

**LEGAL STUDY ON THE TRANSFER OF THE AUTHORITY
OF MINING BUSINESS LICENSES TO THE PROVINCIAL
GOVERNMENT AND ITS IMPACT ON PRODUCING AREAS
(Case Study in North Halmahera Regency)**

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Abstract

With the enactment of Law Number 23 of 2014 concerning local government, there has been a change in the authority to manage mining business licenses between the central government, provincial government and district government. Licensing authority which was originally the authority of the district in accordance with Law Number 32 of 2004 has been dismantled and is now held by the provincial government so as to reduce the role of the district/city government in the management of natural resources such as energy and minerals. The enactment of Local Government Law number 23 of 2014 is contrary to the goal of regional autonomy to bring the government closer to the community, improve public services, and encourage equitable development. With the change in authority, it has resulted in overlap in the arrangement of mining business licenses and the community has made it more difficult to manage licensing in the provincial government. The purpose of this study is to analyze the Granting of Authority by Provincial Regional Governments to Issue Mining Permits and their impact on producing regions, as well as to analyze whether the authority of the provincial local government in issuing mining permits based on Law Number 23 of 2014 concerning Regional Government is appropriate based on the principle of regional autonomy. The research method used is the Normative Juridical Research method. Normative Law research methods or Legal Research are methods or methods used in legal research that are carried out by researching existing literature materials.

Keywords: Transition of Authority; Mining; Penghasi District.

Abstrak

Dengan diberlakukannya Undang-Undang Nomor 23 Tahun 2014 tentang Pemerintah Daerah, telah terjadi perubahan kewenangan pengelolaan izin usaha pertambangan antara pemerintah pusat, pemerintah provinsi dan pemerintah kabupaten. Kewenangan perizinan yang semula merupakan kewenangan kabupaten sesuai dengan Undang-Undang Nomor 32 Tahun 2004 telah dibongkar dan kini dipegang oleh pemerintah provinsi sehingga dapat mengurangi peran pemerintah kabupaten/kota dalam pengelolaan sumber daya alam seperti energi dan mineral. Berlakunya UU Pemerintah Daerah nomor 23 tahun 2014 bertentangan dengan tujuan otonomi daerah untuk mendekatkan pemerintah dengan masyarakat, meningkatkan pelayanan publik, dan mendorong pembangunan yang merata. Dengan adanya perubahan kewenangan tersebut, mengakibatkan tumpang tindih dalam pengaturan izin usaha pertambangan dan masyarakat semakin sulit dalam pengelolaan perizinan di pemerintah provinsi. Tujuan dari penelitian ini adalah untuk menganalisis Pemberian.

Kata kunci: Transisi Otoritas; Pertambangan; Distrik Penghasi.

I. INTRODUCTION

The State of Indonesia as stipulated in Article 18 of the Constitution of the Republic of Indonesia in 1945 regulates local government in Indonesia. This article explains that the Unitary State of the Republic of Indonesia is divided into provinces, and provinces are subdivided into districts and cities, each with a local government regulated by law. Local government is governed based on autonomy and assistance duties, with the principle of autonomy as widely as possible in the system and principles of the Unitary State of the Republic of Indonesia. The implementation of autonomy has the principles of democracy, broad autonomy and broad authority, justice, division of power, regulation of authority, and respect for indigenous rights. Thus, it is one of the principles of the implementation of state government which emphasizes the granting of authority by the state to the regions to regulate and take care of the interests of the local community.

Local governments are given the freedom to regulate and manage their regional households, set their own policies, and are obliged to meet regional financial financing. With the enactment of regional autonomy in Indonesia in 2001, public organizations were given the authority by the Central Government to govern their own government. Thus, it is hoped that an autonomous region can develop according to its own capabilities and not depend on the Central Government. Therefore, autonomous regions must have their own ability to manage and manage their own households by relying on their sources of income. These sources of income include all wealth controlled by the region with the existing limits of authority and are subsequently used to finance all needs in the context of the implementation of the regional household.

The formulation of broad autonomy is reflected in the division of duties and authority between the central and regional governments. The implementation of authority by both the central and local governments requires funding support. For autonomous regions in regulating and taking care of the interests of the local community, it has the meaning of self-funding. This means that the regions must have their own sources of income, including those that are sourced from local original revenue, namely regional taxes. The authority to impose levies is not only a source of income, but at the same time symbolizes the freedom to determine oneself and regulate and manage the households of the region concerned, according to Bagir Manan.

The socio-political, cultural and economic dynamics that have occurred in Indonesia have affected the administration of government and the effectiveness of local government laws and regulations so that it has undergone many changes in these laws and regulations,

starting from Law Number 1 of 1945 concerning Regulations concerning the Position of Regional National Committees, Law Number 22 of 1948 concerning the Determination of Basic Rules Regarding Self-Government in Regions that are Have the right to regulate and manage their own households, Law Number 1 of 1967 concerning Foreign Investment, Presidential Decree Number 6 of 1959 concerning Regional Government, Law Number 18 of 1965 concerning Principles of Regional Government, Law Number 5 of 1974 concerning Principles of Government in the Regions, Law Number 32 of 2004 on Regional Government and the last one is Law Number 23 of 2014 on Regional Government.

The enactment of Law Number 23 of 2014 concerning local government has undergone a shift in authority in terms of issuing the authority to issue people's mining permits for metal mineral commodities, coal, non-metallic minerals and rocks in people's mining areas which are now under the authority of the provincial government. causing many problems, both administrative problems and problems in the field, in contrast to Law 32 of 2004, the authority is given to the provincial government, and districts/cities; The consequences of the enactment of the new Local Government Law have a great impact on the producing regions.

Potential mining producing areas such as North Halmahera Regency have mostly been identified through gradual investigations and exploration carried out by investors. For excavated materials that are classified as group B, gold mining, for example, investors PT. Nusa Halmahera Minerals received an exploitation permit (work contract) for gold mining in the North Halmahera area (Kao District), besides that the government provides opportunities to residents through the People's Mining Area (WPR) with a small-scale mining model that can absorb a lot of local labor.

In addition to gold mines in Kao District, there is also gold mining in Loloda District (Doitia Village). In addition, Morotai District has an estimated potential for energy resources of 0.0072 million barrels and natural gas energy of 0.018 Tscf, there is also a geothermal energy resource in Galela District (Mamuya Village). Meanwhile, in Malifut District (Malapa Village) it is indicated to contain nickel ore. In addition, there are also mining that includes the classification of group B excavated materials, such as Mangan in South Morotai District, Posi-Posi Rao Village and North Loloda District (Doi Island, in Cera Village, Dama Village, Salube Village and Dowonggila Village). On Doi Island, there are also Iron Sand/Titan and Copper. Group C excavation materials such as sulfur, andesite rocks, limestone and kaolin/tras are spread in several areas in North Halmehera, such as in Galela, North Morotai and South Morotai Districts. (See North Halmahera Regency Profile data).

Regarding all the potentials owned by the producing regions, there are obstacles in carrying out all their management in accordance with the implementation of regional autonomy, because in articles 14 and 15 of Law Number 23 of 2014 concerning Regional Government, districts/cities are no longer given the authority to issue mining permits by the mining districts/cities. The issuance of mining permits, which was originally the authority of the district/city, is now according to this law to be the authority of the province.

The enactment of such a law is very contrary to the spirit of regional autonomy, because the enactment of regional autonomy specifically gives authority to local governments to manage and manage their own regions. However, in its implementation, there is a tug-of-war in the ownership of authority by the provincial government and the regency/city government. In the previous Local Government Law, Law Number 32 of 2004 concerning Regional Government said that the authority to grant mining permits is divided between the government, provincial governments, and district/city governments. The regulation is further clarified by Law Number 4 of 2009 concerning Mineral and Coal Mining, which in this regulation clearly divides the authority to grant mining permits. Districts/cities have a big role in issuing mining permits but with the enactment of Law 23 of 2014 concerning Regional Governments, it has attracted.

This is very influential for producing regions in managing their mining areas. With the authority withdrawn by the province, we can find it very difficult to take care of permits that must be carried out in the provincial capital. because the distance from North Halmahera Regency to Sofifi will take time, energy and transportation costs which are not a little added to the affairs in the Governor's office which are convoluted in the management of permits. Mining and causing many problems, both administrative problems and problems in the field. Based on the above background, the formulation of the problem can be described as follows; 1). What are the legal implications for the granting of the authority of the Provincial Regional Government to issue mining permits based on Law Number 23 of 2014 concerning Regional Government and Its Impact on Regional Revenue and Regional Financial Management (Study in North Halmahera Regency) and 2) Is the authority of the provincial local government in

III. RESEARCH METHODS

The type of research used to solve the problem to be researched is normative legal research that uses secondary data, namely primary and secondary legal materials as the main source. The technique of collecting legal materials in this study is carried out using literature studies, namely data collection which is carried out by means of literature studies by tracing

and reviewing several regulations. Then analyze the legal material by means of qualitative analysis, namely by explaining the legal material obtained from primary and secondary legal materials in the form of sentences arranged with the subject matter. Thus, it can obtain a truth to solve the problems discussed. This research uses several approaches, including the statute approach, the conceptual approach, the case approach, and the historical approach. Furthermore, regarding the source of legal materials in this normative legal research, literature law materials consist of primary legal materials that have binding power, as well as secondary legal materials and tertiary legal materials as support. The legal materials obtained are then analyzed qualitatively and presented in an analytical descriptive manner, namely analyzing the legal materials obtained based on the legal rules and to determine whether there is a relationship between a phenomenon and other phenomena in society.

IV. RESEARCH RESULTS

Regional Profile of North Halmahera Regency Mining Producers

North Halmahera Regency is one of the districts in the province of North Maluku, Indonesia. The capital of North Halmahera regency is in Tobelo district. The area of this district is 3,891.62 km² with a population of 203,213 people at the end of 2023. This district has an active volcano, Mount Dukono. North Halmahera Regency has gold mines in Malifut District, including the Gosowong and Toguraci mines which are now managed by the large company PT Nusa Halmahera Minerals (NHM).

Potential mining resources in North Halmahera Regency have largely been identified through gradual investigations and exploration conducted by investors. For excavated materials that are classified as group B, gold mining, for example, investors PT. Nusa Halmahera Minerals received an exploitation permit (work contract) for gold mining in the North Halmahera area (Kao District), besides that the government provides opportunities to the population through the People's Mining Area (WPR) with a small-scale mining model that can absorb a lot of local labor. In addition to gold mines in Kao District, there is also gold mining in Loloda District (Dotia Village). In addition, Morotai District has an estimated potential for energy resources of 0.0072 million barrels and natural gas energy of 0.018 Tscf, there are also geothermal energy resources in Galela District (Mamuya Village). Meanwhile, in Malifut District (Malapa Village) it is indicated to contain nickel ore. In addition, there are also mining that includes the classification of group B excavated materials, such as Mangan in South Morotai District, Posi-Posi Rao Village and North Loloda District (Doi Island, in Cera Village, Dama Village, Salube Village and Dowonggila Village). On Doi Island, there are also Iron Sand/Titan and Copper. Mining materials.

B. Authority of Provincial Regional Governments to Issue Mining Permits in accordance with Law Number 23 of 2014

The development of mining activities in Indonesia in recent decades has had a very important impact on the concept of mining in Indonesia. Since the reform, the discourse to reform all existing mining legal provisions has become a critical view of environmentalists as well as the government. In general, legal politics in Indonesia has become a government development program, where the development of politics began since the change of power after the reform.

Prior to the enactment of Law Number 22 of 1999 concerning Regional Government (hereinafter referred to as Law 22.1999), in the context of a unitary state, the authority to manage mining natural resources was held by the central government. This is because the government system, before the enactment of Law 22.1999 was centralistic, meaning that all kinds of affairs related to mining, both related to the determination of mining power of attorney permits, work contracts, work agreements, coal mining business, and others, the official authorized to grant permits is the Minister of Mines.

However, after the enactment of Law 22 of 1999, concerning Regional Governments, the authority in granting permits was handed over to local governments (provinces, districts/cities) and the central government, in accordance with their authority. This is the case after the local government law was replaced by Law 32 of 2004 and subsequently became Law 23 of 2014.

Philosophically, Article 33 Paragraph 3 of the 1945 Constitution of the Republic of Indonesia states that "The earth, water, and natural resources contained in it are owned by the state and used for the greatest prosperity of the people". This means that with the control of the earth, water, and natural resources by the state, the equitable distribution of the results of the management of the earth, water, and natural resources will be achieved. The purpose of granting the right to control to the state is to achieve the greatest prosperity of the people, in the sense of happiness, welfare and independence in an independent, sovereign, just and prosperous Indonesian society and legal state. The state's right to control essentially gives.

Article 14 of Law Number 23 of 2014 concerning Regional Government, states that: The implementation of government affairs in the fields of forestry, marine, and energy and mineral resources is divided between the central government and the provincial regions. Article 15 of Law Number 23 of 2014 concerning Regional Government, states that: The division of concurrent government affairs between the central government and the provincial and district/city regions is listed in the appendix which is an integral part of this law.

The provisions of Law Number 23 of 2014 concerning Regional Government regarding the division of government affairs in the field of energy and mineral resources are contained in point cc. In this attachment, it can be seen that the district/city area has no authority at all in terms of issuing mineral and coal mining permits, Every state administrative official in acting (carrying out his duties) must be based on. Legitimate authority given by laws and regulations. Thus, every act of state administrative officials must have a legal basis. Therefore, every state administrative official before carrying out his duties must first be attached with a valid authority based on laws and regulations.

Theoretically, authority derived from laws and regulations is obtained through three ways, namely, attribution, delegation, and mandate. Regarding this attribution, delegation, and mandate, H.D. Van Wijk/Willem Konijnenbelt defines it as follows Theoretically, authority derived from laws and regulations is obtained through three ways, namely, attribution, delegation, and mandate. Regarding this attribution, delegation, and mandate, H.D. Van Wijk/Willem Konijnenbelt defines it as follows:

- a. Attribution is the granting of government authority by lawmakers to government organs.
- b. Delegation is the delegation of government authority from one organ of government to another organ of government.
- c. A mandate occurs when a government organ allows its authority to be exercised by another organ on its behalf. Based on this, the authority possessed by the province in the issuance of mining permits is a legitimate authority, because it is obtained from laws and regulations.
- d. Based on this, the authority possessed by the province in the issuance of mining permits is a legitimate authority, because it is obtained from laws and regulations.

The handover of authority must pay attention to the balance between two orientations: the efficiency of government and political democracy where at the end is the assessment of whether the public can get quality services or vice versa. In addition, it is associated with the approach of handing over authority above, of course, the results of the assessment based on various criteria are still submitted to the regions in a gradual manner according to the real conditions and capabilities of the region concerned.

The efficiency of services in the issuance of mining permits will be more pronounced if the authority to issue mining permits is in the district/city. Because for the processing of permits, there is no need to go to provincial areas where the distance can be hundreds of kilometers. Authority must be managed fairly, honestly, and democratically. Such a perspective. This is the right thing to put in place broad autonomy in the framework of

regional independence that is able to optimize local resources in responding to global challenges.

A little authority is handed down by the central government to the regions, the impact is that the implementation of regional autonomy does not run according to what the regions want. Based on the above, the authority in the district/city area is greatly reduced. In fact, the higher the authority that is delegated to the regions, it will have a positive effect on the implementation of regional autonomy policies.

C. Legal Impact of Handover of Mining Business License Authority to Provincial Governments

With the enactment of Law Number 23 of 2014 concerning Regional Government, it has implications for the implementation of various government affairs in the context of service to the community and natural resource management. Regarding the management of mining business licenses, these implications are not only related to authority, but also have implications for organizational/institutional structures, personnel, funding, facilities and infrastructure, documents as well as various policies and decisions related to the implementation that have been carried out so far. In this regard, Article 404 of Law Number 23 of 2014 concerning Regional Government states that the handover of Personnel, Funding, Infrastructure and Documents (P3D) as a result of the division of government affairs between the central government, provincial regions and districts/cities regulated under this law is carried out no later than 2 (two) years from the date this law was promulgated.

In general, legal consequences are all consequences that occur from all legal acts carried out by legal subjects against legal objects or other consequences caused by certain events by the law concerned that have been determined or considered as legal consequences. Law Number 23 of 2014 concerning Regional Government has been listed regarding the provisions for the enforcement of permits that have been issued before the promulgation of the 2014 Regional Government Law. This provision lies in the transitional provisions of the 2014 Regional Government Law Article 402 paragraph (1). Article 402 paragraph (1) of Law Number 23 of 2014 concerning Regional Government.

After the transfer of the authority of mining business licenses to the authority of the Province instead of the Regency, there are various problems faced by the regions, especially for regions that were once responsible for administrative processes such as in the North Halmahera region related to mining whose IUP was taken over. The main problem of mining in North Halmahera is the negative impact on the environment and people's lives, especially due to nickel mining activities. Water and soil pollution, biodiversity loss, and socio-

economic impacts are the main highlights. Here are some specific issues related to mining in North Halmahera:

1. Environmental Impact such as 1). Water Pollution is Nickel mining activities are suspected of polluting the water in Weda Bay and Buli Bay, impacting marine life and public health. 2). Soil Pollution: is Nickel mining can also cause soil pollution and loss of mangrove cover, which impacts fish habitat and water quality. 3) Habitat Destruction: is the exploitation of nickel has caused deforestation and threatened biodiversity as well as the habitats of endemic species. 4). Floods: are Several areas in Central Halmahera are hit by floods due to mining activities, which cause suffering for residents and mine workers.
2. Socio-Economic Impact such as 1); Decline in Fishermen's Catch: is Water pollution and habitat loss leading to a decrease in the number of fishermen's catches, which impacts their livelihoods. 2). Lack of Clean Water: is that mining activities have dried up clean water sources, such as rivers and wells, which has caused difficulties for people in meeting their daily needs. 3). Economic Impact: is that mining projects labeled as National Strategic Projects can weaken the bargaining power of citizens, so demands regarding environmental impacts are often ignored. 4) Conflict with Customs is Activity. mining can also threaten indigenous groups living in forests, such as the Togtil tribe, who depend on the environment to meet their livelihoods.
3. Additional Problems: such as 1). Illegal Mining: is There is an illegal gold mine in North Halmahera that was forcibly closed by the police because it did not have a permit. 2). Licensing: is the concentration of licensing at the central level can weaken the bargaining power of the community in demanding environmental protection and social impact. 3). Concerned with the environment in which the mine operates, supervision and control are far from expectations. 4). The rise of mining practices increases permits. 5). Intervention of all groups between traditional stakeholders, communities and elements of the mining circle. 6). Young conflicts of interest between elements of society and local and even central governments. 7). Feeling the lack of openness to the community and local government considering that there has been a transfer of authority, reach is also the object of reason for the community and even the district government. 8). The field review by the ministry is very far from expectations, especially regarding the mining environment (AMDAL and others).

The handover of the authority of the Mining Business License (IUP) from the district/city government to the provincial government has a significant impact, especially in terms of supervision and management of mining. The provincial government now has greater

authority in regulating IUPs, which were previously held by local governments. Here are some more detailed impacts on the supervision of mining in producing areas:

1. Supervision of the Implementation of IUP: such as a). This transfer of authority may weaken the supervision of the implementation of IUP by the provincial government, as the supervision carried out may focus more on the administrative aspect. b) Technical supervision, which should be carried out by the mine inspector, is still the responsibility of the provincial government.
2. Changes in Disaster Management such as a) The district/city government no longer has authority in terms of forestry, marine, and energy and mineral resources. b). All mining-related authorities, including the granting of IUPs, are now the responsibility of the central and provincial governments. Implications for the Society: such as a). The impact of this handover of authority can also be felt by the community, especially related to environmental and social impacts.
3. from mining activities. b). The provincial government needs to ensure that permitted mining activities still take into account environmental and social aspects, and do not harm the local community.
4. Changes in Licensing such as a). The granting of Excavation IUP C is now the full authority of the provincial government. b). The provincial government must ensure that the granting of mining permits is carried out transparently and in accordance with applicable regulations.

The main purpose of the provincial government's supervision of mining activities is to ensure the smooth and sustainable of mining activities, as well as to maintain a balance between the interests of industry, the environment, and the community. This supervision aims to: Prevent regulatory violations, Protect the environment, Improve community welfare. The provincial government ensures that mining activities provide benefits to the local community, such as increasing employment, infrastructure development, and increasing regional income.

Ensuring occupational safety and security: to maintain the sustainability of natural resources where supervision is carried out to ensure that mining activities are carried out responsibly and do not drain natural resources excessively, so that they can be preserved for future generations. In other words, the provincial government's supervision of mining aims to create mining activities that are responsible, sustainable, and provide benefits to all parties, including companies, the environment, and the community.

The weaknesses of the provincial government in mining supervision, especially related to Law Number 23 of 2023 (Mineral and Mineral Law), can be identified from various

aspects such as resources, technical capacity, inter-agency coordination, and the sanctions applied. Many legal journals and studies highlight these challenges, such as budget constraints, lack of experts, and weak synergy between the central, provincial, and district/city governments. In addition, less strict law enforcement and the existence of illegal mining practices are significant problems.

Elaboration:

1. Resource Limitations:

Provincial governments often face obstacles in terms of adequate budgets and human resources to conduct effective mining supervision. This can result in a lack of experts, such as geologists, environmentalists, and mine technicians, needed to comprehensively oversee mining activities.

2. Technical Capacity and Expertise:

Mining supervision requires specialized knowledge and skills, especially in terms of environmental impact analysis, water and air quality monitoring, and enforcement of mine safety standards. If the provincial government lacks competent experts, supervision becomes less effective and can result in significant environmental damage.

3. Inter-Agency Coordination:

The Mineral and Mining Law regulates the authority of the central and provincial governments in mining supervision. However, there is often a lack of coordination and synchronization between relevant institutions, both at the central and regional levels. This can interfere with the effectiveness of supervision and cause potential disputes in handling mining problems.

4. Law Enforcement:

Weak law enforcement and illegal mining practices are problems that threaten the sustainability of responsible mining. Unstringent sanctions and a lack of effective enforcement efforts against violations can encourage illegal mining practices and harm communities and the environment.

5. The Role of the Central Government:

The Mineral and Mining Law gives greater authority to the central government in mining management, including in terms of licensing and monitoring. This can reduce the role of provincial governments in oversight, but it is also important to ensure that there is effective coordination between the central and regional governments.

By understanding these weaknesses, provincial governments can take strategic steps to increase mining supervision capacity, such as, Increasing budgets and competent human

resources, Improving coordination and synchronization with the central government and related agencies, Conducting strict law enforcement against mining violations, Creating strong synergies between the government, mining companies, and local communities. With continuous improvement, it is hoped that mining supervision at the provincial level can be more effective and able to protect natural resources as well as the interests of the community and the environment. To overcome this problem, the impact of the transfer of authority and mining problems in the regions, the government needs to do several things to create a good mining management climate among the:

1. Enforce the law against illegal mining and companies that damage the environment.
2. Ensuring mining permitting takes into account environmental and social impacts.
3. Providing solutions for communities affected by mining, such as economic assistance, skills training, and infrastructure development.
4. Conducting socialization about the importance of sustainable environmental management.

In addition, the active participation of the community and environmental organizations is also needed to ensure that mining in North Halmahera runs responsibly and sustainably.

V. CONCLUSION

The authority of the provincial government in issuing mining permits has complex legal implications. On the one hand, this authority provides flexibility and opportunities for local governments to regulate mining activities according to the needs and characteristics of their regions. However, on the other hand, this authority also has the potential to cause problems if it is not properly regulated and accompanied by strict supervision from the central government. It is important for local governments to coordinate with the central government and prioritize the principles of sustainable development in the management of mineral and coal resources.

The authority to issue mining permits based on the concept of regional autonomy is more appropriate if it is owned by the regency/city local government. Because it is the regency/city local government that knows the area more clearly. The regency/city local government who knows a mining permit can be given to a person and/or business entity or not, because the regency/city local government is easier to review in the field because the distance is not far. The management of mining permits is one of the public services. Public services will be more effective and efficient in districts/cities than in provincial areas.

REFERENCES

- Ade Saptono. 2010. *Nusantara Hukum dan Kearifan Lokal Revitalisasi Hukum Adat* penerbit PT. Grasindo. Jakarta.
- Agus Yusoff dan Andi Yusran,. 2007. *Desentralisasi di Indonesia*, Penerbit Suska Press dan Red Post Press. Pekanbaru.
- Bambang Widiya Atmoko, *Implikasi Peralihan Kewenangan Bidang Perizinan Pertambangan Umum Dari Daerah Kabupaten /Kota Kepada Provinsi Jawa Barat Berdasarkan Undang-Undang Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah Dihubungkan Dengan Asas-Asas Umum Pemerintahan Yang Baik (Studi Kasus Di Kabupaten Purwakarat)*, jurnal **AKTUALITA**, Vol.2 No.1 (Juni) 2019.
- Bambang Waluyo. 2002. *Penelitian Hukum Dalam Praktek*. Cetakan Ke-IV, Penerbit Sinar Grafika. Jakarta.
- Diyan Isnaeni, *Implikasi Yuridis Kewenangan Pemerintah Daerah Dalam Pemberian Ijin Usaha Pertambangan Menurut Undang-Undang Nomor 23 Tahun 2014*, Jurnal ***Yurispruden** Volume 1, Nomor 1, Januari 2018*.
- Diyan Isnaeni, *Implikasi Yuridis Kewenangan Pemerintah Daerah Dalam Pemberian Ijin Usaha Pertambangan Menurut Undang-Undang Nomor 23 Tahun 2014*, Jurnal ***Yurispruden** Volume 1, Nomor 1, Januari 2018*.
- Dedis Elvalina, *Kewenangan Pemerintah Daerah Provinsi Dalam Menerbitkan Izin Pertambangan Berdasarkan Undang-Undang Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah*, Jurnal JOM Fakultas Hukum Volume III Nomor 2, Oktober 2016.
- Firmansyah, Ade Arif dan Malicia Evendia, *Harmonisasi Pengaturan Kewenangan Daerah Bidang Pertambangan Mineral bukan Logam*, Kanun Jurnal Ilmu Hukum Nomor 65, Th. XVII. 2015.
- Fakih, Mansour. 2003. *Landreform Di Desa*, penerbit Read Book. Cetakan I. Maret, Yogyakarta.
- H. Halim HS dan Erlies Septiana Nurbani. 2013. *Penerapan Teori Hukum Pada Penelitian Tesis Dan Disertasi*, Penerbit Raja Grafindo Persada. Jakarta.
- Kaloh. 2007. *Mencari Bentuk Otonomi Daerah*, Penerbit Rineka Cipta, Jakarta.
- Inu Kencana Syafei. 2002. *Sistem Pemerintahan Indonesia*. Penerbit Rineka Cipta. Jakarta.

Peter Mahmud Marzuki. 2005. *Penelitian Hukum*. Penerbit Kencana. Jakarta.

Pipin Syarifin. 1999. *Pengantar Ilmu Hukum*, Penerbit Pustaka Setia, Bandung.

Safri Nugraha, et. al. 2007. *Hukum Administrasi Negara, Fakultas Hukum Universitas Indonesia*. Depok.

Supandi. 2014. *Kewenangan diskresi pemerintah daerah dalam sistem hukum Indonesia, dalam subur MS (Editor) peradilan administrasi kontempores*. Penerbit Genta press. Yogyakarta.

Undang-Undang Dasar Negara Republik Indonesia tahun 1945.

UU Nomor 4 Tahun 2009 Tentang Pertambangan Mineral dan Batubara (Lembaran Negara Republik Indonesia Tahun 2009 No.4 ; Tambahan Lembaran Negara Republik Indonesia No.4959).

UU Nomor 12 Tahun 2011 Tentang Pembentukan Peraturan Perundang-undangan (Lembaran Negara Republik Indonesia Tahun 2011 No. 82; Tambahan Lembaran Negara Republik Indonesia No.5234).

UU Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah (Lembaran Negara Republik Indonesia Tahun 2014 No.244 ; Tambahan Lembaran Negara Republik Indonesia No.5587).