

The Effectiveness Of Implementation Of Regulation Of The Mayor Of Surabaya Number 33 Of 2020 Article 16 Concerning New Normal Order Guidelines For Business Activities In Stores, Swalayan Stores, And Shopping Centers On The Condition Of The 2019 Corona Virus Disease Pandemic (COVID-19)

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Abstract Since its appearance, Corona Virus Disease 2019 or Covid-19 has become a problem in various parts of the world. The sectors most affected by the Covid-19 pandemic are airlines, transportation, hotels, shopping centers and restaurants. This uncertain situation will further aggravate global financial stability. Mainly this has an impact on business activities in stores, convenience stores and shopping centers. Surabaya as a metropolitan city as well as the capital of East Java is participating in suppressing the prevention of Covid by making Perwali Surabaya No. 33 of 2020 concerning New Normal Procedures Guidelines for Business Activities in Stores, Supermarkets and Shopping Centers in pandemic conditions This research is a normative legal research and empirical law, namely research conducted by collecting legal materials, both primary, secondary and or tertiary.

Keywords: Regulation Of The Mayor Of Surabaya Number 33 Of 2020, Business Activities, Covid-19.

1. IINTRODUCTION

Corona Virus Diseases 2019 or what is known as Covid-19 is a problem that has highlighted the attention of many people in various parts of the world. (Alvarez, Fernando E., David Argente, and Francesco Lippi, 2020). Since it was first discovered from a patient infected with Covid-19 in Wuhan, Hubei Province, China on December 8, 2019, the virus has now spread to 216 countries. (Rasmussen, SA, Smulian, JC, Lednicky, JA, Wen, TS, & Jamieson, 2020). The Covid-19 pandemic has not only threatened human health, but has also affected the global economic downturn (Shangguan, Z., Wang, MY, & Sun, W, 2020)

The Covid-19 pandemic has caused deep sorrow for the world community and Indonesian people. Currently, Indonesia is entering a critical period for the Covid 19 pandemic. (Olivia, S., Gibson, J., & Nasrudin, 2020). Based on data published by the Ministry of Health of the Republic of Indonesia on April 6, 2020, for the world level there are more than 1.4 million positive cases of Covid-19 which have killed 81,889 people as of April 8, 2020. (<https://kesmas.kemkes.go.id/portal/>, 2020). As for the Indonesian region, there were 2,9564 positive cases of Covid-19 which resulted in 240 deaths. This data certainly makes us sad because it clearly shows the fact that the spread of Covid-19 is very aggressive. (<https://www.who.int/indonesia/news/novel-coronavirus>, 2020).

The sectors most affected are aviation, transportation, hotels, shopping centers and restaurants. This uncertain situation will further aggravate global financial stability. (Ozili, PK, & Arun, T. (2020). Various policies have been taken by the government, including one of which is instructing people to work, study and worship at home, otherwise known as Work From Home. (<https://www.djkn.kemenkeu.go.id/artikel/baca/13014/>, 2020). The implementation of social distancing, physical distancing, and large-scale social distancing (PSBB) policies is intended to block the chain of transmission of Covid-19 in Indonesia. (<https://www.bbc.com/indonesia/>, 2020).

Currently, Indonesia has entered a new phase in handling Covid-19, namely the new normal. A condition in which people can return to their activities, work, worship as usual, but with a new design.

Various protocols for welcoming the new normal era have been prepared by the government, including in the bureaucracy to provide public services in the Covid-19 era. (aufik, T., & Warsono, 2020).

The new normal order is a change in the culture of people's lives to be more productive in the Corona Virus Disease 2019 (COVID-19) pandemic situation by implementing a Clean and Healthy Lifestyle (PHBS) and health protocols which are expected to reduce the risks and impacts of Corona Virus Disease 2019 (COVID-19). (Apriliana, 2020). This is intended to form a pattern that will guide the people of Surabaya in implementing the new normal order in the conditions of the Corona Virus Disease 2019 (COVID-19) pandemic in the regions. (<https://web.bpbid.jatimprov.go.id/>, 2020). The implementation of the new normal order in the conditions of the Corona Virus Disease 2019 (COVID-19) pandemic was carried out in an effort to prevent and control Corona Virus Disease 2019 (COVID-19) in various aspect studies such as in business activities in shops, convenience stores and shopping centers in the City Surabaya. (Taufik, T., & Warsono, 2020). In connection with the change in the new life order of the City of Surabaya in the conditions of the Corona Virus Disease 2019 (COVID-19) pandemic, the Surabaya City government issued a new policy, namely the Mayor of Surabaya Regulation Number 33 of 2020 Concerning the New Normal Order Guidelines for Corona Virus Disease 2019 (COVID-19) Pandemic Conditions. (<https://jdih.surabaya.go.id/>, 2020)

In the implementation of the new normal order in the conditions of the Corona Virus Disease 2019 (COVID-19) pandemic, especially in business activities in shops, convenience stores and shopping centers, it is regulated in article 16 of the Mayor of Surabaya Regulation Number 33 of 2020 which contains the following rules:

- a. obliged to prepare health protocols;
- b. obliging employees / officers to wear a mask and if necessary also use a face shield and gloves in providing services to visitors;
- c. obliging employees / officers to wash their hands using soap and running water or hand sanitizer;
- d. obliging to detect the body temperature of every employee / officer and visitor who will enter shops, convenience stores and shopping centers, if the detected body temperature is ≥ 37.5 degrees Celsius and is not allowed to enter;
- e. placing a washbasin with hand washing soap and a hand sanitizer dispenser containing alcohol (hand sanitizer) at entrances and strategic places within easy reach and ensuring that the soap dispenser / hand sanitizer is refilled regularly;
- f. perform cleaning, sterilization and / or spraying of disinfectants on a regular basis;
- g. provide a place to dump organic, non-organic and residual waste in shops, convenience stores and shopping centers;
- h. limiting the number of visitors in shops, convenience stores and shopping centers to 50% (fifty percent) of the original capacity;
- i. spacing of shops, convenience stores, and shopping centers
- j. disseminating information about preventing the spread of Corona Virus Disease 2019 (COVID-19) to officers at shops, supermarkets and shopping centers such as posters and banners containing procedures for preventing Corona Virus Disease 2019 (COVID-19);
- k. socializing the ethics of coughing / sneezing
- l. provide training on the use of tools and procedures for handling Corona Virus Disease 2019 (COVID-19) to officers on the frontliners (receptionists, customer service and security officers);
- m. in the event that there are employees who are sick with symptoms of fever, cough, runny nose / sore throat / shortness of breath to isolate yourself at home without having much contact with other people, use a mask and if necessary also use a face shield and are advised to immediately go to the nearest health facility for get checked out;
- n. directing building users to comply with health protocols, among others by maintaining distance / not clustering, utilizing sanitary facilities;
- o. use Personal Protective Equipment (PPE) such as masks and if necessary also use a face shield, wear gloves and headgear for employees who are dealing with many people, and under certain conditions carry out rapid tests for a certain period of time to the employees concerned;
- p. obliging all supermarkets to make accessories and ready-to-eat food products including fruit and vegetables available in packaged form;
- q. In the event that in the service area of shops, convenience stores and shopping centers, a positive case of Corona Virus Disease 2019 (COVID-19) is found, the manager is required to carry out self-quarantine / isolation for at least 14 (fourteen) days and spray disinfectant at that location. and report to the Regional Task Force;

- r. does not impose penalties / sanctions for employees / employees who do not enter due to illness, and does not impose attendance-based incentive policies;
- s. for document administration officers as well as those related to payment can advise visitors to make transactions electronically or if using documents and cash must wear gloves and wash their hands using soap with running water or hand sanitizer;
- t. give sanctions to the owner of the booth / booth if there is a violation;
- u. optimize non-cash payments; and
- v. must provide a box or place as a means to deliver and receive payment.https://jdih.surabaya.go.id/t_detail.php?prokum=3718)

In connection with the implementation of the new normal order in the conditions of the 2019 Corona Virus Disease (COVID-19) pandemic, especially in business activities in shops, supermarkets and shopping centers, it is hoped that the government will guide, control and monitor together the implementation process of these policies. the policy that has been issued is to reduce the spread of the Corona Virus Disease 2019 (COVID-19) pandemic. (<https://www.kemkes.go.id/article/view/> , 2020)

2. LITERATURE REVIEW

Legal Effectiveness

Legal effectiveness is a process that aims to make the law effective. (Feigenson, 2014). When we want to know the extent of the effectiveness of the law, then we must first be able to measure the extent to which the law is adhered to by most of the targets to which it is obeyed, we will say that the rule of law concerned is effective. (Siregar, 2018). However, even though it is said that the rules that are obeyed are effective, we can still further question the degree of their effectiveness because someone obeys or not obeying a rule of law depends on their interests. (Wacks, 2020). As previously stated, there are various kinds of interests, including those that are compliance, identification, and internalization. Jackson, J., Bradford, B., Hough, M., Myhill, A., Quinton, P., & Tyler, 2012).

Policy Implementation

Implementation seen in a broad sense, policy is a tool administration law in which various actors, organizations, procedures, and techniques work together to carry out policies to achieve the desired impact or goal. (Anggara, 2014). Public policy. Implementation on the other hand, it is a complex phenomenon which may be understood as a process, output or as a result (Winarno, 2002).

Meanwhile, Van Meter and Van Horn limit policy implementation as actions taken by individuals (orgovernment and private groups that are directed towards achieving the goals set out in previous policy decisions. (Pülzl, H., & Treib, 2017). These actions include efforts to convert decisions into operational actions within a certain period of time or in order to continue efforts to achieve major and minor changes determined by policy decisions. (Cristianingsih, 2020). The policy implementation phase will not start until objectives and suggestions are set or identified by policy decisions. Thus, the implementation stage occurs only after the law is enacted and funds are made available to finance the implementation of the policy. (Dwijowijoto, Nugroho, 2004)

In principle, policy implementation is a way for a policy to achieve its goals, nothing more or less. To implement public policies, there are two choices of steps, namely directly implementing them in the form of programs or through the formulation of derivate policies or derivatives of the policy. (Dolan, P., Hallsworth, M., Halpern, D., King, D., & Vlaev, 2010) Public policy in the form of invite Laws or Regional Regulations are types of policies that require explanatory public policies or are often termed implementing regulations. Public policies that can be directly operationalized include Presidential Decrees, Presidential Instruction, Ministerial Decrees, Regional Head Decrees, Keptusan Head of Services. (Subianto, 2020)

Another definition explains that public policy is "A certain area or area of government actions as the subject of a comparative and critical study, which includes, among other things, different actions and principles. andto analyze carefully the possibility of cause and effect relationships in the context of a particular discipline of thought such as economics, science or politics. (Taufiqurrahman, M., & Taufiqurrahman, 2019). On the other hand, formulating public policy as "all choices or actions taken by the government".

The definition of implementation above when associated with policy is that actually the policy is not only formulated and then made in a positive form such as law and then silenced and not implemented or

implemented, but a policy must be implemented or implemented in order to have the desired impact or purpose. . (Reidha, 2018). Policy implementation is an effort to achieve certain goals by means of means certain and in a certain time sequence. The process of implementing public policies can only begin when public policy objectives have been set, programs have been created, and funds have been allocated for the achievement of these policy objectives. (Tahir, 2014)

Law enforcement

Law enforcement is an effort to bring ideas about justice, legal certainty and social benefits into reality. (Moho, 2019). Criminal law enforcement is an effort to realize ideas about petty in criminal law in legal certainty and social benefits into legal realities in legal certainty and social benefits into legal realities in every legal relationship. (Papachristos, AV, Meares, TL, & Fagan, 2012). According to Satjipto Rahardjo, enforcement law is an attempt to bring ideas and concepts into reality. (Rahardjo) Meanwhile, according to Soerjono Soekanto, conceptually, the essence of the meaning of law enforcement lies in the activity of harmonizing the relationship of values that are outlined in solid rules and the final attitude to create, maintain and maintain social peace. (Soekanto, 1983)

Covid 19

Covid-19 is a disease whose cause is the Corona virus which attacks the respiratory tract. (Chang, L., Yan, Y., & Wang, 2020). This disease was first detected in Wuhan, China. (<https://www.theguardian.com/world/2020/>, 2020). As it is known that SARS-Cov-2 is not a new type of virus. (In Gennaro, F., Pizzol, D., Marotta, C., Antunes, M., Racalbuto, V., Veronese, N., & Smith, 2020). However, in the scientific explanation a virus is capable of mutating to form a new genetic makeup, in short, the virus remains the same type and only changes uniformly. (Pesulima, TL, & Hetharie, 2020). The reason for giving the name SARS-Cov-2 is because the corona virus has a close genetic relationship with the viruses that cause SARS and MERS. <https://www.sciencedaily.com/releases/>, 2020).

It is known that the DNA from the SARS-Cov-2 virus has similarities to the DNA in bats. (Novita, 2020). It is also believed that this virus emerged from the wet market in Wuhan, where many exotic Asian animals of various types are sold, even to maintain their freshness, some of them are slaughtered directly on the market so that they are bought fresh. Then this market is considered as a breeding ground for viruses due to the close interaction between animals and humans. (Sharma, R., Rajpoot, A., Qureshi, D., & Salim, 2020)

3. RESEARCH METHODS

This research is a normative legal research and empirical law, namely research conducted by collecting legal materials, both primary, secondary and or tertiary. In order to get answers or solutions to problems (legal issues) that have been formulated. (Benuf, K., & Azhar, 2020). The research approach is more normative juridical in addition to that it requires an empirical side by recording data in the field, especially to answer practice in the field. Sources of data in this study are based on library research to obtain secondary data which is supported by field research. (Sunggono, 2011). The data collection methods used in this study were primary, secondary and tertiary materials obtained and related to the discussion. The data required in this paper were obtained through library research, and interviews. (Amirudin and Zainal Asikin, 2008). Method of Presentation of Data Legal materials that have been collected are presented in the form of descriptions. (Ronny Hantijo Soemitro, 1990).

4. DISCUSSION

The new life order is a change in the culture of people's lives to be more productive in the Corona Virus Disease 2019 (COVID-19) pandemic situation by implementing a Clean and Healthy Lifestyle (PHBS) and health protocols which are expected to reduce the risks and impacts of Corona Virus Disease 2019 (COVID-19). 19). This is intended to form a pattern that becomes a guideline for the people of Surabaya in implementing a new life order in the Corona Virus Disease 2019 (COVID-19) pandemic in the regions. The implementation of a new life order in the conditions of the Corona Virus Disease 2019 (COVID-19) pandemic was carried out in an effort to prevent and control Corona Virus Disease 2019 (COVID-19) in various aspects, one of which is in the business sector.

The Surabaya City Government through the Mayor issued the Surabaya Mayor Regulation No. 67/2020 concerning the Implementation of Health Protocols in the Context of Prevention and breaking the chain of the spread of Covid-19 in the City of Surabaya. Chapter I Article 1 states that a business actor is any individual Indonesian citizen or business entity in the form of a legal entity or non-legal entity

established and domiciled in the jurisdiction of the Unitary State of the Republic of Indonesia which carries out business activities in the trade or services sector. Furthermore, it was explained that the purpose of making this Perwali was as a guideline for implementing health protocols and limiting community activities in order to prevent and / or break the chain of spread of COVID-19. In Article 7 of the Perwali, business actors, managers, operators,

- a. conduct socialization, education, and use various information media to provide understanding and understanding of the prevention and control of COVID-19.
- b. providing hand washing facilities that are easily accessible and meet standards or providing hand sanitizers at entrances and strategic places that are easy to reach and ensuring that soap dispensers / hand sanitizers are replenished regularly.
- c. identify (screening) and health monitoring for everyone who will be active in public places and facilities, including detecting the body temperature of each worker and guest / visitor who will enter public places and facilities, if the detected body temperature is ≥ 37.5 degrees Celsius or those who have symptoms of fever, cough, runny nose / sore throat / shortness of breath are not allowed to enter.
- d. use personal protective equipment (PPE) in the form of a mask and if necessary also use a face shield and / or gloves.
- e. report to the Regional Task Force or other designations in the event that there are indications of COVID-19 in the places and public facilities that are their responsibility.
- f. set the distance between people of at least 1 (one) meter including in public places and facilities.
- g. maintaining the air quality of public facilities by means of but not limited to cleaning the ventilation / air ducts and Air Conditioner (AC) filters.
- h. carry out sterilization and / or spraying of disinfectants in public places and facilities periodically, especially in rooms or objects.
- i. provide a special trash can for disposable Personal Protective Equipment (PPE).
- j. set up access entrances and exits to avoid crowds.
- k. limit the number of people to a maximum of 50% (fifty percent) and implement provisions regarding physical distancing
- l. arrange elevator users not to face each other and to maintain their distance, providing the operator whenever possible.
- m. facilitate early detection in handling cases to anticipate the spread of COVID-19
- n. apply for an assessment of the place / business activity in accordance with the standard health protocol if it is to reopen the place / business activity.

In addition, entrepreneurs in the shop, supermarket and shopping center sectors are required to comply with and implement 10 health protocols in running their business. First, implementing circulation and limiting time for visits and the number of visitors to a maximum of 40 percent of the number of visits during normal conditions by implementing strict controls on entrances and exits. Second, ensure that all officers, managers and waiters are negative Covid-19 based on the PCR / Rapid-Test test by business owners or local health offices, and wear masks, face shields and gloves during activities. Third, an initial screening is carried out to ensure that the body temperature of all officers, managers and waiters is below 37.3°C as determined by the World Health Organization (WHO). Fourth, prohibit entry of people with respiratory symptoms such as cough, flu, and shortness of breath. Fifth, it requires visitors to wear masks and maintain a queue distance of 1.5 meters and control the visitor's body temperature below 37.3°C . Sixth, in the shop area, a place for washing hands, soap and hand sanitizer is prepared, as well as maintaining cleanliness by spraying disinfectants at room or location periodically every 2 times a day. Seventh, selling hygienic items. Eighth, applying distance restrictions when making payment transactions at the cashier of 1.5 meters and a maximum of 10 people, and prioritizing non-cash payments or using electronic money. Ninth, optimize open spaces such as parking lots for selling small traders in the context of physical distancing. by setting the distance between traders within a minimum range of 2 meters. Tenth, prioritizing ordering goods online and / or remotely with delivery service facilities.

In its implementation, there are still several places for business activities that are ignorant in implementing physical distancing, this was explained by the Acting Mayor of Surabaya, namely Whisnu Sakti Buana, which should have visitors in business activities at a maximum of 25%, usually still filled when the visitors are overflowing. In addition, it is hoped that at every place of business, every workplace, or business entity, they must have a Task Force that can strictly enforce health protocols ([Humas.surabaya.go.id](https://humas.surabaya.go.id)). The enforcement of this health protocol cannot be completely left to the

authorities. This is because the Perwali also explains that the formation of the Task Force is an effort to put people in order in their respective environments.

If in a place of business there is no protocol health then a warning will be carried out and further steps according to the Guardian and there will be a timeline for 14 days. In implementing this Perwali, his party also cooperates with academics, especially public health academics. They will assist in assessing the relationship between the level of Covid-19 spread and community compliance.

5. CONCLUSION

The Surabaya City Government through the mayor issued a regulation No. 66 of 2020 concerning the implementation of health protocols in order to prevent and break the chain of spreading Covid-19 in the City of Surabaya. Companies in the store, supermarket and shopping center sector are required to meet and implement health protocols in running their business. However, in its implementation, there are still several places for business activities that are ignorant in the context of implementing physical distancing. In this case, if a place of business still does not comply with health protocols, a warning will be issued and will be followed up again.

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