

Advocacy for Business Protection: The Role of Business Identification Numbers in Safeguarding Business Actors

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Abstract

The provision of a Business Identification Number (NIB) is an important thing for business actors. One of the benefits of the issuance of NIB for business actors is that the government can provide assistance by means of technical guidance, consultation, and training to increase knowledge of the application of Indonesian national standards and halal product guarantee certification, and so on. However, today, there are still many business actors who do not know how the benefits of NIB for business actors, especially the role of NIB in protecting business actors. This article aims to find out how the role of the Business Identification Number in protecting business actors in Indonesia. This study uses normative juridical research method. The results showed that there are several roles of the Business Identification Number in protecting business actors. Business actors get legal protection in carrying out business operations. In addition, NIB

also functions as a legal identity for business actors, which allows them to obtain valid business licenses, commercial licenses, and operations. In addition, NIB makes it easier for businesses to apply for business licenses and fulfill legality requirements. NIB can also increase the competitiveness of business actors by fulfilling the requirements to obtain certification. The issuance of NIB for business actors can be a form of contribution to the development of a better business ecosystem.

Keywords

Business Identification Number, Legal Protection, Business Actors, Business Protection

A. Introduction

In Indonesian legislation, it is explained in Article 1 point 3 of the Consumer Protection Law, that a business actor is any individual or business entity, both in the form of a legal entity and not a legal entity established and domiciled or carrying out activities in the jurisdiction of the Republic of Indonesia, either alone or jointly through an agreement, organizing business activities in various economic fields. Based on KADIN Indonesia data, the role of MSMEs is very large for Indonesia's economic growth, with the number reaching 99% of all business units. In 2023, MSME business actors reached around 66 million. The contribution of MSMEs reached 61% of Indonesia's Gross Domestic Product (GDP), equivalent to Rp9,580 trillion. MSMEs absorb around 117 million workers (97%) of the total workforce.¹

President of the Republic of Indonesia, Joko Widodo at the event of granting Business Identification Numbers (NIB) for individual MSME players, Wednesday (13/07/2022),

¹ Tim Publikasi KADIN Indonesia, "UMKM Indonesia," KADIN.id, 2024, <https://kadin.id/data-dan-statistik/umkm-indonesia/>. For further context and cases, *see also* Cut Mayang Widya Nuryaasiinta, "How Far is Consumer Protection in the Health Care Sector?," *Unnes Law Journal* 6, no. 1 (2020): 47-72; Wahyu Nugroho, "Law Enforcement for Culinary Business Actors for Violations in Obligations in Implementing Education and Protocol of Covid-19 Prevention in Jakarta," *Unnes Law Journal* 8, no. 2 (2022): 331-354.

emphasized the importance of micro, small and medium enterprises (MSMEs) to have business licenses and Business Identification Numbers (NIB).² If MSME actors have obtained NIB, the government will be obliged to assist MSME actors. The assistance provided by the government is carried out by means of technical guidance, consultation, and training to increase knowledge of the application of Indonesian national standards and halal product guarantee certification for MSMEs that have just obtained NIB. To take care of licensing, MSME actors do not charge fees as explained in Article 46 of PP No.7 of 2021. Another obligation for the government is that the government is obliged to convey information about business licensing regarding the requirements that must be met, procedures for applying, and exemption from licensing fees.³

NIB is an important thing for business actors. NIB can facilitate business owners to store licensing data in one identity. Economic and Industrial Observer, Fauzi Aziz said NIB can be seen as a way for the government to make MSMEs administratively orderly, because it fulfills the business legality aspect. However, there are still many local business actors who do not know the importance of NIB in running and developing a business.⁴

Based on the background as stated above, the author is interested in discussing the role of nib in protecting business actors. The formulation of the problem of this study is (1) What is the role of NIB in providing protection to business actors?; and (2) What are the concrete benefits of business actors in Indonesia for NIB ownership?

² Tim Publikasi Setkab.go.id, "Bagikan NIB, Presiden Tekankan Pentingnya Izin Bagi UMKM," setkab.go.id, 2022, <https://setkab.go.id/bagikan-nib-presiden-tekanakan-pentingnya-izin-bagi-umkm/>.

³ Ahmad Redi et al., "Perizinan Usaha Mikro, Kecil, Dan Menengah (Umk): Bentuk Pemberdayaan, Perlindungan Hukum Dan Mewujudkan Negara Kesejahteraan," *Jurnal Muara Ilmu Sosial, Humaniora, Dan Seni* 6, no. 1 (2022): 287. <https://doi.org/10.24912/jmishumsen.v6i1.13553.2022>.

⁴ Kahfi Kahfi, "Ini Peran Penting NIB Untuk UMKM, Penuhi Aspek Legal Dan Buka Akses Pendanaan," *Bisnis.com*, 2022, <https://ekonomi.bisnis.com/read/20220908/12/1575346/ini-peran-penting-nib-untuk-umkm-penuhi-aspek-legal-dan-buka-akses-pendanaan>.

This study uses normative juridical research method.⁵ The data collection method used in this research is literature review, which is the collection of relevant data through the search for relevant data sources. Specifically, legal materials were collected through inventory and identification of relevant laws and regulations, journal articles, as well as systematic classification of legal materials based on their relevance to the research question under study.

B. The Role of the NIB in Providing Protection to Business Actors

One of the main benefits of having a NIB is the legal certainty provided to business actors. By fulfilling the requirements to obtain a NIB, business actors get legal protection in carrying out their business operations. This includes protection from legal action that may be taken by irresponsible parties, as well as the right to obtain assistance from the government in terms of licensing and other support.⁶ By having an NIB, business actors already have legal protection for the feasibility of establishing a business and operating, moreover, this business license number is obtained directly, empowerment assistance from the government, and also as a sign that the business is authorized by the government through registration on the Online Single Submission (OSS) account.⁷

The role of the Business Identification Number (NIB) in providing protection to business actors in Indonesia is crucial, especially in the context of strengthening business legality and access to various facilities provided by the government. NIB serves as a legal identity for businesses, enabling them to obtain

⁵ Bambang Sunggono, *Metodologi Penelitian Hukum* (Jakarta: Raja Grafindo Persada, 2007). Hlm.113.

⁶ A Saefullah and M Ruvi, "Penguatan Legalitas Usaha Pelaku Umkm Melalui Pembuatan Nib Di Lokasi Wisata Ciung Wanara Ciamis," *PUNDIMAS: Publikasi Kegiatan Abdimas* 1, no. 3 (2022): 105–11, <https://doi.org/https://doi.org/10.37010/pnd.v1i3.918>.

⁷ Christya Aji Putra et al., "Pendampingan Pembuatan Nomor Induk Berusaha (Nib) Untuk Pengembangan Umkm Di Kelurahan Tlumpu Melalui Online Single Submission (OSS)," *I-Com Indonesian Community Journal* 2, no. 2 (2022): 149–57, <https://doi.org/https://doi.org/10.33379/icom.v2i2.1397>.

valid business licenses, commercial licenses, and operational licenses. By having an NIB, businesses can prove that their business has received approval from the authorities and is operating legally, which in turn builds trust for customers and business partners. NIB as a form of legality to carry out business activities is explained in the mandate of Article 12 paragraph (1) of Government Regulation Number 5 of 2021.

Business legality for micro business actors is a necessity and a must for the sustainability of their business. Business licenses make business actors protected, obtain certainty, guarantee of security and comfort in doing business so as to encourage business actors to contribute optimally in the absorption of labor, provision of goods and services for community needs, increase added value of production and dissemination of entrepreneurship growth.⁸

Complying with legal regulations to obtain an NIB, businesses gain legal protection in carrying out their business operations. This helps reduce the risk of future legal issues.⁹ In addition, it is also explained in Article 193 of Government Regulation Number 5 of 2021, that the OSS Institution issues NIBs through the OSS System, one of which is based on the level of risk. This also indirectly benefits business actors to know how the level of business risk they have.

Overall, NIB serves as an important tool in providing legal protection and increasing the legitimacy of MSME businesses. Through a better understanding of NIB and the registration process, businesses can be better prepared to face the challenges of running their business, and take advantage of the various opportunities available for business growth and development.¹⁰

⁸ T Badina et al., "Pendampingan Pembuatan Nib Melalui Online Single Submission (Oss) Bagi Pelaku Usaha Mikro Di Desa Domas," *Jurnal Altifani Penelitian Dan Pengabdian Kepada Masyarakat* 2, no. 6 (2022): 610–17, <https://doi.org/https://doi.org/10.25008/altifani.v2i6.300>.

⁹ U Purnomo, Wahyudin et al., "Bimbingan Teknis Pengelolaan Nomor Induk Berusaha (Nib) Berbasis Online Single Submission (Oss) Bagi Pelaku Umkm Binaan Perkumpulan Rumah Pintar Di Kabupaten Kuningan. , 6(3), .," *Abdimas Siliwangi* 6, no. 3 (2023): 601–16, <https://doi.org/https://doi.org/10.22460/as.v6i3.20018>.

¹⁰ Sukmawati and M Nusran, "Penyuluhan Nib Dan Pendaftaran Sertifikasi Halal Pelaku Umkm Di Kelurahan Lanna Kabupaten Gowa," *JP2N : Jurnal*

C. Concrete Benefits of Business Actors in Indonesia with NIB Ownership

The Business Identification Number (NIB) is an official identity given to business actors in Indonesia, which functions as legality to carry out business activities. Having a NIB provides various concrete benefits for business actors, especially for Micro, Small and Medium Enterprises (MSMEs). First, NIB makes it easier for businesses to apply for business licenses and fulfill the legality requirements needed to operate officially. This is in line with the government's efforts to record and facilitate businesses through the Online Single Submission (OSS) system.¹¹ Basically, NIB is a form of business license that becomes the identity of business actors as explained in the mandate of Article 12 paragraph (1) of Government Regulation Number 5 of 2021. In addition, Article 176 paragraph (5) provides an interpretation that NIB is an identity for Business Actors as proof of registration / registration of Business Actors to carry out business activities. Later, NIB will also apply as an import identification number, customs access rights, registration of business actor participation for health social security and employment social security, and mandatory employment reports for the first period of Business Actors.

As explained, NIB provides legal protection for business actors. By having an NIB, businesses can avoid legal risks that may arise from operating without a license. This legal protection also includes access to various government assistance programs, such as capital assistance and training, which are usually only available to officially registered businesses.¹² For example,

Pengembangan Dan Pengabdian Nusantara 1, no. 2 (2024): 134–46, <https://doi.org/https://doi.org/10.62180/yzrcf057>.

¹¹ Firman Firman and Rohendi Rohendi, "Penyuluhan Pendampingan Nomor Induk Berusaha (Nib) Untuk Pengembangan Umkm Melalui Online Single Submission (Oss) Di Kampung Sukajaga Desa Cihanjawa Kecamatan Bojong Kabupaten Purwakarta," *Sivitas: Jurnal Pengabdian Dan Pemberdayaan Masyarakat* 3, no. 2 (2023): 89–98, <https://doi.org/https://doi.org/10.52593/svs.03.2.04>.

¹² Khumaidi Ahmad et al., "Pemanfaatan Web Online Single Submission (Oss) Untuk Pembuatan Nomor Induk Berusaha (Nib) Pada Umkm Tanggamus,"

businesses that have been registered with NIB can more easily access financing from financial institutions, which often requires business legality as a prerequisite.¹³ With the existence of NIB for business actors, business actors get legality for their business, so that they get easy access to financing to financial institutions by showing the NIB certificate, and with legality, businesses will be better monitored by the central, regional or other institutions for empowerment.¹⁴ Fulfillment of business legality aspects of business licenses and certification will increase growth and competitiveness. Legality aspects that take into account the interests of the business world (business friendly) need to be a new paradigm.¹⁵ NIB gives legitimacy and credibility to a business. By having an NIB, businesses can prove that their business has received approval from the authorities and is operating legally. This build trust for customers, business partners, and other relevant parties. This is stipulated in Government Regulation Number 5 of 2021, precisely in Article 12 paragraph (2). In this case, it mandates that NIB also applies as an Indonesian National Standard (SNI) as referred to in the laws and regulations in the field of standardization and conformity assessment, NIB can also be a form of halal guarantee statement as referred to in the laws and regulations in the field of halal product guarantees.

NIB contributes to the development of a better business ecosystem. With integrated data through OSS, the government

Near Jurnal Pengabdian Kepada Masyarakat 1, no. 2 (2022): 24–28, <https://doi.org/https://doi.org/10.32877/nr.v2i1.568>.

¹³ T Marlina et al., "Penguatan Legalitas Pelaku Umkm Melalui Pembuatan Nomor Induk Berusaha Di Kelurahan Watubelah," *Jurnal Pengabdian Masyarakat Inovasi Indonesia* 2, no. 2 (2024): 251–56, <https://doi.org/https://doi.org/10.54082/jpmii.375>.

¹⁴ Putra et al., "Pendampingan Pembuatan Nomor Induk Berusaha (NIB) Untuk Pengembangan Umkm Di Kelurahan Tlumpu Melalui Online Single Submission (Oss)."

¹⁵ A Purnawan, A Khisni, and S. U Adillah, "Penyuluhan Hukum Pendaftaran Izin Usaha Mikro Kecil (Iumk) Di Kota Semarang Melalui Sistem Online Single Submission (Oss)," *Indonesian Journal of Community Services* 2, no. 1 (2020): 46–57, <https://doi.org/https://doi.org/10.30659/ijocs.2.1.1-10>; Ilma Maulana Fitra Islamy, and Anita Indah Widhiastuti. "Socialization of Business Identification Number Towards MSME's Sustainability in Tambakrejo Urban Village, Gayamsari Subdistrict, Semarang City." *Jurnal Pengabdian Hukum Indonesia* 6, no. 2 (2023): 237-251.

can more easily formulate policies that support the growth of MSMEs and create a conducive business environment.¹⁶ Business actors are an important part of a region or country or the economy of a regional country including Indonesia. The development of the small and medium enterprise (MSME) sector provides its own meaning Efforts to increase economic growth are also to reduce poverty.¹⁷

In addition, material assistance will also be prioritized for businesses that are already registered and have an NIB.¹⁸ The existence of NIB also makes it easier for business actors to access financing from banks to obtain business capital. NIB also allows MSEs to access assistance programs from the Government, and have legal certainty or protection of their business.¹⁹ NIB is also a requirement to access various government programs aimed at empowering MSMEs, such as capital assistance, training, and market access.²⁰ The presence of NIB is one form of implementation of electronic licensing. The establishment of an electronic licensing system to facilitate license processing makes the business world more eager to apply for licenses, increases the number of business actors who apply for licenses, and ensures that business activities are not negatively affected so that supervisory efforts from the government will be easier.²¹

¹⁶ W Waziana et al., "Pendampingan Dan Peningkatan Pemahaman Urgensi Pembuatan Nib Kepada Pelaku Umkm Di Desa Patoman Kec. Pagelaran Kab. Pringsewu Sebagai Upaya Legalitas Usaha," *BEGAWI: Jurnal Pengabdian Kepada Masyarakat* 1, no. 5 (2023): 105–12, <https://doi.org/https://doi.org/10.23960/begawi.v1i2.22>.

¹⁷ S Sulistyono, P. F Garpy, and A. R. E Wahyudi, "Kebijakan Pengurusan Nib Pasca Berlakunya Uu Cipta Kerja," *National Multidisciplinary Sciences* 2, no. 4 (2023): 339–44, <https://doi.org/https://doi.org/10.32528/nms.v2i4.313>.

¹⁸ F Leuhery, "Pelatihan Pembuatan Nomor Induk Berusaha Menggunakan Aplikasi OSS Pada Mahasiswa MIPA Jurusan Biologi Universitas Partimura Ambon," *Jurnal Locus Penelitian Dan Pengabdian* 1, no. 3 (2022): 140–46.

¹⁹ U. N Umi, D Ambarwati, and S. Srikalimah, "Pelatihan Pembuatan Nomor Ijin Berusaha Untuk Kelegalitasan Usaha Pada Pelaku Usaha Di Kecamatan Pare Kabupaten Kediri," *Empowerment: Jurnal Pengabdian Masyarakat* 1, no. 3 (2022): 33–49, <https://doi.org/10.55983/empjcs.v1i3.115>.

²⁰ Marlina, et.al., Penguatan Legalitas Pelaku UMKM Melalui Pembuatan Nomor Induk Berusaha Di Kelurahan Watubelah.

²¹ C Andriani, "Pemberdayaan UMKM Dengan Pendaftaran Nomor Induk Berusaha Melalui Oss Di Kelurahan Krembangan Selatan Surabaya,"

D. Conclusion

NIB has several roles in terms of supporting the implementation of business activities. Businesses receive legal protection in conducting business operations. In addition, NIB also serves as a legal identity for businesses, enabling them to obtain valid business licenses, commercial licenses, and operational licenses. In this case, business actors will obtain several concrete benefits with their ownership of the NIB of the business they run. First, NIBs make it easier for businesses to apply for business licenses and fulfill the legality requirements needed to operate officially, providing legal protection for businesses. Second, NIB provides legal protection for business actors for their business legality. By having a registered business, business actors are considered legal to conduct business activities and are given protection and legal certainty in carrying out business activities. Third, NIB also plays a role in increasing the competitiveness of business actors by fulfilling the requirements to obtain certain certifications. NIB obtained by businesses can also contribute to the development of a better business ecosystem, i.e. with integrated data through OSS, the government can more easily formulate policies that support the growth of MSMEs and create a conducive business environment. NIB is also a requirement to access various government programs aimed at empowering MSMEs, such as capital assistance, training, and market access.

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**“No man is above the law, and no man
is below it.”**

– Theodore Roosevelt

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