

Dissemination of the role of local government in providing legal Protection to MSMEs in the Tourism Sector Lon Malang Beach, Sokobanah District, Sampang Madura Regency

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ABSTRACT

Regional Government is one of the tools in the governance system. According to Law Number 23 of 2014 concerning Regional Government (hereinafter referred to as the Regional Government Law) the regional head is an element of Regional Government administration who leads the implementation of government affairs which fall under the authority of the autonomous region. Meanwhile, Regional Government is the administration of government affairs by the regional government and the Regional People's Legislative Assembly according to the principle of autonomy and co-administration with the principle of broadest autonomy in the system and principles of the State in the 1945 Constitution of the Republic of Indonesia. The role of regional government in regional development planning is government that has very strategic authority and a strategic position, this is related to its function as a "public service" to improve welfare, prosperity, security, justice and peace for the community. In particular, local governments play an important role in providing protection for existing MSMEs. Micro, Small and Medium Enterprises (MSMEs) are productive business units that stand alone, which are carried out by individuals or business entities in all economic sectors. In this case the MSMEs that must be given protection by the Regional Government are mainly MSMEs in the tourism sector which are located on Lon Malang Beach, Sokobanah District, Sampang Madura Regency. Because in this case it can provide increased welfare for communities around the coast and can increase regional income.

KEYWORDS

Local Government;
UMKM;
Tourism



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1. Introduction

Regional Government is one of the tools in the governance system. According to Law Number 23 of 2014 concerning Regional Government (hereinafter referred to as the Regional Government Law) the regional head is an element of Regional Government administration who leads the implementation of government affairs which fall under the authority of the autonomous region [1]. Meanwhile, Regional Government is the implementation of government affairs by the regional government and the Regional People's Legislative Assembly according to the principles of autonomy and co-administration with the principle of broadest autonomy in the system and principles of the State in the 1945 Constitution of the Republic of Indonesia [2][3].

Conceptually, it is necessary to understand the position of regional government in accordance with Law Number 32 of 2004 concerning Regional Government (hereinafter referred to as the Regional Government Law), namely that what is meant by regional government is the executor of regional government and DPRD affairs according to the principle of autonomy on co-administration with the principle of broadest autonomy in the system and principles of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia [4]–[6].

The role of the regional government in regional development planning is a government that has very strategic authority and a strategic position, this is related to its function as a "public service" to improve welfare, prosperity, security, justice and peace for the community [7]–[9]. Because regional development planning is an activity to be carried out in the future, in this case, starting from the stages of the process of preparing programs and activities that involve various sources in it, for the use and allocation of

existing resources with the aim of improving the welfare of society in general in an environment. or area planned within a certain period of time [10], [11].

In this sense, local government plays an important role in planning towards the goals to be achieved [12], [13]. That in order to run its government, the government here must pay attention to peace and public order, and the government must also pay attention to the expectations of the community, public opinion, and also the interests of the community [14]–[16].

To carry out the function of good governance, local governments must always pay attention to the interests of the community in the area they lead in order to create good and correct governance [17], [18]. As is the case on Salt Island (Madura), which has 4 (four) regencies, namely Bangkalan, Sampang, Pamekasan, and Sumenep. Of the 4 (four) regencies, the government system is certainly different [19], [20].

Sampang, is one of the regencies in Madura with a population of approximately 921,771 (nine hundred twenty one thousand seven hundred and seventy one) in 2022 [21], [22]. This number is not small, of course, with various backgrounds and different professions - different. Not a few people in Sampang Regency choose to earn rupiah by becoming Micro, Small and Medium Enterprises (MSMEs) [23]–[25] by taking advantage of the potential of the beautiful sea coast, namely the Lon Malang Coastal Coast in Sokobanah District [26], [27].

That way the utilization of natural resources in the form of beaches by the people around Lon Malang Beach, Sokobanah Sampang District can increase the completeness of the content of existing tourism objects on the beach. According to Erika, tourism has the meaning of activities or activities carried out by a person or group of people moving from one place to another repeatedly for a while with the aim of enjoying the beauty of nature and not making a living [28]–[30].

In this case Government Regulation Number 7 of 2021 concerning Ease, Protection, and Empowerment of Cooperatives and Micro, Small, and Medium Enterprises [31] (hereinafter referred to as PP No. 77 of 2021), also requires Regional Governments and the Office of Cooperatives, Micro Enterprises and Labor to perform protection in the field of financing and investment [32]–[34].

Micro Enterprises are productive businesses owned by people or individuals and/or individual business entities which, according to government regulations, meet the criteria for Micro Enterprises. Small Business is a productive economic enterprise that stands alone, is owned and operated by an individual or business entity that is not a subsidiary company or not a branch of a company that is controlled by or becomes part of a good. directly or indirectly from Medium Enterprises or large businesses that meet the criteria of Small Enterprises that have been regulated by the Government [35], [36]. Medium Enterprises are productive economic enterprises that stand alone, and are carried out by individuals or business entities that are not subsidiaries or branches of companies that are owned, controlled, or become part of either directly or indirectly with Small Businesses or large businesses that have complied with criteria for Medium Enterprises as regulated in this Government Regulation. Therefore, both the Cooperatives and MSME Offices and the Regional Government must continue to protect and empower Micro, Small and Medium Enterprises (MSMEs) in every region in the Republic of Indonesia to support the advancement of blood income and also people's welfare [37], [38].

In order to provide legal protection by the Regional Government of Sampang to MSME owners, the good faith carried out by the Regional Government of Sampang according to what is stated in Article 1338 of the Civil Code must be carried out according to its nature. In addition, the duties of the District Government in empowering MSMEs are contained in Government Regulation Number 17 of 2013 concerning the Implementation of Law Number 20 of 2008 concerning Micro, Small and Medium Enterprises. The Regent has the following duties :

- a. Formulate, prepare, stipulate, and/or implement general policies in the district/city area regarding growing Business Climate, business development, financing and guarantees, and partnerships.
- b. Integrate regional planning, as a basis for formulating policies and strategies for empowerment that are elaborated in district/city regional programs.

- c. Formulate policies for handling and solving problems that arise in the implementation of empowerment in the district/city area.
- d. Integrate the preparation and implementation of laws and regulations in the district/city area with the law.
- e. Carry out business development policies and programs, financing and guarantees, and partnerships in the district/city area.
- f. Coordinating institutional development and human resources for Micro, Small and Medium Enterprises in the district/city area.
- g. Monitor program implementation :
 1. Business development for Micro Enterprises, Small Enterprises and Medium Enterprises organized by district/city governments, the Business World and the community in the fields of production and processing, marketing, human resources, design and technology.
 2. Development in the field of financing and guarantees for micro, small and medium enterprises.
 3. Development of business partnerships.
- h. Informing and periodically conveying the results of the empowerment of Micro, Small and Medium Enterprises to the Minister and governors⁴.

Community service goals to analyze how the legal protection provided by the Regional Government for Business, Micro, Small and Medium Enterprises in the tourism sector at Lon Malang Beach and to analyze what efforts should be made by the local Regional Government to protect Business, Micro, Small and Medium Enterprises in Lon Malang Beach. Problem Formulation what is the legal protection for Business, Micro, Small and Medium Enterprises (MSMEs) in the tourism sector in making cooperation agreements? What should the local government do to protect these Micro, Small and Medium Enterprises?

2. Method

This community service uses a type of normative law. Normative legal research focuses more on law and judges' considerations. This normative law aims to examine legal arguments regarding the role of local government in providing legal protection for Micro, Small and Medium Enterprises in Lon Malang Beach, Sokobanah District, Sampang Madura Regency. The approach method used in this study is a statutory and conceptual approach. This statutory approach is carried out by reviewing all laws and regulations related to the legal protection provided by the local government to Small and Medium Enterprises in Lon Malang Beach. This conceptual approach departs from the views and doctrines that have developed in the science of law. The conceptual approach discusses the concept of legal protection provided by the Sampan local government to Small and Medium Enterprises actors in Lon Malang Beach, Sokobanah District, Sampang Madura Regency.

3. Results and Discussion

A. Legal protection for Micro, Small and Medium Enterprises by the Regional Government of Sampang

Regional Government is an important pivot in the governance of a region. Where the progress of an area can be seen from the performance of the local government. One of the duties of the regional government is to protect what is in their area, including protection for Micro, Small and Medium Enterprises.

In order to provide legal protection by the Regional Government of Sampang to owners of Micro, Small and Medium Enterprises, the good faith carried out by the Regional Government of Sampang according to what is stated in Article 1338 of the Civil Code must be carried out according to its nature. The government as an important actor in achieving a prosperous life has a big contribution in organizing and launching supporting programs in order to achieve a prosperous life and fulfill quotas of job opportunities in the Indonesian state. In this case, if it is managed seriously and given good legal

protection by the government, it will also increase the country's foreign exchange coffers generated through small and medium industries⁶.

In order to protect Micro, Small and Medium Enterprises, the Sampang Regional Government implements programs initiated by both independent programs and partnership programs. The programs implemented are as follows:

1) The Micro, Small and Medium Enterprises Friends Program

The Friends Micro, Small and Medium Enterprises program was initiated by Bank Sampang and the Regional Government of Sampang by providing financing to as many as 15 (fifteen) business actors in Sampang Regency aimed at Micro, Small and Medium Enterprises in order to support economic recovery⁷.

B. The Important Role of Small and Medium Enterprises in the Economy

The existence of Micro, Small and Medium Enterprises plays an important role in the economy, both in absorbing labor, contributing foreign exchange and contributing to regional income in the form of taxes⁸.

According to Situmorang revealed that MSMEs in Indonesia have several problems which include:

- a. Lack of capital Kesulitan dalam pemasaran
- b. Difficulties in marketing
- c. Simple organizational structure with non-standard division of labor.
- d. Low management quality
- e. Human resources are limited and of low quality
- f. The majority do not have financial reports
- g. Weak legal aspects, and
- h. Low quality of technology⁹.

Therefore, with the Lon Malang beach tourism object, the surrounding community takes advantage of this moment to open their business. The businesses they have founded are in the form of micro, small and medium enterprises in order to support their survival and help the economy of the area around the coast. With the establishment by the people around the coast, the local people are very dependent on the Sampang Regional Government to support what they have done for the common good.

From the founding, small and medium enterprises, it must have its own urgency, the urgency of the formation of MSMEs is aimed at becoming a pillar of the nation's and state's economy in these difficult times. The urgency of establishing, small and medium enterprises is as follows:

- 1) There are many Micro, Small and Medium Enterprises business actors and they are scattered in urban, rural and even remote areas.
- 2) The quality and creativity of Micro, Small and Medium Enterprises business actors are classified as having the potential to open employment opportunities and increase income for Micro, Small and Medium Enterprises actors.
- 3) The Micro, Small and Medium Enterprises business does not require a high level of education so that even Indonesians with low levels of education can become actors in this business.
- 4) Becoming a starting point for investment in rural areas as well as a labor-intensive platform to increase entrepreneurship skills.
- 5) The goods provided by Micro, Small and Medium Enterprises business actors are relatively cheap.

6) The flexibility of Micro, Small and Medium Enterprises business types is very high and diverse¹⁰.

4. Conclusion

The role of the Regional Government really influences the condition of the area that is run. In this case the role of the Regional Government in all fields is needed by all circles of society. As is the case with the role of the Sampang Regional Government in providing protection for Micro, Small and Medium Enterprises, especially in Lon Malang Beach, Sokobanah District, Sampang Madura Regency. Through Government Regulation Number 7 of 2021 concerning Ease, Protection and Empowerment of Cooperatives and Micro, Small and Medium Enterprises, here the Regional Government is obliged to provide protection for these existing Micro, Small and Medium Enterprises. The Government Regulation also obliges the Regional Government and the Office of Cooperatives, Micro Enterprises and Manpower to carry out protection in the field of financing and investment.

With the protection provided by the Regional Government of Sampang and the Office of Cooperatives, Micro Enterprises and Labor to MSME actors, MSME actors feel safe and protected. It also gives the fighting spirit of becoming Micro, Small and Medium Enterprises to Micro, Small and Medium Enterprises actors in Lon Malang Beach, Sokobanah District, Sampang Madura Regency because the Sampang Regional Government and related agencies provide programs to support the progress and sustainability of existing Micro, Small and Medium Enterprises, and do not forget to provide protection in the field of financing and investment.

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Author Contribution

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Conflict of Interest

The authors declare no conflict of interest.

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