



IMPLEMENTATION REGULATION AREA CITY PALANGKA RAYA NUMBER 5 OF 2023 CONCERNING AMENDMENTS TO REGIONAL REGULATION OF PALANGKA RAYA CITY NUMBER 12 OF 2011 CONCERNING SWALLOW'S NEST BUSINESS PERMIT (STUDIES CASE WARD (PAHANDUT))

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Abstract

The swallow's nest trade is a high-value economic sector that is growing rapidly in various regions, including Palangka Raya City. This development has given rise to various... problem social, environmental, and order room, especially when the building nest Swiftlets are established in residential areas or near public facilities. In response, the Palangkaraya City Government Raya publish Regulation Area Number 5 Year 2023 about change amendments to Palangka Raya City Regional Regulation Number 12 of 2011 concerning Swiftlet Nest Business Permits, which strictly regulate location restrictions and licensing procedures. Research This aim evaluate implementation regulations the, focus to 3 And Article 6 Paragraph (2) reads (d), and identifies obstacles in its implementation in Pahandut Subdistrict. Method Which used is study juridical empirical with approach descriptive-qualitative through in-depth interviews, field observations, and document analysis. The research results show that the implementation Regional Regulation Number 5 Year 2023 Not yet Despite optimal operation, many swiftlet nest buildings in Pahandut Village operate without proper permits and violate the minimum distance requirement of 50 meters from other buildings. Key obstacles include weak oversight by authorities, low public legal awareness, complex licensing procedures, and strong economic incentives from the swiftlet business. This study recommends simplifying these procedures. licensing based digital OSS, strengthening socialization regulation, intensification supervision by PPNS and Satpol PP, as well as the establishment of special zoning for swallow businesses in suburban areas to balance economic interests and community welfare.

Keywords: Licensing; Swiftlet Nest; Regional Regulation; Administrative Law; Implementation Policy

INTRODUCTION

Indonesia is a country with abundant natural resources, both biological and non-biological, such as marine, terrestrial, and mineral resources. The potential of these resources provides significant opportunities to improve people's welfare through various sectors such as agriculture, forestry, fisheries, and mining. However, natural resource management in Indonesia is not yet fully optimal. This includes various types of fauna with high economic value , one of which is the swiftlet (*Collocalia fuciphaga*) , whose nests are known as a high-value export commodity, especially in East Asian markets. Swiftlet nests have long been part of the culinary tradition and traditional Chinese medicine, with demand increasing year after year. ¹In the local economic context, the swiftlet nest business is one of the sectors that is

¹ Febri Erik Yudi Kha, et al., "Benefit Socio-Economics of Cultivation Nest Bird Swiftlet for Public," Journal of Economics & Social Sciences 12, no. 2 (2021), p. 65.

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growing rapidly and has high economic value. Swiftlet nests are known as a commodity with high sales value, especially for the export market, thus attracting public interest in developing this business.

Initially, swiftlet nests were obtained from natural habitats such as caves or forest areas. However, with the advancement of technology, and increasing market demand, people have started to cultivate bird swiftlets with build building special in area urban and settlements. Ease of access management and potential The high profits have led to significant growth in the swallow nest business. The extremely high economic value of swallow nests, reaching Rp 30,000,000 to Rp 50,000,000 per kilogram for export-quality nests, has driven massive growth in swallow farming businesses in various regions. Indonesian territory.²

This development is no exception to the city of Palangka Raya, the capital of the province of Kalimantan. Middle, which has condition geography and climate conducive tropical for swiftlet habitat. Initially, swiftlet nests were harvested from natural habitats such as caves in coastal cliffs, but along with technological developments and increasing market demand, people began to build building special (House swiftlet) in area urban And settlement. The uncontrolled growth of the swallow's nest business has caused a number of significant negative impacts.

Swallow nest buildings built in the middle of dense residential areas cause various problems such as noise disturbance from the speakers that call the swallows in operation. 24 hours, unpleasant odor from bird droppings, the risk of spreading zoonotic diseases, damage to the aesthetics of the city due to building shapes that are not in harmony with spatial planning, and blocked circulation urban air.³ This problem Not only does it disturb the comfort of residents, but it also has the potential to cause horizontal conflict between swallow entrepreneurs and the surrounding community.

Regulation Minister Republic of Indonesia Agriculture Regulation (PERMENTAN) Number 14 of 2014 2020 concerning Registration and Licensing of Livestock Businesses in Article 11 paragraph (1) explains that every livestock farmer or livestock company on a micro, small, medium and large scale is required to have a livestock business permit. In the Ministerial Regulation it is explained that the City Government has role important in granting permits to entrepreneurs who want to build swallow nest cultivation business, especially in Palangka Raya City.

The Palangka Raya City Government has the authority to regulate and manage government affairs. government in the area, including in matter licensing business. As response Regarding the problems caused by the proliferation of swallow's nest businesses, the Palangka Raya City Government issued Regional Regulation Number 5 of 2023 concerning amendments to the Palangka Raya City Regional Regulation Number 12 of 2011 concerning Swallow's Nest Business Permits, hereinafter referred to as the 2023 Swallow Regulation. This regulation comprehensively regulates licensing, location restrictions, technical requirements, and sanctions for violators. Article 3 of the 2023 Swallow Regulation expressly prohibits the construction of swallow's nest buildings in certain locations, including within a radius near places of worship, education, health, offices, protocol roads, official residences of public officials, airport areas, and densely populated housing complexes.

As explained in the Environmental Protection and Management (PPLH) Law Number 32 of 2009 in Article 19 paragraph (1) which states "To maintain the sustainability of environmental functions and public safety, every regional spatial planning must be based on KLHS". This article explains that the construction of a swallow house must go through a Strategic Environmental Assessment (KLHS) so as not to disturb the local community.

This location restriction is based on the principle of protecting comfort, health, and public order as mandated in the concept of administrative law enforcement aimed at protecting public interests, then in Article 6 paragraph (2) letter d stipulates that the construction of swallow nests is not permitted within a radius of less than 50 meters from other buildings and the agency that issues permits is managed administratively by the Palangka Raya City Investment and One-Stop Integrated Service Office (DPMPTSP). This phenomenon shows that the success of a regulation is not only determined by the existence of written rules, but also by the effectiveness of its implementation and law enforcement. Therefore, an empirical study is needed to determine the extent to which the 2023 Swallow Regulation has been implemented and the obstacles faced in granting swallow nest business permits.

² Ahmad Zainuddin, "Study Juridical Nest Regulation Swiftlets in Indonesia: Between Interest Economics and Environmental Protection," *Journal of Law and Development* 52, no. 3 (2022), p. 312.

³ Eny Susilowati, "Arrangement to Development Building Nest Bird Swiftlets in Palangkaraya City "Greater Central Kalimantan Province," *Jurnal Morality* 4, no. 1 (2018), p. 36.

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Based on this background, this study aims to analyze the implementation of regulations related to permits for swiftlet nest businesses, in accordance with the 2023 Swallow Regional Regulation, specifically regarding restrictions on the location of swiftlet buildings. Furthermore, this study also aims to identify obstacles encountered in the licensing process and the role of law enforcement officials, including Civil Servant Investigators (PPNS), in addressing violations. Therefore, the research questions are formulated as follows:

1. How is the Implementation of Granting a Permit to Build a Swallow's Nest in Accordance with the Regional Regulation of Palangka Raya City Number 5 of 2023 concerning Amendments to the Regional Regulation of Palangka Raya City Number 12 of 2011 concerning the Swallow's Nest Business Permit?
2. What are the Obstacles in Granting a Bird's Nest Business Permit (Case Study of Pahandut Village)?

RESEARCH METHODOLOGY

This study uses empirical legal research, also known as sociological legal research or field research. This research method was chosen to examine the law not only as a written norm, but also as a living practice in society (*law in action*), so as to reveal the gap between ideal legal norms and the reality of their implementation. The research location is Pahandut Village, Palangka Raya City, Central Kalimantan Province. This location was chosen based on the consideration that Pahandut Village is an area with the highest concentration of swallow's nest businesses in Palangka Raya City, as well as being the center of problems in the implementation of the 2023 Swallow Regional Regulation.

Primary data were obtained through: (1) in *-depth interviews* with swallow nest business actors, DPMPSTP Palangka Raya City employees, Satpol PP officers, and Civil Servant Investigators (PPNS); and (2) field observations of the condition of swallow nest buildings and unlicensed entrepreneurs in Pahandut District. Secondary data were obtained from library studies of laws and regulations, policy documents, agency reports, and relevant scientific literature. Tertiary data were obtained from supporting legal materials such as the Big Indonesian Dictionary (KBBI), legal dictionaries, encyclopedias, and official electronic sources (*websites*) related to the research.

Data analysis was conducted descriptively and qualitatively through the following stages: data reduction, data presentation, and conclusion drawing. Data collection and validation techniques were conducted through source triangulation, which involves comparing and verifying information obtained from various sources to obtain valid and objective data.

DISCUSSION

A. Implementation of Palangka Raya City Regional Regulation Number 5 of 2023 concerning Amendments to Palangka Raya City Regional Regulation Number 12 of 2011 concerning Swallow's Nest Business Permits

The implementation of Palangka Raya City Regional Regulation No. 5 of 2023 can be assessed not only by the existence of legal norms governing the requirements and procedures for permits for swallow's nest businesses, but also by analyzing the success of its implementation in the field. The success of a policy's implementation is influenced by four main variables: communication, resources, implementer disposition, and bureaucratic structure. These four variables are interrelated and determine the effectiveness of a public policy's implementation.

The Palangka Raya City Regional Government has the authority to create Regional Regulations. This authority enables the local government to better govern the city and maintain security more effectively. Based on field research conducted by the author in February 2026, concerning compliance with the 2023 Swallow Regulation was found. Many shops in Pahandut Village have been converted by swallow's nest entrepreneurs, making it the area with the highest swallow population and nest production of all the villages in the city. This situation also confirms Pahandut Village's position as the most dominant center of the swallow's nest industry in the capital of Central Kalimantan Province.

Article 6 paragraph (d) of the Regional Regulation stipulates that swallow nest entrepreneurs must establish swallow nests 50 meters away from public facilities and densely populated areas. In the author's field research, many swallow nest entrepreneurs still violate this article and establish swallow nests less than 50 meters from public facilities, especially near schools, mosques, and residents' homes.

Based on interviews with several swallow's nest business owners in Pahandut Village, most respondents admitted to not fully understanding the location restrictions or the administrative requirements stipulated in the Regional Regulation. Some business owners were even unaware of the regulatory changes made through Regional Regulation No. 5 of 2023. This situation indicates that the outreach process carried out by the Palangka Raya City Government has not

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been able to reach all business owners, resulting in uneven dissemination of information regarding the substance of the regulation. This lack of policy communication has resulted in low levels of public compliance with licensing obligations. The author had the opportunity to ask several questions to several local residents while trying not to offend the local community and the results of the study showed that only a few swallow nest buildings were identified in Pahandut sub-district, only a few buildings had complete permits and met all the technical requirements stipulated, there were still many buildings operating in conditions that did not have complete permits or violated location provisions. There were several findings in several points in the Pahandut market area of Palangka Raya City, there were swallow buildings that were modified from shophouses or shophouses that were originally used as trading businesses, then converted into swallow buildings without going through the appropriate licensing procedures.

This indicates the misuse of Building Construction Permits (IMB) that have been issued for different purposes.⁴ Article 3 of the 2023 Swallow Regional Regulation regulates the prohibition of building swallow nests outside their natural habitat in eight prohibited location categories: (1) near places of worship, (2) near educational facilities, (3) near health facilities, (4) near office facilities, (5) near protocol roads, (6) near official residences of public officials, (7) around airport areas, and (8) around housing complexes or densely populated settlements. Furthermore, Article 6 paragraph (2) letter d strengthens this provision by setting a minimum distance of 50 meters from other buildings as a licensing requirement. These provisions reflect the basic principle of administrative law in controlling urban spatial planning: that freedom of business must be limited to the extent that it has the potential to harm the public interest. In administrative law literature, this type of restriction is known as *politierechtelijk toezicht* (administrative police supervision), namely the government's authority to limit citizens' freedoms to protect public security, order, health, and morality.⁵

The Palangka Raya City Investment and One-Stop Integrated Services Agency (DPMPTSP) plays a central role as the authority that receives, processes, and issues swallow's nest business permits. Normatively, the licensing process involves several stages, including: application submission, administrative document verification, field verification or site inspection, technical recommendations from relevant agencies, and permit issuance.

Table of Number of Bird's Nest Permits

Year	The Permitted One	Unlicensed
2023	6	18
2024	9	22
2025	12	28

Data source: Interview with Satpol PP

Based on the Table of Number of Bird's Nest Permits in 2023–2025, it can be seen that the number of bird's nest businesses that have permits has increased from 6 permits in 2023 to 9 permits in 2024 and 12 permits in 2025. However, this increase is not comparable to the number of businesses that do not have permits, namely 18 businesses in 2023, increasing to 22 businesses in 2024, and increasing again to 28 businesses in 2025. The data shows that the growth of the bird's nest business in Palangka Raya City is faster than the level of compliance of business actors in fulfilling licensing obligations as regulated in Palangka Raya City Regional Regulation Number 5 of 2023. Thus, the implementation of Regional Regulations has not been able to control the growth of the bird's nest business through an effective licensing mechanism.

The function of licensing as a control instrument (*bestuursinstrument*) has not been optimal. Licensing essentially serves not only as an administrative requirement but also as a means for local governments to conduct supervision, control spatial planning, protect the environment, and maintain public order. The persistently high number of businesses operating without permits indicates that the implementation of administrative oversight and law enforcement functions has not been able to encourage compliance among business actors. Therefore, the data in the table shows that the effective implementation of Regional Regulation Number 5 of 2023 still requires strengthening, both through increased field supervision, accelerated licensing services, and optimized coordination between agencies involved in the process of issuing bird's nest business permits.

The author had the opportunity to ask the Head of the Department, Rinto, who serves as the Young Expert

⁴ Susilowati, Op. cit., p. 38.

⁵ Sjachran Basah, as quoted in Philipus M. Hadjon et al., Introduction to Indonesian Administrative Law (Yogyakarta: Gadjah Mada University Press, 2011), p. 20

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Licensing Administrator at the DPMPTSP. He revealed that the verification process for granting permits to swiftlet nest entrepreneurs consistently fails to provide complete technical and administrative data for swiftlet business permits. He also stated that from 2024 to 2026, no swiftlet nest entrepreneur from any region in Palangka Raya City had applied for a swiftlet nest business permit.⁶

In this interview, Mr. Rinto also conveyed that there were obstacles or discrepancies in the 2023 Swallow Regional Regulation with the existing licensing procedures at the Palangka Raya City DPMPTSP for business licensing through the Online Single Submission (OSS) system in accordance with Government Regulation Number 28 of 2025 concerning the Implementation of Risk-Based Business Licensing in Article 4 which explains the business licensing procedures which read :

- (1) For do activity business, actor Business must own PB.
- (2) PB as intended on Article (1) obtained after Perpetrator Business fulfill the basic requirements first, unless otherwise regulated in this Government Regulation.
- (3) If the PB as intended in paragraph (1) needs to be accompanied by a business permit For support activity business, Perpetrator Business must own PB UMKU.
- (4) The basic requirements and PB as referred to in paragraph (2) and PB UMKU as intended on verse (3) processed in a way electronic through System OSS.
- (5) System OSS as intended on verse (4) integrated in a way electronic with the system in the ministry/institution.

In addition to being reviewed from the aspect of policy implementation, the implementation of the granting of swallow's nest business permits must also be understood as part of government administration based on the principles of good governance . In the context of state administrative law, the implementation of licensing services is not only oriented towards fulfilling administrative requirements, but must also ensure legal certainty, information transparency, accountability, service effectiveness, and equal treatment for all business actors. Based on the research results, the Palangka Raya City Government has attempted to implement a licensing service system through the Investment and One-Stop Integrated Service Office (DPMPTSP) which is integrated with the OSS-RBA system. However, its implementation still faces various obstacles due to the lack of full synchronization of the provisions of Regional Regulation Number 5 of 2023 with the risk-based licensing service mechanism applied nationally. This condition indicates that the success of policy implementation is not only determined by the quality of legal norms, but is also influenced by the government's ability to adapt regional policies to developments in national regulations.

On the other hand, the issuance of swallow's nest business permits serves a strategic function as an instrument for controlling spatial utilization, protecting the environment, and overseeing business activities that have the potential to impact the community. Therefore, permit issuance cannot be viewed merely as a form of administrative legality, but rather as a preventive instrument aimed at maintaining a balance between the economic interests of business actors and the interests of the surrounding community. If the licensing process is implemented consistently in accordance with Regional Regulations, it will be easier for local governments to provide guidance, supervision, and enforce administrative sanctions against businesses that commit violations. Conversely, if many businesses continue to operate without permits, the control function, which is the primary objective of establishing Regional Regulations, will be difficult to achieve optimally.

Based on the overall research results, it can be understood that the implementation of the granting of swallow's nest business permits in Pahandut Village has demonstrated the local government's efforts in implementing the provisions of Palangka Raya City Regional Regulation Number 5 of 2023. However, this implementation has not been fully effective because various obstacles are still found in the aspects of socialization, inter-agency coordination, regulatory synchronization, and business actor compliance with licensing obligations. Therefore, continuous improvement steps are needed through improving the quality of public services, simplifying administrative procedures that remain in accordance with the provisions of laws and regulations, strengthening coordination between regional agencies, and optimizing supervision of swallow's nest businesses. Thus, the objectives of establishing Regional Regulations to realize legal certainty, administrative order, community protection, and increasing Regional Original Income can be realized more effectively.

⁶ Interview with Mr. Rinto who serves as the Young Expert Licensing Administrator

B. Obstacles in Granting Bird's Nest Business Permits

Supervision is a crucial component in the administrative licensing law enforcement system, the main objective of supervision is to ensure that what is planned becomes a reality. To truly realize this objective, supervision has the following objectives: (1) to ensure that work is carried out in accordance with planned instructions; and (2) to identify weaknesses and difficulties encountered in implementing the plan, and then take corrective action both at that time and in the future.⁷ Supervision in administrative law includes preventive supervision before an action is carried out and repressive supervision after an action is carried out. In the context of the 2023 Swallow Regulation, preventive supervision should be carried out through strict verification before a permit is issued, while repressive supervision is carried out through routine inspections and action against violations. The findings obtained by the author in the field indicate that there are weaknesses in both dimensions of supervision. The authorities who enforce and supervise the regulation are the Civil Service Police Unit (Satpol PP).

lack of understanding of the 2023 Swallow Regulation results in them not complying with the regulations. Interviews with several swallow nest entrepreneurs in Pahandut Village revealed that most respondents were unaware of the details of Article 3 of the 2023 Swallow Regulation, particularly regarding prohibited locations for swallow nest construction. Some respondents even admitted to being unaware of the regulation's existence. This reflects the local government's failure to disseminate the regulation.

Furthermore, in practice, this licensing process often encounters obstacles. An interview with Mr. Rinto, Head of the Permit Management Agency, a Young Expert at the Ministry of Public Works and Public Housing (DPMPTSP), revealed that the licensing process can take a long time to meet technical and administrative standards. This lengthy process is caused by the need to obtain recommendations from various technical agencies, including the Environmental Agency, the Spatial Planning Agency, and the Health Agency, which often lack synergy. Lengthy and complex licensing procedures are one factor that encourages business actors to ignore licensing obligations.

In accordance with Article 6 paragraph (2) of the 2023 Swallow Regional Regulation, the Swallow Nest Business Licensing Process requires at least 12 documents for issuing a swallow nest business permit. The requirements for issuing a swallow nest business permit are as follows:

- a. letter of application for a permit to manage and exploit swallow's nests, acknowledged by the Head of the Neighborhood Association and the local Village Head, accompanied by a proposal for managing and exploiting swallow's nests;
- b. applicant's identity;
- c. A statement of no objection from the neighbors on the left, right, front and back at the location of the business activity being requested and acknowledged by the Head of the Neighborhood Association and the local Village Head for existing swallow entrepreneurs/houses before the regional regulation was enacted;
- d. A statement of no objection from neighbors to the left, right, front and back of the location of the business activity being requested from the new building within a radius of 50 (fifty) meters and acknowledged by the Head of the Neighborhood Association and the local Village Head for new swallow house/business owners after this Regional Regulation is enacted;
- e. A statement stating that the building function and noise level do not exceed 55 (fifty five) dB (*decibels*) and do not disturb the environment;
- f. A location map that shows the coordinate points clearly on a scale of 1:1000 (one to a thousand);
- g. Land status/location of swallow nest business and management;
- h. Taxpayer Identification Number (NPWP);
- i. Deed of establishment for companies with legal status;
- j. Proof of payment of Land and Building Tax (PBB) for the last year;
- k. Letter of statement of willingness to pay regional taxes and/or regional levies in accordance with applicable rules and regulations;
- l. Making projections of swallow's nest production in 5 years of business;

⁷ Ernie Trisnawati Sule & Kurniawan Saefullah , *Introduction to Management* , (Kencana Prenada Media, Jakarta, 2005), p. 327

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- m. To apply for an extension of the business of cultivating and managing swallow's nests, you must attach proof of payment of swallow's nest tax;
- n. A statement that the person concerned is able to provide assistance or compensation to local residents around the building, and actively participate in community activities in the local sub-district/Neighborhood Association;
- o. A statement that the person concerned is responsible for all costs arising from the impact of the management and exploitation of swallow's nests and the like;
- p. A statement that the person concerned in managing and cultivating swallow's nests will comply with all technical requirements, especially environmental impacts, in accordance with applicable provisions;
- q. Letter of statement of commitment to manage Building Construction Approval (PBG); and
- r. Environmental Management Commitment Statement Letter (SPPL).

Based on the contents of the above article, there are several requirements that could potentially be factors preventing communities from obtaining a swallow's nest business permit. The most frequently encountered requirement is a letter of no objection from neighbors, as stipulated in letters c and d. This requirement requires applicants to obtain approval from residents living near the business location, even for new buildings, within a 50-meter radius. In practice, not all residents support the existence of swallow houses, as they are considered to generate noise from the swallow callers and potentially disrupt the environment. As a result, many business owners experience difficulty obtaining community approval and choose not to apply for a business permit.

In addition, other technical and administrative requirements, such as providing location maps and coordinates, projected five-year swallow nest production as stipulated in letter l, the ability to manage Building Construction Permits (PBG), and the Statement of Commitment to Environmental Management (SPPL) as stipulated in letter r, are also considered quite burdensome. These requirements require technical understanding, time, and considerable additional costs, especially for small-scale swallow nest entrepreneurs. Furthermore, the obligation to provide assistance to the surrounding community as stipulated in letter n and to be responsible for all impacts caused by the business as stipulated in letter o are also considerations for business owners to forgo licensing.

Therefore, the combination of social, technical, and administrative requirements is one of the factors contributing to the low level of public compliance in obtaining swallow's nest business permits in Palangka Raya City.⁸ These stringent requirements impose significant financial and time burdens on small businesses. Based on estimates from interviewed business owners, the total cost of completing all permit documents can reach Rp 5,000,000 to Rp 15,000,000 million, excluding processing fees. The permitting process can take 30-45 working days. For entrepreneurs focused on short-term profits, this situation serves as a strong disincentive to proceed with formal permit processing.⁹

This condition is contrary to the spirit of bureaucratic reform mandated in Law Number 25 of 2009 concerning Public Services Article 21 and Government Regulation Number 96 of 2012 concerning the Implementation of the Public Services Law Article 13. Minimum service standards should stipulate a reasonable completion timeframe and proportional requirements, so as not to hinder community business activities.

The author had the opportunity to inquire with a swallow's nest entrepreneur about the selling price of swallow's nest. The price ranges from Rp 5,000 to Rp 10,000 per gram, depending on the shape and quality. The price is Rp 8,000,000. to Rp 12,000,000 per kilogram, depending on the shape and quality of the swallow's nest. High-quality swallow's nests can sell for Rp 30,000,000 to Rp 50,000,000 per kilogram on the international market, with potential income per building ranging from Rp 200,000,000 to Rp 500,000,000 per year, depending on the colony's productivity and the quality of the nests produced.¹⁰

Compared to the enormous potential profits, the administrative sanctions threatened in the 2023 Swallow Regulation appear disproportionate. The maximum administrative fine of Rp 50,000,000 to Rp 100,000,000 million may only represent one to two months' worth of business profits. This situation creates what is known as a "rational crime

⁸Attachment to the Regulation of the Mayor of Palangka Raya concerning Technical Requirements for Swallow's Nest Business Permits, 2023.

⁹Interview with Mr. F, a swallow's nest entrepreneur on Jalan Murjani, on March 11, 2026, 15.20-16.00 WIB at Mr. F's house.

¹⁰Zainuddin, Op. cit., p. 315; swallow nest price data from the Indonesian Swallow Nest Entrepreneurs Association (APSBWI), 2024.

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calculation": when the benefits of violating the law are perceived to outweigh the costs (sanctions), perpetrators are more likely to choose to violate. ¹¹This situation is exacerbated by the low probability of detection of violations due to the weak oversight system.

The loss illustrates the loss of potential Regional Original Income (PAD) from the swallow's nest business sector, coupled with the less than optimal supervision and regulation of business permits in dense urban areas such as Pahandut Village, resulting in the less than optimal contribution of this sector to regional income, in enforcing swallow's nest violations there are supervisors who are Civil Servant Investigators (PPNS) who are administrative law enforcement instruments that have special authority in conducting investigations into violations of statutory provisions, including Regional Regulations.

The authority of the PPNS (National Civil Servant Officers) in the context of enforcing the 2023 Swallow Nest Regional Regulation includes examining permit documents, summoning suspects and witnesses, and confiscating evidence. However, the effectiveness of PPNS in enforcing the 2023 Swallow Nest Regional Regulation in Pahandut Village remains very limited. Due to this limitation, handling each violation case takes a relatively long time, thus reducing the deterrent effect for potential violators. Coordination issues between PPNS and the police also pose a challenge. This condition aligns with the findings of Eny Susilowati's research, which concluded that weak inter-agency coordination is one of the main causes of the ineffective enforcement of swallow nest regulations in Palangka Raya City.¹²

The author had the opportunity to ask directly regarding the licensing requirements listed in the 2023 Swallow Regional Regulation to the DPMPTSP which issues permits related to all business permits, the Head of the DPMPTSP Young Expert Licensing Management Service, Mr. Rinto, stated that he did not know about the licensing requirements contained in Article 6 of the 2023 Swallow Regional Regulation. He also said that all business permits All forms of business permits from micro, small, medium to high risk are issued in accordance with Government Regulation Number 28 of 2025 concerning the Implementation of Risk-Based Business Licensing.¹³

CONCLUSION

1. The lack of public knowledge about the Swiftlet Nest Business Permit is an obstacle in the implementation of the 2023 Swiftlet Regional Regulation, the lack of The difference in licensing procedures conveyed by Mr. Rinto as the Young Expert Licensing Arranger is contained in this Regional Regulation and also the procedures of the Palangka Raya City DPMPTSP, it is necessary to review the 2023 Swallow Regional Regulation regarding the review of the Regulations above it such as Government Regulation No. 28 of 2025 concerning the Implementation of Risk-Based Business Licensing and other related regulations.
2. The Palangka Raya City Government needs to strengthen policy implementation by simplifying OSS-RBA-based licensing procedures, increasing outreach to the community, and strengthening the capacity of Satpol PP and PPNS in supervision and law enforcement.

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¹¹Gary S, Becker. (1968). *Crime and Punishment: An Economic Approach*. Journal of Political Economy, 76(2), 169-217.

¹²Susilowati, Op. cit., p. 42.

¹³ Interview with Mr. Rinto who serves as the Young Expert Licensing Administrator .

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