

PRODUCTION SHARING AGREEMENT FOR RICE AGRICULTURAL LAND IN MERANTI ISLANDS DISTRICT (Subdistrict Studies Rangsang Barat)

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Abstract: *The agricultural land production sharing agreement is an agreement between the landowner and the cultivator, i.e., a cultivator is allowed to cultivate the land to be productive, then the proceeds from the land are divided between the landowner and the cultivator with an agreed share. The law Number 2 of 1960 concerning Production Sharing Agreements is a provision that regulates agricultural land production sharing agreements; this is intended to change the pattern of implementation of agricultural land production sharing agreements in the community, specifically to create uniform provisions for the implementation of profit sharing and to protect the position of the community actors for agricultural land. Although there are rules that regulate it, the implementation of agricultural land production sharing in various regions has not been in accordance with these regulations. In general, the practice of sharing agricultural land carried out by the community in the Meranti Islands Regency is still made orally, and the agreement is based on habits that have existed for a long time and mutual trust with fellow community members. As a result, the community does not make an agreement for the production of agricultural land in writing.*

Key Words: *Agricultural Land, Production Sharing Agreement, Oral Agreement.*

1. INTRODUCTION:

PublicRangsang Barat Districtin carrying out agricultural land production sharing agreements based solely on trust and agreement between cultivators and landowners, this trust is the main capital for a cultivator to obtain permission to manage agricultural land that does not belong to him, with the object of the agreement namely agricultural land and everything attached to it. land. While the contents of the agreement which includes the rights and obligations of each party are also determined by themselves, and the proceeds from the exploitation of the land will later be shared according to the agreement that has been mutually agreed upon and the time limit for the profit sharing agreement that has been in effect so far, there is also no standard standard. all based on an agreement with the owner and cultivator, usually based on the rice planting season when the farming season reaches the harvest season, the limit of this agreement automatically ends, because the nature of this production sharing agreement is not only written or verbal.

2. THEORITICAL FRAMEWORK:

a. Legal Effectiveness Theory

The theory of legal effectiveness according to Soerjono Soekanto that effective is the extent to which a group can achieve its goals.[1]

b. Legal Anthropological Theory

Legal anthropology is a specialization of cultural anthropology, which specifically observes human behavior in relation to the rule of law.[2]

c. Legal Protection Theory

According to Satjipto Rahardjo, legal protection is to provide protection for human rights that are harmed by other people and this protection is given to the community so that they can enjoy all the rights granted by law[3].

3. LITERATURE REVIEW:

According to Boedi Harsono, that is, a form of agreement between a person who is entitled to a plot of agricultural land and another person called a cultivator, based on the agreement where the cultivator is allowed to cultivate the land by sharing the proceeds between the cultivator and is entitled to the land according to a mutually agreed balance, for example each gets a half or the cultivator gets a third part[4].

4. METHOD:

The method used in this research is an empirical juridical approach, which is an approach based on field research methods, namely examining the legal provisions that apply and what happens in people's lives.[5]

5. DISCUSSION:

Agreement for the results of rice farming land in Rangsang Barat District Regency Island Meranti which is done verbally, it is very easy for problems to arise, namely the parties do not carry out their rights and obligations as they should, default occurs in terms of profit sharing, these problems are of course difficult to prove because there is no agreement made in writing and witnesses .

6. ANALYSIS:

A. Implementation of the Rice Farming Land Production Sharing Agreement in Meranti Islands District, Rangsang Barat District

Regarding the discussion of Article 10 of the Basic Agrarian Law, it was stated that as the first step towards implementing the principle that agricultural land owners are obliged to work on or cultivate it actively, provisions were made to abolish absentee or guntai ownership of agricultural land, namely land ownership that is located outside the area where the owner lives, is basically prohibited from owning agricultural land by people who live outside the district where the land is located. This prohibition does not apply to owners who live in the sub-district which borders the sub-district where the land in question is located, as long as the distance between the owner's residence and the land according to his considerations is still possible to work on the land efficiently. The aim of prohibiting absentee ownership of agricultural land is to better optimize the exploitation, use and utilization of all land in the territory of Indonesia which is necessary to improve the quality of the environment, reduce poverty and create jobs. With regard to the enactment of the Law regarding agreements for the production of agricultural land, it has been in effect for a long time, namely September 24, 1960, then the issuance of Law no. 2 of 1960 concerning Production Sharing Agreements for Agricultural Land has not yet been effective. It is better that the government of West Rangsang District should socialize the community regarding the agreement on sharing of agricultural land, so that both regulations related to profit sharing and prohibitions can be understood by the community in order to create community welfare, especially in West Rangsang District.

B. Factors Causing Agreements to Share the Results of Rice Farming Land Are Still Frequently Done in Rangsang Barat District

The reason for doing production sharing is because you want to plant rice in order to get rice yields which will become your daily staple food, because you don't have your own paddy field and you have free time so you use people's land with a profit sharing system to plant rice. This profit-sharing has become a habit of the people in Rangsang Barat Subdistrict so that the agreement is only verbal, the trust is the basis for the implementation of this yield, although sometimes there are problems or obstacles in its implementation either from the land owner or from cultivators.

C. Legal Consequences Arise to Oral Rice Farming Land Production Sharing Agreements in Meranti Islands Regency

Yields are not much and only enough for the family needs of cultivators, due to weather and pest factors that can reduce crop yields. As a result of the default committed by the cultivator, of course, it will cause losses for the land owner. The form of loss received from the land owner is that the land owner does not receive the crops in accordance with the agreement that has been made. As for the form of efforts from the land owner against violations made by cultivators, namely from the results of interviews with the head of the Bina Maju village farmer group.

7. CONCLUSION :

From the discussion as explained earlier, several conclusions can be drawn, including:

- 1) Article 10 of the Basic Agrarian Law requires landowners to cultivate and work their own land.
- 2) In general, the background for the owners and cultivators to enter into production sharing agreements is because on the basis of mutual help and a sense of kinship that is still very strong among the people in Rangsang Barat District, where the rice field owners and cultivators need each other and as a form of mutual assistance among the people.
- 3) The agreement is a legal relationship based on an agreement that can give rise to legal consequences.

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