

Critical Analysis of the Implementation Challenge of Law No. 4 of 2016 on the Maintenance of People's Housing Savings

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Abstract

The Indonesian government's implementation of Law No. 4 of 2016 on People's Housing Savings (Tapera) marks a significant effort to provide affordable housing for low-income communities. Ratified in 2020 with the support of Government Regulation No. 25, the Tapera program mandates contributions from employees and employers to create housing savings for workers. However, despite its potential to address the housing shortage, the program faces multiple challenges, including regulatory overlaps with existing housing policies, lack of clarity on participant rights and obligations, and concerns over the financial burden on workers and employers. This study aims to critically analyze the legal framework of the Tapera program, identify the obstacles encountered in its implementation, and provide recommendations for improving its efficiency and transparency. Utilizing a normative legal research method with a statute and conceptual approach, the research analyzes primary legal materials alongside secondary sources, such as the Tapera Act. The findings indicate that while Tapera is intended to provide equitable access to affordable housing, its implementation is hindered by legal ambiguities, coordination issues, and transparency concerns. The study concludes that comprehensive regulatory revision and enhanced coordination between government agencies, BP Tapera, and the private sector are necessary to ensure the success of the Tapera program in achieving its housing affordability objectives.

Keywords: Decent housing, government regulations, public housing savings.



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Introduction

President Joko Widodo began to ratify the implementation of Law No. 4 of 2016 on the Maintenance of People's Housing Savings (Tapera Act) on May 20, 2020.¹ This was done by completing Government Regulation No. 25 of 2020 on Maintaining People's Housing savings (PP Tapera), which regulates the procedure for the implementation of the Tapera Act. In the end, BP Tapera will be responsible for the procedure and management of the tapera savings.² PP Tapera procedure requires PNS, police and military personnel, employees of BUMN and BUMD companies, and employees of private companies to manage funds to prepare the execution of the related housing savages. Three percent of the wages of the workers, and three per cent of the salaries of the servants; and two and a half per cent were paid by the workers; and one and a fifty per cent by the employers. (for official workers).³

The government's legal analysis of public housing savings policies is crucial to combating household shortages and ensuring that people with low incomes can get houses at affordable prices. Some studies highlighted the difficulties encountered in implementing housing programmes, such as the XIII Economic Policy Package in Indonesia and the *Minha Casa, Minha Vida* programmes in Brazil. The study also emphasizes the importance of systematic frameworks such as the Public Policy Legal Analysis Framework.⁴ Moreover, legal studies in Indonesia show how important laws such as Law No. 20 of 2011 on Apartments are to provide decent and affordable housing options for those who find it difficult to get a home.⁵ According to the Law Reform Index, legal reforms are also crucial to simplifying regulation, preventing overlap, and ensuring that government policies in the housing sector work well.⁶

Government regulation policies in the regulation of people's housing savings involve a complex interaction between government regulations, housing supply, and financial assistance programmes. The research reports highlight various aspects of this problem, such as the challenge of providing affordable housing for low-income communities.⁷ The

¹ Tazkiya Amalia Nasution, "Analisis Yuridis Undang-Undang Tabungan Perumahan Rakyat Ditinjau Dari Perspektif Good Governance," *Jurnal Lex Renaissance* 6, no. 4 (October 1, 2021): 833–46, <https://doi.org/10.20885/JLR.vol6.iss4.art13>.

² Nasution.

³ Mochammad Nur Cahyono, "Pro Dan Kontra Program TAPERA: Memahami Dampaknya Terhadap Kesejahteraan Perumahan Di Indonesia," <https://id.linkedin.com/pulse/pro-dan-kontra-program-tapera-memahami-dampaknya-di-nur-cahyono-t2ccc>, 2024.

⁴ Maria Dellarosawati Idawicaksakti, Monica Dianrosawati Itaratnasari, and Raden Aswin Rahadi, "Public Policy and Financial Regulation in Housing Sector (Case Study: One Million Houses and KPR FLPP)," *International Journal of Innovation in Enterprise System* 6, no. 01 (2022): 50–60, <https://doi.org/10.25124/ijies.v6i01.127>.

⁵ Marcelo Chilvarquer, "Aplicando O Quadro De Referência Para Análise Jurídica De Políticas Públicas: A Implementação Do Programa Minha Casa, Minha Vida, Faixa 1, No Município De São Paulo," *Rei - Revista Estudos Institucionais* 5, no. 3 (2019): 1116–41, <https://doi.org/10.21783/rei.v5i3.442>.

⁶ Edward James Sinaga, "Implementation of Regulatory Policy in Government Agency," *Jurnal Ilmiah Kebijakan Hukum* 16, no. 2 (2022): 323, <https://doi.org/10.30641/kebijakan.2022.v16.323-340>.

⁷ Idawicaksakti, Itaratnasari, and Rahadi, "Public Policy and Financial Regulation in Housing Sector (Case Study: One Million Houses and KPR FLPP)."

division of responsibilities between central and local governments in housing provision,⁸ the impact of housing price increases on the construction of public houses, and the need for a fair-value housing financing policy to ensure equitable access and home ownership. To address the problem, the Indonesian Government has initiated various policies and programmes, one of which is people's housing savings. The program not only provides savings mechanisms, but also often involves subsidy support and other incentives from the Government.⁹

But most people don't have the ability to get a home. This is due to the structures of the capitalist economy, in which the people are pressured for the interests of entrepreneurs and rulers; low and unequal income rates; and government policies that lack attention and support the economy of the people. The cuts or allowances that people have to pay to help the country's economy include income taxes, social security agency tax, labour agency social security tax, and motor vehicle tax. All of this is legitimized by enforcing laws. Conditions like this make people, especially low-income people, unable to buy houses, even if they need them, and forced to live in unworthy places. Furthermore, the government does not address this problem by creating and implementing different and progressive policies that make it easier for people to get adequate and affordable housing financing.¹⁰

According to article 124 of the Law of 2011, additional laws regulate the implementation of people's housing savings. On March 24, 2016, the Government issued Law No. 4 of 2016 on People's Housing Savings (Tapera Act) and Government Regulation No. 25 of 2020 (PP Tapera) establishing rules for the implementation of the Tapera Act. At this stage, the Government ignored the regulations mentioned in Law No. 1 of 2011 on the Savings of Housing Rakyat. Article 81 of the Tapera Act then states that the enforcement regulations (including PP Tapera) must be made within a maximum period of 2 (two) years.¹¹

The establishment of such regulations is judged to disobey the foundations of the establishing of legislative regulations, in particular the implementable foundation 8 of the foundation of openness, and the basis of usefulness and effectiveness of application. Substantially, the PP Tapera published as the implementing regulations of the Tapera Act still has some problems among them some parties assessing the size of Tapera's allowance will be burdened by the public for increasing the allowance burden to be borne in addition to BPJS allowance and income tax cuts, policies that potentially overlap with BPJS Employment policies related to housing financing, the participation of Foreign

⁸ Mendra Wijaya and Tengku Fahrul Gafar, "Policy Analysis on Institutionalization of Housing and Region Settlement," *Jdp (Jurnal Dinamika Pemerintahan)* 2, no. 1 (2019): 33–50, <https://doi.org/10.36341/jdp.v2i1.735>.

⁹ Arum Widiastuti, . Gunarto, and Akhmad Khisni, "Reconstruction of Changes in Banking Regulation Policy to Legal Process and Housing Ministry (Housing Financing Liquidity Facility)," *Saudi Journal of Humanities and Social Sciences* 04, no. 10 (2019): 652–64, <https://doi.org/10.36348/sjhss.2019.v04i10.004>.

¹⁰ Neysa Tania, Jason Novienco, and Dixon Sanjaya, "Kajian Teori Hukum Progresif Terhadap Implementasi Produk Tabungan Perumahan Rakyat," *Perspektif* 26, no. 2 (2021): 73–87, <https://doi.org/10.30742/perspektif.v26i2.800>.

¹¹ Ade Arianto Asril, Anis Rifai, and Arina Novizas Shebubakar, "Penyelenggaraan Tabungan Perumahan Menurut Undang-Undang Nomor 4 Tahun 2016 Ditinjau Dari Perspektif Perlindungan Hukum," *Jurnal Magister Ilmu Hukum* 7, no. 1 (2022): 1, <https://doi.org/10.36722/jmih.v7i1.1185>.

Nationals as Tapera participants, as well as the position, authority, functions, and responsibilities Tapera Management Agency to Tapera funds collected from participants.¹²

Government regulation in the public housing sector involves various policies and inter-agency coordination. Moreover, the provision of public houses requires significant resources, and the ongoing rise in housing prices has an impact on the construction and procurement of new housing. This encourages discussions about government intervention and the effectiveness of existing policies.

This analysis emphasizes the importance of legal frameworks, such as the Public Policy Legal Analysis Framework and Public Policy Reference Frameworks, in evaluating the effectiveness of housing policies and addressing regulatory barriers. By analyzing these factors, policymakers can work towards creating equity-based housing regulation, ensuring equitable access to housing financing, and addressing the complexity of the public housing sector.¹³

The study aims to analyze the legal policy governing Tapera in Indonesia, identify the obstacles encountered in its implementation, and provide recommendations for improving the effectiveness and efficiency of the program. By analyzing the legal aspects of the Tapera regulation, it is expected to find a solution that can support the government's goal in providing decent and affordable housing for the entire layer of society.

METHOD

This study focuses on analyzing the enforcement of Law No. 4 of 2016 concerning People's Housing Savings (UU Tapera). The research employs a normative legal research methodology, utilizing both the statute approach and the conceptual approach. The statute approach is used to examine the relevant legislative framework governing the implementation of Tapera, while the conceptual approach explores the underlying legal principles and theories that form the basis of the Tapera Act. The primary legal materials consist of legislative texts, including the Tapera Act and other related regulations. Secondary sources are obtained from legal literature, scholarly articles, and books accessed through library research, as well as other relevant legal documents. This study also includes interpretative analysis to understand how these legal provisions are enforced in practice, and to identify any gaps or challenges in their implementation. In the data collection process, legal materials are gathered from both documentary studies of the regulations and literature. The analysis is conducted through qualitative descriptive analysis, which involves interpreting the legal texts and concepts to draw conclusions about the effectiveness and challenges of the Tapera policy.

¹² Tania, Novienco, and Sanjaya, "Kajian Teori Hukum Progresif Terhadap Implementasi Produk Tabungan Perumahan Rakyat."

¹³ Chilvarquer, "Aplicando O Quadro De Referência Para Análise Jurídica De Políticas Públicas: A Implementação Do Programa Minha Casa, Minha Vida, Faixa 1, No Município De São Paulo."

RESULT AND DISCUSSION

Implementation of the Public Housing Savings Regulation by the Government

Dynamics is one of the characteristics of a country. Indonesia as a country also proves the existence of such dynamics. One of them is seen on the new work programme and legal product. It is in line with the progressive theory of law advocated by Satjipto Rahardjo that law must always proceed in a better direction because law exists for man, not man for law. To that, Indonesia makes breakthroughs through a new government work programme every year. One of them is a work programme on people's housing savings. (TAPERA).¹⁴

Challenges in Implementing Public Housing Savings Regulation in Indonesia. Implementation of public housing savings regulations in Indonesia faces the challenge of providing affordable and accessible housing, as well as ensuring sustainable long-term funding. The Government's involvement in housing financing and the legal policy of its housing law was emphasized, stressing the importance of legal policy in ensuring justice and creating a safe living environment.¹⁵

Impact of Public Housing Savings Regulation on Low-Income Households in Indonesia One of the studies on provisioning housing for low-income communities in West Java, Indonesia, highlights the challenges in self-help and public housing modes, stresses the need for housing delivery systems and public-private partnership schemes to support Procurement Housing.¹⁶ The New Public Management (NPM) approach to housing policy for low-income communities in Indonesia has not fully addressed household problems and requires adaptation to socio-cultural, economic, and political factors.¹⁷

The policy aims to provide low-interest savings facilities and other incentives so that people can raise enough funds to buy houses. Legal Framework and Challenges: The Indonesian Government has introduced Law No. 4 of 2016 on Public Housing Savings to address the challenge of providing affordable and accessible housing, emphasizing the constitutional rights of households.¹⁸

Comparing the Public Housing Savings Regulations in Indonesia with the Regulations of Other Countries, Research on the relationship between land use regulation and the housing market in Indonesia shows that, due to flexible enforcement and a growing informal home

¹⁴ Henry Winata Marip Pasah, Maria Yohana, "URGENSI PENERAPAN TAPERA BAGI PEGAWAI SWASTA DI INDONESIA," *Angewandte Chemie International Edition*, 6(11), 951–952. 1, no. April (2015).

¹⁵ Jefri Hari Akbar, Yusriyadi, and Soeganda Priyatna, "LEGAL POLITICS OF PUBLIC HOUSING SAVINGS FOR CITIZENS' DECENT AND AFFORDABLE HOUSING," *Corporate Law and Governance Review* 6, no. 1 (2024): 19 – 26, <https://doi.org/10.22495/clgrv6i1p2>.

¹⁶ Anita Vitriana, "Post-Implementation Review of Low-Income Housing Provision Policy: A Qualitative Study with Executives' Perspective Case Study: West Java Metropolitan Areas, Indonesia," *International Review for Spatial Planning and Sustainable Development* 11, no. 4 (2023): 131 – 149, https://doi.org/10.14246/irspsd.11.4_131.

¹⁷ Ahmad Sururi et al., "Housing Policy for Low-Income Communities in Indonesia and Its Reforms: An Overview," *Public Policy and Administration* 21, no. 1 (2022): 158–74, <https://doi.org/10.5755/j01.ppa.21.1.30151>.

¹⁸ Akbar, Yusriyadi, and Priyatna, "LEGAL POLITICS OF PUBLIC HOUSING SAVINGS FOR CITIZENS' DECENT AND AFFORDABLE HOUSING."

production system, regulations affect home production but do not affect the home market in a predictable way. Access to housing for low-income urban areas in Indonesia and Malaysia emphasizes the importance of national development goals and development principles in meeting household access, highlighting the need for accurate data and collaboration involving a wide range of stakeholders.

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In Indonesia, the Public Housing Savings Program (Tapera) aims to provide long-term fund storage for housing finance, for low-income communities. (MBR).²¹ State intervention in economic processes, including the transformation of household savings into a source of investment, is essential for national economic development and increased socio-economic support for the population. Furthermore, regulation of financial institutions, including insurance companies and pension funds, is essential to prevent strong failures and reduce risks in the housing financial system, especially after the 2008 global financial crisis. By effectively implementing public housing savings regulations, the Indonesian Government can contribute to addressing household availability issues and promoting investment in the household sector.²²

According to Esping Andersen, the welfare state basically refers to the "active role of the state in managing and organizing the economy" which includes the responsibility of the State to ensure the availability of basic welfare services at a certain level to its citizens.²³ Many studies have shown that many people do not have sustainable homes due to financial constraints, short rental periods, and lack of infrastructure and facilities.²⁴

In an effort to address the problem, the Indonesian Government has introduced a program called People's Housing Savings. (Tapera). Tapera is designed with a compulsory savings system

¹⁹ Paavo Monkkonen, "Urban Land-Use Regulations and Housing Markets in Developing Countries: Evidence from Indonesia on the Importance of Enforcement," *Land Use Policy* 34 (2013): 255 – 264, <https://doi.org/10.1016/j.landusepol.2013.03.015>.

²⁰ Mazliza Mohamad et al., "Measuring the Low-Income Earner on Housing Access in Urban Areas of Indonesia and Malaysia," *Hasanuddin Law Review* 7, no. 2 (2021): 61 – 74, <https://doi.org/10.20956/halrev.v7i2.2876>.

²¹ Taruc Kemal Ganesha Putra Henriko, Fahmi Erwin, "DI DKI JAKARTA Tabungan Perumahan Rakyat (Tapera) Sesuai Amanat Undang-Undang Republik Indonesia Pembiayaan Untuk Memperoleh Hunian . Namun , Sejauhmana Tapera Dapat Diaplikasikan Secara" 3, no. 2 (2020): 321–32.

²² Adam J. Levitin and Susan M. Wachter, "The Public Option in Housing Finance," *Ssrn*, 2011, 1111–73, <https://doi.org/10.2139/ssrn.1966550>.

²³ Darmawan Triwibowo dan Sugeng Bahagijo, *Mimpi Negara Kesejahteraan* (jakarta: Pustaka LP3S Indonesia, 2006).

²⁴ Deden Hadi Kushendar et al., "Public Housing Management: Review Of Rusunawa Policy In Cimahi City, Indonesia," *Academy of Strategic Management Journal* 20, no. 5 (2021): 1 – 11.

with the aim of providing affordable housing for all groups. The Tapera program is expected to help people have houses especially those with low incomes.²⁵ The government has a policy effort to reconstruct housing after disasters, stressing the importance of collaboration between beneficiaries and stakeholders for better outcomes.²⁶

In pursuit of that effort has actually begun since 1993. Where the government issued Presidential Decree No. 14 of 1993 on Housing Savings for Civil Officials. Then, in 2004, the government re-established Law No. 40 of 2004 on the National Insurance System although in the regulation, the security of housing needs was not specifically described, and subsequently, in 2011, the Government issued Law No. 1 of 2011 on housing and housing areas, Law Number 20 of 2011 about housing arrangements, and in 2016, the Government published the Tapera Act.²⁷

Evaluation of Effectiveness of the Public Housing Savings Regulation in Indonesia on the provision of habitable housing through the Public Home Loan (KPR) financing scheme in Indonesia emphasizes the need to integrate affordable and sustainable aspects in its housing area, providing new insights to governments and housing developers.²⁸ An evaluation of the Housing Financing Liquidity Facility (FLPP) Program in Indonesia revealed the level of satisfaction of the population with differently funded housing, highlighting concerns about the quality of homes, accessibility, and public transportation.²⁹

Legal Challenges in Implementation of Public Housing Savings Regulations

Implementation of the People's Housing Savings (Tapera) Act in Indonesia faces a variety of complex legal challenges. One of the main challenges is to ensure that the Tapera Act is clear and consistent with article 28, paragraph 1, of the 1945 Basic Law, which states that "Everyone has the right to life as well as to internal well-being, to a place to live and to have access to a good and healthy living environment and to health care." This regulation must be clear and not contradict the basic principles enshrined in the Constitution, including the right of every citizen to a decent home. Therefore, Tapera's regulation must not overlap with the Act.³⁰

²⁵ Caesarrani Ariningdyah, "Analisis Yuridis Penerapan Tabungan Perumahan Rakyat (Tapera) Dalam Perspektif Asas Keadilan" 4 (2024): 18410–24.

²⁶ Gregorius Agung Setyonugroho and Norio Maki, "Policy Implementation Model Review of the Post-Disaster Housing Reconstruction in Indonesia Case Study: Aceh, Yogyakarta, and Lombok," *International Journal of Disaster Risk Reduction* 100 (2024), <https://doi.org/10.1016/j.ijdrr.2023.104181>.

²⁷ Nasution, "Analisis Yuridis Undang-Undang Tabungan Perumahan Rakyat Ditinjau Dari Perspektif Good Governance."

²⁸ Saddam Rasanjani et al., "Affordable and Sustainable Government-Subsidized Housing Development in Aceh Besar Regency," *International Journal of Sustainable Development and Planning* 18, no. 6 (2023): 1893 – 1899, <https://doi.org/10.18280/ijstdp.180625>.

²⁹ C B Lastiur and I.D.M.F. Septanaya, "Assessing Resident Satisfaction in Subsidized Housing in Indonesia: A Case Study of FLPP Subsidized Housing in Bekasi Regency," in *IOP Conference Series: Earth and Environmental Science*, vol. 1353 (Institute of Physics, 2024), <https://doi.org/10.1088/1755-1315/1353/1/012033>.

³⁰ Berita Update, "Pasal 28 UUD 1945 Tentang Hak Dan Kewajiban Warga Negara Yang Wajib Diketahui," <https://kumparan.com/berita-update/pasal-28-uud-1945-tentang-hak-dan-kewajiban-warga-negara-yang-wajib-diketahui-1vNCBljeb8T>, 2021.

The regulations governing Tapera were originally stipulated in Government Regulation (PP) No. 25 of 2020 which was subsequently amended by President Jokowi to PP No. 21 of 2024 on 20 May 2024. Tapera itself definitively, as stipulated in article 1 PP No.21 Year 2024, is storage carried out by the Participant periodically for a certain period of time that can only be used for financing housing and/or returned following the result of its breeding after the participation ends. This regulation has gathered many protests from a number of parties such as MPR Chairman Bambang Soesatyo asking for a re-examination of the rules. He thinks that the policy is harassing the workers. Shinta Khamdani, Chairman of the Association of Indonesian Entrepreneurs (APINDO), strongly rejected the rules because of the harassment of both employers and workers, where employers were quoted as 0.5% and workers as 2.5% Plus a big BPJS quotation.³¹

The implementation of the People's Housing Savings (Tapera) tax continues to be rejected by the public, especially the workers. The government was asked to cancel the Tapera's execution because it was deemed abusive. The current focus is the calculation of the worker's salary cuts for the people's housing savings allowance.³² (Tapera). Every month, workers, self-employed, and employers must pay this allowance. Furthermore, Qisha Quarina, Ph.D., Microeconomics Dashboard Research (Micdash) at the Faculty of Economics and Business of Gadjah Mada University (FEB UGM), argues that the management of the Tapera program should be transparent. If there's transparency and good mechanisms, Tapera's policy can work. In addition, routine monitoring and evaluation is required.³³

Intergovernmental coordination is an important factor to be taken into account in the implementation of the Tapera. Implementation of this programme requires close cooperation between various ministries and institutions to avoid technical and administrative obstacles that could hinder the objectives of the programme. Social and political factors also need to be considered, because big policy changes like this often face a variety of political interests and pressures.³⁴ By involving various stakeholders in the policy review process, governments can ensure that different perspectives and interests are considered. However, this effort is not free of significant challenges and obstacles.³⁵

Furthermore, the clarity of the rights and obligations of the Tapera participants is a crucial aspect inining legal certainty. Regulations should clearly define who is entitled to participate, what obligations they must fulfil, and what benefits they will receive. Uncertainty in this could

³¹ Tempo.com, "Serikat Buruh Gugat Ke MK Untuk Cabut UU Tapera, Siapa Lagi Tolak Kewajiban Tapera?," https://bisnis.tempo.co/read/1901199/serikat-buruh-gugat-ke-mk-untuk-cabut-uu-tapera-siapa-lagi-tolak-kewajiban-tapera?tracking_page_direct, 2024.

³² Fitri Novia Heriani, "Ombudsman: Iuran Tapera Sebaiknya Tidak Wajib, Tapi Atas Kesadaran Pekerja Untuk Jadi Peserta," <https://www.hukumonline.com/berita/a/ombudsman--iuran-tapera-sebaiknya-tidak-wajib--tapi-atas-kesadaran-pekerja-untuk-jadi-peserta-lt66696d45c7f10/>, 2024.

³³ Kabar Faklutas, "Kajian Peneliti Micdash FEB UGM: Pengelolaan Tapera Harus Transparan," <https://ugm.ac.id/id/berita/kajian-peneliti-micdash-feb-ugm-pengelolaan-tapera-harus-transparan/>, 2024.

³⁴ Kopi Times, "Penundaan Program Tapera, Evaluasi Kesiapan Dan Respons Pemerintah," <https://timesindonesia.co.id/kopi-times/499003/penundaan-program-tapera-evaluasi-kesiapan-dan-respons-pemerintah#:~:text=Koordinasi%20antar%20lembaga%20pemerintah%20menjadi%20faktor%20penting%20yang,t eknis%20dan%20administratif%20yang%20dapat%20menghambat>, 2024.

³⁵ Times.

lead to legal disputes on the ground, either between the participants and BP Tapera or with the other parties involved.³⁶

According to Sudikno Mertokusumo, legal certainty is a guarantee that the law is enforced, that those who are entitled to the law can obtain their rights and that judgments can be executed. Law certainty is closely related to justice, but law is not the same as justice. The law is universal, binding on everyone, equal. Justice is subjective, individualistic, and non-equal. Legal certainty is the enforcement of the law as it sounds, so that the public can ensure that the law is enforced.³⁷

If the Regulations governing the People's Housing Savings Program (Tapera) are not consistent with other regulations or do not provide sufficient clarity about the rights and obligations of the parties, it may lead to conflict of law. These misunderstandings or inconsistencies may lead to disputes between Tapera participants and the Tapera Managing Authority (BP Tapera) or between the government and the private parties involved in the provision of housing. For example, if there are no clear rules on the participation or benefits received by tapera participants, the participant may feel injured and file legal action against BP Tapera. In addition, private and government developers may be involved in conflicts regarding responsibilities or program execution procedures if there is no synchronization between Tapera and other housing regulations.³⁸

If the rules governing the Tapera program are not consistent with other rules or do not provide sufficient clarity about the rights and obligations of the parties, this may lead to a conflict of laws. Disputes can arise between Tapera participants and BP Tapera or between the government and the private entity involved in the provision of housing. To address this potential legal conflict, the government and BP Tapera must proactively monitor the implementation of regulations, identify areas that may cause inconsistencies, and make regulatory adjustments if necessary. Thus, the implementation of Tapera can run more smoothly and provide optimal benefits for all the parties involved.

CONCLUSION

The conclusion of this study shows that the implementation of Law No. 4 of 2016 concerning People's Housing Savings (Tapera) in Indonesia faces several challenges, especially related to legal clarity and coordination between government institutions. Although this program aims to provide access to affordable housing for low-income people, its implementation has not been optimal. The main challenges faced include rejection from workers and employers due to the burden of contributions and the lack of transparency in the management of Tapera funds. Clarity

³⁶ Aliefia Qatrunnada et al., "Tantangan Dan Peran Pemerintah Dalam Pelaksanaan Landreform Di Indonesia," *AL-DALIL: Jurnal Ilmu Sosial, Politik, Dan Hukum* 1, no. 3 (2023): 1–12, <https://doi.org/10.58707/aldalil.v1i3.527>.

³⁷ Muhammad Mpu Samudra, Villa Ananda Aris Dayanti, and Siti Humulhaer, "Analisis Yuridis Pengalihan Objek Jaminan Fidusia Kendaraan Roda Empat Akibat Wanprestasi Berdasarkan Teori Kepastian Hukum (Studi Kasus Putusan Nomor 853/Pid.Sus/2019/Pn.Pbr)," *Lex Veritatis* 1, no. 3 (2022): 1–10.

³⁸ Suraakemika, "Polemik Program Tapera: Benarkah Bisa Menyelesaikan Permasalahan Kepemilikan Rumah?," <https://theconversation.com/polemik-program-tapera-benarkah-bisa-menyelesaikan-permasalahan-kepemilikan-rumah-231710>, 2024.

regarding the rights and obligations of Tapera participants is also an important issue that must be addressed immediately to avoid potential legal conflicts in the field.

As a suggestion, the government needs to conduct a more comprehensive evaluation and revision of regulations to ensure consistency and legal certainty in implementing Tapera. Transparency in fund management and better coordination between the government, BP Tapera, and the private sector are essential to achieving this program's objectives. In addition, a continuous monitoring and evaluation mechanism is needed to ensure that this program provides optimal benefits for low-income people, who are Tapera's main targets.

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