from field interviews, while secondary data consists of legislation, books, journals, and the internet. The data analysis used in this legal research is a qualitative method that does not use numbers but rather provides descriptions.*

*Based on the research findings and discussions, it can be stated that in the Minister of Trade Regulation number 4 of 2023, there are several implications, particularly regarding the authority of State-Owned Enterprises Holding in the procurement and distribution of subsidized fertilizers that is to appoint distributors and sign a Sales Purchase Agreement with the distributors, to give approval or rejection to the distributors regarding the appointment of Retailers, to carry out direct distribution to Farmers and/or Farmer Groups in Line IV in case there are obstacles in the distribution of subsidized fertilizers by the distributors and/or retailers. Furthermore, in terms of supervision carried out by the State-Owned Enterprises Holding, oversight related to the procurement and distribution of subsidized fertilizers is conducted. The State-Owned Enterprises Holding for fertilizers has developed the i-Pubers application aimed at tracing the distribution of subsidized fertilizers, which is integrated with the Ministry of Agriculture's e-allocation database, as well as facilitating real-time control of product and goods stock. The next supervision involves implementing product tracking aimed at monitoring the distribution of subsidized fertilizers from the packaging line to the kiosks*

***Keywords:*** Legal implications, Supervision, Subsidized fertilizer

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**IMPLIKASI PERATURAN MENTERI PERDAGANGAN NOMOR 4  
TAHUN 2023 TENTANG PENGADAAN DAN PENYALURAN PUPUK  
BERSUBSIDI UNTUK SEKTOR PERTANIAN TERHADAP  
KEWENANGAN DAN PENGAWASAN *HOLDING* BUMH DALAM  
PENYALURAN PUPUK BERSUBSIDI**

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**INTISARI**

Penelitian ini bertujuan untuk mengetahui dan mengkaji implikasi Peraturan Menteri Perdagangan nomor 4 tahun 2023 terkait Penyaluran Pupuk Bersubsidi serta pengawasan *Holding* BUMH pupuk. Kajian ini diawali dengan ketentuan-ketentuan hukum positif tertulis yang berlaku pada kejadian-kejadian hukum dalam masyarakat, sehingga bersifat normatif empiris.

Metode analisa data adalah deskriptif-analitis untuk menghasilkan menguraikan kenyataan yang ada atau fakta yang ada dan mendeskripsikan sebuah masalah pada kewenangan pelaksanaan penyaluran pupuk bersubsidi oleh *Holding* BUMH. Data yang diperoleh dari data primer berupa hasil wawancara di lapangan dan data sekunder berupa peraturan perundang-undangan, buku, jurnal, dan internet. Penelitian hukum ini menggunakan pendekatan kualitatif dalam analisis data, yang memberikan deskripsi daripada nilai numerik.

Berdasarkan hasil penelitian dan pembahasan dapat disampaikan bahwa dalam Peraturan Menteri Perdagangan nomor 4 tahun 2023 terdapat beberapa implikasi khususnya kewenangan *Holding* BUMH terhadap pengadaan dan penyaluran pupuk bersubsidi yaitu menunjuk distributor, memberikan persetujuan atau penolakan atas penunjukan Pengecer, melakukan penyaluran langsung kepada Petani dan/atau Kelompok Tani di Lini IV dalam hal terdapat kendala dalam penyaluran pupuk bersubsidi oleh distributor dan/atau pengecer. Selanjutnya, dalam hal pengawasan yang dilakukan oleh *Holding* BUMH dilakukan pengawasan terkait penyaluran pupuk bersubsidi yaitu *Holding* BUMH pupuk membuat aplikasi i-Pubers bertujuan menelusuri penyaluran pupuk subsidi yang terintegrasi dengan database e-alokasi Kementerian Pertanian serta mempermudah kontrol stok produk dan barang secara *realtime*. Bahwa penggunaan KTP melalui aplikasi i-Pubers belum efektif dan efisien berdampak rendahnya penebusan oleh Petani dikarenakan proses transisi dari sistem manual beralih ke sistem digital. Pengawasan berikutnya yaitu dengan membuat implementasi *product tracking* yang bertujuan untuk melakukan monitoring penyaluran pupuk bersubsidi dari lini pengantongan hingga Kios.

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