

Legal Entity State Universities Don't Have the Authority as Goods or Services Providers in the Perspective of Sharia Economic Law

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ABSTRACT

The realization of cooperation ties between Legal Entity State Universities (PTN BH) and work partners, in practice, still has legal ties mechanisms that position PTN BH as goods/services providers. This research aims to determine the competence of PTN BH, which does not have a legal position as a goods/services provider in conducting legal ties with government and non-government partners. This renewable research was conducted to explore/understand PTN BH's competence in managing collaboration. In have rights practice, the realization of cooperation still shows that PTN BH is a provider of goods/services in carrying out cooperative relationships with Government and non-government partners. This research uses a normative doctrinal approach or normative juridical legal research, which examines the internal aspects of positive law or legislation. The data collection technique was carried out through a literature study in the form of secondary data in the form of articles that have been published in journals as basic research material. The results of this research show that there are basic principles for PTN BH in collaborating with partners, namely the non-profit principle, the tri dharma principle of higher education, and the principle of truth and justice from a Sharia perspective. Economic law following Sharia economic law principles.

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1. Introduction

As a legal entity, PTN BH State University Legal Entity is not a government agency, not a company, not a Non-Governmental Organization (NGO), not a social organization [1]. Competence, namely as an institution/institution/legal entity that organizes education, research and community service following the *Tridharma* principles of higher education. The position of PTN-BH is the highest position in the context of organizing higher education in Indonesia. PTN-BH is an autonomous institution that is no longer a sub-structure of one of the State Ministries, and the PTN-BH State

Finance management system has been separated from the APBN system, which makes the status of the state money provided still belongs to the State.

The concept/policy of managing PTN BH cooperation with Government or non-government partners, in the perspective of Islamic economic law, is a management instrument that is in harmony with Allah SWT, that the basic principle of managing cooperation in Islamic economics is essentially the obligation to submit to the ownership of the earth, the universe, and all its contents belongs to Allah SWT, one of which is in the form of accountability, non-profit, transparency, quality assurance, effectiveness and efficiency. The Islamic economic concept is the main and best legal instrument for managing cooperation. The word of Allah SWT based on the Al-Qur'an has provided an ideal concept for managing cooperation in general. This is also following the decision of the Muhammadiyah Congress, which explains that all levels of the Indonesian nation have received a gift from Allah SWT in the form of a homeland that has sources of wealth to be managed together to create a just country. prosperous and blessed by Allah SWT, *baldatun thayyibatun wa rabbun ghafur* [2].

In principle, the management of Higher Education must be based on several principles, namely:

1. Accountability, namely the principle of being accountable for all types of Higher Education activities to all stakeholders following statutory regulations. The principle of accountability can be measured, among other things, by the ratio of students to lecturers, the adequacy of infrastructure, the provision of quality education, the quality of graduates, and accountability for implementing collaboration following the rules. This is also in accordance with the hadith from H.R al-Bukhari, who explains:

"Know that each of you is a leader, and each of you will be held accountable for those you lead. The ruler who leads the people at large will be held accountable for those he leads. Every head of the family is a member leader of his family, and he will be held accountable for those he leads. And the leader's wife for her husband's family and her children, and she will be held accountable for them, and a slave is also a leader for his master's property and will be held accountable for him responsible for those he leads." (H.R al-Bukhari)

2. Transparency, namely the principle of openness and the ability to present relevant information in a timely and accurate manner to stakeholders in accordance with laws and regulations. According to Al-Ghazali in *Ihya 'Ulum al-Din*, said or honesty contains six meanings: honesty in speaking, honesty in intention and will, honesty in planning, honesty in carrying out plans, honesty in action, and honesty in realizing all religious provisions. If a person has all these qualities, he is called a *Siddiq*, an intensive adjective (mubalaghah) for said. Budget transparency is a form of shade. Hiding the budget otherwise is the most obvious form of lying. In the general rules of Fiqh, it is emphasized that *ma la yatimmu al-wajib illa bihi fahuwa wajib*; if an obligation cannot be fulfilled except by something, then that something becomes obligatory.

3. Non-profit, namely the principle of activities whose purpose is not to seek profit so that all remaining business results from activities must be reinvested in Higher Education Institutions to increase the capacity and/or quality of education services. Islam invites every human being to sincerely surrender himself to Allah and work together well. Harmony in carrying out responsibilities for glory in the world, tranquillity in the grave, and enjoyment in the afterlife are the ideals of Islamic guidance.

4. Quality assurance, namely the principle in the form of systemic activities to provide Higher Education services that meet or exceed national higher education standards as well as improve the quality of education services sustainably. Education, according to Islam, cultivates the human mind and regulates morals and behaviour based on Islamic teachings. Meanwhile, *al-ta'lim* in the world of education means teaching, which only provides knowledge to students.

5. Efficiency and effectiveness, namely principles in the form of systemic activities, utilize resources in implementing higher education so that they are right on target and there is no waste. Carrying out any collaboration requires sincerity and seriousness. This attitude will create effectiveness and

efficiency in improving work results. The Prophet said: "Indeed, deeds depend on one's intention, and indeed a person depends on what he intends" (HR. Bukhari and Muslim).

The principles of PTN-BH, when connected with the management of cooperation with Government and Non-Government partners, must be following the general principles in the agreement given also by the Civil Code (Burgerlijk Wetboek) as guidelines or benchmarks, as well as being the boundaries in regulating and forming agreements/contracts to be made in order to create legal justice, balance of rights and obligations (legal achievements) before becoming a binding obligation for the parties, so that it can be implemented, enforced, carried out its fulfilment [3].

Apart from these principles, the principles of truth and justice, from a Sharia perspective, economic law in carrying out cooperative relationships with partners is also the main thing because PTN BH cannot abandon its essence as a Public Legal Entity. As a public legal entity, the realization of cooperative relations must be based on the principle of freedom of parties/subjects who have equal rights position. This is adjusted to the burden of responsibility for PTN BH in accordance with applicable principles and regulations. Islam is a perfect religion. Islam regulates everything, from the procedures for worshiping Allah SWT to worldly affairs such as *muamalah*, all of which are regulated in the Al-Qur'an and As-Sunnah. One proof that the Al-Qur'an and As-Sunnah have universal reach and organizing power can be seen in terms of the text, which is always appropriate for implications in actual life. For example, its reach and regulatory capacity for one form of *muamalah*, namely economic cooperation activities. Economic activity, in the Islamic view, is a guide to life [4].

State Universities (PTN), before becoming a PTN-BH, must go through several stages, namely in terms of managing state finances in general, then becoming a Public Service Agency (BLU), and then being given autonomy as the final form of the PTN's existence. Since being granted autonomy based on Government Regulations and statutes, each Legal Entity of the State University, from now on referred to as PTN BH, has transformed to harmonize itself as the latest legal entity nomenclature, namely a Legal Entity responsible for organizing Education, Research, and Community Service. The term PTN-BH is first mentioned in Article 65 paragraph (1) of Law Number 12 of 2012 concerning Higher Education, which states that:

"The implementation of higher education autonomy can be given selectively based on performance evaluation by the minister to PTN by applying the Public Service Agency Financial Management Pattern or by forming a PTN legal entity to produce quality Higher Education."

The impact of this autonomy can be interpreted as an effort to manage/accountability independently by PTN BH, one of which is PTN-BH funding can be sourced from the *Tridharma* Cooperation including the procurement of government goods/services using the type II *Swakelola* model. The *Tridharma* principle is a fundamental norm for making PTN BH law that is practically oriented to legal principles; thus, legal principles are the basis or direction for making cooperation contracts [5].

Efficient and effective procurement of government goods/services is an important part of PTN BH's financial management [6]. So, every tertiary institution needs to view that the model of cooperation between universities and Government or non-government must be based on the capacity of higher education institutions.

This transformation has so far been tested by one of the non-academic fields, namely the management of PTN BH cooperation, which is increasingly being challenged in responding to national and international competition.

PTN BH is a public organization as a public legal entity. In the context of being a public body, PTN BH is an institution that is given legal responsibility as an organizer in the fields of Education, Research, and Community Service. State Higher Education Legal Entity, according to the science of law, is part of the subject of law, namely people or individuals, persons, and every legal entity.

PTN BH's transformation process faces increasingly complex problems. The problems faced by PTN BH are increasingly dynamic, one of which is the competence of PTN BH as a public legal entity,

which cannot be equated with that of a private legal entity. The results of the study reveal that legal entity state universities have different characteristics from public legal entities to private legal entities. One of them is essential, namely the non-profit nature of PTN BH, which is not profit-oriented.

The non-profit principle in higher education autonomy is the legal basis/effect for PTN BH institutions, which cannot be called providers of goods and services when working with partners, whether Government or non-government (private), which are, in fact, PTN BH partners in implementing cooperation patterns still refer to as Goods and Services Providers. The mention of the nomenclature as a provider of goods and services to PTN BH will impact the administrative, financial, and legal aspects [7].

The obligation to obey the non-profit principle is also a form of obedience to Allah SWT and obedience to his Messenger. According to *Tafsir At-Tahrir wa At-Tanwir* by Ibn Ashur, this sequencing shows that obedience to carrying out the mandate and upholding justice is the real implementation (tanfidz) of the content of sharia commands regarding the importance of upholding trust and legal justice.

When the State, through its government, issues regulations that maintain security and order and protect and uphold the law and justice of the institution/community, then a higher education institution (PTN BH) is obliged to obey/obey as long as these rules do not conflict with the rules of Allah SWT and His Messenger.

2. Method

This research uses a normative doctrinal approach or normative juridical legal research that examines the internal aspects of positive law or legislation, one of which is in the form of tracing, studying, and examining norms, principles, and legal rules in the form of positive law and how it is implemented in practice in Indonesia regarding the position of PTN BH in carrying out cooperation with its partners, both Government and non-government.

Data collection techniques are also carried out through literature studies to collect secondary data, which includes primary materials in the form of laws and regulations, as well as secondary legal materials, namely materials that are closely related to primary legal materials and can help analyze primary legal materials [8], such as scientific papers and writings of experts conducting research to find conceptions, theories, opinions or findings that are closely related to the proper legal position for PTN BH as a PTN BH in collaborating with its partners, both Government and non-government.

Data analysis is done qualitatively, and the results are presented descriptively so that the analysis results can produce conclusions to answer the research questions in this study [9].

3. Results and Discussion

3.1. Problems with Cooperation Practices at PTN BH

In practice, the mechanism for implementing the cooperation process from the initial stage of bidding/negotiation to the drafting and/or signing of contracts/ agreements still shows deviations from the principles and regulations that apply, one of which is PTN BH cooperating with its partners, both government and non-government, through mechanisms exactly the same as goods/services provider companies. PTN-BH is often faced with the situation of taking it or leaving it [10]. For example, participating in the selection (contest) as the service provider's winner, conditioning PTN BH to act as a service provider. Accepting agreement clauses, in the form of fines/compensation, subcontractors, mentioning as contractors/consultants, even to prepare bank guarantees and maintenance guarantees.

The practice of such cooperation has violated the obligation to obey/ comply with the principle of non-profit, which is also a form of obedience to Allah SWT and obedience to His Messenger. Indeed, all BH state universities in Indonesia do not have the legal position to collaborate with a mechanism such as a business entity (goods/services provider company) that uses the nomenclature of a service agreement and conditions PTN BH to act as a service provider.

PTN BH fully has the right protected by law to obtain the content of agreements whose arrangements are fair and more open to reflect the balance of position for the parties following statutory regulations [11]. Each PTN BH has the authority not to accept the legal bonding process with the condition of using a service agreement scheme and providing financial sanctions/fines in the agreement. Based on laws and regulations, especially regarding higher education, PTN BH statutes, PTN BH management, PTN BH funding mechanisms, and government procurement of goods/services, PTN BH does not have the legal position to carry out a collaboration with mechanisms such as business entities (goods/services provider companies) that use the nomenclature of service agreements and condition to act as service providers.

3.2. Historical Records of State Universities Legal Entities in Indonesia

On August 10, 2012, the Government enacted Law Number 12 concerning Higher Education, which, among other things, stipulates that the management of State-Owned Legal Entity Colleges and State-Owned Legal Entity Colleges that have turned into universities organized by the Government with a management pattern public service agency finance is designated as PTN Legal Entity. Thus, based on Law Number 12 of 2012 (Higher Education Law), PTN BH became a PTN Legal Entity.

The enactment of the Law on Higher Education has implications for PTN BHs, namely having wider autonomy compared to PTNs as Government Work Units and PTNs with BLU Financial Patterns. In Article 65, paragraph (3) of the Higher Education Law, PTN-BH has the following powers:

1. The initial wealth is in the form of separated state assets except for land
2. Independent governance and decision-making manual: Well, thanks to how long you have been a leader secretary, things have to go. Let's explore the fascinating world of functions. Cortana yeah one more Cortana
3. Units that carry out the functions of accountability and transparency
4. The right to manage funds independently, transparently and accountably
5. The authority to appoint and dismiss lecturers and education staff themselves
6. Authority to establish business entities and develop endowment funds
7. Authority to open, organize, and close study programs

In the Law on Higher Education, forms of autonomy can be divided into 2 (two) types, namely academic autonomy and non-academic autonomy. Academic autonomy is autonomy naturally owned by state universities as higher education institutions. Academic autonomy can be in the form of scientific autonomy, which means that PTN, as an academic institution, can carry out educational functions absolutely without any intervention from any party. Meanwhile, in non-academic autonomy, several forms are known, including financial management autonomy, manpower management autonomy, structure management autonomy, and PTN organization. The forms of autonomy, as mentioned above, are forms of granting statutory authority to PTN-BH.

Based on these powers, there are three main characteristics of PTN-BH, namely: (1) Public Legal Entity, PTN-BH is formed by the State, which is functional and formed to educate the life of the nation through the provision of higher education that is accessible to the community. The legal status given to PTN BH makes it a legal subject, and the implication is that PTN can carry out legal actions within the limits determined by the Government. This means that PTN BH can act independently in managing their institutions. PTN BH is a legal entity that does not have commercial purposes such as seeking profit or maximizing profit because its autonomous operations are limitations in accordance with the principles and applicable laws and regulations, especially the tri dharma principle of higher education, as well as the laws and regulations governing about Higher Education.

3.3. PTN BH as a Legal Subject

A legal subject is considered by a certain law, which is historically given in the sense of an end in itself. Legal subjects can have rights and be capable of acting within the law, or in other words, who are legally competent to have rights [12]. PTN BH is a legal subject that is given autonomy in academic and non-academic management. PTN BH is naturally an independent, independent, or autonomous institution. This form of autonomy covers all aspects of non-academic academic management, including the management of partnerships or collaboration with other parties. Some institutions that can be invited to work together are Government or Non-Government Local, National and International. This cooperation can be realized in various forms, including partnerships in education, research, training, supervision, quality assurance, and intellectual property.

PTN BH is a legal construction; in legal association, legal entities are accepted as legal subjects other than humans. A legal entity can only act legally with the intermediary of its organs, organs, and division of tasks; legal actions can be carried out, and the election is regulated in the articles of association and regulations or decisions, all of which create the embodiment of an organized organization. This is also following what has been regulated by one of the laws and regulations on PTN BH in Indonesia, namely ITB PTN BH based on Government Regulation Number 65 of 2013 concerning the Statute of PTN BH, which explains the division of functions and duties of the organs of the Board of Trustees, Rector, and Academic Senate. Furthermore, there is a further discussion on this research, based on Government Regulation Number 65 of 2013, concerning the Statute of ITB PTN BH. As a form of accountability, every public university with a legal entity (PTN BH), including Institut Teknologi Bandung, is obliged to organize its services based on laws and regulations [13].

3.4. PTN BH as Legal Entity

Legal entities as legal subjects can enter into legal relations, both between one legal entity and another legal entity, as well as between legal entities and people (S., 2014). The legal entity is a legal subject that does not have a soul like humans. Legal entities cannot carry out legal actions on their own but must be represented by a person who is authorized to carry out these legal actions [14]. For example, the Chancellor of PTN BH can make Chancellor Regulations in order to carry out academic and non-academic autonomy. PTN BH can act in public law and private law and has an equal legal position when contracting with partners. Position/has equal legal standing in contracting with partners that have a budget, whether Government or non-government who have a budget, either Government or non-Government [15].

According to the general teaching doctrine of a legal entity, to meet the criteria as a legal subject, a legal entity requires the criteria of having separate assets, having specific goals, having its own interests, and having an organized organization. Based on this doctrine, the recognition, validity, and legal certainty of Higher Education as PTN BH is complete.

In contrast to private legal entities, the assets in question are from the income of members or from a member or from an act of separating wealth from a person used for a certain purpose. Thus, these assets become the object of separate claims from third parties who have a relationship law with the legal entity. Private legal entities have their own responsibilities; separate assets bring consequences; personal creditors of members do not have the right to claim the assets of legal entities; members cannot personally collect receivables from legal entities against third parties; compensation between personal debts and debts of legal entities is not permitted, legal relations either agreements or processes between members and legal entities may be the same as between legal entities and third parties, in bankruptcy only the creditors of the legal entity can claim these separate assets.

The term legal entity is commonly known and used in community relations, including in various legal traffic. Legal entities are legal subjects other than humans as legal subjects. In Dutch, a legal

entity as a legal subject is a translation of *rechtspersoon* for humans as a legal subject, a translation of *natuurlijke person*, meanwhile in English literature, a legal entity as a legal subject is called a legal person, while a natural person is translated as a human being as a legal subject [16]. The only regulation that is a general provision regarding legal entities is Chapter Nine of the Third Book of the Civil Code, namely Article 1653 concerning *Zedelijk lichmen* or moral legal entities. Article 1653 of the Civil Code states:

"In addition to true companies by law, associations of people are also recognized as associations, whether those associations are held or recognized as such by the general authority or those associations are accepted as permissible or have been established for a specific purpose. Which is not contrary to the law and decency".

1. Have a certain goal. The specific goal is not a personal goal of a member but rather the goal of the legal entity itself as a legal subject because a legal entity can only act through the intermediaries of its organs; the formulation of goals and intentions is firm and clear. This assertiveness facilitates the separation of whether an organ acts within the limits of its authority or not; for us in Indonesia, that goal should reflect ethical values, with legal justice based on Pancasila not conflicting with laws, decency, and public order, must truly reflect Pancasila community justice;

2. Having own interests. The intended interests are subjective rights as a result of legal events, these interests are protected by law, and legal entities that have these interests can claim and defend these interests against third parties in legal relations;

3. The existence of an orderly organization A legal entity is a legal construction; in legal association, legal entities are accepted as legal subjects other than humans. A legal entity can only act legally through the intermediary of its organs, organs, division of tasks, and legal actions can be carried out; its election is regulated in the articles of association and regulations or decisions of members' meetings, all of which create the embodiment of an organized organization.

Legal entities as legal subjects have elements of associations of people (organizations) who can carry out legal actions in legal relations, have their own assets, have management, have rights and obligations, and can be sued and sued before the court, separate assets, have specific goals, have their own interests, and the existence of an orderly organization.

Table 1. Differences between Public Legal Entities and Private Legal Entities

Public Legal Entity	Including Private Legal Entities
State Nomenclature including PTN BH	<ul style="list-style-type: none"> - Association/Association, - Limited liability company, - Private Insurance Company, - PT. Open/Public Limited Company, - PT. Private Limited Company and Foundation

Table 2. Differences between Public Legal Entities and Private Legal Entities

No	Criteria	Public Law	Private Law
1	Subject/Party	The State Nomenclature includes PTN BH	Government Individuals/Individuals
2	Connection Law	Vertical	Autonomous/horizontal between Individual with Individual
3	Nature of Norms	Force	Don't force/force
4	Consequence	Law Field Public	Private Law Field

3.5. PTN BH is Not a Company or Business Entity

Islam strongly recommends doing justice in actions, acting in carrying out a cooperative relationship, and prohibiting cheating or acting unjustly. Rasulullah SAW was sent by Allah SWT to establish justice. It is enough for the Al-Qur'an to have made all the goals of the heavenly message to carry out justice because justice brings piety closer. As Allah SWT says in the Al-Qur'an, surah Al-Maidah verse 8, which means:

"O you who believe, let you be people who always uphold (the truth) for Allah, be witnesses fairly, and never let your hatred towards a people encourage you to act unjustly. Be fair because justice is closer to piety and fear of Allah. Indeed, Allah is All-Knowing of what you do."

Based on the word of Allah SWT in the Al-Qur'an, Al-Maidah verse 8, when it is related to the realization of PTN BH's collaborative actions with its partners, it is mandatory to prioritize harmony with the laws and regulations in force in Indonesia. PTN-BH is not a company/business entity such as a limited liability company (Private et al.) where assets are borne by third-party claims. The term company is used in the KUHD and legislation outside the KUHD. The definition of a company, according to Molengraaf, is all actions that are carried out continuously, acting outside to earn income by trading or delivering goods or entering into trade agreements [17]. From this understanding, it is obtained that the element of the company is the process of buying and selling goods/services, taking into account income/profits or profits. Of course, this will not be possible for PTN BH to implement because it would conflict with laws and regulations that give non-profit nature to PTN BH as a public legal entity.

The concept of the company is the nature of private legal entities; private legal entities can be in the form of legal entities established by individuals, established by the State, or the State itself, which acts equally and autonomously with all the consequences in the field of private law. In private law, legal relations are based on the principle of autonomy and freedom of the parties/subjects whose position is equal; the subject is between individuals, or the authorities/government can be the subject of initiative.

This is confirmed by the Elucidation of Article 64 paragraph (4) of the Higher Education Law that PTNBH is a state-owned PTN and cannot be transferred to individuals or the private sector. Furthermore, PTN BH has separate initial assets, except for land. This is regulated in Government Regulation Number 65 of 2013 concerning PTN BH Statutes. As a legal entity, PTN BH State University Legal Entity is not a government agency, not a company, not an NGO, not a social organization. Complete competence, namely as an institution/institution/legal entity that organizes education, research, and community service in accordance with the *Tridharma* principle of higher education. Based on this, in any cooperation with both Government and non-government partners during the initial process of cooperation, correspondence (bargaining) until a written agreement is

agreed upon and signed by the parties so that the terms of the contract will be valid and binding at the time the draft contract is signed [18]. There may not be a document containing the name PTN BH, which is a provider of goods and services. If referred to as a provider of goods and services, it can be interpreted that PTN BH is a business entity that is exactly the same as CV, Cooperative, and PT. Because it is not a provider of goods and services, cooperation with PTN BH cannot go through a tender process, bidding, or direct appointment. A contract is clearly illegal if its formation, purpose, or performance involves an act of legal wrongdoing [19]. To the extent that contractual performance relies on equality, then in the event of an imbalance, attention will be paid to equality in relation to the manner in which the contract is formed and not to the end result of the performance provided for in the contract. In principle, by relying on the main principles of contract law, one of which is the principle of equality, the decisive factor is not the equality of the achievements in the contract but the equality of the parties involved in making the contract [20].

The legal administrative process that begins with aligning with the principles, laws, and regulations will be a tool to prevent imbalances in agreements, prevent disputes and findings/audits if there is cooperation outside the fields of Education, Research, and Community Service, PTN BH can use the scheme as the organizer of the procurement of goods/services. The work unit at PTN BH that manages the procurement of goods/services can carry out a tender/auction

process or directly appoint a business entity that meets the specifications required by PTN BH. The process for procuring goods/services refers to Presidential Regulation of the Republic of Indonesia Number 2 of 2021 concerning Government Procurement of Goods/Services. In the process of procuring government goods/services, a contract can be drawn up between PTN BH and the goods/services provider.

The goods/services procurement contract is a written agreement between the PPK and the goods/services provider, the nomenclature of the agreement/contract bond through a tender/auction/direct appointment bond scheme, namely between the PA/PPK and the goods/services provider through a private legal entity, one of which is PT (Limited Liability Company). Meanwhile, between Agencies/Institutions or Public Legal Entities through a type II self-management agreement/contract bond scheme between PA/PPK and *Swakelola* Executors [21].

Government procurement of goods or services through private legal entities aims to produce quality and reasonable goods or services, which can be measured from various aspects such as cost, amount of supply, and location. Regulation of goods and services procurement activities by the Government must pay attention to the principle of benefits in the amount of money spent or have a high value of money so that they can provide goods or services that are good in terms of time, cost, quality, quantity and so on [22]. Whereas through PTN BH as a public legal entity, government procurement of goods or services through the In-House mechanism is carried out when the required goods/services cannot be provided or are not in demand by business actors or are more effectively and/or efficiently carried out by In-House Executors.

4. Conclusion

PTN BH is obliged to apply non-profit principles, the principles of the *Tridharma* of higher education, and the principles of truth and justice from a sharia perspective. Economic law in implementing cooperative ties with partners because PTN BH cannot let go of its nature as a Public Legal Entity, even though in a cooperative relationship, the legal relationship is based on the principle of freedom of the parties/subjects who are equal in position. This is adjusted to the burden of responsibility to PTN BH in accordance with the principles and regulations that apply. Legal responsibility to the fields of Education, Research, and Community Service.

PTN BH carries out cooperative relationships with both Government and Non-Governmental partners or as a party that has a budget because it has a non-profit nature and adapts to its fields (Education, research, and community service) so that the result cannot be called a service/goods provider. The proper mention of carrying out a joint cooperative relationship with both Government and non-government partners, namely PTN BH, has competence as a goods/services procurement organizer or in-house management executor. To prevent deviations from mentioning PTN BH's nomenclature as a provider of goods/services when working with partners, whether Government or non-government, the appropriate administrative and legal mechanism is to use a type II self-management contract/agreement. Based on this, to mitigate the same incident in the realization of PTN BH's cooperation with Government or Non-Governmental partners, technical arrangements are needed by PTN BH in the form of a Chancellor's Regulation as an absolute and technical guide in the realization of the implementation of cooperation.

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