

Prevention of Corruption in The Procurement of Goods and Services in The Government Sector

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Abstract

The procurement of goods and services encompasses several stakeholders, necessitating the establishment of ethical standards, norms, and principles to effectively control and inform the policy-making process in this domain. The objective of this study is to examine, comprehend, and analyze the execution of Article 38 in Presidential Regulation Number 12 of 2021, which pertains to the procurement of goods and services by the government through *E-Purchasing*. Additionally, this research aims to identify the issues that impede the effective implementation of these provisions. This study employs normative and empirical legal methodologies. The execution of Article 38 of Presidential Regulation Number 12 of 2021, which pertains to the government's procurement of goods and services through *E-Purchasing*, has been partially implemented but not fully optimized due to various challenges. These challenges include insufficient capacity among civil servants to meet the demands of their tasks and workload, inadequate comprehension of the primary responsibilities and functions of electronic application services, limited understanding of human resources, and insufficient supervision and guidance in the implementation of Article 38 of Presidential Regulation Number 12 of 2021.

Keywords: *E-Purchasing*; Procurement of Good and Services; Prevention of Corruption

Abstrak

Pengadaan barang dan jasa melibatkan beberapa pemangku kepentingan, sehingga memerlukan penetapan standar etika, norma, dan prinsip agar dapat mengendalikan dan memberikan informasi secara efektif dalam proses pembuatan kebijakan di bidang ini. Tujuan penelitian ini adalah untuk mengkaji, memahami, dan menganalisis pelaksanaan Pasal 38 Peraturan Presiden Nomor 12 Tahun 2021 tentang Pengadaan Barang dan Jasa oleh Pemerintah melalui *E-Purchasing*. Selain itu, penelitian ini bertujuan untuk mengidentifikasi permasalahan yang menghambat efektivitas penerapan ketentuan-ketentuan tersebut. Penelitian ini menggunakan metodologi hukum normatif dan empiris. Eksekusi Pasal 38 Peraturan Presiden Nomor 12 Tahun 2021 tentang Pengadaan Barang dan Jasa Pemerintah melalui *E-Purchasing* telah dilaksanakan sebagian namun belum sepenuhnya optimal karena adanya berbagai tantangan. Tantangan tersebut antara lain, belum memadainya kapasitas aparatur sipil negara

dalam memenuhi tuntutan tugas dan beban kerjanya, belum memadainya pemahaman terhadap tanggung jawab pokok dan fungsi layanan aplikasi elektronik, masih terbatasnya pemahaman terhadap sumber daya manusia, serta belum memadainya pengawasan dan pembinaan dalam pelaksanaan Pasal 38 Perpres. Peraturan Nomor 12 Tahun 2021.

Kata Kunci: *E-Purchasing; Pengadaan Barang dan Jasa; Pencegahan Korupsi.*

INTRODUCTION

It is not only the government that is often involved in the procurement of goods and services. Government agencies also often carry out purchasing activities. Therefore, it is imperative that government procurement of goods and/or services must be able to contribute to the prevention and eradication of Corruption, Collusion, and Nepotism (KKN) practices and provide the widest possible employment opportunities to job seekers and improve the welfare of the community, especially Micro and Small Enterprises (MSEs) in establishing new businesses. However, it cannot be denied that KKN activities such as collusion, corruption, and nepotism thrive in the purchase of products and services.

The process of procuring goods or services usually starts with the direct exchange of goods in the market, which involves cash transactions.¹ Subsequently, the process evolves into the procurement of goods through payment terms, which is facilitated by the production of accountability documents by the buyer and seller. Finally, the procurement process can also involve the use of an auction mechanism. Procurement of goods and services involves many stakeholders. Therefore, it is imperative to establish ethical standards, norms and principles to govern the procurement process. These guidelines should form the basis for formulating policies relating to public procurement.²

In conjunction with advancements in the field of technology, there has been a corresponding transformation in human behavior. The ease and speed of communication, conducting business, and transmitting information has increased significantly. Technological advancements have enabled the business sector to conduct transactions in a flexible manner, without being constrained by geographical limitations, as long as a reliable internet connection

¹ Musa Darwin Pane, "Aspek Hukum Pengadaan Barang Dan Jasa Pemerintah, Suatu Tinjauan Yuridis Peraturan Pengadaan Barang Dan Jasa Pemerintah," *Jurnal Media Hukum* 24, no. 2 (2017): 147–55.

² Adrian Sutedi, "Aspek Hukum Pengadaan Barang Dan Jasa Dan Berbagai Permasalahannya," 2012.

is available. According to a study conducted by Ramadhan, Zainab, and Lintje³.

In order to overcome the problem of KKN practices and encourage the growth of regional investment in Micro, Small and Medium Enterprises (MSMEs), as well as the utilization of DHE, and accelerate the absorption of the State Budget (APBN) and Regional Budget (APBD), the government implemented a policy known as electronic procurement of goods and services or commonly referred to as e-procurement. Study conducted by Luh Putu, Lilik, and Endar⁴ There are various approaches to supplier selection in the procurement of goods, construction, and other services. These approaches include E-Purchasing, direct procurement, direct appointment, quick tender, and tender. The selection of provider selection methods is tailored to the specific provisions and requirements of each government agency, according to user needs.

The use of E-Purchasing as a means to select providers for the procurement of goods/services is a viable approach due to its proven effectiveness and efficiency. It is particularly relevant in the current context, as many suppliers are actively marketing their offerings through electronic marketplaces. E-Purchasing refers to the process of purchasing goods or services by utilizing an electronic catalog system or online store. According to Jamila⁵ An electronic catalog or online store is a digital information system that includes a complete list, categorization, technical specifications, and price details of certain goods offered by various government goods/services providers.⁶

Individuals responsible for the implementation of goods and services procurement, particularly those directly involved in procuring goods and services through electronic catalogs

³ Rinaldi Ramadhan, Zainab Ompu Jainah, and Lintje Anna Marpaung, "Penerapan Regulasi Lembaga Sertifikasi Keandalan Sebagai Upaya Perlindungan Hukum Terhadap Konsumen E-Commerce," in *PROSIDING SEMINAR NASIONAL CENDEKIAWAN*, 2019, 2–70.

⁴ Luh Putu Resti Mega Artantri, Lilik Handajani, and Endar Pituringsih, "Peran E-Procurement Terhadap Pencegahan Fraud Pada Pengadaan Barang/Jasa Pemerintah Daerah Di Pulau Lombok," *Neo-Bis* 10, no. 1 (2016): 16–32.

⁵ Jamila Lestyowati, "Analisis Permasalahan E-Purchasing Dalam Pengadaan Barang Dan Jasa Satuan Kerja (STUDI KASUS SATKER KEMENTERIAN KEUANGAN)," *Simposium Nasional Keuangan Negara* 1, no. 1 (2018): 669–95.

⁶ Farina Firda Eprilia and Adinda Putri Pertiwi, "Penerapan Win-Win Solution Dalam Sengketa Pengadaan Barang/Jasa Pemerintah Berdasarkan Kontrak Secara Elektronik Melalui Katalog Elektronik/E-Purchasing," *Jurnal Hukum Lex Generalis* 3, no. 4 (2022): 291–313.

or online stores, are referred to as Procurement Officers (PPs) and Commitment Making Officers (PPKs). Procurement officers are administrative personnel responsible for overseeing the procurement of goods through various methods, including direct procurement, direct appointment, and E-Purchasing.⁷

While the Commitment Making Officer (PPK) is a government employee who is authorized to carry out activities at the expense of the state or regional revenue and expenditure budget delegated by the Budget User Authority (KPA).⁸ In the case of electronic purchasing activities, the main difference between the Procurement Officer and the Committing Officer is the dollar amount of the transaction involved. The procurement division will check online retailers and electronic catalogs to ensure product availability during the execution of procurement activities.

In the case of procurement of goods and services, PP/PPK will be involved in the acquisition process through the utilization of electronic catalogs or online stores. This involves the creation of an order letter addressed to the provider of the desired goods or services. Electronic catalogs and online stores are constrained by the availability of goods and services in their respective platforms. If the desired goods are already listed in an electronic catalog or online store, then the procurement process can be skipped without the need to conduct an auction. The use of e-catalogues has the potential to revolutionize public procurement in Indonesia, ensuring credibility, accountability, and competitiveness, especially for cases involving large transactions and budgets.

Electronic catalogs or online stores offer a convenient way to obtain goods and services, as they save time and do not require physically visiting the location of the desired goods or services provider. However, in practice, Procurement Officers and Commitment Making Officers face various challenges in implementing this process. One of the challenges often faced by Procurement Officers/Commitment Making Officers in utilizing electronic catalogs or

⁷ Astri Okio Violetta Silalahi, "Tinjauan Atas Pengadaan Barang Dan Jasa Dengan Metode Pengadaan Langsung Pada Stasiun Pengawasan Sumber Daya Kelautan Dan Perikanan (PSDKP) Belawan" (Politeknik Keuangan Negara STAN, 2022).

⁸ Heni Marlina, "Perlindungan Hukum Terhadap Pejabat Pembuat Komitmen (PPK) Dalam Kontrak Pengadaan Barang/Jasa Pemerintah," *Doctrinal* 5, no. 2 (2020): 192–202.

online stores relates to the absence of shipping costs in the prices of goods/services listed.

The information above can only be confirmed at the time of inputting the order into the electronic procurement application, resulting in the cancellation of the procurement process by the work unit concerned. In addition to the act of canceling the purchase, there are work units that make budget revisions to accommodate costs related to shipping.

In addition to the issue of increased shipping costs, another noteworthy challenge in the realm of e-commerce is the limited availability of certain goods and services through electronic catalogs or online stores. This difficulty has emerged as a significant phenomenon in the field. There are still some areas that still experience limited coverage of internet facilities and network instability, resulting in inadequate access to information technology tools for the purposes of organizing electronic procurement.

With this, work units will procure goods and services through alternative methods, such as direct procurement or direct appointment. The purpose of this research is to review, understand, and assess the implementation of Article 38 in Presidential Regulation Number 12 of 2021 relating to the procurement of government goods and services through E-Purchasing. The research will be conducted at the Tulang Bawang Regency Land Office. The purpose of this study is to investigate and evaluate the variables that hinder the implementation of Article 38 in Presidential Regulation Number 12 of 2021, relating to the procurement of government goods and services through E-Purchasing. This study centers on the Tulang Bawang District Land Office as the main subject of investigation.

RESEARCH METHODS

This research uses normative juridical methodology as the main approach which is complemented by an empirical approach. The normative approach aims to investigate and analyze laws and regulations as the basis for conducting research on a particular issue. Furthermore, researchers empirically observe the practical application of the legislation.⁹ The normative juridical approach entails a doctrinaire legal research method commonly known as

⁹ Dila Meilinda and Notaris Kabupaten Pesawaran, "Implementasi Due Diligence Notaris Sebelum Dan Sesudah Perusahaan Badan Hukum PT Listing Di Pasar Modal Abstrak," n.d.

desk research or document study. This approach involves research into regulations and/or norms relevant to the issue under consideration.¹⁰

The purpose of using a problem approach is to collect a variety of laws, theories and literature that are directly relevant to the issue under consideration. The normative juridical approach places more emphasis on harmonizing the various doctrines used in Constitutional Law. The normative juridical approach is carried out by conducting library research to examine theoretical aspects relating to legal principles, concepts, perspectives, legal provisions, and laws relevant to the problem under study.¹¹

The empirical approach involves the author directly with the research subject in the field.¹² The aim of this research is to collect various forms of primary data through direct engagement with the research subject. This will be achieved by conducting observations and interviews with respondents, as well as consulting sources closely related to the research topic and/or research subject.

Both primary and secondary data are used extensively in this research. In this research, both secondary and primary data sources are used in the data collection process. Raw data will be collected from primary sources or respondents who have a strong background in this area of legal studies. This basic data will be collected through field research, as the first source of knowledge.

DISCUSSION

Implementation of Article 38 of Presidential Regulation Number 12 of 2021 on Government Procurement of Goods/Services through E-Purchasing

Good governance is a fundamental, essential, and basic framework for effectively managing various aspects of life. The concept of good governance requires the establishment of a nuanced framework that ensures a harmonious division of roles and functions among the

¹⁰ M Aditya Rahman, "PEMANFAATAN REKAM MEDIS SEBAGAI ALAT BUKTI DALAM PERSIDANGAN," 2017.

¹¹ Soerjono Soekanto, *Pengantar Penelitian Hukum*, UI Press (Jakarta, 2014).

¹² Muslimin Machmud, "Tuntunan Penulisan Tugas Akhir Berdasarkan Prinsip Dasar Penelitian Ilmiah," *Research Report*, 2016.

government, private sector, and society. Procurement of goods and services by government entities, both at the central and local levels, must fulfill the principles of transparency, competence, accountability, and participatory involvement of all sectors of society, in accordance with applicable laws and regulations.

Procurement of goods and services is necessitated by the demand for a wide variety of goods, including but not limited to pencils, bed linen, hospital supplies such as aspirin, fuel for government vehicles, vehicle fleet repairs, school and hospital equipment, military weaponry, housing and construction equipment, and consulting services in areas such as engineering, finance, legal, and other advisory capacities. The objective of the overall Public Procurement policy is to ensure that public procurement regulations are consistent with policies in all relevant sectors. Presidential Regulation of the Republic of Indonesia Number 12 of 2021 regulates the purchase of goods and services by the government.

To comply with the principles of Good Governance, the government aims to carry out the procurement of goods and services through an Electronic Procurement System (e-procurement), also referred to as Electronic Direct Procurement (EPL). The entire EPL process, which includes planning, execution, and reporting of results, is carried out exclusively through an online system. The objective of this endeavor is to adhere to the basic principles of transparency, proficiency, responsibility, public involvement, legal framework, and fairness.

According to Popie Hagy Gusmartin S.T., "who serves as Head of the Tulang Bawang Regency National Land Agency Office, Government Goods and Services Procurement is a process carried out by Ministries, Institutions, or Regional Apparatus to obtain goods and services using funds from the State Revenue and Expenditure Budget or Regional Revenue and Expenditure Budget. This process includes various stages, starting from identifying needs and ending with the delivery of work results."

In order to improve public services and promote economic growth on a national and regional scale, public procurement plays an important role in assisting national development initiatives. Procurement encompasses much more than the selection of a project partner and the establishment of a purchase agreement. Procurement involves a comprehensive process that starts from planning, preparation, licensing, determination, and selection of winning bidders. In

addition, this process also includes administrative procedures related to the procurement of goods, works, or services, including technical consultancy services, financial consultancy services, legal consultancy services, or other similar services.

According to Rachmad Anjung Cahya, S.E., "who serves as the Commitment Making Officer of Tulang Bawang Regency, it is very important to establish regulations for the procurement of goods and services to achieve Government Procurement of Goods and Services. This regulation aims to ensure the achievement of maximum benefits and contributions, with the main focus on increasing the use of domestic products, encouraging the involvement of Micro, Small and Medium Enterprises, and promoting sustainable development. The process of procuring goods and services usually starts with the purchase or sale of goods directly in the market using cash." Next, the process moves on to the acquisition of payment terms by creating accountability documents involving both buyers and sellers. Finally, the procurement of goods and services is facilitated through an auction process.

Procurement of goods and services involves various stakeholders, so there is a need for ethical standards, norms and principles to govern and guide procurement policies effectively. The procurement process begins with direct negotiations between the buyer, who is the user, and the seller, who is the provider of goods. Once a price agreement is reached in the bargaining process, the next step is the execution of the sale and purchase transaction. This requires the goods provider to deliver the goods to the user, who in turn remits payment to the goods provider in accordance with the agreed price. This direct implementation of the bargaining process and the sale and purchase transaction process occurs without relying on purchasing documents or documents for payment and receipt of goods.

According to Marfita Fendiyani, S.H., M.M., "Goods and Services Procurement Officer in Tulang Bawang Regency, the current procurement process does not only include physical goods, but also intangible goods." Intangible goods usually include services, such as health services, education services, consulting services, supervision services, management services, and others.

The acquisition of intangible goods, usually in the form of services, serves as the basis for the procurement of consulting services and other similar services. Advances in science and

technology have driven progress and transformation in various fields, which includes the acquisition of commodities and services. In the past, the acquisition of goods and services involved the direct exchange of goods and services in physical markets. However, contemporary procurement practices have evolved to include indirect acquisition methods. Today, the acquisition of goods and services is progressing facilitated by information technology and electronic media, particularly through internet applications. This allows procurement of goods and services to be done remotely and conveniently from any location. Procurement, once a pragmatic endeavor, has evolved into a domain of knowledge that can be acquired and imparted through education.

Lawrence Meir Friedman "put forward a theory stating that a discussion of law enforcement requires an examination of the legal system, emphasizing that the success or failure of law enforcement depends on the functioning of the legal system." Therefore, the implementation of Article 38 in Presidential Regulation Number 12 of 2021 relating to the procurement of goods and services by the government through E-Purchasing at the Tulang Bawang Regency Land Office is in line with the Legal System theory which states that there are three important elements in program implementation.

1. *Legal Substance*

The term "legal culture" refers to the rules, conventions and regularities that govern actual human behavior within a given legal framework. It includes the outcomes produced by individuals operating within the legal system, such as the decisions they make or the new regulations they create. According to Popie Hagy Gusmartin S.T., Head of the Tulang Bawang District Land Office, "Presidential Regulation Article 38 Number 12 of 2021 relates to the procurement of government goods and services through E-Purchasing at the Tulang Bawang District Land Office. This regulation is a legal provision in the government system that includes decisions relating to the procurement of government goods and services."

2. *Legal Structure*

It covers legal institutions, legal apparatus and the law enforcement system. The legal framework is closely related to the judicial system established and enforced by law enforcement authorities. The correlation between the structure of Presidential Regulation Article 38 Number

12 of 2021, which relates to the procurement of government goods/services through E-Purchasing at the Tulang Bawang District Land Office, and the justice system run by law enforcement officials is clear. Nevertheless, there are several challenges that hinder the smooth implementation of this regulation. In particular, the inadequate number and capacity of state apparatus in the Tulang Bawang District Land Office has not fully met the requirements of their responsibilities and has not matched the demands of the workload.

3. *Legal culture*

The focus lies on the broader cultural aspects that include customs, opinions, behavioral patterns, and cognitive processes that shape social dynamics in a given society. The implementation of Presidential Regulation Article 38 Number 12 of 2021 concerning the procurement of government goods/services through E-Purchasing at the Tulang Bawang Regency Land Office faces various legal cultural challenges. One of the significant obstacles is the inadequate human resources at the Tulang Bawang Regency Land Office, because their understanding of the provisions contained in Presidential Regulation Article 38 Number 12 of 2021 is still incomplete. In addition, the absence of adequate guidelines regarding the regulation is also an obstacle in its implementation.

Based on the theoretical framework proposed by Lawrence Meir Friedman, it can be said that "the non-optimal functioning of legal products can be caused by various factors in the legal system, such as legal substance, legal structure, and legal culture. Based on this theory, the implementation of Presidential Regulation Article 38 Number 12 of 2021 concerning government procurement of goods/services through E-Purchasing at the Tulang Bawang District Land Office has been carried out. However, there are still challenges faced in implementing the above regulation."

Based on the description above, it can be analyzed that the Implementation of Presidential Regulation Article 38 Number 12 of 2021 concerning Government Procurement of Goods / Services through E-Purchasing at the Tulang Bawang Regency Land Office has been carried out but not optimally, because the provisions on the legal subject of government procurement of goods and services have been regulated in advance in statutory regulations and there are still several obstacles in implementing the presidential instruction because the number

and capacity of state apparatus at the Tulang Bawang Regency Land Office have not fully met the demands of the task and have not been in accordance with the workload. the quality of human resources at the Tulang Bawang Regency Land Office has not fully met the demands of the task and has not been in accordance with the workload; the quality of human resources at the Tulang Bawang Regency Land Office is not yet adequate because they do not fully understand the provisions in Presidential Regulation Article 38 Number 12 of 2021 concerning Government Procurement of Goods / Services Through E-Purchasing, there is still a lack of supervision from the leadership of the Tulang Bawang Regency Land Office, there is still a lack of guidance on Presidential Regulation Article 38 Number 12 of 2021 concerning Government Procurement of Goods / Services Through E-Purchasing. This is in accordance with Lawrence Meir Friedman's legal system theory which states that if legal products do not work optimally, this is because they are influenced by the legal system itself which includes legal substance, legal structure, and legal culture.

Obstacles in Article 38 of Presidential Regulation No. 12 of 2021 on Government Procurement of Goods/Services through E-Purchasing

Good governance is the administration of government supported by three actors, namely the state (government), private (private), and society (civil society). The purpose of governance by combining these three actors is to foster cooperation and mutual supervision or control. The goals and expectations of the Indonesian people, as well as the orientation of public sector development supported by facilities and infrastructure, are good governance. The Indonesian government seeks to realize good governance by reforming all government activities or public services using information technology, one of which is the purchase of government products and services.

E-procurement, or the use of technology in government purchasing, is one of the measures that the government has implemented to overcome problems in traditional government procurement. Efforts to reform the public procurement system have taken a more central role in government in recent years, in line with the government's goal to clean up the system of corruption, collusion, and nepotism (KKN).

According to Popie Hagy Gusmartin S.T., Head of the National Land Agency Office of Tulang Bawang Regency, "obstacles are factors that can cause implementation to be disrupted and cannot run as it should." Both internal and external sources of stress are constant companions in the lives of all humans. Internal barriers are those that are "of a nature or aim to weaken and obstruct without malicious intent."

According to Rachmad Anjung Cahya S.E., "Commitment Making Officer of Tulang Bawang Regency, obstacles tend to be negative, i.e. slowing down the pace of something done by someone. There are several obstacles encountered by the Tulang Bawang District Land Office in implementing Article 38 of Presidential Regulation Number 12 of 2021 concerning Government Procurement of Goods/Services through E-Purchasing."

According to Popie Hagy Gusmartin S.T., "Head of the National Land Agency of Tulang Bawang Regency, there are several factors that hinder the implementation of Article 38 of Presidential Regulation Number 12 of 2021, which relates to the procurement of government goods and services through E-Purchasing." These factors include the inadequate number and capacity of state apparatus in the Tulang Bawang Regency Land Office which has not fully met the demands of the task and has not been in accordance with the workload. In addition, the lack of understanding of the state apparatus, especially in the Tulang Bawang District Land Office, regarding the duties and functions and the use of electronic application services. This lack of understanding has resulted in less than optimal performance achievements. In addition, the apparatus development pattern has also not focused on improving performance.

According to Thomas R. Dye, "public policy includes decisions made by the government both in the nature of action and inaction. Thomas R. Dye's definition can be interpreted in two different ways." According to Dye, "the formulation of public policy is exclusively within the purview of government entities, not private enterprise". Furthermore, Dye emphasizes that "legal policy includes decisions taken or not taken by governments." In this particular scenario, decisions made by governments are deliberate and intentional choices to undertake or not undertake certain actions. Dye argues that "the existence of a goal is inherent when the government takes an action, because public policy is essentially a manifestation of government activity." When the government chooses not to take an action, then the action

becomes a form of public policy that has different objectives.

Based on the foregoing, this analysis is in line with Thomas R. Dye's theory of public policy, which states that "public policy includes all actions and inactions taken by the government with the intention of achieving or not achieving certain goals." This statement finds support in the enactment of Article 38 in Presidential Regulation Number 12 of 2021, which relates to the procurement of goods and services of the government of the Republic of Indonesia. The public policy implemented by the government in the realm of organizing Government Procurement of Goods and Services is outlined in Article 38 of Presidential Regulation Number 12 of 2021. This regulation provides a clear and explicit framework and objective for the aforementioned policy, which essentially aims to facilitate the implementation of Government Procurement of Goods and Services.

Based on the description above, it is analyzed that there are several factors that hinder the implementation of Article 38 of Presidential Regulation Number 12 of 2021 concerning Government Procurement of Goods/Services Through E-Purchasing. These factors include the number and capacity of state apparatus at the Tulang Bawang Regency Land Office, which is not sufficient and not fully in accordance with the demands of the tasks and workload. In addition, the inadequate quality of human resources at the Tulang Bawang Regency Land Office can be seen from the fact that they have not fully understood the provisions contained in Article 38 of Presidential Regulation Number 12 of 2021. In addition, the lack of supervision from the leadership of the Tulang Bawang Regency Land Office and the absence of guidance regarding Article 38 of Presidential Regulation Number 12 of 2021 have also become inhibiting factors. This statement is in line with Thomas R. Dye's theory regarding legal policy which states that public policy includes all actions or decisions made by the government, whether involving action or inaction.

CONCLUSION

Based on the findings obtained from extensive discussions and scientific investigations relating to the issues discussed, it can be concluded that the implementation of Article 38 in Presidential Regulation Number 12 of 2021, which relates to the procurement of goods and

services by the government through E-Purchasing at the Tulang Bawang District Land Office, has been implemented although with limited effectiveness. This is because the legal framework governing government procurement of goods and services has been established through legislation, and there are still several obstacles to the successful implementation of the presidential regulation. Factors inhibiting the implementation of Article 38 of Presidential Regulation Number 12 of 2021 concerning Government Procurement of Goods / Services Through E-Purchasing, namely The number and capacity of state civil apparatus at the Tulang Bawang Regency Land Office have not entirely met the demands of the task and have not been in accordance with the workload; the weak understanding of tupoksi and electronic application services for state civil apparatus at the Tulang Bawang Regency Land Office and applications that are not easy to use coupled with the understanding of providers who sometimes do not understand the presidential regulation results in performance results that are not optimal, the quality of human resources who do not fully understand the provisions in Article 38 of Presidential Regulation Number 12 of 2021 concerning Government Procurement of Goods / Services Through E-Purchasing; still lack of supervision from the leadership of the Tulang Bawang Regency Land Office, still lack of guidance on Article 38 of Presidential Regulation Number 12 of 2021 concerning Government Procurement of Goods / Services Through E-Purchasing.

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