

# DISTRIBUTION INSTITUTION OF SUBSIDIZED FUEL FOR FISHERMEN IN KANGKUNG VILLAGE, BANDAR LAMPUNG CITY

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## ABSTRACT

The distribution of subsidized fuel for fishermen is largely determined by government regulations and policies. A well-implemented distribution institution ensures that subsidized fuel reaches fishermen appropriately. This study aims to analyze the institutionalization of subsidized fuel for fishermen in Kangkung Village, Bumi Waras District, Bandar Lampung City. The approach used is a qualitative approach with a case study method. Data collection through in-depth interviews, participatory observation and documentation studies. Data processing is carried out to analyze the institutionalization of subsidized fuel distribution for fishermen. The results of the study indicate that fishermen who use diesel fuel obtain subsidized diesel fuel at fishermen's fuel station according to the provisions set by the Downstream Regulatory Agency Committee Oil and Fuel. Not all fishermen can meet the required provisions. This causes there are still fishermen who cannot access subsidized diesel fuel for their business needs. Fishermen who use Peralite also cannot freely access subsidized peralite at the fuel station due to less supportive institutional governance. Thus, it is still necessary for the government to improve regulations so that distribution is more effective and controlled, so that subsidized fuel can be accessed evenly by small fishermen.

**Keywords:** Subsidized fuel, Fishermen, Institutions, Stakeholders, Fuel station

## INTRODUCTION

The phenomenon of the difficulty of meeting the need for fuel for fishing vessels still occurs in Indonesia. The fuel subsidies provided by the government for fishermen are in fact not easy to obtain or access. The existence of fuel subsidies should greatly help ease the burden of operational costs in fishing activities. This fuel subsidy is certain to contribute to increasing fishermen's income. Fitria *et al.* (2023) said that one of the factors that affects fishermen's income is the high cost of purchasing fuel for fishing operations.

Wulandari *et al.* (2023) stated that fishermen who use subsidized diesel can save 27% on operational costs in Medan City. Thus, subsidized fuel can increase income by 27% compared to fishermen who use non-subsidized fuel. Darma *et al.* (2020) stated that the elimination of fuel subsidies will have an impact on reducing the welfare of fishermen, especially the income of small-scale fishermen. The use of fuel by fishermen decreased by 47% and income decreased by 13% in the period 2015 - 2019, when the fuel subsidy reduction took effect. Luhur and

Sari (2012) explained that fuel is the main component that determines whether or not a fishing business can run. At Fishing Harbour in Pelabuhan Ratu, West Java, the fuel cost component reaches 40% - 60% of the total operational costs, while in Bitung, North Sulawesi, the cost of purchasing diesel for pole and line vessels is 65% of the total operational costs.

The government plays a role as a regulator or policy maker that is implemented in society. In Law No. 22 of 2001 concerning Oil and Natural Fuel, Article 8 paragraph 2 states that the government is obliged to guarantee the availability and smooth distribution of fuel which is a vital commodity and controls the livelihoods of many people. This is in line with Law No. 07 of 2016 concerning the Protection and Empowerment of Fishermen, Fish Farmers, and Salt Farmers which is a form of government support in guaranteeing fisheries sector businesses.

Institutions greatly determine the success of the subsidized fuel program for fishermen. Ostrom (1990) explains that institutions are defined as rules that apply in society, which determine who has the right to make decisions, actions that may and may

not be taken, procedures that must be followed, information that may and may not be given, and what benefits individuals receive as a result of their actions. North (1991) states that institutions are rules of the game in society or boundaries designed by humans that shape political, economic, and social interactions. Institutions in formal boundaries include constitutions, laws, and property rights. Rules of the game are useful for creating order and reducing uncertainty. If the distribution of fuel institutions is efficient and adaptive, it will increase the community's economy. This study aims to analyze the distribution of subsidized fuel institutions for fishermen in Kangkung Village, Bumi Waras District, Bandar Lampung City.

## RESEARCH METHODS

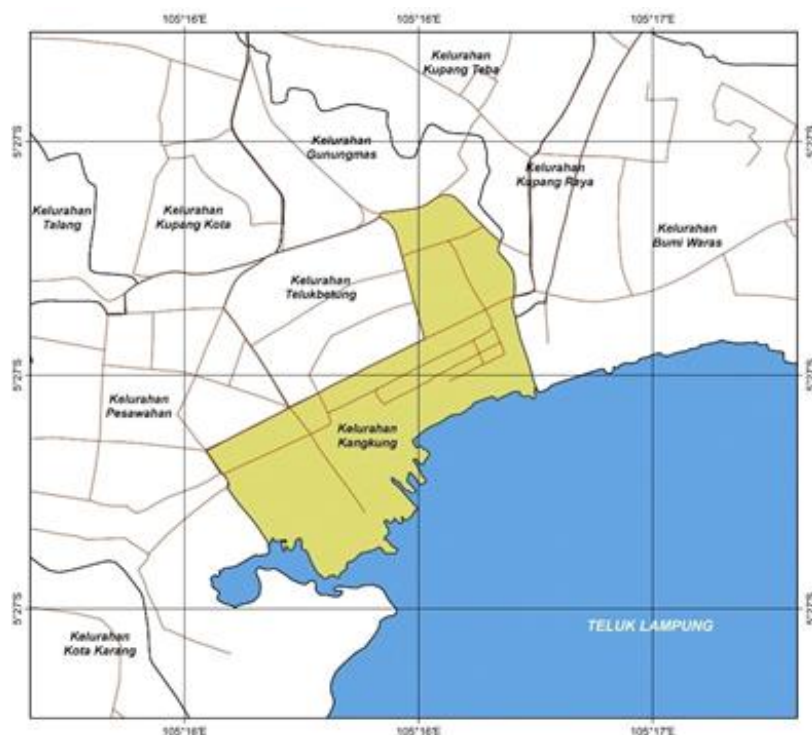
The research was located in Kangkung Village, Bumi Waras District, Bandar Lampung City, which was carried out in February - June 2024. A qualitative approach was used with case study method. Data collection with in-depth interviews, participatory observation, and documentation studies. In-depth interview sampling used a purposive sampling technique. In-depth interviews were conducted with the following key informants:

- Department of Marine Affairs and Fisheries of Bandar Lampung City: 1 person
  - Harbormaster's Office and Class I Port Authority: 1 person
  - Mina Jaya Cooperative: 2 people
  - PT PERTAMINA Patra Niaga Company: 1 person
  - PT PERTAMINA Fishermen's fuel station Manager: 1 person
  - PT AKR Fishermen's fuel station Manager: 1 person
  - Fishermen in Kangkung Village: 6 people
- Data processing using qualitative analysis to accurately examine data and facts that are interrelated in the institution of subsidized fuel for fishermen.

## RESULTS AND DISCUSSION

### General Condition of Research Location

Geographically, Bandar Lampung City has a coastline of 27,01 km. Although currently the sea area is managed by the Lampung provincial government, the area of sea waters around Bandar Lampung City reaches approximately 48,72 km<sup>2</sup>. This potential drives some coastal residents of Bandar Lampung City to choose fishermen as their daily profession. According to the BPS Provinsi Lampung (2023), the fisheries household for capture fisheries in Bandar Lampung City is 1,268 which are



**Figure 1.** Location map of Kangkung Village, Bumi Waras District, Bandar Lampung City

concentrated in 4 coastal districts, namely Teluk Betung Timur, Teluk Betung Selatan, Bumi Waras, and Panjang sub-districts. Data on the number of small fishing vessels in Bandar Lampung City with 267 outboard motorboats, 348 1-5 Gross Tonnage (GT) motorboats, and 678 5-10 GT motorboats in 2022 (<https://statistik.kkp.go.id>). All of the fishing vessels operate in fisheries management area 572 (WPP-RI-572/ *Wilayah Pengelolaan Perairan-Republik Indonesia-572*), which includes the Indian Ocean west of Sumatra and the Sunda Strait.

Kangkung Village is one of the villages in Bumi Waras District with an area of only 9% of the district area, but has the highest population density reaching 35,954 residents/km<sup>2</sup>. The population in Kangkung dominates 25% of the population in Bumi Waras District (BPS Provinsi Lampung, 2023). The number of Kangkung fishermen registered on the [satudata.kkp.go.id](http://satudata.kkp.go.id) website is 709 people consisting of owner fishermen and labor fishermen or Ship Crew.

One of the problems experienced by fishermen in Kangkung Village is the difficulty in obtaining subsidized fuel for fishing operations. Of course, this is a significant obstacle considering that fuel is the main component of fishermen's operational costs, reaching 40% - 65% of the total cost. The type of fuel used by 1-3 GT ships is Peralite, although some use diesel. While 3-10 GT ships generally use Certain fuel or Diesel. Yulianti et al. (2023) informs that apart from ship capacity, the amount of fuel needed is influenced by the distance from the landing site to the fishing area or the distance of the waters being explored.

There are 2 fishermen's fuel station (*Stasiun Pengisian Bahan Bakar Nelayan /SPBN*) in Bandar Lampung, namely 1 unit managed by PERTAMINA Company (PT PERTAMINA) and 1 unit managed by Aneka Kimia Raya Company (PT AKR). Both stations are located in Lempasing, Way Tataan Village, Teluk Betung Timur District, with separate locations. SPBN PT PERTAMINA was built in the Technical Implementation unit of the Service (*Unit Pelaksana Teknis Daerah /UPTD*) area of Lempasing UPTD Coastal Fishing Port (*Pelabuhan Perikanan Pantai/PPP*) Lampung Province, while PT AKR is located at the Fish Landing Base (*Pangkalan Pendaratan Ikan/PPI*) Lempasing, Bandar Lampung City. Both SPBNs can be said to be concentrated in one point and both provide diesel fuel. Fishing boats that land their catch at the Fish Auction Place (*Tempat*

*Pelelangan Ikan/TPI*) in Kangkung Village generally fill up at both SPBNs.

### **Distribution Institution of Subsidized Fuel for Fishermen**

The regulation of the implementation and supervision of subsidized fuel is assigned to the Downstream Regulatory Agency Committee Oil and Fuel (*Badan Pengatur Hilir Minyak dan Fuel/ BPH Migas*). The Ministry of Energy and Mineral Resources (*Kementerian Energi dan Sumber Daya Mineral/KESDM*) and the Ministry of Maritime Affairs and Fisheries (*Kementerian Kelautan dan Perikanan/KKP*) are involved in the preparation and implementation of policies for the provision and distribution of subsidized fuel for fishermen. KESDM has the authority to formulate policies related to the distribution of subsidized fuel in various sectors, set prices, and evaluate policies on the effectiveness of the subsidized fuel program, formulate technical regulations related to implementation regulations, which are stated in the Regulation of the KESDM No. 15 of 2021. Fuel subsidies are payments made by the Indonesian government to PT PERTAMINA in its task of distributing fuel to the community. The fuel subsidy in question is the difference between the fuel price set by the government and the reference price. The fuel subsidy is reduced in accounting calculations which are then used in government programs (Putra et al., 2021). In determining the amount of subsidized fuel quota for fishermen, the KESDM collaborates with the KKP, based on budget availability and fishermen's needs. This is in line with the opinion of Wulandari et al. (2023) that the determination of subsidized diesel quota for fishermen comes from proposals from the Regional Government, the KKP, and historical data on subsidized fuel needs. In addition, the KESDM also carries out supervision and control to ensure that the distribution of subsidized fuel reaches entitled fishermen.

Law No. 07 of 2016 concerning the Protection and Empowerment of Fishermen, Fish Farmers, and Salt Farmers, in Article 24 states that the Central and Regional Governments according to their authority can provide subsidies for fuel or other energy sources to fishermen appropriately. Gobel et al. (2024) argue that the purpose of subsidies is to make energy affordable for the poor and vulnerable. However, if the implementation is not appropriate, subsidies will benefit the well-off more. Meanwhile, reducing subsidies is not the right solution, because it results in a decline in the welfare

of lower-class groups. Therefore, the government must be careful in setting the rules of the game in the distribution of subsidized fuel, so that the government's support can be accepted by the right consumers.

In November 2023, BPH Migas issued Regulation No. 2 of 2023 concerning the Issuance of Recommendation Documents for the Purchase of Certain Types of Fuel (Diesel Oil) and Special Assignment Fuel (Pertalite). The regulation underlines the involvement of the KKP in coordinating and collaborating with various parties in implementing subsidized fuel budget policies and protecting small fishermen. Adam (2015) explains the reasons for the importance of protecting fishermen, namely the unfulfilled basic rights to obtain decent work, legal protection, a sense of security, the right to justice, and the right to access to fulfill life's needs. This policy includes recording data on fishing vessels that require fuel and issuing The Marine and Fisheries Business Actor Card (*Kartu Pelaku Usaha Kelautan dan Perikanan/KUSUKA*). The KUSUKA card is also required as one of the documents that fishermen must have in accessing subsidized fuel. In addition, coordination is carried out with various parties to improve services to the community, especially fishermen, so that they can use the subsidized fuel in question. The KKP in collaboration with the Ministry of Cooperatives and SMEs (*Kementerian Koperasi dan Usaha Kecil dan Menengah/Kemenkop UKM*) launched the Diesel Program for Fishermen's Cooperatives (*Program Diesel untuk Koperasi/SOLUSI*). Wulandari et al. (2023) reported that this program will be piloted in Lhoknga, Deli Serdang, Indramayu, Pekalongan, Semarang, Surabaya and East Lombok. With the existence of this program, it is hoped that subsidized fuel can be distributed appropriately and under good control.

According to PP Number 67 of 2002, the BPH Migas is a government institution which in carrying out its functions, duties and authority is independent. The institution is established to regulate and supervise the supply and distribution of Oil and Natural Gas Fuel. BPH Migas plays a more significant role in controlling subsidized fuel for fishermen to verify and validate data on distribution and beneficiaries of subsidized fuel, so that it can control the subsidized fuel quota for fishermen in accordance with the determined allocation. BPH Migas also monitors and ensures that the selling price of subsidized

fuel is in accordance with applicable provisions and carries out supervision to ensure that the distribution of subsidized fuel for fishermen is on target, and follows up on complaints related to its distribution. Paramudhita (2024) explains that the Retail Selling Price (*Harga Jual Eceran/HJE*) for Certain Types of Fuel and Special Assignment Fuel Types is determined by the KESDM, and the HJE for General Fuel Types is calculated and determined by the Business Entity (PT PERTAMINA). The government issued the Decree of the KESDM No. 62.K/12/MEM/2020 concerning the Basic Price Formula in the Calculation of Retail Selling Prices of General Fuel Types of Fueloline and Diesel Oil Distributed through SPBN. This decree regulates the determination of the upper limit formula with a maximum Business Entity margin of 10%.

In BPH Migas Regulation No. 2 of 2023, the requirements for purchasing subsidized fuel in the fisheries sector are listed as follows:

1. Special requirements for issuing a recommendation documents for users of certain types of fuel (diesel oil):
  - a. Fishermen using Indonesian fishing vessels with a capacity of up to 5 GT registered with the KKP, Provincial Regional Apparatus, and Regency/City Regional Apparatus in charge of fisheries are required to include special requirements, namely:
    - KUSUKA Card (for implemented areas)
    - Certificate or document of specifications of the equipment/machine used containing at least information on the power of the equipment/machine

The validity period of the recommendation documents is a maximum of 3 (three) months
  - b. Fishermen using Indonesian vessels with a capacity of more than 5 GT up to a maximum of 30 GT registered with the KKP, Provincial Regional Apparatus, and Regency/City Regional Apparatus in charge of fisheries are required to include special requirements, namely:
    - KUSUKA card (for implemented areas)
    - Photocopy of the latest Sailing Approval Documents (*Surat Persetujuan Berlayar/SPB*)
    - Photocopy of Fishing Permit/Fish Transport Vessel Permit

- Photocopy of Ship Arrival Report Proof (*Surat Tanda Bukti Laporan Kedatangan Kapal/STBLKK*)
- Certificate or document of equipment/machine specifications used containing at least information on equipment/machine power

The validity period of the recommendation documents is a maximum of 3 months

2. Special requirements for issuing a recommendation documents for users of Special Assignment Fuel (Pertalite) in the fisheries business sector, namely:

Fishermen using Indonesian fishing vessels with a vessel capacity of up to 5 GT registered with the KKP, Provincial Regional Apparatus, and Regency/City Regional Apparatus in charge of fisheries are required to include special requirements, namely:

- KUSUKA card (for implemented areas)
- Certificate or document of specifications for the equipment/machine used containing at least information on the power of the equipment/machine

The validity period of the recommendation documents is a maximum of 3 (three) months. This regulation does not include the requirements for a recommendation documents for fishing vessels with a capacity of more than 5 GT that use Special Assignment Fuel (Pertalite). This may be due to the rarity of 5 GT vessels using Pertalite as fuel. Furthermore, Pramoda (2019) informs that the right size of vessel for small fishermen is a vessel with a maximum capacity of 5 GT. The restrictions in this regulation are appropriate, because subsidies are only intended for small-scale fishermen.

Mina Jaya Village Unit Cooperative (*Koperasi Unit Desa/KUD*) is a business entity whose business unit is engaged in the provision of fuel for fishermen. This cooperative is domiciled in Kangkung Village and is bound by cooperation in the management of PT PERTAMINA SPBN at Lempasing Coastal Fishing Port. PT PERTAMINA has an important role as a distributor of subsidized fuel for fishermen and is supervised by BPH Migas. Ananda (2022) stated that PT PERTAMINA is a state-owned company tasked with distributing subsidized and non-subsidized fuel, by ensuring the quality of the oil distributed is good. Furthermore, Risdiyanta (2014) explained that in its operations, PERTAMINA fuel stations can stand alone, cooperate with

the private sector in land ownership, or provide PERTAMINA brand licenses to the private sector. In Bandar Lampung City, PT PERTAMINA Patra Niaga is tasked with running the downstream business chain of PT PERTAMINA. PT PERTAMINA provides socialization and education to fishermen about the use of subsidized fuel and its provisions, manages stock at locations designated by the government, verifies the eligibility of fishermen who can access subsidized fuel, and applies the selling price set by the government, as well as developing and constructing fuel distribution infrastructure for fishermen such as fuel stations or fuel stations. The company is also responsible for implementing a control and supervision system to prevent misuse of subsidized fuel and handle complaints from fishermen.

Fishing vessels in Kangkung Village that are registered as members of KUD Mina Jaya can purchase subsidized diesel fuel at the SPBN unit of PT PERTAMINA Lempasing. To be able to access subsidized fuel at this SPBN, fishermen are required to have a recommendation documents issued by the UPTD Coastal Fishing Port (*Pelabuhan Perikanan Pantai/PPP*) Lempasing under the Department of Marine Affairs and Fisheries Lampung Province (*Dinas Kelautan dan Perikanan Provinsi Lampung/DKP* Provinsi Lampung) Service. Fishermen outside of KUD membership can also access subsidized fuel at this SPBN if the requirements are complete. Fadhillah and Thahir (2022) explained that the recommendation documents referred to according to BPH Migas Regulation No. 5 of 2012 is a recommendation issued by the SKPD or the agency in charge of fisheries and marine affairs.

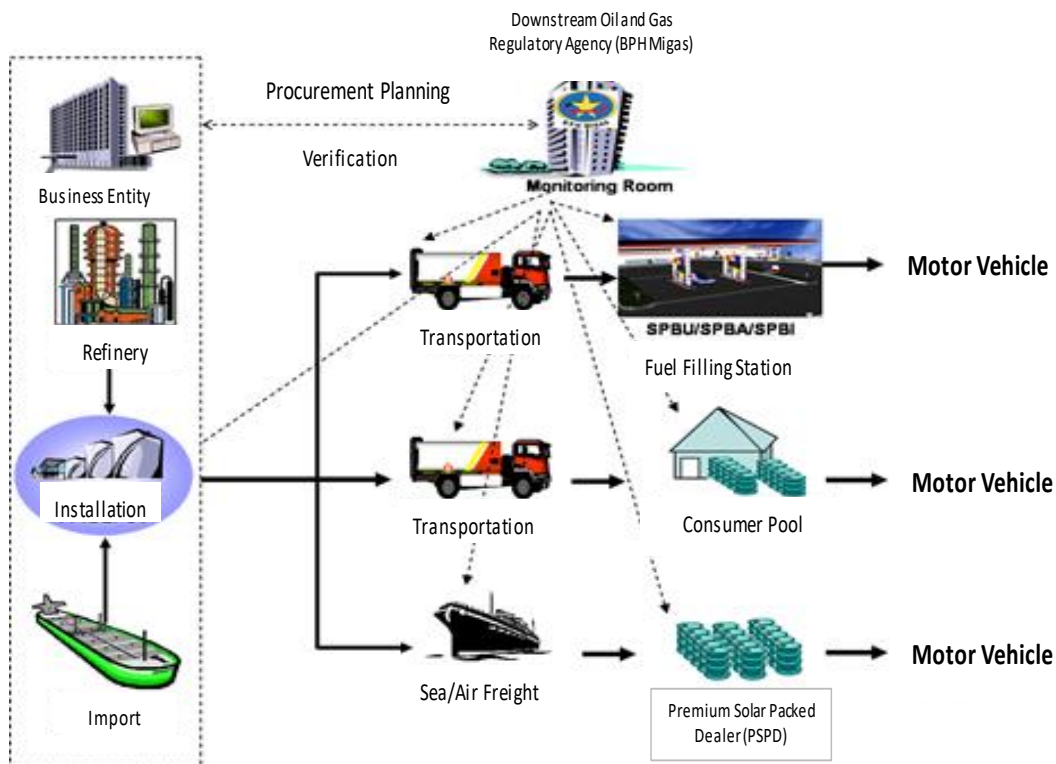
Apart from PT Pertamina's SPBN, fishing vessels can buy subsidized diesel at PT AKR's SPBN which is located at UPTD PPI Lempasing owned by the Bandar Lampung City Government. PT AKR started its fuel distribution business in 2005, and since 2010 has collaborated with BPH Migas to provide and distribute subsidized BBM for Certain Types of Fuel other than from PT PERTAMINA. PT AKR is spread across 11 provinces and 60 districts/cities including Bandar Lampung City. The purpose of this distribution is to provide the community with equal, fair access at affordable prices so that people's purchasing power can be maintained ([retail.akr.co.id](http://retail.akr.co.id)). The SPBN managed by AKR is located at PPI Lempasing, Teluk Betung Timur District, which serves fishing vessels

with a capacity of up to 30 GT every day. This is in accordance with the provisions of Presidential Regulation No. 117 of 2021 concerning the Third Amendment to Presidential Regulation No. 191 of 2014 concerning the Provision, Distribution, and Retail Selling Price of Fuel and BPH Migas Regulation Number 02 of 2023, which limits consumers of subsidized fuel to ships with a maximum capacity of 30 GT. Darma *et al.* (2020) reported that the total fuel requirement for fishing vessels in Indonesia is 75.27% for ships with a capacity of 30 - 200 GT, while small vessels require 24,73%. According to the provisions, the government only provides access to subsidized fuel to ships with a capacity of up to 30 GT.

SPBN are tasked with providing direct services to fishermen by checking fishermen's documents and distributing subsidized fuel to fishermen who meet the requirements and managing and monitoring fuel stocks so that they are available according to the set quota. SPBN is required to record transactions and submit reports to relevant agencies periodically. In addition, SPBN also supervises and ensures that fishermen use subsidized fuel in accordance with applicable regulations. In Lempasing, both SPBNs

require fishermen who purchase subsidized diesel to use a Document of Recommendation issued by the local port UPTD or related agency. Fadhillah & Tahir, (2022) stated that the provisions for purchasing subsidized diesel are stated in the Regulation of the KKP Number 13 of 2015 concerning Implementation Guidelines for the Issuance of Recommendation Documents for the Purchase of Certain Types of Fuel for capture fisheries businesses. This regulation was declared revoked by the Regulation of the KKP Number 29 of 2020 so that it is no longer valid.

In contrast to the distribution of subsidized diesel fuel facilitated through SPBN, Peralite fuel for fishermen's business needs is not broadcast on special stations. This type of fuel is only available at fuel stations and cannot be freely accessed by fishermen. Risdiyanta (2014) explains that a fuel station is a station or depot equipped with a storage tank with a limited capacity, which functions to receive, store, and distribute fuel to motor vehicle consumers in retail. Fishermen in Kangkung Village who use Peralite are not as many as diesel users, and Peralite is used more on small-capacity ships (generally 1-3 GT).



Source: www.bphmigas.go.id

**Figure 2.** Fuel distribution line from production to consumers

Fishermen who use Peralite fuel are mostly concentrated around the Sukaraja Village, Bumi Waras Village, Panjang District and only a small part is in Kangkung Village. The reality in the field is that Peralite is still very difficult for fishermen to obtain. This is in stark contrast to the ease of the 2-wheeled, 4-wheeled land vehicle transportation sector, even luxury cars, to obtain Peralite at Regular fuel stations without any requirements that must be met. Fishermen who use Peralite are small fishermen who on average have very minimal income. However, it is very unfortunate that they are not allowed to purchase Peralite fuel at Regular fuel stations using containers/jerrycans. According to Wulandari et al. (2023) there is discrimination against subsidized fuel between the transportation sector and the fisheries sector. Consumers in the transportation sector when making subsidized fuel purchase transactions at fuel stations are not required to meet the requirements for vehicle documents or recommendation documents from the relevant agencies. This is in contrast to the provisions set for consumers in the fisheries sector, especially fishermen, who are required to meet the required documents.

BPH Migas Regulation No. 02 of 2023 requires small-scale fishermen (1-5 GT) to attach a Certificate or specification document for the equipment/machinery used. The Bandar Lampung City Government, in this case the Bandar Lampung City DKP, translates the document in question as a Small *E-pass* document. The small *E-pass* is an electronic-based ship registration mark that must be owned by every ship owner of 1-6 GT and the big *E-pass* is for ships over 6 GT. In accordance with the Circular Documents of the Directorate General of Sea Transportation No. SE.1/DJPL/2020, the *E-pass* is issued by the nearest KSOP in the area where the ship is located. The KSOP office is located in Panjang District, Bandar Lampung City. The Bandar Lampung City DKP has the main task of carrying out regional government Marine and Fisheries sector based on Bandar Lampung Mayor Regulation No. 56 of 2016. The Bandar Lampung City DKP assisted by Fisheries Extension Officers facilitated the creation of small *E-pass* for small-scale fishing vessels since 2022. The small *E-pass* document is one of the requirements for accessing the purchase of subsidized diesel fuel at Lempasing SPBN, Teluk Betung Timur District. In addition, to support and complete the documents for

purchasing diesel fuel, the Bandar Lampung City DKP has registered fisheries business actors including fishermen in the satudata.kkp application and issued KUSUKA cards for fishermen.

The small *E-pass* is used as a condition for accessing subsidized fuel for 1-6 GT ships, while 7-30 GT ships must have a Large Pass. The Coalition for the resilience of fishermen's fisheries businesses Policy Brief (2022) explains the difficulties fishermen have in filing documents to obtain a documents of recommendation. The requirements needed are:

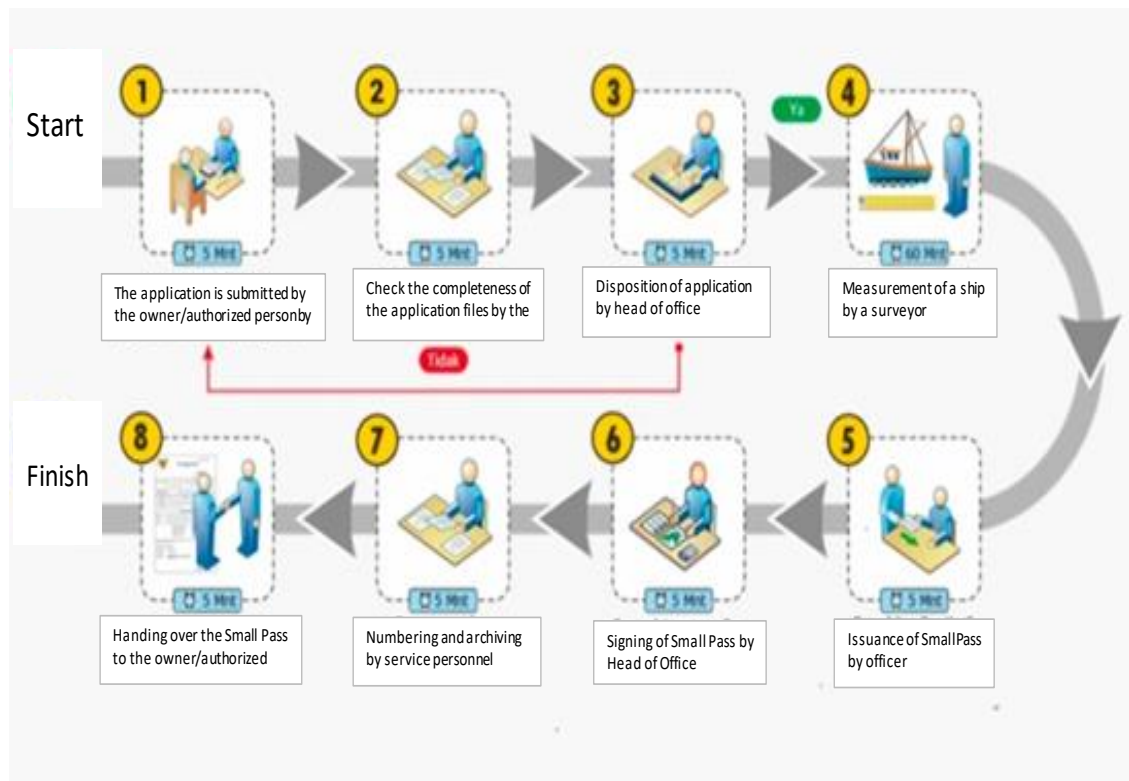
1. Application documents for a Small *E-pass*
2. Certificate of Ship Ownership from the local sub-district
3. Certificate from the Craftsman
4. Photo of the Ship that has been named
5. Ship Owner's ID card
6. Craftsman's ID card (ship builder)

The procedure for making a small *E-pass* that must be followed is as follows:

Some of the obstacles experienced by fishermen in Kangkung Village in making this Small *E-pass* are:

1. Because their daily work is at sea, fishermen do not understand how to prepare the documents required by KSOP. Maybe this is also influenced by education factors and low administrative awareness
2. For ship measurement procedures, KSOP officers usually prefer to carry out measurements collectively (not one by one), meaning waiting for several ships that are ready to be measured at one time in one location. So efforts are needed to coordinate fishing vessels at the specified location and time.

Although in the Standard Operating Procedures (SOP) for making *E-pass* there are no fees (free), when measuring the boat, the fishermen provide replacement costs for transportation and consumption of officers. The costs of these officers are usually stated in the assignment documents issued by the KSOP that the costs incurred for accommodation of officers are borne by the fishermen. A similar thing was also found in Prianto's research (2021), which explained that there were several reasons why fishermen could not access subsidized fuel, namely: (1) The quota for subsidized fuel is not sufficient for fishermen's needs, (2) The location of the SPBN is not strategic enough so that it cannot be accessed by fishermen who are far away, (3) The mechanism for distributing subsidized fuel, processing fishermen's business permits, and



Source: <https://uppmaccinibaji.org/>

**Figure 3.** Flowchart of *e-pass* making procedure

recommendation documents from related agencies are difficult to realize.

The main problem in getting access to purchase subsidized fuel in Kangkung Village is that the regulations set are difficult to implement in the field, especially for small fishermen. Some obstacles in accessing subsidized fuel for small fishermen in Kangkung Village are:

1. Difficulty in accessing certain fuel (diesel) at SPBN is caused by:
  - a. SPBN is only allocated at one point, namely in Lempasing, Teluk Betung Timur District
  - b. Required to have a small *E-pass*, while small fishermen generally do not have this document.
2. Difficulty in accessing Special Assignment Fuel (Pertalite) due to:
  - a. Unavailability of fuel station that sells pertalite for fishing/fishermen businesses
  - b. Required documents to access pertalite at fuel station, namely: recommendation documents from the agency in charge, Small *E-pass* (ship documents), Fisheries KUSUKA card, and catch production report. This

requirement is an obstacle because only a small number of fishermen have Small *E-pass* and make production reports.

Constrained by these things, fishermen carry out several strategies to obtain subsidized fuel so that they can continue to go to sea:

1. Certain fuel (diesel) at SPBN
 

To obtain diesel fuel, fishermen use ships and documents belonging to other fishermen so that they can obtain subsidized diesel.
2. Special Assignment Fuel (Pertalite):
  - Using a motorized vehicle (two-wheeled) purchase at the nearest fuel station, then the fuel is transferred to a container (jerrycan) to be used in the ship's engine
  - Buying subsidized fuel at a fuel station in Rangai District (South Lampung) with a maximum purchase of 5 (five) liters using a jerrycan (generally done by fishermen in Panjang District). Fuel stations in this location still allow purchases using jerrycans
  - Buying at retail by bearing a higher fuel price.

Supervision and control of the distribution of subsidized fuel is part of the distribution mechanism. Misuse of subsidized fuel is very possible due to the large disparity with the price of non-subsidized fuel. The large need for fuel, especially for medium and large-scale industries, also opens up opportunities for misappropriation/smuggling of subsidized fuel. The greatest opportunity for violations to occur is at the lowest level, namely the distribution of subsidized fuel by SPBN and at the fishermen level. Putra (2021) found several cases of misappropriation of subsidized fuel carried out by final distribution managers (fuel station), including cases of misappropriation of subsidized diesel fuel in 2019 at the Ganting Village fuel station, Salo District, Kampar Regency, Riau Province, and in Kampar Regency in 2014 the Riau Police sealed a fuel station that sold subsidized diesel to the fuel hoarding mafia. In Lampung Province, misappropriation occurred at the Labuhan Maringgai fuel station in January 2023 and the smuggling of 9 tons of subsidized biodiesel in Metro, East Lampung, Tulang Bawang, and Bandar Lampung in October 2023 (finance.detik.com). Although no similar cases have been found at the Lempasing fuel station, this shows that there are loopholes that allow for misuse of subsidized fuel. At the fishermen level, violations are also very possible, for example, the purchase of subsidized fuel is carried out according to procedure, but is used not for fishing purposes.

Misappropriation of subsidized fuel can actually be prevented by activating the supervisory function in the distribution of subsidized fuel for fishermen. In Law Number 22 of 2001 concerning Oil and Natural Fuel, it is stated in Article 41 that supervision includes 13 things, including the allocation and distribution of fuel and raw materials as well as activities in the oil and fuel business sector that concern the public interest. The implementation of supervision of the provision and distribution is the task of the BPH Migas. Febryano *et al.* (2021) stated that weak supervision can lead to the failure of implementing government policies. The supremacy of law is an effort to enforce order effectively and efficiently.

In Presidential Decree No. 191 of 2014 concerning the Provision, Distribution, and Selling Price of Fuel, Article 18 states the following things that are not permitted to be done:

- Transporting and/or trading certain types of fuel, namely kerosene and diesel (fuel oil)

- Carrying out hoarding and/or storage and use of certain types of fuel that are contrary to the provisions of laws and regulations by business entities and the community.

In Law No. 22 of 2001, several things that are contrary to the law were added, namely:

- a. Carrying out processing, transportation, storage, trade, without a permit
- b. Imitating or falsifying processed fuel and fuel
- c. Misusing transportation and/or trade.

Furthermore, in BPH Migas Regulation No. 4 of 2012 concerning Allocation of Certain Types of Fuel Volume for Each Consumer Using Certain Types of Fuel in Article 6, misuse of this subsidized fuel allocation is subject to sanctions in accordance with applicable laws and regulations. Investigation of violation cases can be carried out by Police Officer Investigators and Civil Servant Investigators within the scope of the relevant ministry or agency. Putra *et al.* (2021) said that the BPH Migas has the authority to supervise and control the implementation of the provisions for the distribution of certain types of fuel so that they reach the right consumers. Criminal provisions for violations of regulatory laws are clearly stated in Law No. 22 of 2001 concerning Oil and Fuel Articles 51 to 58. The types of criminal penalties imposed are imprisonment for 1-6 years and a fine of 10-60 billion, according to the violation committed.

## CONCLUSION

The distribution of subsidized fuel for fishermen in Kangkung Village is still uneven. Subsidized Diesel fuel can be accessed more easily compared to Peralite fuel. This is because diesel fuel is available at special SPBN for fishermen managed by PT PERTAMINA and PT AKR. However, access to purchase diesel is still hampered by administrative requirements in the form of ship documents. The regulations issued by the government are quite supportive and favor fishing businesses, but in reality, it is still difficult to implement in the fishing community, especially in fulfilling the required documents. This shows that the on going regulatory policy requires improvement in order to be able to touch the interests of fishermen and the government, including accommodating the supervisory function. Supervision of the distribution of subsidized fuel for fishermen, in addition to being the task of the authorized agency, can also be carried out by the fishing community to

prevent misuse or embezzlement. The procedure for complaints and reporting misuse of subsidized fuel can be done through the complaint service on the BPH Migas website or through the PT PERTAMINA Call Center service. The government can optimize subsidized fuel services by increasing the number of SPBNs in each sub-district and facilitating easy requirements for accessing subsidized fuel for fishermen.

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