

# **COOPERATIVE PRINCIPLES ON TRANSPORTATION NETWORK POLICY THROUGH OPENING NEW DEAL COLLABORATION**



**Dr. EDY SANTOSO**

**2<sup>nd</sup> International Forum on Cooperative Law  
"COOPERATIVE LAW AND COOPERATIVE PRINCIPLES"  
26-28 September 2018, Athens, Greece**

# Introduction

Development of e-commerce has birth a new model of public transportation services



# Innovation service : Collaboration between provider, driver, and the others



Tekan pilihan tampilan  
Menu pada bagian kiri atas





## Social Innovation

Social innovations are new ideas that meet social needs

Create social relationships and form new collaborations.

Every body can join to the collaboration community for serving the public with resource and benefit as well as risk sharing concept.

Three basic values of social innovation: speed, innovation, and social impact

# Transportation Conventional Companies (TCCs) & Transportation Network Companies (TNCs)



# Social and Legal Issues

Social conflict occurs between transportation network companies (TNCs) and Transportation Conventional Companies (TCCs)



# Mayor of London



Taxis blockade Whitehall in London, protesting the introduction of Uber in Britain. (Peter Macdiarmid/Getty Images)

Mayor of London said, "I want London to be at the forefront of innovation and new technology and to be a natural home for exciting new companies that help Londoners by providing a better and more affordable service, however, all companies in London must play by the rules and adhere to the high standards we expect-particularly when it comes to the safety of customers.

# Innovation Dilemma

1. TNCs Vs TCCs
2. France has banned the *Uber Pop* service : The service would provide unfair competition to licensed cab drivers.
3. The Court of Turin : It was considered an illegal public transport service due to the incompatibility with the provisions.
4. the European Court of Justice : *Uber* is regulated as a transport company or a digital services company.



# Transportation Network Companies (TNCs)



Transport services,  
information society services  
or a combination of both ?

## TNCs in Indonesia



Indonesian Republic of Indonesia's Minister of Transportation Regulation Number PM 108 of 2017 concerning the Implementation of People's Transport with Public Motor Vehicles

The Supreme Court revoked the rules of online transportation. Constitutional Court's decision No. 41 / PUU-XVI / 2018, motorcycles are not public vehicles because they are not public vehicles that are safe in terms of safety.

# Pubic Policy & Social Innovation

1. Public policy should reflect the interests of all citizens to the greatest extent possible.
2. Making the public policy process more representative is a primary concern of welfare advocates,
3. In Japan and Korea, policy makers should pay attention to the level of dynamic competition in the marketplace.
4. Public policy will impact to emerge many new business models,
6. Public policy on creative industries will impact to the opening new deal of industry.

# Cooperative Principle Approach



**Profit Oriented**

**Non-Profit  
Oriented**

# Cooperative Principle Approach

1. Participants expect that each will make a “conversational contribution such as is required, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange.(Grice, 1975)
2. Open new market on global perspective.
3. Antonio Fici :
  - a. **Consumer cooperatives** (persons interested in obtaining certain goods or services),
  - b. **Producer cooperatives** (persons interested in supplying certain goods or services),
  - c. **Worker cooperatives** (may be established and found in any sector of the economy, including transportation, construction, professional services.



**Stakeholder cooperatives.** Public policy should reflect the interests of all citizens to the greatest extent possible, especially in the national economic and financial system.

Stakeholder cooperatives (Government, Provider, society > non-Profit)

Making the law with "stakeholder cooperatives" approach to bring together all interests in one solution .

# Stakeholder Cooperatives



Cooperative law :  
Sharing in all  
general objectives.

Stakeholder through actions taken by workers, companies, entrepreneurs, research institutions, and governments that an economy's productive and innovative power is enhanced.



**Worker cooperatives** is form of social empowerment in creative industry that has significant impact to an effort to improve the social economy. It has a potential for creating the wealth and job through exploitation of intellectual property.

Worker cooperatives (provider, driver, and the others  
> Profit Oriented)



# Worker cooperatives



1. Worker cooperatives: Use App will open new deal collaboration.
2. It provides employment an opportunities for various service activities. (Delivering services for people and goods ).

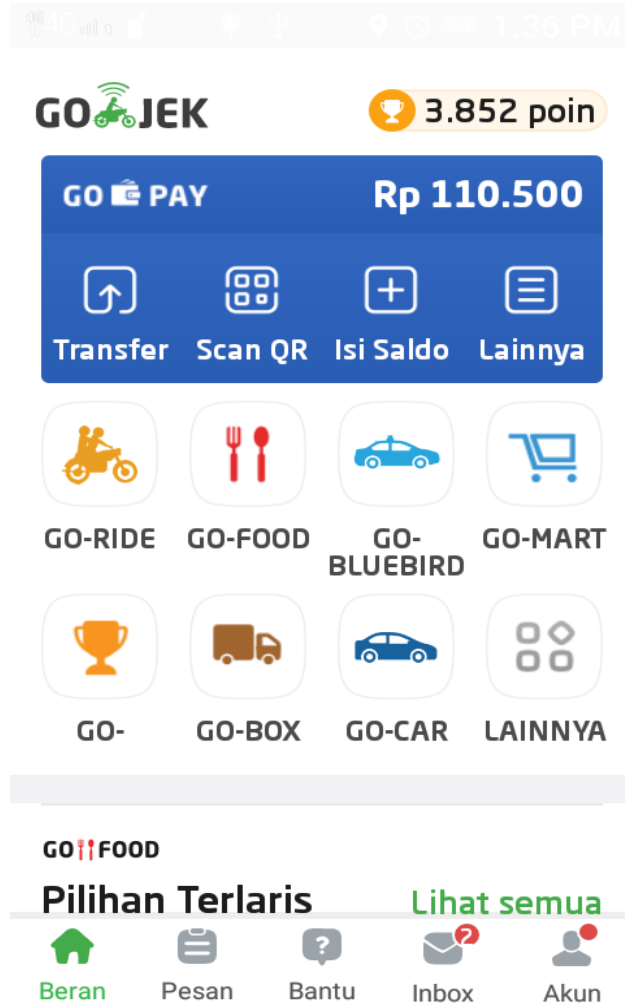
# Worker cooperatives

## 1. Resources Sharing:



- a. Each party **to share** with each other related to their respective resources.
- b. A cooperative undertaking **for increased capability**, greater user satisfaction and an economy of effort.

# Worker cooperatives



## 2. Sharing Economy:

- The concept applied leads to **profit sharing** principle.
- Go-Jek : Provider receives a **20% share** and the driver gets **80% share**.
- Some TTCs providers, such as Blue Bird Taxi, **finally joined** the concept TNCs as an effort to get Economy sharing
- TTCs and TNCs : Business cooperation in **the zone system for picking-up** point of passenger.

# Worker cooperatives

## 3. Risk Sharing



- a. Each party will focus on their own obligation
- b. Risk sharing on their investment



# CONCLUSION

1. ICT has an important role in building of cooperatives both profit and non-profit oriented.
  - a. "Worker cooperatives". It allows the opening of the new deal collaboration for profit issue. Sharing Resources, Sharing Economy, and risk sharing.
  - b. "Stakeholder Cooperatives" have an important role in solving the innovation dilemma related to legal issues that occur between TNCs and TCCs. Making of legal policy can accommodate all parties
2. This "cooperative principle" is very an important to be applied in the field of business law related to economic development.



Thank You!

**I LOVE U ALL**