

IMPLEMENTASI UNDANG-UNDANG KAWASAN PERDAGANGAN BEBAS DAN PELABUHAN BEBAS DALAM UPAYAPENINGKATAN INVESTASI DI KOTA BATAM

INTI SARI

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Penelitian ini bertujuan untuk mendapatkan gambaran tentang efektivitas Undang-Undang No. 44 Tahun 2007 tentang Perdagangan Bebas dan Pelabuhan Bebas dalam upaya peningkatan investasidi kota Batam, identifikasi hambatan dan tantangan bagi Dewan Kawasan Batam dalam upaya menyelesaikan permasalahan dualisme kepemimpinan di Kota Batam untuk memberikan jaminan kepastian hukum bagi investor serta menemukan solusi bagi Dewan Kawasan Batam dan Badan Pengusahaan Batam (BP Batam) dalam upaya peningkatan investasi di Kota Batam.

Pendekatan dalam penelitian ini adalah penelitian hukum normatif empiris. Metode penelitian hukum normatif empiris merupakan penggabungan antara pendekatan hukum normatif dengan adanya penambahan berbagai unsur empiris. Metode penelitian normatif empiris mengenai implementasi ketentuan hukum normatif (undang-undang) yang berlaku yang berhubungan dengan tahap kedua, yakni kajian hukum empiris berupa penerapan peristiwa hukum *in concreto*.

Hasil penelitian tersebut sebagai berikut: (1) Implementasi Undang-Undang Nomor 44 Tahun 2007 tentang Perdagangan Bebas dan Pelabuhan Bebas tidak efektif dalam upaya meningkatkan investasi di Kota Batam. Tidak efektifnya UU No 44 Tahun 2007 dikarenakan banyaknya aturan-aturan diluar UU No 44 Tahun 2007 diberlakukan di wilayah perdagangan bebas (2) Hambatan dan tantangan bagi Dewan Kawasan Batam dalam upaya menyelesaikan permasalahan dualisme kepemimpinan di Kota Batam untuk memberikan jaminan kepastian hukum adalah belum diterbitkannya Peraturan Pemerintah yang mengatur hubungan kerja kedua instansi sesuai pasal 21 ayat 3 UU No 53 Tahun 1999 tentang pembentukan Kabupaten dan Kota Madya. (3) Solusi Bagi Dewan Kawasan Batam dan BP Batam dalam upaya peningkatan investasi adalah dengan mengupayakan harmonisasi kebijakan dan upaya mengsinergikan hubungan kerjasama BP Batam dengan Pemkot Batam.

Kata Kunci: Implementasi Undang-Undang Kawasan Perdagangan Bebas DanPelabuhan Bebas, Peningkatan Investasi Di Kota Batam.

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**IMPLEMENTATION OF THE ACT OF FREE TRADE ZONE AND FREE
PORTS ANDEAVOR TO INCREASE THE INVESTMENT
IN BATAM CITY**

ABSTRACT

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This research aims to attain an overview of the effectiveness of the Act Number 44 of 2007 concerning Free Trade Zone (FTZ) and Free Port in facing the problem of regulation desynchronizing in Batam City, and to identify the obstacles and challenges of Batam Regional Council in an effort to resolve the challenge of dualism leadership issue in Batam City in order to provide an assurance of legal certainty for investors as well as to find a solution for Batam Regional Council and BIFZA to increase the investment in Batam City.

The approach used in this research is the normative-empirical legal research. The normative-empirical legal research is a combination between normative legal approaches with the addition of various empirical elements. Normative-empirical research method concerning the implementation of normative legal provision (acts) which prevail and related to the second phase, that is the studies of empirical law in the form of legal event application *in concreto*.

The results of the research are as follows: (1) The implementation of the Act Number 44 of 2007 concerning the Free Trade and Free Port in facing the problem of Regulation Desynchronizing in the city becomes a new hope for investors and Local Government in an effort to improve the competitiveness of Batam City towards neighboring countries. But it is regrettable that the FTZ status in Batam City is not working effectively. The ineffectiveness of the implementation of FTZ Act in Batam City due to the various rules outside Act Number 44 of 2007 which also regulate in the free trade region (2) The obstacles and challenges for Batam Regional Council to solve the dualism leadership issue in Batam City to provide an assurance of legal certainty for investors is that the Government Regulation which regulates the work relationship between these two instances in accordance with the Article 21, Paragraph, Act Number 53 of 1999 concerning the establishment of Regency and Municipality has not been issued yet. (3) The solution for Batam Regional Council and BIFZA to increase the investment in Batam City is to seek the harmonization of policies and to synergize the cooperation relation between BIFZA and Batam City Government.

**Keywords: Implementation of the Act of Free Trade Zone and Free Port as
an Endeavor to Increase the Investment in Batam City.**

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