

## Problematics of Delegated Authority in Small-Scale Gold Mining Permit Issuance and Licensing Delays

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### Abstract

This study analyzes the urgency of strengthening the authority of Regional Governments to issue Small-scale Gold Mining Permits within the framework of the relationship between the Central Government and Provincial Governments, as part of equitable licensing decentralization. Strengthening regional authority is essential to support regional autonomy and improve the effectiveness of natural resource management based on local conditions and community needs. This research employs a juridical-empirical method with a qualitative approach, examining mining regulations and a case study in Gorontalo Province. Primary data were collected through interviews with relevant stakeholders, while secondary data were obtained from legal literature, policy documents, and official publications. The findings show that the current delegated authority system creates administrative limitations and delays in permit issuance. Therefore, this study proposes strengthening provincial government authority through an attributive model to accelerate licensing services, enhance administrative effectiveness, and reinforce the regional role in accountable and sustainable mineral and coal mining governance.

### Keywords

Small-scale Gold Mining Permit; Attributive Authority; Regional Autonomy

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## 1. INTRODUCTION

Indonesia possesses abundant natural resources, including mineral and coal reserves that constitute strategic national assets. Article 33, paragraph (3) of the 1945 Constitution of the Republic of Indonesia affirms that natural resources are controlled by the state and utilized for the greatest prosperity of the people. This constitutional mandate places the state as the primary authority responsible for ensuring that natural resource management is conducted in a fair, sustainable, and welfare-oriented manner. (Simatupang, 2021) In the mining sector, state control is implemented through a licensing mechanism that serves as an instrument of regulation, supervision, and oversight over mining activities from exploration to post-mining reclamation. (Sanduan, 2022)



The governance of mineral and coal mining in Indonesia has undergone significant changes following the enactment of Law Number 3 of 2020, which amended Law Number 4 of 2009 on Mineral and Coal Mining. The amendment reflects a policy shift from decentralization toward re-centralization of mining authority. Under this framework, authority over the licensing, supervision, and management of mineral and coal mining has been largely consolidated with the Central Government. (Al Farisi, 2021) Consequently, provincial governments no longer possess broad authority in mining governance as previously recognized under the regional autonomy framework. The revocation of concurrent legislative authority in the energy and mineral resources sector under Law Number 23 of 2014 has further reinforced the Central Government's dominance in mining administration.

This re-centralization policy has generated practical implications for the issuance of Small-scale Gold Mining Permits (IPR). The licensing process has become more complex because provincial governments only exercise delegated authority, while strategic decisions remain dependent on the Central Government (Puluhulawa, 2011). As a result, IPR issuance often experiences administrative delays, particularly in preparing the Small-scale Gold Mining Area (WPR) management documents required under Government Regulation Number 96 of 2021. Such conditions limit provincial governments' flexibility in responding to local mining issues and reduce the effectiveness of public services in the mining sector. (Al Farisi, 2021)

Gorontalo Province illustrates the impact of this centralized licensing mechanism. Data from the Department of Manpower, Energy and Mineral Resources, and Transmigration of Gorontalo Province indicate that only one officially registered IPR currently exists, namely the permit issued during the period when the mining authority remained under regency and municipal governments pursuant to Law Number 4 of 2009. Although the Central Government has initiated the preparation of WPR management documents for several mining blocks in Pohuwato Regency through the Decree of the Minister of Energy and Mineral Resources Number 192.K/MB.1/MEM.B/2025, the overall licensing process remains slow and highly dependent on central administrative approval.

The delay in issuing IPR has contributed to the persistence of Illegal Gold Mining (PETI) practices. Limited access to legal permits and prolonged bureaucratic procedures encourage local communities to continue mining informally to sustain their livelihoods. Illegal mining activities not only create legal uncertainty for miners but also increase environmental degradation, occupational safety risks, and social conflicts in mining areas. (Gosal et al., 2024) In Gorontalo Province, PETI activities are spread across numerous locations and involve thousands of miners, demonstrating that ineffective licensing governance directly affects the sustainability of mineral resource management.

From the perspective of decentralization theory, regional governments should possess sufficient authority to manage local affairs effectively and responsively. Decentralization aims to improve administrative efficiency, strengthen public participation, and enable regional governments to formulate policies that reflect local conditions and needs. (Guntoro, 2021) In the mining sector, stronger regional authority may accelerate licensing services, improve supervision, and reduce the bureaucratic distance between government institutions and mining communities. (Setyadi & Muttaqin, 2022) However, the effectiveness of decentralization also depends on institutional capacity, regulatory synchronization, and accountability mechanisms to prevent abuse of authority. (Syamsudin, 2023)

In this context, strengthening the attributive authority of provincial governments becomes increasingly important in improving the effectiveness of Small-scale Gold Mining Permit issuance. Attributive authority would enable provincial governments to exercise more independent decision-making powers in mining administration without excessive dependence on the Central Government. Such authority is expected to accelerate licensing procedures, enhance legal certainty for small-scale miners, reduce illegal mining practices, and support sustainable mining governance at the regional level. (Rahayu & Faisal, 2021)

Previous studies have generally focused on mining decentralization, re-centralization policies, and the legal consequences of changes in mining governance. However, limited studies specifically examine the relationship between delegated authority and delays in the issuance of Small-scale Gold Mining Permits at the provincial level, particularly from the perspective of central–regional government relations. Therefore, this study analyzes the implications of delegated authority in the issuance of IPR and examines the urgency of strengthening attributive authority for provincial governments as a strategy to improve licensing effectiveness and regional mining governance. This study is expected to contribute to the development of mining law policies that are more responsive, effective, and aligned with the principles of regional autonomy and sustainable natural resource management.

## **2. METHOD**

This study uses a juridical-empirical method with a qualitative approach. (Ali, 2021) The normative approach is carried out through an examination of the hierarchy of laws and regulations governing the authority of mineral and coal mining, including the 1945 Constitution of the Republic of Indonesia, Law Number 3 of 2020 concerning Mineral and Coal Mining, Law Number 23 of 2014 concerning Regional Government, Government Regulation Number 96 of 2021, as well as other related implementing regulations to identify a model of decentralization of Small-scale Gold Mining licensing that is in accordance with the principles of regional autonomy.

Meanwhile, the empirical approach is used to obtain accurate, in-depth information on the implementation of delegated authority by provincial and regional governments in granting Small-scale Gold Mining Permits. Empirical data are collected through interviews, direct observation, and documentation studies at relevant agencies or technical regional apparatus organizations (OPD), as well as other related parties. This approach is used to describe the factual conditions of the implementation of authority in granting IPR in the regions, while simultaneously identifying the various obstacles faced by provincial governments. Data analysis is conducted qualitatively, using a descriptive-analytical approach to describe the research object's facts and characteristics systematically.

### **3. FINDINGS AND DISCUSSION**

#### **3.1. Analysis of Delays in the Issuance of Small-scale Gold Mining Permits within the Framework of Delegated Authority of Provincial Regional Governments**

Changes in the regulation of authority in the Mineral and Coal Mining sector after the enactment of Law Number 3 of 2020 have had a significant impact on licensing governance, particularly Small-scale Gold Mining Permits in the regions. Strengthening the authority of the Central Government aims to enhance legal certainty, service effectiveness, and strengthen guidance and supervision functions. However, these changes have also created new dynamics in the relationship of authority between the Central Government and Regional Governments, which affect the effectiveness of IPR implementation at the local level.

Recent studies indicate that the recentralization of mining governance in Indonesia has created institutional dependency of regional governments on the Central Government, particularly in licensing administration and strategic decision-making processes in the mining sector. (Ananda & Haerani, 2025; Hadi et al., 2025) Emphasize that governance transformation in the mining sector requires a balance between central control and regional autonomy to ensure responsive and sustainable mining administration. (Friska, 2025a)

In practice, the implementation of Small-scale Gold Mining Permits has not fully aligned with the objectives of the regulatory reform. Changes in the structure of authority have given rise to various problems, especially related to the determination of Small-scale Gold Mining Areas (WPR) and licensing mechanisms. The lack of synchronization between central and regional agencies, as well as differences in regulatory interpretation, have led to overlapping authority, delays in the Small-scale Gold Mining Permits licensing process, decreased effectiveness of public services, and suboptimal guidance and supervision of Small-scale Gold Mining activities.

In line with the restructuring of authority, the Central Government subsequently delegated part of its authority through Presidential Regulation Number 55 of 2022 concerning Delegation of Business Licensing in the Mineral and Coal Mining Sector. However, the results of this study indicate that the implementation of delegated authority still faces complex dynamics, particularly in aspects of service procedures and inter-agency coordination. The effectiveness of implementing this policy depends not only on regulatory design but also on institutional readiness and the regional apparatus's capacity.

The results of an interview with the Acting Head of the Energy and Mineral Resources Division of the Department of Manpower, Energy and Mineral Resources, and Transmigration of Gorontalo Province, Mr. Zainal R. Faried, indicate that since the issuance of Law Number 3 of 2020 concerning Amendments to Law Number 4 of 2009 concerning Mineral and Coal Mining, there has been a shift in the management of the mineral and coal sector from decentralization toward centralization. This change has affected licensing services in the regions, including Small-scale Gold Mining Permits, through a new mechanism: basic requirements for IPR issuance, namely the obligation to prepare a WPR Management Document by the Central Government through the Minister of Energy and Mineral Resources.

In practice, the issuance of Small-scale Gold Mining Permits still faces obstacles, particularly due to the slow preparation of Small-scale Gold Mining Area (WPR) Management Documents by the Central Government. To date, only one document is available as the basis for issuing IPR, namely for 10 WPR blocks in Pohuwato Regency.

Meanwhile, similar documents are still being prepared by the Ministry of Energy and Mineral Resources (ESDM) for other areas, including 11 blocks in Bone Bolango Regency, 2 blocks in Gorontalo Regency, and 1 block in North Gorontalo Regency. As for Boalemo Regency, it has not yet been included in the process because it is still awaiting the determination of Mining Areas (WP) by the Minister of Energy and Mineral Resources, which includes Small-scale Gold Mining Areas (WPR). Thus, out of 63 WPR blocks in Gorontalo Province determined through the Decree of the Minister of Energy and Mineral Resources of the Republic of Indonesia Number 98.K/MB.01/MEM.B/2022, there are still 39 blocks that do not yet have management documents and are still awaiting further preparation by the Central Government.

According to Devi et al. (2025), the governance of artisanal and small-scale mining in Gorontalo Province demonstrates that overlapping institutional authority and prolonged administrative procedures frequently create uncertainty for local mining communities. This condition is consistent with the findings of Hilson and McQuilken (2021), who argue that delays in formalization processes often encourage small-scale miners to continue operating informally due to limited access to legal permits.

This condition shows that the Small-scale Gold Mining licensing mechanism remains highly dependent on policies and administrative processes at the Central Government level, thereby reinforcing the centralized character in the management of the mineral and coal sector. Based on these empirical conditions, it is necessary to strengthen the design of authority in the management of mineral and coal mining at the provincial and regional government levels to improve the effectiveness of granting Small-scale Gold Mining Permits. This is important to ensure alignment with the principles of decentralization, regional autonomy, and improved public service effectiveness in the regions. In this context, strengthening attributive authority to provincial regional governments becomes relevant for further analysis.

In addition, the results of an interview with the Coordinator of Mining Inspectors of the Directorate General of Mineral and Coal of the Ministry of Energy and Mineral Resources of the Republic of Indonesia assigned to Gorontalo Province, Mr. Mohamad Yusuf Komendangi, indicate that, in general, Small-scale Gold Mining activities in Gorontalo Province are still largely operating without permits. This condition leads to low compliance with occupational safety standards and environmental management practices, thereby increasing the risk of workplace accidents, environmental damage, and negative impacts on surrounding communities. This situation is exacerbated by the limited understanding of business actors and the lack of occupational safety facilities. On the other hand, data on accident occurrences, including fatality cases in mining, are not adequately documented because they are often not reported or even deliberately concealed. The limited authority of Mining Inspectors in taking action against illegal activities also hinders the effectiveness of supervision. Nevertheless, efforts to guide continue through the socialization of regulations and the implementation of good mining engineering practices to minimize risks and improve safety in Small-scale Gold Mining activities.

Geenen (2021) explains that ineffective mining formalization policies generally weaken environmental oversight and increase small-scale miners' vulnerability to unsafe, environmentally harmful practices. Similarly, Spiegel (2022) argues that excessive bureaucratic complexity in mining licensing systems tends to undermine the effectiveness of governance reform in developing countries.

Therefore, the existence of Small-scale Gold Mining Permits is very important as a legal basis for the implementation of Small-scale Gold Mining activities, as these permits allow all activities to be formally supervised and structured. Supervision is essential in mining business activities to ensure compliance with all provisions stipulated in the permit (Puluhulawa, 2011), thereby optimally guaranteeing occupational safety, environmental management, and the sustainability of Small-scale Gold Mining activities.

Research conducted by Syahrir et al. (2021) demonstrates that effective mining governance and legal licensing mechanisms are essential to strengthening community resilience and minimizing socio-economic vulnerability in mining regions. In addition, Irawan (2022) highlights that legal certainty in mining licensing significantly contributes to improving environmental governance and reducing illegal mining activities in Indonesia.

In this context, optimizing the role of regional governments becomes crucial to bridge various limitations in the governance of Small-scale Gold Mining. First, strengthening the attributive authority of provincial and regional governments constitutes a concrete manifestation of the principles of decentralization and regional autonomy in natural resource management. This is important, given that the current implementation of delegated authority still shows a high level of dependence on the Central Government, particularly in the determination of Small-scale Gold Mining Areas (WPR) and the preparation of technical documents, which serve as the main prerequisites for issuing IPR. This condition results in delays in the licensing process and limited responsiveness of services at the regional level.

Arifin and Hidayat (2022) state that strengthening regional authority in mining governance can improve administrative responsiveness and accelerate licensing services, particularly in regions with intensive mining activities. This finding is also supported by Sofyan and Kurniawan (2022), who emphasize that regional governance challenges in mining licensing primarily stem from excessive centralization and weak intergovernmental coordination.

Second, granting attributive authority will strengthen the effectiveness of mining licensing governance, including IPR, because provincial regional governments can make decisions more quickly and contextually in accordance with local conditions. From the perspective of decentralization and regional autonomy, this aligns with the principle that regions have the authority to regulate and manage their own community interests based on their potential and regional characteristics. With attributive authority, provincial governments are no longer entirely dependent on instructions or administrative approval from the Central Government at every stage of the licensing process.

Third, this change also has the potential to improve coordination between levels of government. Under the current delegated authority model, overlaps and delays are common due to the long bureaucratic chain between central and regional governments. By strengthening attributive authority at the provincial level, the authority structure becomes simpler and clearer, enabling supervision and guidance functions to be carried out more effectively without reducing accountability within the framework of a unitary state.

Praja et al. (2025) found that weak coordination among levels of government frequently leads to governance fragmentation and policy inconsistency in regional mining administration. Furthermore, collaborative governance approaches are considered important for strengthening institutional coordination and improving policy implementation in the mining sector. (Syafri et al., 2025)

However, strengthening authority through attribution must be accompanied by strengthening the institutional capacity of provincial and regional governments. This includes improving the quality of human resources, strengthening regional apparatus organizations responsible for Small-scale Gold Mining, and developing integrated mining information systems. (Bebbington et al., 2008) Without such readiness, the implementation of attributive authority may be ineffective and even create new problems in licensing governance. Thus, the recommendation to shift from delegated authority to attributive authority in the management of Small-scale Gold Mining Permits represents a concrete implementation of strengthening the principles of decentralization and regional autonomy, which is expected to improve the effectiveness of licensing services, legal certainty, and policy responsiveness to the needs of communities in the regions.

The strengthening of attributive authority for provincial governments may therefore serve as a strategic mechanism to improve licensing effectiveness, enhance legal certainty, and support sustainable mining governance in accordance with the principles of regional autonomy. (Ananda & Haerani, 2025) The shift in authority for mineral and coal mining licensing from decentralization toward centralization through Law Number 3 of 2020 marks a fundamental transformation in the governance of Small-scale Gold Mining in Indonesia. This change transforms the authority of regional governments, which was originally attributive, into delegated authority, in which the Central Government controls mining. In contrast, Regional Governments have only been delegated authority for mineral and coal mining business licensing, namely the authority from the Central Government to the Provincial Governments. This delegation of mining licensing authority reflects centralized authority, negating the authority of regency/city governments to issue Mining Business Permits (IUP) and concentrating authority at the provincial and central levels. (Syamsudin, 2023)

From the perspective of administrative law, the fundamental difference between attributive authority and delegation has significant implications for the effectiveness of licensing services in the regions. Attributive authority is the granting of original authority by the legislator to a government organ, where authority arises directly from statutory norms and full responsibility rests with the recipient of the attribution. In contrast, delegation is the transfer of governmental authority from one government organ to another, in which responsibility and accountability fully shift to the recipient. A fundamental characteristic of delegation is that such authority cannot be further delegated unless there

are specific provisions in laws and regulations that limit the flexibility of regional governments in developing licensing mechanisms responsive to local needs. (Athalla, 2025)

This change in the structure of authority has created various practical problems in implementing IPR issuance at the regional level. The slow process of determining Small-scale Gold Mining Areas (WPR) and issuing Small-scale Gold Mining Permits is considered a major obstacle to the economic activities of mining communities in various regions, indicating serious problems in licensing governance that have not yet been able to respond to field needs. In its application in society, Law Number 3 of 2020 has not been fully effective and efficient in resolving issues related to mining activities, particularly licensing. This condition is exacerbated by stalled issuance of Small-scale Gold Mining Permits in several regions despite administrative readiness, indicating that the problem lies not only in technical administrative aspects but also in political decision-making and provincial governments' willingness to issue permits. (Darongke et al., 2022)

The negative impacts of implementing Law Number 3 of 2020 also include changes in governmental accountability, where communities can no longer protest to Regional Governments for losses caused by mining companies, opening the door to the criminalization of citizens opposing mining, and weakening local supervisory functions. Changes in the regulation of the Minerba Law, which only grant authority to Provincial Governments through delegation from the Central Government, have centralized mining business licensing under the Central Government's control, thereby weakening the implementation of decentralization in Indonesia. As long as there is no legal certainty, communities will remain in a vulnerable position, which will impact their economic stability, especially given that Small-scale Gold Mining activities constitute an important source of livelihood for many citizens.

In the context of decentralization and regional autonomy, the authority to manage natural resources granted to regional governments is intended to enable them to play an active role in managing these resources to improve community welfare, which was previously managed directly by the Central Government. Ideally, decentralization should encourage regional governments to determine development priorities in line with their regions' unique characteristics and local communities' aspirations. However, the main challenge in implementing decentralization in mining management is the gap between the authority granted and the regions' institutional capacity. Delays in the issuance of IPR are not only caused by the slow preparation of WPR Management Documents by the Central Government but also by the limited capacity of regional apparatus to implement delegated authority, as well as licensing requirements that require effort and time.

Coordination between central and regional governments on licensing and mining governance is crucial to overcoming overlapping authority and delays in the licensing process. The Ministry of Energy and Mineral Resources, through the Directorate General of Mineral and Coal, continues to strengthen collaboration with regional governments to improve the governance of mineral and coal mining, in line with the latest sector regulations. Coordination issues include a lack of synchronization between central and regional agencies, differences in regulatory interpretation, and conflicts in spatial utilization between Small-scale Gold Mining Areas (WPR) and forest areas. Regional Representative Councils (DPRD) in various regions encourage both regional and central governments to accelerate the process of determining WPR and simplify the issuance of IPR, emphasizing that cross-sectoral involvement is crucial so that resulting policies do not focus solely on enforcement but also consider social and economic impacts.

Digitalization efforts through the launch of the Mineral and Coal Information System (SIMBARA) constitute an important part of mining governance reform to integrate systems and data from upstream to downstream, including mining licensing, sales plans, sales verification, non-tax state revenue (PNBP) payments, exports, transportation/shipment, and export proceeds. SIMBARA aims to realize a unified mineral and coal data system across Ministries/Agencies, improve compliance and supervision effectiveness in the sector, optimize state revenue, and enhance services for business actors and the public. The implementation of this integrated information system is an important part of bureaucratic reform aimed at improving the quality of public services in the regions. However, challenges remain, including overlapping regulations, limited digital infrastructure, and disparities in implementation across regions.

Regional bureaucratic reform requires regulatory updates, strengthened human resource capacity, and accelerated digital transformation to ensure that bureaucratic reform and public services operate optimally. The involvement of regional governments in the mining licensing process not only strengthens accountability and enhances the effectiveness of supervision but also requires adequate institutional readiness. Administrative and bureaucratic reform in regional governments can be realized through: (a) strengthening government regulations and policies; (b) implementation of e-government and e-governance that promote openness and public transparency; and (c) intergovernmental cooperation through collaborative governance that can strengthen regional governance and redefine central-regional relations. Changes in mining licensing authority from regions to the center also have the potential to reduce regional revenue, particularly from the mining sector, creating a dilemma between centralization efforts to enhance legal certainty and the principle of fiscal decentralization that grants financial authority to regions.

Based on these empirical dynamics, strengthening the attributive authority of provincial regional governments is an alternative to improve the effectiveness of granting Small-scale Gold Mining Permits. It is in line with the principle that regional governments should have proportional authority in natural resource management, in accordance with the mandate of the 1945 Constitution. The recommendation to shift from delegated to attributive authority in the management of IPR represents a concrete implementation of the principles of decentralization and regional autonomy, expected to enhance the effectiveness of licensing services, legal certainty, and policy responsiveness to the needs of communities in the regions. However, the implementation of attributive authority must be accompanied by strengthening the institutional capacity of provincial regional governments, including improving the quality of human resources, strengthening regional apparatus organizations responsible for Small-scale Gold Mining, and developing integrated mining information systems to ensure effective licensing, governance, and accountability within the framework of a unitary state.

### **3.2. Strengthening the Attributive Authority of Provincial Regional Governments as a Solution for the Effectiveness of Granting Small-scale Gold Mining Permits**

Given delays in the issuance of Small-scale Gold Mining Permits within the framework of delegated authority, characterized by lengthy bureaucratic processes, dependence on the central government, and lack of synchronization among institutions, it is necessary to strengthen an effective model of authority. In this context, strengthening the attributive authority of Provincial Regional Governments becomes a relevant solution to improve the effectiveness of licensing services. Recent legal studies indicate that delegated authority in mining governance often creates procedural dependency on the Central Government, thereby reducing regional flexibility in responding to local licensing issues. (Tinambunan et al., n.d.)

Theoretically, regional governments obtain authority through two main channels, namely attribution and delegation. Attributive authority is the granting of authority that originates directly from laws and regulations and is original in nature within the framework of implementing regional autonomy, which allows regional governments to enact regional regulations in accordance with the needs of their respective regions without waiting for instructions from higher-level regulations (Karambut et al., 2023). In contrast, delegation is the transfer of authority from the central government to regional governments, with full responsibility and accountability shifting to the recipient. In the context of the regional autonomy system as regulated by Law Number 23 of 2014, provincial governments hold a strategic position in managing governmental affairs that cross regency/city boundaries, including the management of natural resources within the limits of their authority. (Suhartono, 2013)

Hadi et al. (2025) argue that strengthening attributive authority for provincial governments is necessary to achieve a more balanced relationship between regional autonomy and national interests in the mining sector. This approach is considered capable of reducing bureaucratic rigidity while improving administrative accountability in licensing governance. (Ananda & Haerani, 2025)

Strengthening attributive authority enables Provincial Regional Governments to have a more independent basis for determining Small-scale Gold Mining Areas (WPR) and issuing IPR, without excessive dependence on tiered approvals from the central government. This directly addresses the main obstacle: slow licensing processes caused by lengthy, complex coordination mechanisms.

The problems in implementing delegated authority to issue Small-scale Gold Mining Permits are reflected in empirical cases across different regions that exhibit similar patterns. In West Nusa Tenggara, although many small-scale gold mining permit applications are administratively ready, permit issuance remains stalled because it requires political decisions from the provincial government, indicating that the issue lies not only in technical administrative matters but also in the willingness to make decisions within the framework of delegation. Similar conditions occur in other regions, where regulatory complexity and complex licensing procedures make the WPR's objective of empowering Small-scale Gold Mining ineffective. There have even been cases of delays in issuing new permits in the mineral and coal mining sector by the Directorate General of Mineral and Coal to Governors throughout Indonesia following the enactment of Law Number 3 of 2020, where permit applications submitted before June 10, 2020, could not be further processed, further hindering the acceleration of IPR services.

Legislators through Commission XII of the House of Representatives of the Republic of Indonesia have encouraged the Ministry of Energy and Mineral Resources to simplify the WPR licensing mechanism so it can be legally and sustainably utilized by the community, emphasizing that, in principle, the community wants to work properly and legally. However, when the licensing process is too complicated, the objective of WPR as a solution for Small-scale Gold Mining becomes ineffective. Efforts to simplify mining licensing through the implementation of digital-based systems have shown promising results, where studies indicate that the initial implementation of simplification policies has successfully reduced the time required to process mining permits by up to 40% compared to the previous system (*Legislator Dorong Penyederhanaan Izin WPR demi Legalitas Tambang Rakyat | E-Media DPR RI – Berita Resmi, Informasi Publik, dan Kegiatan Parlemen Indonesia, n.d.*).

Empirical studies on mining licensing reform demonstrate that simplifying licensing procedures and reducing bureaucratic layers can significantly improve the efficiency of permit services and public trust in government institutions. (Iwais, 2026) Digital-based licensing systems are also considered effective in reducing administrative delays and increasing transparency in mining governance. (Friska, 2025b)

In addition, attributive authority also increases policy responsiveness because regional governments better understand local social, economic, and territorial conditions. Thus, the licensing process can be adjusted more quickly to community needs and to resolving spatial utilization conflicts at the local level. The responsiveness of public services in the licensing context is a crucial indicator of regional governments' ability to meet community needs quickly and accurately. Research on public service responsiveness shows that the apparatus's ability to respond to community needs, service speed, service accuracy, and compliance with time standards are important factors in determining the effectiveness of licensing services. In practice, good responsiveness in licensing services can be achieved through transparency of procedures, clarity of service flows, certainty of retribution fees, and timeliness, all of which support the creation of service accountability. (Ismail & Rukmana, 2020) Public service responsiveness is closely related to regional governments' capacity to formulate adaptive policies based on local socio-economic conditions and community needs. (Ismail & Rukmana, 2020)

From a governance perspective, simplifying the structure of authority also clarifies the division of roles between central and regional governments, thereby reducing overlapping authority, which has been a cause of ineffective IPR services. Overlapping authority between central and regional governments in mining management has been a longstanding issue that hinders the effectiveness of licensing governance. From the perspective of historical mining regulation in Indonesia, there has been inconsistency in the division of authority: Law Number 11 of 1967 granted the central government full authority over strategic minerals, while provincial governments retained full authority over non-strategic minerals. This dynamic of authority division has continued to evolve, with the era of decentralization under Law Number 4 of 2009, during which authority over mining management, including licensing, area determination, and operational activities, was vested in regional governments. Thus, strengthening the attributive authority of Provincial Regional Governments constitutes a response to the main problems in delegated authority, particularly related to delays, bureaucratic complexity, and low service responsiveness, and is therefore expected to improve effectiveness and legal certainty in the granting of IPR.

From the perspective of sustainable governance, strengthening attributive authority at the provincial level can create a more adaptive, participatory, and accountable mining governance system while maintaining supervision within the framework of the unitary state. (Devi et al., 2025) Therefore, strengthening regional authority should not merely be viewed as an administrative restructuring policy, but also as part of broader mining governance reform aimed at improving environmental sustainability, legal certainty, and community welfare. (Friska, 2025b)

#### 4. CONCLUSION

This study concludes that the delay in the issuance of Small-scale Gold Mining Permits in Gorontalo Province is influenced by changes in the authority of the mineral and coal mining sector following the enactment of Law Number 3 of 2020, which tends toward centralization. This condition has resulted in increasingly limited authority for provincial regional governments, particularly in determining Small-scale Gold Mining Areas (WPR), and in their dependence on the Central Government for the preparation of WPR Management Documents. In addition, the implementation of delegated authority based on Presidential Regulation Number 55 of 2022 has not yet operated optimally. This is caused by the slow preparation of WPR management documents by the Central Government, the uneven availability of these documents across regions, and the complexity of inter-agency coordination, which has led to delays in issuing IPR in regions.

Thus, the current delegated authority has not fully met the needs for effective licensing services at the regional level. Therefore, it is necessary to strengthen attributive authority for provincial regional governments, accompanied by improvements in institutional capacity, so that the implementation of granting Small-scale Gold Mining Permits can be more effective, responsive, and provide legal certainty for mining communities.

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