



# ANALISIS KEPASTIAN HUKUM DALAM PENGELOLAAN BLOK MIGAS HABIS KONTRAK

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## INTISARI

Migas memiliki peran penting dalam perekonomian dan pertahanan negara. Migas diproduksi di dalam Wilayah Kerja yang lebih umum dikenal sebagai blok migas. Pengelolaan blok migas ini telah diatur sedemikian rupa dari awal blok migas ditawarkan sampai blok migas sudah habis kontraknya. Blok migas yang habis kontrak nantinya akan ditawarkan kepada kontraktor baru ataupun diperpanjang oleh kontraktor sebelumnya. Pengaturan blok migas habis kontrak yang ada sekarang terkadang masih tidak memberikan kepastian hukum terhadap kontraktor dalam pengelolaannya. Penelitian ini bertujuan untuk menganalisis mekanisme pengelolaan blok migas habis kontrak serta juga menganalisis kepastian hukum yang diberikan pengaturan dalam pengelolaan blok migas habis kontrak. Penelitian ini merupakan penelitian yuridis normatif, sehingga data yang digunakan adalah data sekunder. Hasil penelitian menunjukkan bahwa mekanisme dalam pengelolaan blok migas habis kontrak seperti: permohonan dan persyaratan perpanjangan oleh kontraktor atau Pertamina, bonus tanda tangan, penawaran blok migas melalui lelang, evaluasi pengelolaan blok migas, hingga penandatanganan kontrak kerja sama telah diatur dalam peraturan khusus. Meskipun telah diatur dalam peraturan khusus, masih terdapat beberapa ketidakpastian hukum di dalamnya. Ketidakpastian tersebut lebih mengarah kepada transparansi informasi pengelolaan blok migas habis kontrak yang berdampak pada pemberian informasi terutama jangka waktu kontrak, penetapan perpanjangan kontrak yang terhambat karena tidak berminatnya investor, serta belum terlalu diutamakannya perusahaan nasional untuk mengelola blok migas habis kontrak.

**Kata kunci:** Blok Migas Habis Kontrak, Kepastian Hukum.

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## **ANALYSIS OF LEGAL CERTAINTY IN MANAGEMENT OIL AND GAS BLOCK THAT RUN OUT OF CONTRACTS**

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### **ABSTRACT**

*Oil and gas have an important role in economic and national defense. Oil and gas produced in working area or operational area as known as oil and gas block. The management of oil and gas blocks has been arranged in such a way from the beginning of oil and gas block being offered until the oil and gas block contract expires. The oil and gas block that run out of contract will be offered to a new contractor or will extended by the existing contractor. The existing arrangement of oil and gas block that run out of contract sometimes still does not provide legal certainty for contractor in their management. This research aims to analyze the management mechanism of oil and gas blocks that run out contracts and also to analyze the legal certainty provided by the regulation in the management of oil and gas blocks that run out of contract. This research is a normative juridical research, so the data used is secondary data. The result showed that the mechanisms for managing oil and gas blocks run out of contract such as: application and requirements for extension by contractors or Pertamina, signature bonuses, oil and gas blocks bid through auction, evaluation of oil and gas block management, and signing of cooperation contracts have been regulated in special regulations. Even though it has been regulated in a special regulation, there are still some legal uncertainties in it. This uncertainty leads to more transparency of information on the management of oil and gas blocks that ron out of contract which has an impact on providing information, especially the duration of contract, the determination of contract extensions that are hampered by the lack of interest from investors, and the national company has not prioritized to manage oil and gas blocks after contracts expires.*

**Key Words:** *Oil and Gas Block That Run Out of Contracts, Legal Certainty*

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