

Legal Construction of Infrastructure Financing Based on Public Private Partnership to Realize National Resilience

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Abstract

Indonesia requires substantial infrastructure investments. The government can only provide less than half of the total funding required for strategic infrastructure investments from 2019 to 2024. Therefore, the government needs to explore alternative funding sources to meet its infrastructure needs. Public-Private Partnership (PPP) through the Government Business Entity (KPBU) presents itself as an alternative infrastructure financing solution that involves collaboration between the government and the private sector. Through the legal construction method using qualitative analysis techniques, the research found that the alternative approach to infrastructure financing through state-owned PPP is a public-private partnership with non-conventional financing instruments. This approach accelerates infrastructure development, increases resource efficiency, and requires strong regulation and supervision. The government needs to oversee the use of public funds, selection of private partners, and risk control in PPP projects. Improved transparency, coordination, and capacity of the government and private partners are key to the success of such projects.

Keywords : Legal Construction, Financing, Infrastructure.

INTRODUCTION

Infrastructure is the driving wheel of economic growth. From the allocation of public and private financing, infrastructure is seen as the locomotive of national and regional development. From a macroeconomic point of view, the availability of infrastructure services affects the marginal productivity of private capital, while in the microeconomic context, the availability of infrastructure services affects the reduction of production costs. Infrastructure also has an important influence on improving the quality of life and human welfare, including increasing the value of consumption, increasing labor productivity and access to employment, as well as increasing real prosperity and realizing macroeconomic stabilization, namely fiscal sustainability, development of credit markets, and its impact on labor market (Haris, 2009). The Indonesian government pays great attention to infrastructure development, especially basic services to meet the needs of the community as well as proof of the presence of the state. Infrastructure itself plays a major role in regional development, where the existence of infrastructure both in terms of quality and quantity influences other development dimensions such as the Human Development Index (IPM), regional accessibility, stunting prevalence to economic growth. Therefore, data and information regarding infrastructure are always needed in every formulation and evaluation of policies by the Government, academics and society in general.

Infrastructure also has an important influence on improving the quality of life and human welfare, among others in increasing the value of consumption, increasing labor productivity and access to employment, as well as increasing real prosperity. Infrastructure also has an important influence in increasing the value of consumption, increasing labor productivity and access to employment. The existence of infrastructure is also very necessary so that the process of

developing human resources in an area can run well. The development process accompanied by rapid technological developments necessitates a truly appropriate approach in the human resource development program (Mahalli, 2015).

Infrastructure financing in Indonesia can be divided into two types according to the source of funding, namely conventional financing and non-conventional financing. Conventional financing is infrastructure financing sourced from the government budget. So far, the government (ministry/institution) has only relied on three financing schemes that are commonly carried out, such as spending by ministries/agencies through the APBN or APBD, or capital injection schemes to SOEs to work on certain investment projects, and the most recent is the Government Agency Cooperation scheme. Business (PPP) which was previously better known as the Public Private Partnerships/PPP scheme or known as Public Private Partnership (KPS). Meanwhile, non-conventional financing is infrastructure financing sourced from non-government budgets.

Funding is a major challenge in national infrastructure development. The state budget is only able to support about a third of the total infrastructure funding required. The World Bank notes that the need for national infrastructure investment during 2020-2024 reaches Rp. 6.445 trillion. The budget that purely comes from the state only reaches 37 percent, while state-owned enterprises (BUMN) are predicted to contribute up to 21 percent. The state can support around 58 percent of the total funding target or around IDR 3,738 trillion. The funding contribution from BUMN has the risk of fulfilling the market share of the private sector and recycling assets (Arief, 2021).

The way out of the problem of infrastructure financing that cannot be covered by the State Budget and Regional Budget is to utilize non-conventional financing. There are many types of non-APBD and APBN financing that can be maximized, such as financing through assignments to SOEs, financing through government cooperation with business entities (PPP) or Government Non-Budget Investment Financing (PINA), financing through CSR funds, joint ventures, deductions taxes, philanthropy, and other financing alternatives which will later be obtained through comparative studies with other countries. Utilization of these funding sources will provide many benefits rather than through foreign debt/loan schemes which are increasingly swelling and will erode the resilience of the national economy.

Government Cooperation with Business Entities (PPP) is a form of Public-Private Partnership (PPP) financing in the provision of infrastructure for the public interest by referring to the specifications predetermined by the Minister/Head of Institution/Head of Region/State Owned Enterprise/Regional Owned Enterprise, which partly or wholly uses the resources of the Business Entity by taking into account the distribution of risks among the parties as described in Article 1 point 6 Presidential Regulation Number 38 of 2015 concerning Cooperation between the Government and Business Entities in the Provision of Infrastructure, Cooperation between the Government and Business Entities. PPPs that involve the private sector in infrastructure development can have an impact on society by utilizing all or part of the business entity's capital and taking into account the distribution of risks in cooperation based on decisions agreed upon in advance by the Minister/head of Institution/head of region/or BUMN/BUMD .

Presidential Regulation Number 38 of 2015 concerning Cooperation between the Government and Business Entities in the Provision of Infrastructure is a new milestone in the PPP paradigm. This regulation is a refinement of Presidential Regulation Number 67 of 2005 and its amendments. By expanding from eight infrastructure sectors to 19 infrastructure sectors that can be built under the PPP mechanism, the Government seeks to open up as many opportunities as possible for those in authority to structure their projects as PPP projects. Various facilities have also been prepared up to the legal instruments to support its implementation. Through the Ministry of Finance, the Government has stated its readiness to support PPP projects by providing project preparation facilities (Project Development Facility),

PPP implementation, it seems, has not been supported by the readiness of the regulations, ministries/institutions/local governments/BUMN/BUMD who play the role of the Cooperation Project Person in Charge (PJPK). Potential GCA candidates seem not to be fully aware of the advantages of PPP. Trapped in the paradigm of traditional budgeting and procurement using Presidential Regulation Number 54 of 2010, the practice of procuring infrastructure with PPP schemes is seen more in terms of complexity compared to the usual procurement mechanism, especially compared to the conventional private investment system in BUMN/BUMD in general. Whether we realize it or not, the government is trying to maximize resources to catch up on infrastructure by shifting the subsidy budget to infrastructure spending and optimizing resource allocation through innovative financing schemes such as PPPs. This optimization includes seeking resource efficiency which is possible to achieve through the procurement of infrastructure under the PPP scheme. This paradigm shift, of course, requires optimal support from the project owner's authority.

The PPP concept is considered a strategic infrastructure procurement scheme, which is capable of assisting the Government in preparing infrastructure projects by focusing on the benefit side of the project. With a long concession period, the PPP scheme encourages project owners to translate the quality of service they wish to provide within that period, the possibility of achieving it, the costs required, and how to mitigate the risks that may arise during the construction and concession period without having to choose the option with lowest cost. Apart from enabling the achievement of value for money, PPP also provides space for innovation with the flexibility of methods and designs that can be explored by Business Entities to provide the expected infrastructure.

The absence of concrete regulations governing non-conventional infrastructure financing schemes has given rise to several problems. Such as the division of roles between the government and the private sector in infrastructure development projects, risk sharing or allocation between the government and the private sector. Of course, this does not fulfill one of the legal objectives, namely legal certainty where there is a rule that can guarantee the implementation of a state. Infrastructure financing through the PPP scheme is still constrained by implementing regulations so that it is vulnerable and has the potential to be problematic. Infrastructure financing through the PPP scheme is an alternative amidst the lack of funds from the State Budget/Regional Budget for infrastructure development. Furthermore, it is necessary to provide a definite legal umbrella as the legal basis for the PPP scheme to create national economic resilience.

Based on the description above, there are several philosophical problems that lie behind the purpose of this research. From the ontological aspect, the essence of infrastructure development is to realize social welfare and justice for all Indonesian people, which until now has not been evenly distributed. From an epistemological aspect, the program and need for funding for infrastructure development are very high and funds from APBN/D are insufficient, so it is necessary to utilize funds from other sources as an alternative to financing infrastructure development. Finally, from the axiological aspect, the availability of infrastructure encourages improvement and growth of the people's economy so that infrastructure development will open up economic access and accelerate the added value of the people's economy. If infrastructure development is hampered, it will also hinder access to the welfare of the people. Departing from the Pancasila principle in particular to realize the 5th (five) precepts, namely social justice for all Indonesian people. The word "social" in the fifth principle of Pancasila has two meanings. First, pointing to the social dimension of justice in national life. Social justice must involve all Indonesian people and must be implemented in every area of life. Based on the problems above, it is interesting to study in more depth as outlined in this dissertation research entitled " points to the social dimension of justice in national life. Social justice must involve all Indonesian people and must be implemented in every area of life. Based on the problems above, it is interesting to

study in more depth as outlined in this dissertation research entitled " points to the social dimension of justice in national life. Social justice must involve all Indonesian people and must be implemented in every area of life. Based on the problems above, it is interesting to study in more depth as outlined in this dissertation research entitled "Legal Construction of Infrastructure Financing Based on Government Business Entity Cooperation (PPP) to Realize National Resilience". The formulation of the problem to be discussed in writing this scientific article is regarding How is the legal construction of infrastructure financing Based on Government Business Entity Cooperation (PPP) to Realize National Resilience?

RESEARCH METHODS

This study uses the legal construction method. Legal Construction (Engineering) is a way to fill the void in laws and regulations with legal principles and foundations. Construction (Legal Engineering) consists of 3 (three) forms, namely analogy (abstraction), Determination (Legal Refinement) and Argumentation A contrario ((ed.), 2007). There are several approaches used in this research. First, through a statutory approach. This approach is carried out by examining all laws and regulations that are related to the legal issues being handled (Marzuki, 2005). Second, through a conceptual approach. The conceptual approach is taken to design a problem or idea that has not or has no legal rules (Marzuki, 2005). In using a conceptual approach, this research also refers to and remains guided by existing legal principles, and finds them in the views of legal scholars or legal doctrines. The analysis of legal materials that will be used in this research article uses a prescriptive analysis combines the insights from all previous analysis to determine which action to take in the current problem or decision.

RESULT AND DISCUSSION

One of the President's work priorities in the second period of 2019-2024 is to accelerate and continue infrastructure development (Presiden, 2019). In order to accelerate and continue development, the President needs to draw up a medium-term development plan (RPJM) for 2020-2024 as mandated by Law Number 25 of 2004 concerning the National Development Planning System (UU SPPN). Article 19 paragraph (1) of the SPPN Law states that the National Medium-Term Development Plan (RPJMN) is determined no later than 3 (three) months after the President is inaugurated. Based on this, the President issued Presidential Regulation Number 18 of 2020 concerning the 2020-2024 National Medium-Term Development Plan. Presidential Regulation Number 18 of 2020 consists of the regulation itself and 4 attachments where the first annex contains the 2020-2024 RPJMN Narrative, Appendix 2 contains Strategic Priority Projects (Major Projects),

Infrastructure development is one of the most important efforts in encouraging and accelerating economic and social growth in Indonesia. In accordance with the Technocratic Draft National Medium-Term Development Plan (RPJMN) 2020–2024, the Government of Indonesia requires infrastructure development to accelerate the country's economic growth so that Indonesia can get out of the middle income trap. To build infrastructure for the 2020-2024 period, the government requires a total investment value of IDR 6,445 trillion. Of this amount, financing from the APBN and APBD can only accommodate IDR 2,385 trillion or 37 percent of the total investment value required and the capacity of BUMN/D is only around IDR 1,353 trillion. (Bappenas, 2019) In meeting the needs of the infrastructure expenditure budget, one of the government's efforts is to issue Presidential Regulation 38 of 2015 concerning Government

Cooperation with Business Entities in the Provision of Infrastructure. Until now, this Perpres is the legal basis for implementing the Government Cooperation with Business Entities in the Provision of Infrastructure (PPP) scheme. The background for the formation of Presidential Decree 38 of 2015 is:

1. The availability of adequate and sustainable infrastructure is considered to be an urgent need, plus to support the implementation of national development in the context of improving the national economy, people's welfare, and increasing Indonesia's competitiveness in global competition;
2. To accelerate infrastructure development, it is necessary to take comprehensive steps to create an investment climate and to encourage the participation of business entities in the provision of infrastructure and services based on sound business principles; And
3. In encouraging and increasing cooperation between the government and business entities in the provision of infrastructure and social services, arrangements are needed to protect and safeguard the interests of consumers, the public and business entities in an equitable manner.

Referring to the Narrative of the National Medium Term Development Plan (RPJMN) 2020-2024, the provision of basic services such as electrification ratio, access to proper drinking water, access to proper sanitation and signal affordability is 100%. This indicates that the provision of infrastructure to provide basic services must be provided by the government. In order to achieve development targets for the availability of infrastructure, the involvement of Business Entities outside the Government is very much needed (Bappenas, 2019). Based on budget constraints and the need for infrastructure development, an alternative financing mechanism is needed so that it can accommodate the budgetary needs for infrastructure development. One of the financing that can be utilized and developed is Government Cooperation with Business Entities (PPP).

Infrastructure financing through Government Cooperation with Business Entities (PPP) which is a form of Public Private Partnership (PPP) financing as explained in Article 1 point 6 Presidential Regulation Number 38 of 2015 concerning Cooperation between the Government and Business Entities in the Provision of Infrastructure, Cooperation between the Government and Business Entities, hereinafter referred to as PPP, is cooperation between the government and Business Entities in providing infrastructure for the public interest with reference to the specifications previously determined by the Minister/Head of Institution/Head of Region/State Owned Enterprise/Regional Owned Enterprise, which partly or wholly uses the resources of the Business Entity by taking into account the distribution of risks among the parties.

As explained in Presidential Regulation Number 38 of 2015 concerning Government Cooperation with Business Entities in Provision of Infrastructure, Business Entities are State-Owned Enterprises, Regional-Owned Enterprises, private business entities in the form of Limited Liability Companies, foreign legal entities, or cooperatives. Cooperation between the Government and Business Entities as an alternative choice of financing patterns for the government other than using the APBN/APBD to provide infrastructure. In addition to sharing the risk in this financing pattern, there is also income from operating the facility for a fairly long period of time (Palupie & Yuniarto, 2016).

When viewed from the above understanding there are at least 5 (five) elements that must exist in the Cooperation between the Government and Business Entities (PPP) itself, including (Maulana, 2021):

1. PPP is a collaboration between the government and business entities. A project with a PPP scheme is not a privatization because the project owner is the government (responsible person). The private sector is involved in certain matters such as designing, building, financing, and managing (Design, Build, Finance, Operation, Maintenance/DBFOM) in

- accordance with applicable sector rules. The cooperation is stated in a civil agreement where the legal terms of the agreement are strictly regulated in article 1320 of the Civil Code;
2. The PPP scheme is aimed at fulfilling community needs or for the public interest. In principle, projects with a PPP scheme are carried out to fulfill the government's obligations in providing services to the community. This has implications for the subject of the next setting, namely the existence of previously defined specifications. This is solely intended to fulfill the need for better public services;
 3. There are specifications set by the Cooperation Project Responsible Agency (PJKP). To meet the needs of the community with the best service, the government determines a basic design for procurement and business entities are given the freedom to determine the details of the design. This shows that projects are implemented based on results (output based). The government as the project owner also determines the minimum service that must be provided by the Business Entity (service level agreement/SLA). If the Business Entity does not provide services as requested by the government, then the government has no obligation to pay the Business Entity or if the Business Entity provides services under the agreed SLA, the Government has the right to reduce the agreed compensation;
 4. Resources partially or wholly come from the private sector. One of the advantages of a project implemented under a PPP scheme is the use of the private sector's budget to build infrastructure. In this case the government can take advantage of savings in the budget used to build infrastructure or the existing budget can be used to build other infrastructure (leverage projects).

There is risk sharing between the government and business entities. One of the other advantages of the PPP scheme is that there is risk sharing which is based on the principle that the party that can control the risk better is the party that will bear the risk. An example of implementing a PPP scheme, when the private sector builds a toll road or airport infrastructure, the risk of construction, construction delays and other technical matters will be the risk of the private party. But political risks such as changes in Ministers/Heads of Institutions/Heads of Regions or changes in regulations are the responsibility of the government. Risk sharing provides benefits to each party. On the one hand, the government does not have to think about increasing the budget if there is a delay in construction because development is the full responsibility of business entities. On the other hand, the private sector is also more certain in carrying out development because political risks are borne by the government. In the PPP scheme there is also a Government Guarantee facility which is regulated in Presidential Regulation Number 78 of 2010 concerning Infrastructure Guarantee in Government Cooperation Projects with Business Entities Conducted Through Infrastructure Guarantee Business Entities (PT PII).

Cooperation between the government and business entities formulated through Presidential Regulation number 38 of 2015 concerning private involvement in infrastructure development that can have an impact on society by utilizing all or part of the business entity's capital and paying attention to risk sharing in cooperation based on agreed decisions at the beginning by the Minister/head of Institution/head of region/or BUMN/BUMD. Business entities in this regulation are state/regional owned enterprises, privately owned enterprises in the form of PT, and foreign legal entities and cooperatives. Infrastructure that is allowed to cooperate in this regulation is economic and social infrastructure. And the principles used in PPP are the principles of partnership, benefit, healthy competition, risk control and management.

Table 1
Principles used in Government Cooperation with Business Entities (PPP)

Principle	Information
Partner	cooperation between the government and business entities is carried out based on statutory provisions and requirements that take into account the needs of both parties

Beneficial	Provision of Infrastructure carried out by the government with Business Entities to provide social and economic benefits for the community;
Compete	the procurement of Business Entity cooperation partners is carried out through fair, open and transparent selection stages, and taking into account the principles of fair business competition
Risk control and management	cooperation in Provision of Infrastructure is carried out by risk assessment, development of management strategies, and risk mitigation;
Effective	cooperation in Provision of Infrastructure is capable of accelerating development while at the same time increasing the quality of infrastructure management and maintenance services; And
Efficient	cooperation in the Provision of Infrastructure to meet the funding needs in a sustainable manner in the Provision of Infrastructure through the support of private funds.

While the main objectives in the implementation of Government Cooperation with Business Entities (PPP) are:

1. Responding to requests for financing in a sustainable manner through infrastructure development involving private capital.
2. Implement infrastructure development according to the target and time given and the infrastructure must be of good quality and have a general impact.
3. Creating space that supports private involvement in investment in infrastructure development by adhering to the principles of fair business competition.
4. Encouraging the use of the principle of users paying for the facilities used by ensuring the ability of users to pay for the related facilities.
5. The return on capital of business entities is guaranteed by the government through payers for the availability of services provided by business entities.

In order to achieve the main goals and objectives of financial feasibility, competition, transparency, and private participation in a PPP scheme, fundamental changes are needed, one of which is by reconstructing legal rules or regulations related to PPP, including through the following steps: (1) restructuring infrastructure provider and unbundling system; (2) developing commercial relations and introducing competition; (3) a new approach in setting tariffs based on market mechanisms and subsidies; (4) rationalization and expansion of private participation; (5) clarify the role of government; and (6) strengthening the regulatory function; development of a new legal framework (Darmawan, 2018).

Legal construction within the framework of infrastructure financing through Government Cooperation with Business Entities (PPP) aims to establish basic rules regarding financing originating from Non-Conventional or Non-APBN/APBD financing. Legal regulations aim to provide certainty and guarantee happiness to individuals which ultimately leads to the happiness of many people. "the greatest happiness of the greatest number" (the greatest happiness of the greatest number of people). This principle must be applied qualitatively, because the quality of pleasure will not differ much in this case it will always be the same. To realize the happiness of every individual and society, a regulation or legislation must achieve four objectives: (1) to provide subsistence (to provide a living); (2) to provide abundant (to provide an abundance of food); (3) to provide security (to provide protection); and (4) to attain equity (to achieve equality) (Latipulhayat, 2015). Pleasure is defined as happiness, a term reduced by John Stuart Mill. A good law in Bentham's eyes is a law that can bring pleasure, "the more pleasure or happiness that is brought, the higher the quality of a law.

PPP as an alternative to non-conventional infrastructure financing which has the aim of providing legal certainty and equal distribution of access to infrastructure as well as guaranteeing individual and community happiness already has various rules or regulations. In terms of regulations, PPP, which is under the auspices of Presidential Decree 38 of 2015 concerning Cooperation between the Government and Business Entities in the Provision of Infrastructure,

Cooperation between the Government and Business Entities, has issued implementing regulations under it. In fact, there are quite a number of regulations that complement the first regulation issued as implementing regulations for PPP. These regulations can be summarized as follows:

Table 2
Regulations governing Government Cooperation with Business Entities (PPP)

No.	Regulation
1	Regulation of the Minister of National Development Planning/Head of the National Development Planning Agency (Bappenas) Number 4 of 2015 as amended by Regulation of the Minister of National Development Planning/Head of the National Development Planning Agency (Bappenas) Number 2 of 2020 concerning Procedures for Implementing Government Cooperation with Business Entities in Provision of Infrastructure (Permen PPN 2 of 2020);
2	LKPP Head Regulation Number 19 of 2015 concerning Procedures for Implementing the Procurement of Business Entities in Cooperation between the Government and Business Entities in the Provision of Infrastructure;
3	LKPP Head Regulation Number 29 of 2018 concerning Procedures for Implementing the Procurement of Business Entities in Cooperation between the Government and Business Entities in the Provision of Infrastructure on the Initiative of Ministers/Heads of Institutions/Heads of Regions;
4	Regulation of the Minister of Finance Number 260 of 2016 concerning Procedures for Payment for Availability of Services in Cooperation Projects between the Government and Business Entities in the Context of Provision of Infrastructure;
5	Regulation of the Minister of Home Affairs Number 96 of 2016 concerning Payment for Availability of Services in the Context of Regional Government Cooperation with Business Entities in Provision of Infrastructure in the Regions;
6	Regulation of the Minister of Finance Number 170 of 2018 concerning Amendments to Minister of Finance Regulation Number 223/PMK.011/2012 concerning Provision of Feasibility Support for Part of the Construction Cost in Government Cooperation Projects with Business Entities in the Provision of Infrastructure;
7	Regulation of the Minister of Finance Number 170 of 2015 concerning Amendments to Regulation of the Minister of Finance Number 143/PMK.Ch1/2013 concerning Guidelines for Provision of Feasibility Support for Part of the Construction Cost in Cooperation Projects between the Government and Business Entities in the Provision of Infrastructure;
8	Regulation of the Minister of Finance Number 180 of 2020 concerning Facilities for the Preparation and Implementation of Project Transactions between the Government and Business Entities in the Provision of Infrastructure;
9	Regulation of the Minister of Finance Number 8 of 2016 concerning Amendments to Regulation of the Minister of Finance Number 260/PMK.011/2010 concerning Instructions for Implementing Infrastructure Guarantees in Government Cooperation Projects with Business Entities;
10	There are regulations with substance that are not much different but this regulation was issued as a result of the existence of such authorities; <ol style="list-style-type: none"> a. Regulation of the Minister of Public Works and Public Housing Number 21/PRT/M/2018 concerning Procedures for Implementing Government Cooperation with Business Entities in Provision of Infrastructure at the Ministry of PUPR; b. Regulation of the Minister of Transportation of the Republic of Indonesia Number 58 of 2018 concerning Procedures for Implementing Government Cooperation with Business Entities in Provision of Transportation Infrastructure within the Ministry of Transportation; And c. Regulation of the Governor of DKI Jakarta Number 22 of 2018 concerning the Implementation of Regional Government Cooperation with Business Entities in the Provision of Infrastructure.

PPP implementation procedures are regulated in PPN Regulation 2 of 2020. PPN Regulation 2 of 2020 is a refinement of the previous regulation, namely PPN Regulation 4 of 2015. There are new regulations such as simplification and certainty of the PPP process/mechanism and adding new substance articles such as facilities that can be provided by government agencies/institutions in the PPP stage, strengthening the list of PPP plans, and adding the PPP implementation stage, namely the implementation of the PPP agreement. In the PPN 2

of 2020, it has also been regulated more clearly and various types of infrastructure that can be collaborated (objects), including:

Table 3
Types of infrastructure that can be cooperated between the Government and Business Entities

Field	Type of work
Transportation Infrastructure	a. Provision and/or management of airport facilities and/or services, including supporting facilities such as passenger and cargo terminals; b. Provision and/or management of port facilities and/or services; c. Railway facilities and/or infrastructure; d. Urban mass transportation facilities and/or infrastructure and traffic including terminals and/or Transit Oriented Development; e. Motor vehicle testing facilities and/or infrastructure; f. Motor vehicle weighing facilities and/or infrastructure; and/or g. Sea, river and/or lake shipping facilities and/or infrastructure.
Road infrastructure	a. Arterial roads, collector roads and local roads; b. Toll road; c. toll bridge; d. non-toll bridge; and/or e. Public street lighting.
Water resources and irrigation infrastructure	a. Water storage infrastructure and its complementary buildings, including reservoirs/dams and weirs. raw water carrier channel; and/or b. Irrigation network
Drinking water infrastructure	a. raw water units; b. production units; c. distribution unit; and/or d. Investment in operation and maintenance technology in order to strive for an effective and efficient SPAM implementation with a performance-based contract mechanism
Centralized wastewater management system infrastructure	a. service units b. collection units c. processing units d. final disposal unit e. sewerage, and sanitation
Local wastewater management system infrastructure	a. local processing unit b. transport units c. sludge treatment unit d. final disposal unit e. sewerage, and sanitation
B3 waste and/or waste management system infrastructure	a. Solid waste management system infrastructure, including: <ol style="list-style-type: none"> 1. transportation; 2. Processing; and/or 3. Garbage final processing. b. Infrastructure for hazardous and toxic materials (B3) waste management systems, including: Collection; Storage; and/or Processing.
telecommunication and informatics infrastructure	a. telecommunications network b. e-government infrastructure c. passive infrastructure such as cable transmission media pipelines (ducting)
Electricity infrastructure	a. Power plants; b. electric power transmission; c. Substation; and/or d. Distribution of electric power.

Oil and gas infrastructure and renewable energy, including bio-energy	a. Processing; b. Storage; c. transportation; and/or d. Distribution.
Energy conservation infrastructure	a. Public street lighting; and/or b. Energy efficiency.
Economic infrastructure of urban facilities	a. utility channel (tunnel) b. public market
Regional infrastructure	a. the area for the development of science, technology and innovation including the construction of a science and techno park b. industrial area
Tourism infrastructure	a. Tourism area b. Tourism information center
infrastructure of educational facilities, research and development	a. learning facilities; b. Laboratory; c. Training center; d. Research center/study center; e. Research and development facilities and infrastructure; f. business incubator; g. learning gallery; h. student practice room; i. Library; and/or j. Learning and training support facilities.
infrastructure for sports, arts and culture facilities	a. sports building/stadium b. arts and culture building
health infrastructure	a. Hospitals, such as hospital buildings, hospital infrastructure, and medical equipment; b. Basic health service facilities, such as buildings, infrastructure, and medical equipment for health centers and clinics; and/or c. Health laboratories, such as health laboratory buildings, health laboratory infrastructure and laboratory equipment.
correctional infrastructure	a. Correctional Institution; b. correctional center; c. State detention house; d. House for storage of confiscated objects and state booty; e. Temporary child placement agencies; f. Special child development institutions; g. correctional hospital; and/or h. Assimilation facility.
public housing infrastructure	a. Rent public housing for the lower classes; and/or b. Simple flats for rent, including: 1. public flats; 2. special flats; and/or 3. Country flats.
State building infrastructure	office buildings, country houses, and other supporting facilities.

Infrastructure development is closely related to the national resilience of a country, good and strong infrastructure is an important foundation in maintaining national security, stability and competitiveness. and become an important factor in maintaining the security and defense of a country. Adequate infrastructure development can accelerate a country's economic growth. Good transportation infrastructure, such as roads, railroads, and airports, facilitates the movement of goods and people, increases connectivity between regions, and supports economic activity. In addition, reliable and affordable energy infrastructure is also important in meeting the energy needs of economic sectors and driving economic growth. Good infrastructure is an important factor in increasing a country's economic competitiveness, the existence of modern

and efficient infrastructure can attract foreign investment, facilitate international trade, and encourage the development of industry and the service sector. Sophisticated telecommunication infrastructure is also important in facilitating digital connectivity and access to information technology. A strong and diversified infrastructure can increase the resilience of the economic sector to external risks and shocks. For example, having a diverse transport infrastructure can reduce dependence on a single logistics channel and reduce the impact of supply disruptions. Diverse energy infrastructure also ensures stable energy availability and avoids the risk of supply disruptions. Equitable infrastructure development can increase accessibility to areas that were previously isolated, thereby expanding economic opportunities and reducing regional disparities. Transportation and telecommunications infrastructure that touches remote and rural areas can open access to markets and education, both of which greatly affect the economic resilience of a developing country, such as Indonesia which is expected to also play a role as a significant economic stimulus, which is expected to bring investment in projects infrastructure creates jobs, stimulates demand in various sectors, and promotes overall economic growth. Strong infrastructure also supports the productivity of economic sectors and increases the country's competitiveness. The existence of a modern infrastructure, efficient, and reliable to create a conducive investment climate and increase investor confidence. Adequate infrastructure can also speed up the production process, reduce operational costs, and can also increase profit potential for the company.

CONCLUSION

The legal construction of state-owned infrastructure financing through PPP is an alternative approach in infrastructure financing that can help strengthen the resilience of the national economy. This approach involves various non-conventional financing instruments. is a form of cooperation between the public and private sectors in financing and managing infrastructure projects. This approach can help speed up infrastructure development and improve efficiency in resource use. Strengthen regulation and supervision. Regarding PPP financing, strong regulation and supervision should be needed to ensure project success and reduce risk. The government must strengthen regulation and supervision of infrastructure projects, especially in terms of using public funds, selecting private partners, and controlling risks.

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