

# Effectiveness of Implementation of Limited Liability Company Legal Entity Registration Through Online Single Submission by Notary

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**Abstract.** *This study aims to analyze: the implementation of limited liability company registration through the OSS system by a notary in Pekanbaru City, and how effective is the registration of limited liability company business entities through OSS by a notary in Pekanbaru City. The method of approach used is empirical/sociological and includes the type of analytical descriptive research. Data sources were obtained through interviews conducted directly with notaries as sources and other literature studies. The results of the study showed that the implementation of the registration of limited liability company (PT) legal entities begins with the preparation of a deed of establishment of a limited liability company by a notary as an authorized official. The deed of establishment contains the company's articles of association. After the deed of establishment, business actors or notaries as their representatives must register business permits through the OSS system which will later obtain a NIB (Business Identification Number) as the company's identity in carrying out business activities. The effectiveness of the registration of limited liability company (PT) legal entities through the OSS system by notaries in Pekanbaru City cannot be considered effective because many obstacles are still found. Some of these obstacles are the lack of understanding of notaries in operating OSS, internet network constraints and websites that often error, difficulty in obtaining information related to the requested requirements and if obstacles are experienced, they still have to be reported manually so that it takes even longer, as well as the lack of socialization or counseling from the government.*

**Keywords:** *Effectiveness, Online Single Submission*

## 1. Introduction

Indonesia is a developing country, one of which is economic development can be defined as a process that causes an increase in real income per capita of the population in a region. Economic growth shows the extent to which economic activity will produce welfare, and society can increase income in a certain period. Welfare refers to the development of social welfare, with a series of planned and institutionalized activities aimed at improving the standard and quality of human

life.<sup>1</sup> Furthermore, economic growth is defined as the most important factor in development. The government in any country can fall or rise based on the high or low level of economic growth achieved and even the good or bad quality of government policies and the quality of its apparatus in the economic field as a whole, usually measured based on the speed of growth of national output produced.<sup>2</sup>

The government strengthens foreign exchange control by providing tax incentives. Control is in the form of an obligation to include Export Proceeds (DHE) from exports of natural resource products (mining, plantations, forestry, and fisheries). Tax incentives are in the form of providing a final Income Tax rate on deposits. The 16th Economic Policy Package is outlined in Presidential Regulation Number 91 of 2017 concerning the Acceleration of Business Implementation. Through this policy package, the government seeks to accelerate business implementation by monitoring and resolving obstacles through the formation of a Task Force (Satgas), accelerating the implementation of business licensing, both inside and outside Special Economic Zones (KEK), Free Trade Zones and Free Ports (KPBPB), Industrial Zones, and National Tourism Strategic Areas (KSPN), reforming licensing regulations, and implementing an integrated electronic business licensing system (Online Single Submission).<sup>3</sup>

In carrying out business licensing with integrity, there must be a notary's role in making the deed. Where in modern times, people no longer recognize agreements based on trust in each other. Making authentic deeds is very important for people who prove the evidence for their needs, both for personal and business interests. The interests of a business are deeds made for activities in the business sector. For example, the deed of establishment of a limited liability company, firm, Commanditair Venootschap (CV) and so on.

The importance of the notary position is due to the nature and essence of his work which is very oriented towards the legality of information or agreements, so that it can be the main legal basis for the status of property, rights, and obligations of the parties involved. As long as authentic evidence is still needed by the state legal system, the notary position will continue to be needed in society.<sup>4</sup>Notary as a public official who is authorized to make authentic deeds

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<sup>1</sup>Andrian Nurdin, (2012), *Bankruptcy of State-Owned Enterprises Based on the Principle of Legal Certainty*, First Edition, PT Alumni, Bandung, p. 31.

<sup>2</sup>Ahmad Amiruddin, (2016), *Thesis: Analysis of the Influence of Infrastructure on Economic Growth in West Sulawesi Province 2008-2013*, Faculty of Economics and Business, UGM, Yogyakarta, p. 19.

<sup>3</sup>Sony Hendra Permana, 2018, "The Role of Regional Heads to Accelerate the Implementation of Economic Policy Package Volume 16", *Jurnal Hukum*, Vol. X, No.3, p. 20.

<sup>4</sup>Hartani Sulihandari and Nisya Rifiani, (2013), *Basic Principles of the Notary Profession Based on the Latest Legislation*, Smart World, Jakarta, pp. 16-17.

regarding all acts, agreements and determinations that are required by a general regulation or by the interested party to be stated in an authentic deed, guarantee the certainty of the date, keep the deed and provide the grosse, copies and extracts, all as long as the making of the deed by a general regulation is not assigned or excluded to an official or other person.<sup>5</sup>The implementation of the duties of a notary is the implementation of an Esoteric job. Therefore, a notary in carrying out his duties and positions must comply with various provisions that have been regulated in the Notary Law (hereinafter referred to as UUJN), so that in this case, accuracy, precision, and precision are required not only in the administration of making deeds, but also the application of various legal rules contained in the relevant deed for the parties, and the ability to master the science of notaries in particular and law in general.<sup>6</sup>

One of the developments of technology itself is the existence of Online Single Submission (hereinafter referred to as OSS), OSS is one of the advancements in information technology at this time, OSS also has an influence on the economic sector. The rapid development of technology today is pushing society into the post-industrial era. This condition is a continuation of pre-industrial and industrial society. The main difference from pre-industrial society is its emphasis on the economy in the service and technology sectors. OSS itself has been implemented and has been ratified on June 21, 2018. OSS is a One-Stop Integrated Service (PTSP) in Indonesia, the OSS institution gives new hope for the investment climate in Indonesia to run a business. The definition of OSS has also been explained in Government Regulation Number 24 of 2018 concerning Electronically Integrated Business Licensing Services is a business license issued by the OSS Institution for and on behalf of the Minister, head of institution, Governor, or Regent or Mayor to business actors through an integrated electronic system.

Commercial or operational business permits are issued by the OSS Institution for and on behalf of the Minister, Head of Institution, Governor, or Regent and Mayor after the business actor obtains a business permit and to carry out commercial or operational activities by fulfilling the requirements or commitments. The OSS Institution is a non-ministerial government institution that organizes government affairs in the field of investment coordination. In the general provisions of Government Regulation Number 24 of 2018 concerning Electronically Integrated Business Licensing Services in Article 1 paragraph (12). The OSS Institution is responsible for issuing Business Identification Numbers (NIB), location permits, and business permits. Basically, this regulation aims to cut down on the complicated process of issuing business permits. Every permit

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<sup>5</sup>Habib Adjie, (2008), Indonesian Notary Law, PT Refika Aditama, Bandung, p. 13.

<sup>6</sup>Habib Adjie, Op.Cit., p. 20.

throughout Indonesia, both at the central and regional levels, only goes through one door, namely OSS.

## **2. Research Methods**

The approach method in this study is empirical/sociological and includes analytical descriptive research. Data sources are obtained through interviews conducted directly to notaries as sources and other literature studies.

## **3. Results and Discussion**

### **3.1. Implementation of Registration of Limited Liability Company Legal Entities Through the Online Single Submission (OSS) System by Notaries**

Before the enactment of Law Number 11 of 2020 concerning Job Creation, the regulations regarding PT were contained in Law Number 40 of 2007 concerning PT, where Article 7 of the Law states that a PT must be established by at least two people, and each founder must have a share in the PT that is established. If the number of shareholders of a PT becomes less than two people, then within 6 months, the shareholder must transfer some of his shares to another person or the PT must issue new shares to another person. Therefore, it was previously clear that a PT must be established by two people. However, since the enactment of Law Number 11 of 2020 concerning Job Creation, a PT can now be established by just one person as long as it meets the criteria as an MSME.<sup>7</sup>

Based on Article 8 of the UUPT, the deed of establishment is a deed made before a notary or in the form of a notarial deed, which includes the Articles of Association and other information related to the establishment of the company. After the process of making the deed of establishment of a limited liability company is completed, the next step is to submit an application to obtain legal entity status from the Minister within 60 (sixty) days. Companies that have obtained approval from the Minister of Law and Human Rights of the Republic of Indonesia are required to be registered in a company carried out by the Minister of Law and Human Rights.<sup>8</sup> The purpose of registering a Limited Liability Company is as a sign that the company in question has been officially registered and has the authority to carry out activities in accordance with the intent and purpose of the company.

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<sup>7</sup>Meli Oktarina, Rosida and M.Tohir, (2023), Implementation of Registration of Individual Limited Liability Companies According to Law No. 11 of 2020 concerning Job Creation, Dewantara Journal, Vol.3, No.1, p.38.

<sup>8</sup>Article 29 paragraph (1) and (6) of UUPT NO. 40 of 2007.

According to the provisions in Article 30 paragraph (1) of the UUPT, the Minister will announce the Limited Liability Company in the Supplement to the State Gazette of the Republic of Indonesia (TBNRI). The purpose of announcing the Limited Liability Company in the Supplement to the State Gazette of the Republic of Indonesia (TBNRI) is to inform the public that the Limited Liability Company has been legally established according to law and has the authority to carry out business activities in accordance with its intent and purpose. The announcement includes:

1. The deed of establishment of the company together with the Ministerial Decree as regulated in Article 7 paragraph (4).
2. Deed of amendment to the Company's articles of association together with the Minister's Decree in accordance with the provisions in Article 21 paragraph (1).

Based on the results of interviews with sources, it was explained that after going through the process of making a deed of establishment and obtaining approval from the Ministry of Law and Human Rights, the company can only carry out its business activities if it already has a NIB (Business Identification Number). Business Identification Number (NIB) is an identity given to Business Actors by the OSS Institution after they register. This NIB is needed for business actors who want to take care of business permits through OSS, both for new businesses and those that have been operating before OSS was implemented.

Apart from being one of the requirements for running business activities, NIB has several functions, including the following:

1. Company Registration Certificate (TDP).
2. Import Identification Number (API), if the business actor will carry out import activities.
3. Customs Access, if the business actor will carry out export and/or import activities.

In addition, when registering for NIB, business actors can also obtain other registration documents, such as:

1. Taxpayer Identification Number (NPWP) for companies or individuals who do not have one.
2. Letter of Approval of Plans to Use Foreign Workers (RPTKA).

3. Proof of BPJS Employment and BPJS Health Membership Registration.
4. Notification of eligibility to obtain fiscal facilities and/or business permits, for example for Business Permits in the Trade sector (Trade Business Permit/SIUP).

After obtaining a Business Identification Number (NIB), business actors will automatically be registered as participants in social health and employment security. The validity period of this NIB will last as long as the business actor carries out their business activities. The registration process to obtain a NIB is free of charge.

To obtain a NIB, every business actor has the option to register through OSS (Online Single Submission) in accordance with the provisions stipulated in Government Regulation Number 5 of 2021 concerning the Implementation of Risk-Based Business Licensing. OSS is designed for all types of companies that will apply for business licenses in Indonesia, whether in the form of individuals or business entities, and including both MSMEs and non-MSMEs.

Before processing licensing, business actors must create and activate an OSS account. For Business Entities, the first step is to register in the OSS system by entering the Population Identification Number (NIK) of the Business Entity Responsible Person or President Director, as well as some other information on the available Registration Form. After that, the OSS system will send 2 (two) emails to the Business Entity for the registration process and verification of the OSS account. The verification email contains a temporary user-ID and password that can be used to log in to the OSS system.

For Individuals, individual business actors can access OSS by entering the Population Identity Number (NIK) and some other information on the Registration Form available in the OSS system. After that, the OSS system will send 2 (two) emails to the individual business actor for the registration process and verification of the OSS account. The verification email contains a temporary user-ID and password that can be used to log in to the OSS system.

Based on interviews conducted with sources, it was explained that the legal products that will be produced from the company establishment process are:

1. Deed of Establishment of PT
2. Decree of the Ministry of Law and Human Rights
3. NIB (Business Identification Number)

#### 4. Standard Certificate, verified or unverified.

The time of issuance of NIB will be adjusted to the type of business activity being carried out. If the company's business activities require many things, and include large types of businesses, then usually the process of making NIB will take more time. The OSS site will direct us in each process clearly, and we only need to follow the directions listed.

Business actors can also make improvements to the information contained in the OSS through the data change option, as long as the data is not included in the elements listed in the company's articles of association. This change process can be done after the registration form filling process in the OSS is complete.

All types of permits issued by OSS will only be activated and come into effect after all permit commitments have been fulfilled and permit fees, such as PNBP, levies, or others, have been paid in accordance with applicable regulations.

### **3.2. Effectiveness of Limited Liability Company Legal Entity Registration Through the System of *Online Single Submission* (OSS) By Notary**

Effectiveness is a condition in which an action or activity successfully achieves the desired impact or result, in accordance with the objectives that have been set. A person is considered effective if his actions are able to achieve or produce the desired or planned impact. Another opinion from Richard M. Steers states that the more rational an organization is, the greater its ability to achieve its goals, so the more effective the organization is. Thus, effectiveness is seen as the ultimate goal for most organizations, at least theoretically.<sup>9</sup> From the definition, it can be concluded that the effectiveness of an activity or policy can be measured by the extent to which the organization achieves its stated goals. Therefore, policy effectiveness can be interpreted as the success in implementing the policy to achieve the stated targets, and this is measured based on the extent to which the objectives of the policy are met in a timely manner.<sup>10</sup>

In 2018, the Government issued Government Regulation Number 24 of 2018 concerning Electronic Integrated Licensing Services. This regulation aims to simplify the process of registering business entities, especially for non-legal entities that previously had to register through the One-Stop Integrated Service (PTSP) and have a domicile certificate. Government Regulation Number 24 of 2018 is a development of PTSP. OSS is a new innovation in online business entity registration, replacing the manual process that was previously carried out

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<sup>9</sup>Steers, M. Richard. (1999). *Organizational Effectiveness*. Pustaka Pelajar, Yogyakarta, p.53.

<sup>10</sup>Purwanti, Dian, (2022), *Effectiveness of Behavioral Change*, CV. Azka Pustaka, West Sumatra, p. 42.



manually. Now, registration business entities can be done online through the OSS system.

OSS is an application used for all registration processes and business licensing applications, as well as other licensing applications included in business licensing services. The Central Government determines the policy for implementing the authority to grant business licenses in accordance with these regulations and other related laws and regulations. *Online Single Submission* is a web-based application that helps the process of filing complaints and permits, which will then be processed by decision makers. The Online Single Submission web application provides information such as business application data, available permit data, regional agency data, and regional permit data, and so on.

OSS allows business actors to immediately start their production process while completing other implementation documents such as location permits, building permits, environmental permits, and other obligations such as the Indonesian National Standard (SNI). OSS is designed to be integrated with the Directorate General of General Legal Administration of the Ministry of Law and Human Rights, and the Directorate General of Taxes of the Ministry of Finance. In fact, OSS is planned not only as a means of information, but also for complaints and grievances. In the Online Single Submission (OSS), the company subjects are divided into two, namely individuals and non-individuals. A sole proprietorship is established and owned by only one person. This means that the person is the only legal subject responsible for the rights and obligations of the sole proprietorship. The owner of the sole proprietorship is also the only one entitled to the profits and responsible for the losses. If a loss occurs, the owner of the company will bear it himself, including his personal assets, because there is no separation between personal and company assets.

Basically, notaries do not have full authority in operating OSS because the system can be accessed by anyone who wants to register a business entity. However, Notaries as officials who make deeds of establishment of legal entities will be more effective if they directly register the legal entity into the OSS system. This will benefit the community because it is handled by officials who understand the system. Although Notaries do not have full authority in operating OSS, they still have full authority in making deeds of legal entities.

The government is trying to provide new innovations in terms of business licensing services through the Online Single Submission (OSS). Which is intended to encourage community participation in developing the business sector and the national economy by simplifying the business license registration process. The hope of being able to simplify the business license registration process can be said to be a goal of this innovation. In order to know whether the government's



efforts are effective, it is necessary to ensure that the purpose of the simplification is carried out properly.

OSS, short for Online Single Submission, is a web-based application that aims to simplify the licensing application process with follow-up handling by the authorities. The OSS application presents information on business application data, available permits, regional agency data, and regional licensing data.<sup>11</sup>OSS was formed with the aim of accelerating and increasing investment and business by implementing an electronically integrated business licensing system, as regulated in the latest Government Regulation, namely Government Regulation Number 24 of 2018 concerning Electronically Integrated Business Licensing Services. Government Regulation Number 24 of 2018 concerning Electronically Integrated Business Licensing Services was formed based on the provisions contained in Article 25 of Law Number 27 of 2007 concerning Investment.

Simple is a concept that is easy to understand or describe, the opposite of complicated. Sometimes, simplicity can also be associated with clarity. So in this study, innovation to simplify the business licensing process through the OSS system can be said to be simple if each step or process that is passed is not complicated and clear.

Basically, the innovation of this electronic business licensing system is said to have several advantages, namely:

1. Simplifying the process of managing various types of business permits
2. Helping business actors connect with all relevant parties and obtain permits safely, quickly, and in real-time.
3. Assisting business actors in reporting and resolving licensing issues on one platform.
4. Allows business actors to store licensing data in one business identity known as NIB (Business Identification Number).

In order to feel the benefits of the ease of the business licensing process through OSS, business owners or notaries must understand the existing regulations and mechanisms so that filling in company data runs smoothly and obtaining licensing documents becomes easier. However, this is the obstacle.

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<sup>11</sup>Yanti, Asima and Darma, Piki, (2022), Development Transformation Through Public Services, Pena Persada, Central Java. p.377

Based on the presentation from the resource person, the process of registering a business license for a business entity including a limited liability company through OSS, cannot be said to be simple, because to access the system requires a good understanding of technology. On the other hand, the limited understanding of notaries, especially senior notaries regarding the technology system, is a limitation for them to be able to access this electronic-based licensing site. The lack of government or agency counseling related to the OSS system is also one of the obstacles to notaries having difficulty and not understanding how to use the OSS system.<sup>12</sup>

In addition to the problem of understanding, the OSS system presented in the form of an electronic system certainly requires an internet network and smooth web operation. This is also an obstacle, because sometimes an unstable internet network and a web that does not run smoothly or often errors become obstacles in the operation of this website. Notaries find problems in filling in data, website errors so that they hinder the work of notaries in implementing the registration of company business permits. Things like this can be fatal problems, especially if business actors or notaries really need important documents at that time.<sup>13</sup>

Notaries, as representatives of business actors in the process of establishing a limited liability company (PT), consider that the implementation of Online Single Submission (OSS) still faces many problems. In his experience in Pekanbaru City, the system is still relatively unstable. Sometimes, the OSS system page cannot be accessed at certain times, logging in to the Log-In page is unsuccessful, and a system error occurs during the process of issuing the Business Identification Number (NIB), so that it returns to the initial page and removes the data that has been entered, including KBLI.

The OSS system has been running since 2018, meaning that it has been running for 6 (six) years. With that amount of time, it should have been able to realize the advantages of the purpose of presenting this system. With 6 years, the management should have been able to collect ideas, evaluate improvements to deficiencies, and provide counseling to the community, especially those interested in this field, so that the presence of the OSS system can really help make it easier for business actors to register their business permits.

The next effectiveness assessment can be seen from the integrated point. A policy or innovation can be said to be effective if it realizes the value of integration. Integrated means combining or aligning separate elements to create a balanced and interconnected unity: uniting integrated fields.

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<sup>12</sup>Results of an interview with a Notary, in Pekanbaru, May 19, 2024.

<sup>13</sup>Ibid.

OSS functions as a platform for licensing management, where various permits from related ministerial institutions will be synchronized through the OSS website-based application. Before OSS, PTSP was responsible for real permits. The presence of OSS can simplify the previously complicated licensing process, and OSS management can be done online anywhere.

One-Stop Integrated Service is an activity where all processes, whether related to permits or not, from applications to document issuance, are carried out in one location.<sup>14</sup>In this study, one place that is meant to be the path for submitting business permits is through the OSS system, namely the development of the PTSP innovation which is presented in the form of an electronic system.

Based on the results of interviews with sources, the implementation of licensing through the OSS system in the embodiment of the One-Stop Integrated Service innovation can be considered to help provide convenience, because business actors or notaries do not need to visit various related licensing ministries one by one. Only through the OSS electronic system can licensing be done anywhere and anytime.<sup>15</sup>

For some business actors or business representatives, the implementation of the OSS system is considered quite good because it can be done online. However, after going through the licensing process at OSS, they still need to take care of other permits that are in the relevant ministries and institutions that have not been well integrated, so that it becomes an obstacle. The OSS system does not take care of the licensing process as a whole; it only provides a Business Identification Number (NIB) for all licensing applications that enter the system. There are still many permits from the relevant ministries that have not been integrated. One of them is the integration between the OSS system and taxes. For business actors in the regions, the situation tends to be more difficult because many have not used the OSS system due to limited internet networks.

In practice, if there is an error in entering data into the OSS system, representatives of business actors or business actors who want to establish a PT still have to submit a report to the central OSS manually, which takes a long time because it is not yet available online. This results in the NIB issuance process, which should only take about 2 hours, being hampered for several days, because they have to wait for a response to the report of data entry errors from the center.

Another obstacle mentioned by the source is that notaries often have difficulty obtaining information if there are obstacles in filling in data through the OSS

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<sup>14</sup> Article 1 number 11 of the Minister of Home Affairs Regulation Number 24 of 2006.

<sup>15</sup> Interview Results with Notary in Pekanbaru, May 19, 2024

system. In registering for a business license through the OSS system, several required documents will be requested that are adjusted to the type of business field being registered. Sometimes, this becomes a problem because notaries do not understand some of the requested documents, thus becoming an obstacle in the licensing registration process.<sup>16</sup>

If this happens, of course the notary expects that there is an OSS management section that can be contacted for consultation. However, the management of the OSS system sometimes does not understand the document requirements, and will ultimately direct the notary to consult with the ministry in the related field. This shows that the integrated value mentioned is inherent in the presence of OSS has not been realized. Notaries or business actors still have to try to approach various parties related to the obstacles experienced.

In relation to these conditions, it encourages business actors submitting business permit management through OSS with the help of consultants to fill out forms in the OSS system. Therefore, help desk assistance at DPMPTSP in Pekanbaru City is very important because many OSS system users do not understand the business guidelines and OSS mechanisms properly. Although some business actors, especially PT establishments, have applied for permits through OSS, many still have difficulty filling out forms on the OSS site.

According to the author's analysis, after obtaining the NIB in the OSS system, the OSS will also process business permits within a certain time limit. The OSS system significantly reduces the time and energy required to process permits, as well as reducing loopholes for corrupt practices and extortion. With an online and integrated method, extortion still occurs in various PTSPs in Indonesia. The indicators can be seen from the sting operations that are often carried out. The modus operandi commonly used is "facilitating services" by helping to process permits, "accelerating services" by issuing permits faster than the maximum time limit, and "cheaper services" by reducing retribution costs. The individuals who offer these services receive money from applicants outside the official fees that should be.

Looking at the aspect of adaptation in the realization of the value of effectiveness, the presence of this OSS system can be said to be effective if the community as users are able to adapt to the existence of this system in the business licensing process they carry out. Being able to adapt refers to the ability of the community to operate the OSS system in implementing business licensing registration.

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<sup>16</sup>Ibid.

Based on the results of interviews with sources, notaries have not been able to operate the OSS system properly due to limited understanding of its operation, especially for senior notaries. The limited availability of counseling held by the government that presents this innovation also hinders the minimal understanding of notaries regarding innovations in implementing electronic business licensing.<sup>17</sup>

Based on the explanation above from the results of the presentation with the resource person, it can be concluded that the implementation of the registration of business permits for legal entities through the OSS system by notaries in Pekanbaru has not been implemented effectively because it still causes many obstacles. Especially related to the confusion and difficulty of users in operating the OSS system. The purpose of the OSS system is to increase the acceleration and ease of doing business and simplify the business licensing process. PTSP services in the central and regional governments are expected to be more efficient, responsive, and modern through the provision of an Electronically Integrated Business Service system (Online Single Submission - OSS). This step is considered a breakthrough, but in its implementation, there are still many obstacles faced, both in terms of regulation and non-regulation. Although there have been many improvements made by the government regarding the simplification of rules and procedures, there are still problems in its implementation, especially at the regional level.

The government's innovation in presenting an electronic business licensing registration system is actually a good thing. However, periodic evaluation is very necessary. This system is intended for the convenience of the community in carrying out business licensing registration, for that, the government must be able to evaluate the shortcomings so that the goal has not been optimally realized.

The OSS registration system is still not effective to use. However, with the OSS registration system, it is expected to facilitate the public in registering legal entities and non-legal entities in accordance with the Government's objectives. To achieve this, the Government should continuously conduct socialization and education to stakeholders, including the private sector and the general public, so that they understand the OSS mechanism and system better. In addition, the Government must also routinely check the system to ensure that the system can be used effectively and optimally.

Every business entity that is not registered in the OSS system is required to register its business entity. Registration in the OSS system is an obligation, which has been explained in Article 9 of the Regulation of the Minister of Trade No. 76

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<sup>17</sup>Ibid.

of 2018 concerning the Implementation of Company Registration. The article states that business entities are required to register their companies in accordance with the provisions of the regulation within a maximum of 2 years from the enactment of the regulation.

In relation to the above, the government needs to increase the effectiveness of the implementation of integrated electronic-based business licensing through the OSS system based on periodic evaluations, because, ease in business licensing is one of the important factors that can attract investment. In addition, there are also other factors such as land availability, incentives, human resources, market size, and comfort in operating that also influence investment decisions. In Pekanbaru City in particular, all stakeholders must continue to work together to design an ideal future for the region. Stakeholders should try not to ignore issues that need to be resolved immediately, such as encouraging investment activities and business licensing, while still considering long-term interests.

#### **4. Conclusion**

The implementation of the registration of a limited liability company (PT) begins with the preparation of a deed of establishment of a limited liability company by a notary as an authorized official. The deed of establishment contains the company's articles of association which at least contain several things, namely: 1) The name and location of the company's head office. 2) The objectives and business activities of the company in accordance with applicable laws. 3) The validity period of the company's establishment. 4) The amount of authorized capital, issued capital, and paid-up capital. 5) The number of shares, classification of shares (if any), the number of shares for each classification, the rights attached to each share, and the nominal value of each share. 6) The composition, number, and names of members of the Board of Directors and Commissioners. 7) Determination of the place and procedures for holding a GMS. 8) Procedures for the election, appointment, replacement, and dismissal of members of the Board of Directors and Commissioners. 9) Procedures for the use of profits and distribution of dividends. 10) Other provisions required by UUPT Number 40 of 2007. After the deed of establishment, the business actor or notary as their representative must register the business license through the OSS system which will later obtain a NIB (Business Identification Number) as the company's identity in carrying out business activities. The effectiveness of the registration of limited liability companies (PT) through the OSS system by notaries in Pekanbaru City cannot be considered effective. The OSS system can be said to be effective if it is able to realize the objectives to be achieved from its presence, able to realize good integration and adaptation for its users. However, in this case, the implementation of licensing registration through the OSS system still encounters

many obstacles. Some of these obstacles are the lack of understanding of notaries in operating OSS, internet network constraints and websites that often error, difficulty in obtaining information related to the requested requirements and if there are obstacles experienced, they must still be reported manually so that it takes even longer, and the lack of socialization or counseling from the government regarding the OSS system which results in the system not being implemented effectively.

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Law Number 40 of 2007 concerning Limited Liability Companies.

Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary.

Law no. 25 of 2007 concerning Capital Investment