

Juridical Analysis of the Guarantee Institution Format for the Implementation of Warehouse Receipts to Realize Legal Certainty (Research Study at the Office of the Department of Industry and Batam City Trade)

Yeny Sartika¹, Idham², Ramon Nofrial³

¹Student at Master of Notary

^{2,3}Lecturer at Faculty of Law
Universitas Batam, Indonesia

ABSTRACT

Warehouse Receipt is a document of proof of ownership of the goods stored in the warehouse, as well as securities that can be used as full collateral without any other guarantee required. In the development of the Warehouse Receipt System (WRS), weaknesses were found in the field which greatly hampered the development of the Warehouse Receipt System (WRS), namely the unavailability of a guarantee or insurance mechanism that could cover all losses including when the Warehouse Manager went bankrupt. This condition causes the fragility of the Warehouse Receipt System (WRS). then in 2011, the Government together with the House of Representatives of the Republic of Indonesia (DPR RI) made an amendment to Law Number 9 of 2006 with the issuance of Law Number 9 of 2011 concerning amendments to Law Number 9 of 2006 concerning the Warehouse Receipt System . Through this Law Number 9 of 2011, the Performance Guarantee instrument in the Warehouse Receipt System is complemented by the establishment of a Warehouse Receipt Guarantee Institution (Idemnity Fund). The Warehouse Receipt Guarantee Agency (LJRG) is an institution that will manage the warehouse receipt guarantee fund.

Keyword : Warehouse Receipts, Guarantee Institutions, Legal Certainty.

INTRODUCTION

Commodity trading is a field that requires a high intensity of credit financing, and developing countries such as Indonesia always face major obstacles. Entrepreneurs, including farmers and small producers, generally face the problem of lack of access to credit. Even if that access is obtained, the cost is very high. this will greatly affect the development of the agricultural sector, which will reduce the competitiveness of this sector.

One of the benefits of the Warehouse Receipt System (WRS) is to overcome the difficulties faced by business actors, especially farmers/farmer groups, cooperatives and Small and Medium Enterprises (SMEs), over access to financing for working capital from banks or non-bank financial institutions. .

This Warehouse Receipt is a document of proof of ownership of the goods stored in the warehouse, as well as securities that can be used as full collateral without any other collateral required. business actors can guarantee their Warehouse Receipts to obtain working capital, either through credit financing from bank financial institutions or non-bank financial institutions.

Apart from being a financing instrument, the Warehouse Receipt System can also increase business competition that will occur for commodities through the existence of certain quality standard requirements, for commodities that can be resiguded. This quality requirement must be met by farmers, if they want to use the Warehouse Receipt System. So like it or not, the cultivation and post-harvest processes that are carried out must also follow the required standards and quality. Not only these things, the use of Warehouse Receipts can encourage the

development of other sectors such as the financial sector, trade, warehousing services, which will synergize with the development of the auction market and the commodity futures exchange.

The birth of the Warehouse Receipt System (WRS) was strengthened by a number of legal bases, namely, Law Number 9 of 2011 concerning amendments to Law Number 9 of 2006 concerning the Warehouse Receipt System, State Gazette of the Republic of Indonesia of 2011 Number 78, Supplement to the State Gazette of the Republic of Indonesia Number 5231, the meaning of Warehouse Receipt or also called warehouse receipt is a document on proof of ownership of goods stored in a warehouse, issued by certain Warehouse Managers who must obtain approval from the Commodity Futures Trading Supervisory Agency or BAPPEBTI. relating to the issuance, transfer, guarantee, and settlement of Warehouse Receipt transactions.

Regulation of the Minister of Trade Number 35/M-DAG/PER/05/2016 Second Amendment to Regulation of the Minister of Trade Number 37/M-DAG/PER/11/2011 concerning Goods That Can Be Stored in Warehouses in the implementation of the Warehouse Receipt System, State Gazette of the Republic of Indonesia Number 806 of 2011, the commodities include: Grain, Rice, Corn, Coffee, Cocoa, Pepper, Rubber, Seaweed, and Rattan.

in 2011, the Government together with the House of Representatives of the Republic of Indonesia (DPR RI) amended Law Number 9 of 2006 with the issuance of Law Number 9 of 2011 concerning amendments to Law Number 9 of 2006 concerning the Warehouse Receipt System. Through this Law Number 9 of 2011, the Performance Guarantee instrument in the Warehouse Receipt System is complemented by the establishment of a Warehouse Receipt Guarantee Institution (Idemnity Fund). This Warehouse Receipt Guarantee Institution will function as a guarantor like insurance if there is a Warehouse Manager who goes bankrupt.

In the implementation of the Warehouse Receipt System (WRS) to ensure legal certainty, the Warehouse Receipt Guarantee Institution is inseparable from the Warehouse Receipt Guarantee Institution, which is an Indonesian legal entity that guarantees the rights and interests of warehouse receipt holders or recipients of Guarantee Rights against failure, negligence or inability of warehouse managers in carrying out their obligations. store and deliver the goods listed in the Warehouse Receipt. Based on Government Regulation Number 1 of 2016 concerning the Implementing Agency for the Warehouse Receipt System Guarantee, State Gazette of the Republic of Indonesia of 2016 Number 2, Supplement to the State Gazette of the Republic of Indonesia Number 5833, the Indonesian Public Credit Guarantee Company (Perum Jamkrindo) has been designated as the Implementing Agency for the Warehouse Receipt Guarantee whose function is among others: protecting the rights of warehouse receipt holders and/or recipients of guarantee rights and maintaining the stability and integrity of the Warehouse Receipt System (WRS).

LITERATURE SOURCE

Literature sources play a very important role in the analysis of the problem formulation discussed in this study using grand theory, middle theory and applied theory.

The grand theory used in this study is the Positivism Theory proposed by John Austin. John Austin argues that the law that is rightly called law (positive law) has 4 (four) elements, namely: Command (order), Sanction (sanction: threat of punishment), Duty (obligation), and Sovereignty (sovereignty).

The middle theory applied is the Legal System Theory from Lawrence M. Friedman. Lawrence M. Friedman explains that there are three elements or components in the legal system, or so-called Three Elements of Legal System, are factors that influence law enforcement, namely structural components, substance components, and cultural components or legal culture. These three components form a unified whole, and are interconnected, or commonly referred to as a system.

The applied theory is the theory of happiness (Utilitarianism) from Jeremy Bentham. This theory states that all legal products will have value for the community if the legal product when implemented (law enforcement) can and does provide guarantees and/or guarantees to create a sense of happiness for the community

RESEARCH METHODOLOGY

The research method explains the entire series of activities that will be carried out in order to answer the main problem or to prove the assumptions put forward. Therefore, it must be supported by field facts and research results. This research method is a method that will be applied by researchers in the research they will do. The research method used depends on the type of research being conducted. Furthermore, the author uses research methods which will be described as follows:

1. Library research is a normative legal research, which is research on secondary data. Secondary data can be in the form of primary legal materials, secondary legal materials and tertiary legal materials, as follows:

- a) Primary legal materials, namely binding legal materials in the form of statutory provisions, including: (1) the 1945 Constitution of the Republic of Indonesia; (2) Law Number 9 of 2006 concerning Warehouse Receipt System, State Gazette of the Republic of Indonesia of 2006 Number 59, Supplement to the State Gazette of the Republic of Indonesia Number 4630; (3) Law Number 9 of 2011 concerning Warehouse Receipt System, State Gazette of the Republic of Indonesia of 2011 Number 78, Supplement to the State Gazette of the Republic of Indonesia Number 5231; (4) Government Regulation Number 36 of 2007 concerning the Implementation of Law Number 9 of 2006 concerning Warehouse Receipt System, State Gazette of the Republic of Indonesia of 2007 Number 79, Supplement to the State Gazette of the Republic of Indonesia Number 4735; (5) Regulation of the Minister of Trade Number 52/M-Dag/Per/9/2014 of 2014 concerning Procedures for Selection of Implementing Institutions for the Warehouse Receipt System Guarantee; (6) Government Regulation Number 10 of 2014 concerning Requirements and Procedures for Determining Warehouse Receipt Guarantee Implementing Agency, State Gazette of the Republic of Indonesia of 2014 Number 32, Supplement to State Gazette of the Republic of Indonesia Number 5503; (7) Government Regulation Number 70 of 2013 concerning Amendments to Government Regulation Number 36 of 2007 concerning Implementation of Law Number 9 of 2006 concerning Warehouse Receipt System, State Gazette of the Republic of Indonesia of 2013 Number 172, Supplement to the State Gazette of the Republic of Indonesia Number 5459; (8) Regulation of the Minister of Trade Number 35/M-DAG/PER/05/2016 Second Amendment to Regulation of the Minister of Trade Number 37/M-DAG/PER/11/2011 concerning Goods That Can Be Stored in Warehouses in the Implementation of a Warehouse Receipt System.
 - b) Secondary legal materials, namely legal materials that provide an explanation of primary legal materials, such as scientific works, draft laws (RUU) and research results.
 - c) Tertiary legal materials, namely legal materials that provide instructions and explanations of primary and secondary legal materials, for example bibliographies, legal dictionaries, Big Indonesian Dictionary, encyclopedias, internet and so on..
2. Studi Field studies are a way of obtaining primary data. In this case, data will be obtained by holding questions and answers (interviews) with the type of interview, among others, the speakers in this study are the parties who are members of the Batam City Industry and Trade Office

FORMULATION OF THE PROBLEM

Based on the description of the background that has been described above, the main problems in this research are as follows:

1. What are the legal arrangements regarding the format of the guarantee institution for the implementation of warehouse receipts in order to realize legal certainty?
2. How is the implementation related to the format of the guarantee institution for the implementation of warehouse receipts in order to realize legal certainty?
3. What factors are the obstacles and obstacles as well as solutions related to the format of the guarantee institution for the implementation of warehouse receipts in order to realize legal certainty?

DISCUSSION

LEGAL ARRANGEMENTS REGARDING THE FORMAT OF THE GUARANTEE INSTITUTION FOR THE IMPLEMENTATION OF WAREHOUSE RECEIPTS TO REALIZE LEGAL CERTAINTY

A. GUARANTEES IN GUARANTEE LAW

Number 10 of 1998 concerning Amendments to Law Number 7 of 1992 concerning Banking, the State Gazette of the Republic of Indonesia of 1998 Number 182, Supplement to the State Gazette of the Republic of Indonesia Number 3790, collateral is a guarantee additional funds submitted by the Debtor Customer to the bank in the context of providing credit or financing facilities based on Sharia Principles. The purpose of asking for collateral and or collateral is to ensure certainty of repayment of credit facilities that have been provided by the lender.

In addition to business practice, the term guarantee is also known in the legal world, but a formula or definition that clearly defines what a guarantee is is not found in the law book. The term guarantee is translated from Dutch, namely *zekerheid* for guarantee and *zekerheidrecht* for guarantee law. Instructions that can be used to

determine the formulation of the guarantee are Article 1131 and Article 1132 of the Civil Code (KUH Perdata) which require that without an agreement, all debtor assets are collateral for debt repayment

B. OVERVIEW OF WAREHOUSE RECEIPT SYSTEM

Based on article 1 number 1 of Law Number 9 of 2011 concerning Amendments to Law Number 9 of 2006 concerning Warehouse Receipt System, what is meant by warehouse receipt system is activities related to issuance, transfer, guarantee, and settlement of warehouse receipt transactions.

Regulation of the Minister of Trade Number 35/M-DAG/PER/05/2016 Second Amendment to the Regulation of the Minister of Trade Number 37/M-DAG/PER/11/2011 concerning Goods That Can Be Stored in Warehouses in the Implementation of the Warehouse Receipt System, the Commodities are: (1) Grain; (2) Rice; (3) Corn; (4) Coffee; (5) Cocoa; (6) Pepper; (7) Rubber; (8) Seaweed; (9) Rattan; (10) Salt; (11) Gambir; (12) Tea; (13) Copra; (14) and Tin.

To ease the burden of bank interest in the utilization of the Warehouse Receipt System for Farmers, Farmers Groups, Farmer Groups and Farmers Cooperatives, the government has issued a regulation regarding the provision of Warehouse Receipt Credit Interest Subsidies through Regulations concerning the Provision of Warehouse Receipt Credit Interest Subsidies through Minister of Finance Regulation Number 17/ PMK.05/2009 concerning Warehouse Receipt Subsidy Scheme and Regulation of the Minister of Trade Number 66/M-DAG/PER/12/2009 concerning Implementation of Warehouse Receipt Subsidy Scheme. This interest subsidy is channeled through implementing banks appointed by the Minister of Finance.

As a system aimed at improving the standard of living of producer farmers and stimulating the business world in the agricultural sector, there is no doubt that the Warehouse Receipt System involves a number of related parties, namely:

1. The Supervisory Agency (BAPPEBTI) is an organizational unit under the Minister who is authorized to conduct guidance, regulation, and supervision of activities related to the Warehouse Receipt System.
2. Warehouse Manager is a party that carries out warehousing business, both owned and owned by others, who carries out storage, maintenance and supervision of goods stored by the owner of the goods and the Warehouse Manager has the right to issue Warehouse Receipts..
3. Conformity Assessment Agency (LPK) As an accredited institution that carries out assessment activities to prove that certain requirements regarding: products, processes, systems, and/or personnel have been met..
4. Registration Center is an institution that administers Warehouse Receipts which includes recording, storage, book-entry of ownership, encumbrance of guarantee rights, reporting, and provision of information systems and networks..
5. Warehouse Receipt Guarantee Agency is an Indonesian legal entity that guarantees the rights and interests of warehouse receipt holders or recipients of Guarantee Rights against failure, negligence or inability of warehouse managers in carrying out their obligations to store and deliver goods listed in Warehouse Receipts

IMPLEMENTATION REGARDING THE FORMAT OF THE GUARANTEE INSTITUTION FOR THE IMPLEMENTATION OF WAREHOUSE RECEIPTS TO REALIZE LEGAL CERTAINTY

A. GUARANTEE IMPLEMENTATION MECHANISM WITH WAREHOUSE RECEIPT SYSTEM ACCORDING TO LAW NUMBER 9 OF 2011 CONCERNING AMENDMENTS TO LAW NUMBER 9 OF 2006 CONCERNING WAREHOUSE RECEIPTS

In general, warehouse receipts are almost the same as pawns and fiduciaries because they all guarantee movable goods. However, not all items in the pawn and fiduciary can be used to help raise funds. Therefore, with the enactment of the warehouse receipt system law, commodity owners have the opportunity to provide additional funds by risking their commodities in the warehouse receipt system program. Djaja S argues that the warehouse receipt guarantee is but a guarantee institution developed from fiduciary guarantees, and fiduciary guarantees are a further development of pawn guarantees.

Warehouse receipts are collateral rights in fulfilling obligations that prioritize the recipient's guarantee rights over other creditors. Warehouse receipt is proof of ownership of the goods stored in the warehouse. Publishing also has certain standards.

B. WAREHOUSE RECEIPT PURPOSE

The purpose of the Warehouse Receipt is to meet the needs of warehouse receipt holders, namely: goods owners who store goods in warehouse managers. This warehouse receipt cannot be covered by guarantee institutions such as mortgages, pawns or fiduciaries

C. PRINCIPLES OF IMPLEMENTING WAREHOUSE RECEIPT SYSTEM

The main purpose of holding a warehouse receipt guarantee system is to accommodate the needs of people who have movable goods that are economically valuable, but cannot be used as debt guarantees through guarantee institutions in Indonesia. Meanwhile, on the other hand, the need for business development and capital increase was very significant, assisted by banks.

The basis for issuing warehouse receipts is a contract, membership and the Warehouse Receipt System Act. This means that warehouse receipts can only be enjoyed by members of the warehousing management and cannot be transferred.

According to article 4 of the Warehouse Receipt System Law, the guarantee of warehouse receipts can be transferred, but can also be a document for delivery of goods, and debt guarantees. Can be used as collateral for debt without any other collateral. The right to guarantee debt also includes insurance claims on certain commodities.

D. WAREHOUSE RECEIPT TRANSFER

The warehouse receipt system integration mechanism involves farmers or owners of capital, providers of price information, warehouse managers, registration centers, financial institutions, conformity/appropriate assessment agencies, regulatory bodies, financial and insurance institutions. The involvement of these parties is very influential on the success of this guarantee institution to exist. This means that in a commodity-producing area, it must have parties related to the warehouse receipt system, and function properly. The function of each institution has been clearly regulated in the Warehouse Receipt System Law. It can be summarized that the functions of each of these institutions or parties are:

1. Warehouse Receipt System Supervisory Agency (CoFTRA) Has Duties:
to provide guidance, regulation and supervision of activities related to WRS. Give approval to: Warehouse Manager, Quality Conformity Assessment Institute and Registration Center.
2. Warehouse Manager
Business entities that store goods and issue Warehouse Receipts. In the form of a legal entity that is specifically engaged in warehouse management services and has received approval from the Supervisory Agency.
3. Conformity Assessment Institute
Accredited agency that carries out the following activities: assessment to prove that certain requirements regarding products, processes, systems, and/or personnel have been met. Conformity assessment activities in the WRS are carried out by LPKs that have received approval from the Supervisory Agency.
4. Registration Center
Business entities administering Warehouse Receipts: recording, storing, transferring, issuing guarantee rights, reporting, and providing information systems and networks Activities as a Registration Center can only be carried out by business entities that are legal entities and have obtained the approval of the Supervisory Agency.

OBSTACLE FACTORS AND SOLUTIONS RELATED TO THE FORMAT OF ASSURANCE INSTITUTIONS FOR THE IMPLEMENTATION OF WAREHOUSE RECEIPTS TO ACHIEVE LEGAL ASSURANCE

a. Factors that are Obstacles / Constraints in the Format of Guarantee Institutions for the Implementation of Warehouse Receipts

obstacles that can hinder the implementation of the Warehouse Receipt System, including:

1. the costs that must be incurred by the commodity owner are relatively higher than the Certified Management Accountant (CMA) scheme, considering the many institutions involved in the Warehouse Receipt System;

2. The quantity of farmer's commodities is relatively small so that if it is in the Warehouse Receipt, it is not worth the costs that must be incurred;
3. there is no party that functions as an off taker; and
4. The quantity, independence and professionalism of the Conformity Assessment Body needs to be improved. The role of the banking sector is also still not optimal.

Riana's study results reveal that the banking sector as a supporting component of the Warehouse Receipt System has not used many warehouse receipts as collateral rights. This is because several problems arise in its implementation. These problems include high costs, uneven development of supporting facilities, financing disbursed for a short period of time, doubts in the banking sector to use the Warehouse Receipt System and lack of understanding of the importance and benefits of warehouse receipts.

Meanwhile, according to Sadaristuwati, as a relatively new instrument, the existence of the Warehouse Receipt System still faces a number of problems, including:

1. lack of facilities and infrastructure;
2. the quality of the goods is still low (quality/uniformity);
3. expenses;
4. lack of trust from financial institutions or banks;
5. interest rates are still too high and
6. The relationship between institutions is less synergistic.

As a party that gets special attention in the Warehouse Receipt System, its implementation at the farmer/klontan/gapoktan level also experiences many obstacles, both related to resource capacity, institutions, infrastructure, socio-economic and cultural. According to the Directorate of Financing, based on monitoring the implementation of the Warehouse Receipt System in several regions, it shows that some of these problems are caused by several things, including:

1. Average land ownership is narrow so it is difficult to consolidate the results;
2. Weak farmer institutions (farmer groups/Gapoktan)
3. Limited understanding of the Warehouse Receipt Subsidy Scheme (S-WRS) both by farmers and assistant officers at the field level;
4. The costs incurred in the Warehouse Receipt Subsidy Scheme (S-SRG) such as transportation costs, warehouse/storage rental, insurance and others are considered quite heavy;
5. Farmers after harvest need money immediately for their next business expenses;
6. The resulting production does not necessarily meet the quality that can be warehoused;
7. Yields have not been consolidated at the farmer group/gopoktan level due to weak farmer institutions;
8. Limited socialization of the Warehouse Receipt Subsidy Scheme (S-SRG) both from the relevant Technical Service and the Bank to farmers;
9. Weak assistance for farmers to access financial institutions.

b. Solutions to Overcome the Obstacles/Constraints faced in the Format of the Guarantee Agency for the Implementation of Warehouse Receipts

The steps that can be taken to run a Warehouse Receipt System that is not running are:

1. To get a solution to the problem of implementing the Warehouse Receipt System, a structured program is needed that is a commitment from all stakeholders (stakeholders) of the Warehouse Receipt System (farmers, government, financial institutions/banks with the hope of increasing the utilization of the Warehouse Receipt System in Indonesia, so that in the future a formulation is obtained key success factors and recommendations to stakeholders of the Warehouse Receipt System in order to increase the utilization of the Warehouse Receipt System so that it can be applied on a wider scale so that it becomes a reference in implementing the Warehouse Receipt System policy to increase agricultural financing. in order to strengthen the commitment of the actors in order to increase the utilization of the Warehouse Receipt System.
2. CoFTRA has the task of facilitating support for infrastructure assistance. The assistance can be submitted by the region every year. For urgent infrastructure needs, (eg cars to transport grain from farmers to warehouses), it is hoped that the cooperative (as the Warehouse Receipt System Warehouse manager) can facilitate the procurement of tools first and then submit a request for equipment assistance to CoFTRA. Thus the Warehouse Receipt System can still run without having to wait for infrastructure assistance from CoFTRA. It requires a creative initiative from the warehouse manager for the Warehouse Receipt System.
3. The strategy for developing a warehouse receipt system business model can be done by connecting the auction market. For example, there are certain regional superior commodities (coffee, rice, seaweed, or vaname shrimp) that can be developed with commodity transaction patterns through the Auction Market. The market mechanism occurs through transparent prices. The warehouse manager acts as a business unit organizing the Auction Market.
4. Farmers and business actors including small and medium enterprises (SMEs) store commodities in warehouses to obtain warehouse receipt services. The services offered are to connect with warehouse receipt financing service providers, both banking and non-bank.
5. Warehouse receipt services are strategic because they are connected to price information in the auction market and commodity exchanges so that business actors can benefit. This integration must be designed by the government using

information technology by utilizing the integration facilities of the three trading pillars, namely the Warehouse Receipt System, Auction Market, and Commodity Futures Exchange.

6. The use of the Special Allocation Fund (DAK) for the State Revenue and Expenditure Budget (APBN) is not only for building physical warehouse facilities, but also for milling equipment, business unit supporting facilities and transportation facilities. The role of cooperatives is very helpful in optimizing the function of the warehouse. Cooperatives can act as warehouse managers with various activities, such as commodity price information services and packaging, marketing, and shipping services.
7. Integrated information system services with warehouse managers, financing institutions, and supervision in maintaining the confidentiality of personal data, as well as verifying and confirming warehouse receipt transactions to market players and stakeholders. It is necessary to apply technology in real time and relatively quickly regarding data on the amount of commodity availability in various regions that carry out warehouse receipts to make it easier.

CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

1. Legal arrangements related to the format of a guarantee institution for the implementation of warehouse receipts can be viewed from a juridical perspective and the perspective of laws and regulations. According to positive law in force in Indonesia, Warehouse Receipt (Warehouse Receipt) Documents/letters of proof of ownership of goods stored in the Warehouse issued by certain Warehouse Managers (which have received approval from BAPPEBTI, KEMENDANG) and Warehouse Receipt System (Warehouse Receipt System). activities related to issuance, transfer, guarantee, and settlement of Warehouse Receipt transactions. All of these things are regulated in detail in Law Number 9 of 2006 concerning Warehouse Receipt System as amended by Law Number 9 of 2011, Government Regulation Number 36 of 2007 concerning Implementation of Law Number 9 of 2006 concerning Warehouse Receipt System as amended with Government Regulation Number 70 of 2013, Regulation of the Minister of Trade Number 14 of 2021 concerning Goods and Requirements for Goods that can be Stored in the Warehouse Receipt System and Regulation of the Minister of Finance Number 171/PMK.05/2009 concerning Warehouse Receipt Subsidy Scheme.
2. Implementation of a guarantee institution format for the implementation of warehouse receipts, which must be guided by Law Number 9 of 2006 concerning Warehouse Receipt System as amended by Law Number 9 of 2011, which steps to prepare for the implementation of the Warehouse Receipt System include: Preparation Commodities and Warehouses According to Standard (SNI), Preparation of Warehouses (according to SNI Warehouse standards) and Preparation of Implementation for Actors / Institutions in the Warehouse Receipt System.
3. The weak point that is still visible in the implementation of the Warehouse Receipt System is the lack of socialization to stakeholders, especially to farmers/klomtan. The socialization carried out so far is still limited to the elite level (Office of Agriculture officials in the province/district). In addition to socialization, another thing that needs to be done is to attract farmers to join the Warehouse Receipt System. The key factors for farmers' interest are market clarity and financial support so that there is no doubt for farmers to implement the Warehouse Receipt System. In relation to this marketing, the Warehouse Receipt System must be synergized with the activities of the Commodity Futures Exchange and the Auction Market as the three pillars supporting commodity trading.

SUGESTION

1. Suggestions for legal arrangements related to the format of a guarantee institution for the implementation of warehouse receipts are for the government in order to ensure legal certainty it is necessary to more firmly regulate legal protection for parties related to warehouse receipts for protection of the rights of each party if in the future one of the parties breaks a promise or defaults on the warehouse receipt which is used as collateral.
2. Suggestions for the implementation related to the format of the guarantee institution for the implementation of the warehouse receipt is the implementation of the Warehouse Receipt System for interested parties related to the implementation of the warehouse receipt can be based on Government Regulation Number 36 of 2007 concerning the Implementation of Law Number 9 of 2006 concerning the Receipt System Warehouse as amended by Government Regulation Number 70 of 2013.
3. Suggestions for the constraints and obstacles as well as the solution for the format of the guarantee institution for the implementation of warehouse receipts is that efforts to implement the Warehouse Receipt System must also be synergized with the development of productivity and quality of agricultural products that must be more

prime. Comprehensive planning is needed starting from seeding, maintenance, harvesting, post-harvest, so that the best quality, best price, and best income are obtained for farmers. In order for the existence of the Warehouse Receipt System to be utilized by farmers more broadly, the Ministry of Agriculture in particular needs to modify or simplify the Warehouse Receipt System procedure according to the social, economic and cultural conditions of the local community. By maintaining the spirit of the Warehouse Receipt System, its implementation in the community can be carried out more simply. If the Warehouse Receipt System is functioned as a policy instrument in the context of empowering farmers, then the pattern of cooperation with companies through the Partnership and Community Development Program (PKBL)/Corporate social responsibility (CSR) can be developed even better in the future

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