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## Effectiveness of Batang Regional Regulation Number 4 of 2015 Concerning Eradication of Prostitution in Prostitution Localization Area of Karangasem Village, Batang District

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### ABSTRACT

*This study aims to determine the effectiveness of Regional Regulation Number 4 of 2015 concerning the Eradication of Prostitution in Batang Regency and to find out the legal consequences. The case raised in this study is a localization case that occurred in Karangasem Village, Batang Regency. Prostitution is an activity that violates religious norms and state regulations, this is because it has a negative impact on oneself and many people. Cases of prostitution are still rife in Batang Regency even though Batang Regency is a place where religious values and culture of decency are highly guarded. This is what makes the Batang district government act to tackle, eradicate, bring order and close these dirty businesses. Due to the existence of the prostitution place, it has violated several regional regulations, namely Regional Regulation No. 4 of 2015 concerning the Eradication of Prostitution. The existence of these regional regulations reflects that the local government is committed to eradicating prostitution but indeed enforcement is still minimal, judging by the fact that there are still many stalls or places that are used as prostitution practices. This type of research is empirical juridical with a statutory research approach. Sources of data in this study are primary data and secondary data obtained through observation, interviews, and documentation. While the analysis technique used by the author is a qualitative analysis technique. The results of the research on public legal awareness of the negative impact of prostitution are very low. The legal consequences of the lack of maximum legal awareness of the community towards the negative impact of prostitution are the rampant practice of prostitution, the failure of the laws made to tackle prostitution cases. It would be better if the local government to the village government made regular education so that the suppression of the number of prostitution decreases.*

**Keywords:** Eradiation of Prostitution, Legal Awareness, Localization

### ABSTRAK

*Penelitian ini bertujuan untuk mengetahui efektifitas Perda Nomor 4 Tahun 2015 Tentang Pemberantasan Pelacuran Di Wilayah Kabupaten Batang serta untuk mengetahui akibat hukumnya. Kasus yang diangkat dalam penelitian ini adalah kasus lokalisasi yang terjadi didalam Desa Karangasem Kabupaten Batang. Prostitusi merupakan kegiatan yang melanggar norma keagamaan dan peraturan Negara, hal ini karena memberikan dampak yang negatif kepada diri sendiri maupun orang*

*banyak. Kasus prostitusi ini masih marak terjadi di Kabupaten Batang padahal Kabupaten Batang merupakan tempat dimana nilai-nilai keagamaan dan kultur kesopanan sangat dijaga, dengan adanya fenomena-fenomena lokalisasi prostitusi tersebut sangatlah merusak citra dalam suatu wilayah manapun termasuk kabupaten Batang. Hal itulah yang membuat pemerintah daerah kabupaten Batang bertindak untuk menanggulangi, memberantas, menertibkan dan menutup bisnis-bisnis kotor tersebut. Karena dengan adanya tempat prostitusi tersebut maka sudah melanggar beberapa peraturan daerah yakni Perda No. 4 Tahun 2015 Tentang Pemerantasan Pelacuran. Adanya peraturan daerah tersebut memberikan cerminan bahwa pemerintah daerah sudah komitmen dalam memberantas pelacuran namun memang penegakan masih menjadi minim, dilihat realitanya masih banyak berdiri warung-warung atau tempat-tempat yang dijadikan sebagai praktik prostitusi. Jenis penelitian ini yuridis empiris dengan pendekatan penelitian perundang-undangan. Sumber data dalam penelitian ini yaitu data primer dan data sekunder yang diperoleh melalui observasi, wawancara, dan dokumentasi. Sedangkan teknik analisis yang digunakan penulis adalah teknik analisis kualitatif. Hasil penelitian kesadaran hukum masyarakat terhadap dampak negatif prostitusi sangat rendah. Akibat hukum dari kurang maksimalnya kesadaran hukum masyarakat terhadap dampak negatif prostitusi yaitu maraknya praktik prostitusi, tidak keberhasilannya hukum yang dibuat untuk menanggulangi kasus prostitusi. Alangkah baiknya pemerintah daerah sampai pemerintah desa membuat edukasi secara rutin supaya penekanan angka prostitusi semakin berkurang.*

***Kata Kunci:*** *Kesadaran Hukum, Lokalisasi, Pemberantasan Prostitusi*

## **Introduction**

Women are human beings who are blessed with many things that make their position as living beings very perfect. The word woman is defined as wani which means courage to be governed, in Sanskrit the word woman comes from the word wan which means lust, the word woman means "desired sexual object". Meanwhile, the origin of the word woman is master, which means lordship or respect. As social beings, the existence of women is needed because it is a special attraction, but what if this attraction is misused by women to support their own needs. Women are becoming more dominant in what men usually do, namely work.

Working as prostitutes, these elegant women use their beautiful bodies to be enjoyed by every man, not on purpose but forced to because of increasing economic needs. Prostitution is defined as sex as a need or a commodity for sexual activity which both need each other's sexual fantasies as well as the need to support economic needs, then exchanged with the aim of obtaining a certain need, such as money, protection, food sources and others (Tugiman, 2021).

It is further reviewed that prostitution is not only a deviation from the norms of marriage law but is also related to violations of criminal law. This can happen due to a lack of support from community leaders for legal sanctions that must be applied (Tugiman, 2021). Many factors are the reason some women choose to become commercial sex workers, the most important of which is the economic factor. The lack of expertise is also a factor that makes them take shortcuts as commercial sex workers because it is difficult for them to get other jobs.

Batang Regency is a place where religious values and a culture of decency are highly maintained, the existence of these prostitution localization phenomena greatly damages the image of any region including Batang district. That's what made the regional government of Batang district take action to tackle, eradicate, discipline and close these dirty businesses. Because with the existence of this prostitution place, it has violated several regional regulations, namely Regional Regulation No. 4 of 2015 concerning the Eradication of Prostitution, Perda Alcohol No. 12 of 2013 concerning

the Prohibition of Selling and Producing Alcoholic Beverages, Entertainment Regional Regulation No. 9 of 2015. Regional Regulation of Batang Regency Number 6 of 2011 article 4 paragraph (1) and (2).

The verse clearly prohibits people or groups who establish or provide a place of business to commit prostitution and commit acts of prostitution. Besides that, a place of prostitution is also a place of business that violates the rules because the building of the house used as a place of business does not have a permit from the local government, so it is illegal.

According to one Satpol PP officer in the Batang district, operations on community diseases (concentration) are often carried out but this does not deter them and is still continuing. In fact, from a legal point of view, the prohibition of prostitution by Regional Regulation no. 4 of 2015 on changes to regional regulations no. 6 of 2011 is clear. Officers can close and seal places that provide prostitution services, and repatriate prostitutes who are domiciled outside the area in accordance with Article 6 of the Batang Regency District Regulation no. 45 of 2016.

The phenomenon of prostitution is a form of crime that is very difficult to deal with. The researcher herself, as a woman, was very touched to see how many women were involved in prostitution. This is not only a moral issue, but also a social and religious one. Three localizations that are famous for prostitution are the Banyuputih truck stop, Penundan, and Njentolsari. One of the research centers is located in Boyongsari Hamlet, South Karangasem Village, which is known as (behind the market).

The Batang Regency Government must also pay attention to many aspects in fulfilling its responsibility to eradicate a location. What happens if they lose their only source of income and how to meet their next needs is also the responsibility of the local government. Legal effectiveness is defined as an indicator of achieving a predetermined target or objective, which is a measurement in which a target has been achieved in accordance with what was planned. This phenomenon has provoked the anxiety of researchers in carrying out research that focuses on research, namely whether Regional Regulation Number 4 of 2015 is effective if there are still many localizations that grow in various places in the Batang region. Based on this

description, the researcher is interested in conducting in-depth research on the effectiveness of the regional regulations and the legal consequences, to find out where the deficiencies lie in both the regional regulations and the process of implementing these regulations.

### **Research Method**

In this study the authors used empirical legal research methods. Empirical legal research is research based on field research and complemented by literature research (Redi 2021). This study uses a qualitative approach as a research procedure that produces descriptive data in the form of written or spoken words from people and the observed behavior of the community's legal awareness of ownership of land certificates in Pendowo Village, Bodeh District, Pematang Regency.

Data analysis techniques in this study used descriptive inductive analysis techniques. Data analysis is the process of systematically searching for and compiling data obtained from interviews, field notes, and other materials, so that it is easy to understand and of course can be informed to others. Data analysis techniques in qualitative research are inductive-descriptive, that is, an analysis based on the data obtained is then developed into conclusions. After the data is collected, there are three stages in the analysis technique, namely: data reduction, data presentation and data conclusion (Wandi, Nurharsono, and Raharjo 2013).

### **Result and Discussion**

#### **Comparison of Licensing Systems in Indonesia Before and After the Enactment of Law Number 11 of 2020 concerning Job Creation**

Permission (*vergunning*) is defined as an action or action that is prohibited, but then permitted. Permits are instruments that can be used in administrative law which are intended to influence its citizens, so that they are willing to follow what is ordered to achieve concrete goals (Siti Kotijah, 2020: 5). According to Article 1 number (9) of Law Number 30 of 2014 concerning Government Administration (UUAP), permits are

interpreted as decisions of authorized government officials as a form of approval for requests from citizens in accordance with statutory provisions. Meanwhile, referring to Article 1 point (2) of Government Regulation Number 5 of 2021 concerning Implementation of Risk-Based Business Licensing (PP Permitting of Risk-Based Business), what is meant by licensing is a series of processes for issuing state administrative decisions (KTUN) in the form of permit approval or denial of permits, starting from the stages of application, examination, issuance, to monitoring the implementation of the said permit (Abi Ma'ruf, 2015: 3).

The enactment of UUCK accompanied by Government Regulation Number 5 of 2021 concerning Implementation of Risk-Based Licensing (PP Permits for Risk-Based Business), is a form of reform of the licensing system in Indonesia, where these permits are viewed based on the potential for injury or loss from a hazard, or a combination of the possibility and due to hazard (risk-based approach)/OSS-RBA. OSS-RBA is a form of updating the previous system which was regulated based on PP on Risk-Based Business Licensing.

The licensing system through OSS-RBA has the basic concept of trust but verified risk, namely by facilitating the process of issuing business licenses while strengthening oversight of the implementation of business activities. Thus, in its implementation, the readiness of the State Civil Apparatus (ASN) is required as government officials who have competence and a complete understanding of the concept of risk-based business licensing (Coordinating Ministry for Economic Affairs of the Republic of Indonesia, Principles of Trust but Verify in Risk-Based Business Licensing, in <https://ekon.go.id/publikasi/detail/3158/principle-trust-but-verify-dalam-permit-perusahaan-risk-based>).

In detail, the differences in business licensing before and after UUCK were actually present from the provisions where before the existence of risk-based business licensing, business actors could carry out operations after having a permit, while the policy for business licensing regulations was through a risk approach. If the business actor's risk is low, then the business actor obtains permission in advance to prepare and operate the company. If preparations are not made for 1 (one) year, the permit

may be revoked. For a high level of risk, verification must be carried out through fulfilling the preparations and licensing requirements so that company legality can be given in the form of a permit to carry out company operations (Bahir Mukhammad, 2021: 23-25).

Furthermore, regarding the coordination between the regional government and the central government which is a problem of OSS implementation, it is answered by a new regulation in accordance with the UUCK mandate, where NPSK in the central government becomes a direct regulation in the regional government. Thus, regional regulations that are not in accordance with the UUCK and Risk-Based Business Licensing PP are simultaneously adjusted (Bahir Mukhammad, *ibid*).

Referring to Article 26 letter (j) of Law Number 11 of 2020 concerning Job Creation (UUCK), risk-based business licensing covers various sectors, one of which is the health, medicine and food sectors. In Article 106 of this law it is stated that everyone who produces and/or distributes pharmaceutical preparations and medical devices must fulfill business licenses from the central government or regional government in accordance with their authority based on norms, standards, procedures and criteria set by the central government. Based on this, pharmaceutical preparations and medical devices can only be distributed after fulfilling a business permit from the central government or regional government in accordance with their authority based on norms, standards, procedures and criteria stipulated by the Central Government.

In Article 119 PP on Risk-Based Business Licensing it is explained that business licensing for the health, medicine and food sector consists of the health sub-sector and the medicine and food sub-sector. For the drug and food sub-sector, the permits include permits and standard certificates for drugs and food that must be owned by business actors who manufacture/produce and/or import drugs and food for distribution. In addition, licensing seeks to support business activities in the drug and food sub-sector including: a) drugs and medicinal ingredients; b) traditional medicines, health supplements, quasi-medicines, and cosmetics; and c) processed food. Specifically for pharmaceutical preparations with reference to the elucidation of Article

106 paragraph (1) of Law Number 11 of 2020 concerning Job Creation, "pharmaceutical preparations" are medicines, medicinal ingredients, traditional medicines and cosmetics. Included in pharmaceutical preparations are health supplements and quasi-drugs, so the standards and/or requirements set consist of the Indonesian cosmetic codex, analytical methods, standards, and/or other requirements. Thus, this law emphasizes that everyone who makes and/or distributes cosmetics must do so in a good manner (Articles 110-130 PP on Risk-Based Business Licensing).

Furthermore, in Article 119 of this PP it is stated that cosmetic distribution permits are a type of licensing that is in the health, medicine and food sectors, especially the medicine and food sub-sector. Then Article 120 states that business permits for the drug and food sub-sector include permits and standard certificates for drugs and food, which must be owned by business actors who manufacture/produce and/or import drugs and food for distribution. For regulation of distribution permits in accordance with Article 7 paragraph (1) and (2) UUCK, based on an assessment of the level of danger and potential for the occurrence of danger, and in order to provide an assessment of the level of danger based on health, safety, environment and/or utilization and management of resources and Also taking into account and taking into account the type, criteria and location of business activities, cosmetics distribution permits are divided into 2 (two) types of business activities based on the level of risk and rating of the scale of business activities, namely medium risk business activities and high risk business activities.

Referring to the provisions of Article 9 UUCK, both business licenses for medium-low risk business activities and medium-high risk business activities, both are given NIB and standard certificates. The standard certificate for medium and low business activities is a statement by business actors to meet business standards in the context of conducting business activities. While the standard certificate for medium to high business activities is a standard business certificate issued by the central government or local government in accordance with their authority based on the results of verification of compliance with standards of implementation of business activities by business actors.



Meanwhile at the regional level, referring to Article 6 of BPOM Regulation Number 5 of 2020 concerning Integration of Electronic Business Licensing Services for the Drug and Food Sector, it is stated that the authority to issue distribution permits is based on the principle of regional autonomy as a form of implementation rather than the authority of the Central Drug Supervisory Agency and Food as OSS institutions at the regional level acting for and on behalf of the Head of BPOM at the central level. Furthermore, regarding coordination between local governments and the central government which became a problem of OSS implementation before starting at the risk level (risk-based approach), it was answered with new regulations in accordance with UUCK mandate, in which the government's norms, standards, procedures and criteria (NPSK) central government becomes direct regulation in local government. Thus, Regional Regulations that are not yet in accordance with UUCK and Government Regulations concerning Risk-Based Business Licensing are simultaneously adjusted.

#### **Procedures for Registration, Application and Issuance of Cosmetics Notifications as Cosmetics Distribution Permits After the Entry into force of the Job Creation Law through the Online Single Submission Risk-Based Approach**

In order to protect the public from various types of cosmetics that do not meet safety, efficacy and quality requirements, the government has actually provided regulations regarding guidelines for registration, application and issuance of cosmetic notifications which are contained in BPOM Regulation Number 21 of 2022 concerning Procedures for Submitting Cosmetic Notifications. According to Article 1 point (2) of this regulation, it is stated that what is meant by cosmetic notifications is approval given by the head of the agency for notifications from business actors to distribute cosmetics in the territory of Indonesia after the business actors fulfill the requirements for submitting an application for a cosmetics distribution permit.

Each business actor is required to have a notification as a form of distribution permit which is preceded by fulfillment of the criteria and requirements in the Product Information Document (DIP) before submitting a notification. Fulfillment of these

criteria and requirements is aimed at types of cosmetics which include cosmetics made domestically (including contracted cosmetics) and imported cosmetics.

Then, business actors are declared as notification applicants as long as they have a Business Identification Number (NIB) in accordance with statutory provisions. Those included in the category of applicants for notification include:

1. cosmetics industry located in the territory of Indonesia in accordance with the provisions of the laws and regulations;
2. individual businesses/business entities in the field of cosmetics that enter into production contracts with the cosmetics industry located in the territory of Indonesia in accordance with the provisions of laws and regulations; as well as
3. importers engaged in cosmetics in accordance with the provisions of laws and regulations.

Parties declared as applicants for the notification must register with the head of the local BPOM to apply for the issuance of a permit in the form of a notification. Meanwhile, in the event that the notification applicant is an importer or an individual business/business entity conducting a production contract, then both of them must obtain a recommendation as a notification applicant which is obtained through the procedure for submitting an application for inspection of facilities to the Head of UPT BPOM. After obtaining a recommendation, the applicant can legally apply for the issuance of a notification.

Furthermore, in order to receive cosmetic notifications through the OSS-RBA system as mandated in the UUCK, applicants must go through various stages consisting of the registration, application, and issuance of notifications as a form of issuing cosmetics distribution permits.

In the registration stage, there are steps that include:

1. Fill in the template and upload data electronically through the official BPOM notification service page.
2. Account creation to get username and password.

3. The applicant for notification in the form of a cosmetic industry uses a username and password no later than 7 (seven) days after the results of the verification of administrative documents are declared complete and correct.
4. Applicants for notification in the form of importers and individual businesses/business entities that enter into production contracts with cosmetic industries located in the territory of Indonesia can use usernames and passwords no later than 14 (fourteen) days after the results of the verification of administrative documents are declared complete and correct.
5. Data collection is carried out 1 (one) time as long as there is no change in the data of the notification applicant.

The next stage is the notification application, in which the applicant submits an application electronically which consists of the following steps:

1. Fill out the template to get a payment order.
2. The applicant makes the payment according to the payment order.
3. Payments are made through a payment system as non-tax state revenue in accordance with statutory provisions.
4. The system issues a product ID number automatically as a receipt for the application.
5. If the applicant does not make a payment no later than 7 (seven) days after the issuance of the payment order, the notification request is considered cancelled.

At this stage of the application, 3 (three) possibilities can be generated which will be notified no later than 14 (fourteen) days after the issuance of the product ID, namely a) received; b) rejected; or c) a request for clarification. The notification is carried out after the data verification stage is carried out by a safety, benefit and quality assessment team and/or by the National Committee for Cosmetics Assessment which is stipulated by a Decree of the Head of BPOM.

In the event that the results of verification of notification data in the form of notifications are rejected, then the fee that has been paid cannot be withdrawn. Conversely, if the notification data verification results are received, then the head of

the agency issues a notification letter that has been notified. Meanwhile, if the result of verification of the notification data is in the form of a notification requesting clarification, it is due to the discovery of matters which explain that cosmetics contain ingredients whose safety and efficacy profiles are not known with certainty, or cosmetics with unclear data regarding product name, product status, product category, and/or brand ownership. Clarification of these matters must be submitted by the applicant no later than 14 (fourteen) days from the date of notification of the request for clarification.

In practice, with regard to the stages of registration of domestically produced cosmetics which are the reference in issuing cosmetic notifications in West Java based on the results of interviews from BBPOM Bandung, include the following steps:

1. Business actors have NIB with the appropriate KBLI. For cosmetics, the KBLI number is 20232 for the human cosmetic industry, including toothpaste.
2. The building plan must be approved by the Central BPOM via <https://e-certification.pom.go.id/> and PB-UMKU OSS via <https://oss.go.id/>.
3. The issuance of a standard certificate by the Ministry of Health.
4. Issuance of a CPKB certificate from the Central BPOM or a copy of the CPKB Aspect Fulfillment certificate to the POM Center in Bandung via <https://e-certification.pom.go.id/> and PB-UMKU OSS via <https://oss.go.id/>, as well as
5. Issuance of distribution permits in the form of cosmetic notifications from BPOM via <https://notifikos.pom.go.id/> (Interview with Dra. Hendraningrum, Apt., Center for Food and Drug Supervisory Agency (BBPOM) Bandung).

Based on the description regarding the registration, application, and issuance of cosmetic notifications as a form of cosmetics distribution permit by referring to BPOM Regulation Number 21 of 2022 above, a common thread can be drawn for regulation of distribution permits in the form of notifications that all become the competence of BPOM or BBPOM at the regional level, such as as well as BBPOM Bandung which issued cosmetics distribution permits for the cosmetics industry in West Java, bearing in mind that cosmetics are pharmaceutical preparations which have

their respective levels of risk and include types of business scale low, medium low, and medium high based on the cosmetic content.

On this matter, at the regional government level, namely by referring to Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions, it is known that regional governments actually have the authority to administer risk-based business licensing in accordance with the UUCK mandate by providing services for registration, applications, until the issuance of a permit. As for cosmetics distribution permits, agencies engaged in licensing and non-licensing at the regional level have the authority from the regent to carry out this matter, apart from having authority as administrative facilitators, these offices also have authority in terms of issuing licenses for the distribution of cosmetics with the type of retail trade in cosmetics for humans. So that in this case, the competence of these agencies is limited to issuing distribution permits for food processing, while for cosmetics it becomes the absolute competence of BBPOM based on the risks that occur as a result of the issuance of such a permit.

Looking at the licensing climate based on the OSS-RBA, this actually provides convenience for business actors. This convenience is reflected in the increased speed, certainty and transparency of the permit issuance process. This is reflected in various ways. First, by shortening the procedures for registration, application and issuance of permits. Second, the OSS-RBA system does not charge fees except for PNB (Non-Tax State Revenue) fees that must be paid in accordance with the requirements of business activities. Third, the ease of accessing information through the official website of OSS, even with complete information regarding guidelines for using the system, the 2020 KBLI list along with the scope, parameters, authorities, scale and risks, obligations and requirements that must be met in carrying out certain business activities and other information (Erni, Febri Jaya, 2022:251-254)

Thus, reducing time, costs and procedures is the right step taken by the government and actualized by updating the system which was originally initiated in 2018 as OSS version 1.0 which is based on Government Regulation Number 24 of 2018,

then in 2019-2020 perfected returned to OSS version 1.1 which later became OSS-RBA (online single submission-risk-based approach) or Risk-Based OSS, whose implementation was based on Government Regulation Number 5 of 2021 concerning Implementation of Risk-Based Business Licensing (Ida Ayu, Putu Gede: 2022 :517). This system is also a mature solution to minimize the birth of bad faith from business actors.

Nevertheless, the renewal of the licensing climate in Indonesia, which is still early in fact, has brought a number of problems, such as problems related to the level of understanding of business actors regarding the new system, where people often experience confusion about the requirements that must be met and the steps that must be taken to obtain a permit. Apart from that, other problems that often become protracted obstacles are in the form of a lack of number of OSS operators in OSS assistance services, not yet integrated permits to fulfill commitments, and supervision of business actors who have not run well/optimally (Rahayu, et al. .al, 2021:5028).

Under these conditions, the urgency of the emergence of the government's role in terms of giving serious attention to the distribution of cosmetics is becoming increasingly clear, bearing in mind that as mandated by Article 33 of the 1945 Constitution that in carrying out its duties and authorities, in addition to making regulations, the government also needs to provide excellent supervision. This supervision is not only binding for the community, but also for the government, so that collusion does not arise between business actors and the government which is likely to cause harm to the general public as consumers (Nadiatun Nuris As-Solikhah, 2022: 3473-3475).

In connection with the cosmetic supervision that seems not to be going well, the need arises for the development of optimal supervision, both in the pre-market and post-market stages of a cosmetic product being distributed as it is known that ideal conditions, that supervision is carried out by involving elements of pentahelix . Supervision is carried out with the expansion of the triple helix strategy, which involves various elements of society and non-profit institutions in order to realize innovation through synergistic collaboration which is expected to create innovation supported by

various resources that interact synergistically. In detail, supervision of cosmetics distribution permits in minimizing distribution of cosmetics without distribution permits is carried out by coordination between academics, practitioners, communities, government and qualified media, which is built collaboratively as fulfillment of an optimal monitoring system. (Data assistance and interview with Mr. Agung Purwanto, General Sub-coordinator of BBPOM Bandung).

### **Conclusion**

Based on the description of the results and discussion above, the authors draw conclusions in the form of:

The complexity of licensing issues caused by the complexity of the system makes it appear that bad intentions from both business actors and the public are increasingly surfacing. This prompted the Government to carry out licensing reforms by adopting a risk-based approach system in order to cut bureaucratic levels and the flow of permit issuance which tends to be complicated. After UUCK came into force, OSS-RBA as a form of updating the permit issuance system has the basic concept of trust but verified risk to simplify the process of issuing business permits while strengthening oversight of the implementation of business activities.

The process of registering, requesting and issuing cosmetics notifications as cosmetics distribution permits after the entry into force of the UUCK refers to BPOM Regulation Number 21 of 2022 concerning Procedures for Submitting Cosmetics Notifications. In the latest licensing regime, there is an upgrade to the OSS system to become OSS-RBA which provides convenience for business actors, such as by summarizing convoluted steps and waiver of fees for issuing distribution permits to minimize the emergence of bad faith from notification applicants. Nevertheless, problems are often found both in terms of a system that tends to be premature, the level of understanding of business actors that is not yet perfect, as well as supervision from the government which tends to be not optimal both in the pre-market and post-market stages.

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