

LAW OF THE REPUBLIC OF INDONESIA
NUMBER 32, YEAR 2004
CONCERNING
REGIONAL ADMINISTRATION

BY THE GRACE OF THE ALMIGHTY GOD

THE PRESIDENT OF REPUBLIC OF INDONESIA

- Considering :
- a. that to run regional governments in accordance with the mandate of the 1945 Constitution of the Republic of Indonesia, regional government which govern and manage administrative affairs on their own in accordance with the principles of autonomy and assistance task are directed towards speeding up the creation of public welfare through the improvement of services, public participant, regional competitiveness based on the principles of democracy, equitable distribution, justice, and peculiarity of regions within the frame of the Unitary Republic of Indonesia;
 - b. that effectiveness and efficiency in the running of regional governments should be increased by paying more attention to relations among governmental agencies and regional government, regional potentials and resources, global opportunities and challenges and giving regions the widest possible authority and right to implement regional autonomy within the unit of state administration system;
 - c. that Law No. 22/1999 concerning Regional Government is no longer relevant to developments in administrative system and demand for regional autonomy and thus, it needs to be amended;
 - d. that based on consideration in point a, point b, and point c, it is necessary to enact a Law concerning Regional Government.
- In view of :
1. Article 1, Article 4, Article 5, Article 18, Article 18 A, Article 18B, Article 20, Article 21, Article 22D, Article 23E paragraph (2), Article 24 A paragraph (1), Article 31 paragraph (4), Article 33, and Article 34 of the 1945 Constitution of the Republic of Indonesia;
 2. Law No. 28/1998 concerning Good Governance which is free from corruption, Collusion and Nepotism (State Gazette of 1999, No. 75, Additional State Gazette No. 3851);

3. Law No. 17/2003 concerning State Finance (State Gazette of 2003, No. 47, Additional State Gazette No. 4286);
4. Law No. 22/2003 concerning the Organizational Structure and Position of the People's Consultative Assembly, the House of Representative, the Regional Representative Council and Regional Legislative Councils (State Gazette of 2003, No. 92, Additional State Gazette No. 4310);
5. Law No. 1/2004 concerning the State Treasury (State Gazette of 2004 No. 5, Additional State Gazette No. 4355);
6. Law No. 10/2004 concerning the Enactment of Legislation (State Gazette of 2004, Additional State Gazette No. 4389);
7. Law No. 15/ 2004 concerning the Audit of the Management and Accountability of the State Finance (State Gazette Of 2004 No. 66, Additional State Gazette No. 4400).

With the approval of

THE HOUSE OF REPRESENTATIVES
OF THE REPUBLIC OF INDONESIA

H A S D E C I D E D :

To stipulate : LAW CONCERNING REGIONAL ADMINISTRATION

CHAPTER I
GENERAL PROVISIONS

Article 1

1. Central government, hereinafter referred to as the Government, means the President of The Republic Of Indonesia who holds the administrative power of the Republic of Indonesia as meant in the 1945 Constitution of The Republic of Indonesia.
2. Regional administration means the running of state affairs by the regional government and Regional Legislative Council (DPRD) in accordance with the principle of wide ranging autonomy within the frame of Unitary Republic of Indonesia as meant in the 1945 constitution of the Republic of Indonesia.
3. Regional Government means the Governor, Regent or Mayor and regional apparatuses as the element of the operator of regional administration.
4. Regional Legislative Council, hereinafter referred to as DPRD, means regional legislative council as the element of the operator of regional administration.

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5. Regional autonomy, means the right, authority and obligation of an autonomous region to govern and manage state affairs and interest of the local people on its own in accordance with the existing law
6. Autonomous region, affairs and interest of the local people on its own based on aspirations of the community within the frame of the Unitary Republic of Indonesia.
7. Decentralization means the transfer of government authority by the Government to autonomous regions to govern and manage administrative affairs within the frame of the Unitary Republic of Indonesia.
8. Deconcentration means the transfer of government authority by the Government to Governors as representative of the Government and/or to vertical agencies in certain areas.
9. Assistance task means the assignment from the Government to region/or villages, from provincial government to regencies/municipalities and/or villages to carry out certain tasks.
10. Regional regulation means provincial regulation and/or regental/municipal regulation.
11. Regulation of regional head means the regulation of governor and/or the regulation of regent/mayor.
12. Village or the like means a unity of constitutional community which has borders and the authority to govern and manage the interest of the local people based on the history and custom of the local community acknowledge and respected within the frame of the Unitary Republic of Indonesia.
13. Financial sharing between the Government and regional governments means a system of distributing funds in a fair, proportional, democratic, transparent and responsible way within the framework of financing the implementation of decentralization by paying attention to the potentials, conditions and needs of regions and the scale of financing the implementation of decentralization and assistance task.
14. Regional budget of income and expenditure, hereinafter referred to as APBD, means annual financial plan or regional administration stipulated by a regional regulation.
15. Regional income means all rights of region acknowledge as addition to the net value of wealth within a period of one budget year.
16. Regional expenditure means all obligation of region acknowledge as reduction of the net value of wealth within a period of one budget year.

17. Financing means any receipt that needs to be repaid and/or expenditure that will be received again, either in the relevant budget year or in the next budget years.
18. Regional loan means all transactions that cause regions to receive a sum of money or benefit in the form of money from other parties so that the regions are required to repay the loan.
19. Special area means part of an area within a province and/or regency/municipally declared by the Government to carry out special administrative functions in the interest of the country.
20. A pair of regional head and deputy regional head candidates, hereinafter referred to as a pair of candidates means a pair of candidates that has met qualification for the post of regional head and deputy regional head.
21. Regional General Elections Commission, hereinafter referred to as KPUD, means Provincial General Election Commission (Provincial KPUD) or Regental/Municipal General Election Commission (Regental/Municipal KPU) as meant in Law No. 12/2003 that is given special authority by this law to elect a regional head and deputy regional head in each province and/or regency/municipality.
22. Subdistrict Election Committee, Voting Committee, and Voting Organizing Group, hereinafter referred to as PPK, PPS and KPPS, mean the organizer of voting to elect a regional head and deputy regional head at sub district and village levels as well as in a polling place.
23. Regional head and deputy regional head election campaign, hereinafter referred to as campaign, means an activity designed to convince voters of the vision, mission and program of a pair of candidates.

Article 2

- (1) The Unitary Republic of Indonesia is divided into, province, which are later divided into regencies and municipalities, and all the provinces, regencies and municipalities have regional administrations.
- (2) The regional administrations as meant in paragraph (1) shall govern and manage administrative affairs on their own in accordance with the principles of autonomy and assistance task.
- (3) The regional administrations as meant in paragraph (2) shall implement wide-ranging autonomy, except administrative affairs which are the business of the Government, with a view to improving public welfare, public services and competitiveness of regions.
- (4) In carrying our administrative affairs the regional administrations have relations with the Government as well as with other regional governments.

- (5) The relations as meant in paragraph (4) involve authority, financial, public service, and use of natural resources.
- (6) The financial, public services, and use of natural resources and other resources relation shall be conducted in a fair and harmonious way.
- (7) The authority, financial, public service, and use of natural resources and other resources relation result in administrative and territorial relation among governmental agencies.
- (8) The state shall acknowledge and respect units of special regional administrations as stipulated by the law.
- (9) The state shall acknowledge and respect units of customary community and their traditional right, provided that they still exist and accord with the development of community and the principles.

Article 3

- (1) The regional administrations as meant in Article 2 paragraph (3) shall be:
 - a. provincial administration consisting of provincial government and provincial DPRD.
 - b. regental/municipal administration consisting of regental/municipal government and regental/municipal DPRD.
- (2) The regional government as meant in paragraph (1) shall consist of regional head and regional apparatuses.

CHAPTER II THE ESTABLISHMENT OF REGIONS AND SPECIAL AREAS

Section One The Establishment of Regions

Article 4

- (1) The establishment of a region as meant in Article 2 paragraph (1) shall be laid down in a law. The law on the establishment of a region as meant in paragraph (1) shall cover the name, territory, borders, capital, authority to run administrative affairs, appointment of acting regional head, filling of DPRD membership, transfer of personnel, funding, equipment, documents and region apparatuses.
- (2) The establishment of a region may be either the merger of several regions or parts of neighboring regions or the division of a region into 2 (two) regions or more.

- (3) The division of region into 2 (two) regions or more as meant in paragraph (3) may be done after the minimum age limit of regional administration has been reached.

Article 5

- (1) The establishment of a region as meant in Article 4 shall meet administrative, technical and physical requirements.
- (2) The administrative requirements as meant in paragraph (1) for establishment of a province cover approval from regental/municipal DPRD's and regent/mayors of the regencies/municipalities that will become the territory of the province, approval from the DPRD and the Governor of the parent province as well as a recommendation from the Minister of Home Affairs.
- (3) The administrative requirements as meant in paragraph (1) for the establishment of a regency/municipality cover approval from the regental/municipal DPRD's and regent/mayor of the relevant regencies/municipalities, approval from the provincial DPRD and the Governor as well as recommendation from the Minister of Home Affairs.
- (4) The technical requirements as meant in paragraph (1) cover factors serving as the basis of the establishment of a region, including economic capacity, regional potentials, socio-culture, socio-politics, population, size, defense, security, and other factors facilitating the implementation of regional autonomy.
- (5) The physical requirements as meant in paragraph (1) cover at least 5 (five) regencies/municipalities for the establishment of a province and at least 5 (five) sub district for the establishment of a regency and 4 (four) sub district for the establishment of a municipality, location for prospective capital, and administrative facilities and infrastructures.

Article 6

- (1) A region may be abolished and merged with other region if the relevant region is not able to implement regional autonomy.
- (2) The abolition and merger of an autonomous region is done after the evaluation of the running of regional administration is made.
- (3) Guidelines for conducting the evaluation as meant in paragraph (2) are to be laid down in a Governmental Organization.

Article 7

- (1) The abolition and merger of a region as meant in Article 6 paragraph (2) as well as its consequences are to be laid down in a Law.
- (2) A change in the borders of a region, a change in the name of a region, the giving name to part of earth surface, and change in the name or address of a capital that do not lead to abolition of a region, are to be laid down in a Government Regulation.
- (3) The changes as meant in paragraph (2) are made at the proposal and with the approval of the relevant region.

Article 8

The procedures of establishing, abolishing and merging regions as meant in Article 4, Article 5 and Article 6 are to be laid down in a Government Regulation.

Section Two
Special Areas

Article 9

- (1) To carry out certain special administrative functions in the interest of the state, the government can declare a special area within a province and/or regency/municipality.
- (2) Certain administrative functions as meant in paragraph (1) for free trade and/or free port are to be laid down in a Law.
- (3) Certain administrative functions other than those as meant in paragraph (2) are to be laid down in Government Regulation.
- (4) To establish a special area as meant in paragraph (2) and paragraph (3), the Government involves the relevant regions.
- (5) The procedure of declaring a special area as meant in paragraph (1), paragraph (2), paragraph (3), paragraph (4), paragraph (5), are to be laid down in a Government Regulation.

CHAPTER III
THE DISTRIBUTION OF ADMINISTRATIVE AFFAIRS

Article 10

- (1) Regional administrations carry out administrative affairs that become their authority, except administrative affairs declared by this Law as the Government's affairs.

- (2) In carrying out administrative affairs that become the authority of the regions as meant in paragraph (1) the regional administration implement wide ranging autonomy to govern and manage administrative affairs on their own based on the principles of autonomy and assistance task.
- (3) The administrative affairs that become the Government's affair as meant in paragraph (1) cover:
 - a. foreign policies;
 - b. defense;
 - c. security;
 - d. judicial policies;
 - e. national monetary and fiscal policies; and
 - f. religious affairs.
- (4) The Government can carry out the administrative affairs as meant in paragraph (3) it self or delegate part of the administrative affairs to apparatuses or representative of the Government in regions or assign regional administration and/or village administrations to carry out them.
- (5) To carry out administrative affairs that become the authority of the Government other than those as meant in paragraph (3), the Government can:
 - a. carry out part of administrative affairs itself;
 - b. delegate part of administrative affairs to Governors as representative of the Government; or
 - c. delegate part of administrative affairs to regional administrations and/or village administrations based on principle of assistance task.

Article 11

- (1) Administrative affairs are carried out based on the criteria of externality, accountability and efficiency with due observance of harmonious relations among governmental agencies.
- (2) The Implementation of administrative affairs as meant in paragraph (1) constitutes the implementations of authority relations between the Government and provincial, regental and municipal governments or among regional administrations that are mutually related, dependent and synergize as an administrative system.

- (3) Administrative affairs that become the authority of regional administrations and are carried out based on the criteria as meant in paragraph (1) consist of compulsory affairs and optional affairs.
- (4) The implementation of compulsory administrative affairs on the minimum service standard is done in stages and stipulated by the Government.

Article 12

- (1) Administrative affairs transferred to regions are accompanied by funding sources, transfer of facilities and infra structure, and personnel in accordance with the affairs decentralized.
- (2) Administrative affairs transferred to governors are accompanied by funding in accordance with the affairs decentralized.

Article 13

- (1) The compulsory affairs that become the authority of provincial by funding administrations are affair on provincial scale, covering:
 - a. development planning and control;
 - b. spatial layout planning and control;
 - c. maintenance of public peace and order;
 - d. provision of public facilities and infrastructure;
 - e. handling of health problems;
 - f. provision of education and allocation of potential human resources;
 - g. control of inter-regental/municipal social problem;
 - h. provision of inter-regental/municipal manpower services;
 - i. development of cooperative, small and medium businesses including inter-regental/municipal businesses;
 - j. control of environmental impact;
 - k. provision of agricultural services, including inter-regental/municipal services;
 - l. provision of population services and vital statistics;
 - m. provision of public administrative services;

- n. provision of capital investment services, including inter-regental/municipal services;
 - o. provision of other basic services that cannot yet be provided by regencies/municipalities; and
 - p. other compulsory affairs mandated by the legislation.
- (2) Optional provincial administrative affairs cover real administrative affairs that have the potential of improving public welfare in accordance with the condition, peculiarity and comparative advantage of the concerned regions.

Article 14

- (1) Compulsory affairs that become the authority of the regional administrations for regencies/municipalities are affairs on a regental/municipal scale, covering:
- a. development planning and control;
 - b. spatial layout planning, use and control;
 - c. maintenance of peace and order;
 - d. provision of public facilities and infrastructures;
 - e. handling of health problems;
 - f. provision of education;
 - g. handling of social problems;
 - h. provision of manpower services;
 - i. development of cooperatives, small and medium business;
 - j. control of environmental impacts;
 - k. agrarian services;
 - l. provision of population services and vital statistics;
 - m. provision of public administrative services;
 - n. provision of capital investment services;
 - o. provision of other basic services; and
 - p. other compulsory affairs mandated by the legislation.

- (2) Optional regental/ municipal administrative affairs cover real administrative affairs that have the potential of improving public welfare in accordance with the condition, peculiarity, and comparative advantage of the concerned regions.
- (3) The implementation of provision in Article 10, Article 11, Article 12, Article 13, Article 14 paragraph (1) and paragraph (2) are to be laid down in a Government Regulation.

Article 15

- (1) The relation between the Government and regional administrations in the financial field as meant in Article 2 paragraph (4) and paragraph (5) cover:
 - a. provision of financial sources to carry out administrative affairs that become the authority of the regional administrator;
 - b. allocation of local costs to regional administrations; and
 - c. provision of loans/or grants to regional administration.
- (2) The relation among regional administrations in the financial field as meant in Article 2 paragraph (4) and paragraph (5) cover:
 - a. sharing of taxes and non tax revenues between a provincial administration and regental/municipal administration;
 - b. financing of administrative affair as common responsibilities;
 - c. joint financing of cooperation among regions; and
 - d. loans and/or grants among regional administrations.
- (3) The relations in the financial field as meant in paragraph (1) and paragraph (2) are to be laid down in a Government Regulation.

Article 16

- (1) The relations between the government and regional administrations in the public service field as meant in Article 2 paragraph (4) and paragraph (5) cover:
 - a. authority, responsibility, and minimum service standard;
 - b. Allocation of funds for public services that become the authority of regions; and
 - c. Cooperation among regional administrations in providing public services.

- (2) The relations among regional administrations in the public service field as meant in Article 2 paragraph (4) and paragraph (5) cover:
 - a. provision of public services that become the authority of regions;
 - b. cooperation among regional administrations in providing public services; and
 - c. joint management of licenses in the public service field.
- (3) The relations in the public service field as meant in paragraph (1) and paragraph (2) are to be laid down in the legislation.

Article 17

- (1) The relations between the Government and regional administration in the use of natural resources and other resources as meant in Article 7 paragraph (4) and paragraph (5) cover:
 - a. authority, responsibility, use, maintenance, control of impact, cultivation and conservation;
 - b. sharing of proceed from the use of natural resources and other resources; and
 - c. harmonizing of the environment, spatial layout and reforestation.
- (2) The relations among regional administrations in the use of natural resources and other resources as meant in Article 2 paragraph (4) and paragraph (5) cover:
 - a. use of natural resources and other resources that become the authority of regions;
 - b. cooperation in and sharing of proceeds from the use of natural resources and other resources among regional administrations; and
 - c. joint management of licenses in the use of natural resources and other resources.
- (3) The relation in the use of natural resources and other resources as meant in paragraph (1) and paragraph (2) are to be laid down in the legislation.

Article 18

- (1) Registration that have sea territory are given the authority to manage resources in the sea territory.

- (2) The regions deserve to receive portion of proceeds from the management of natural resources beneath the seabed and/or in the seabed in accordance with the legislation.
- (3) The authority of the regions to manage resources in the sea territory as meant in paragraph (1) covers:
 - a. exploration, exploitation, conservation, and management of marine resources;
 - b. administrative control;
 - c. spatial layout control;
 - d. law enforcement related to the regulations issued by the regions or delegated by the government;
 - e. participation in maintaining security; and
 - f. participation in defending the state sovereignty.
- (4) The authority to manage resources in the sea territory as meant in paragraph (3) must not exceed 12 (twelve) miles measured from the coastline to the open sea and/or to the waters of island for provinces and 1/3 (one-third) of the authority territory of a province for regencies/municipalities.
- (5) If the sea territory between 2 (two) province is less than 24 (twenty four) miles, the authority to manage resources in the sea territory will be divided at the same distance or measured in accordance with the principle of media line from the area between the 2 (two) provinces, with the regencies/municipalities receiving 1/3 (one-third) of authority territory of the said province.
- (6) The provisions in paragraph (4) and paragraph (5) do not apply to fish catch by small fishermen.
- (7) The implementation of provision in paragraph (1) and paragraph (3), paragraph (4) and paragraph (5) is to be laid down in the legislation.

CHAPTER IV
THE RUNNING OF ADMINISTRATION

Section One
The Running of Administration

Article 19

- (1) The executor of the Government is the President assisted by 1 (one) Vice President and State Ministers;

- (2) The executor of regional administration is the regional government and DPRD.

Section Two
The Principles of Running Administration

Article 20

- (1) The running of administration is based on the general principles of running the state, consisting of:
- a. the principle of legal certainty;
 - b. the principle of good governance;
 - c. the principle of public interest;
 - d. the principles of transparency;
 - e. the principle of proportion;
 - f. the principle of professionalism;
 - g. the principle of accountability;
 - h. the principle of efficiency; and
 - i. the principle of effectiveness.
- (2) In running administration, the Government uses the principles of decentralization, assistance task, and deconcentration in accordance with the legislation.
- (3) In running regional administration, the regional government uses the principles of autonomy and assistance task.

Section Three
The Rights and Obligations of Regions

Article 21

In implementing autonomy, regions have the rights to:

- a. govern and manage administrative affairs on their own;
- b. elect regional leaders;
- c. manage regional apparatuses;

- d. manage regional wealth;
- e. collect regional taxes and levies;
- f. receive portion of proceeds from the management of natural resources and other resources in the regions;
- g. seek other legal sources of revenues; and
- h. obtain other rights laid down in the legislation.

Article 22

In implementing regional autonomy, regions have the obligations to:

- a. protect the community, maintain unity, cohesion and national harmony, and keep the Unitary Republic of Indonesia intact;
- b. improve the quality of the people's life;
- d. develop democracy;
- e. create justice and equitable distribution;
- f. improve basic educational services;
- g. provide health service facilities;
- h. provide reasonable social facilities and public facilities;
- i. develop a social guarantee system;
- j. draw up a regional spatial layout plan;
- k. develop productive resources in the regions;
- l. conserve the environment;
- m. manage population administration;
- n. conserve socio-cultural values;
- o. enact and enforce by laws in accordance with their authority; and
- p. other obligations laid down in the legislation.

Article 23

- (1) The rights and obligations of regions as meant in Article 21 and Article 22 are created in the form of working plans of regional administrations and elaborated in the form of revenues, spending, and regional financing managed under a regional financial management system.
- (2) The regional financial management as meant in paragraph (1) is made in an efficient, effective, transparent, accountable, orderly, fair, and proper way with due observance of the legislation.

Section Four
Regional Administrations

Sub-Section One
Regional Heads and Deputy Regional Heads

Article 24

- (1) Each region is led by a regional government head called a regional head.
- (2) The regional head as meant in paragraph (1) is called governor for a province, regent for a regency, and mayor for a municipality.
- (3) The regional head as meant in paragraph (1) is assisted by 1 (one) deputy regional head.
- (4) The deputy regional head as meant in paragraph (3) is called deputy governor for a province, deputy regent for a regency, and deputy mayor for a municipality.
- (5) The regional head and deputy regional head as meant in paragraph (2) and paragraph (3) are directly elected in one package by the people in the relevant region.

Sub-Section Two
The Tasks, Authority and Obligations of
Regional Heads and Deputy Regional Heads

Article 25

Regional heads have the tasks and authority to:

- a. lead the running of regional administrations based on the policies jointly endorsed by DPRD;
- b. propose draft regional regulations;

- c. endorse regional regulations after securing a seal of approval from DPRD;
- d. draw up and propose draft regional regulations on the regional budget to DPRD for joint deliberation and endorsement;
- e. make an effort to ensure the fulfillment of regional obligations;
- f. represent their regions inside and outside the court, and appoint defense lawyers to represent them in accordance with the legislation; and
- g. carry out other tasks and authority in accordance with the legislation.

Article 26

- (1) Deputy regional heads have the tasks to:
 - a. assist regional heads in running regional administration;
 - b. assist regional heads in coordinating the activities of vertical agencies in the regions, following up on reports and/or findings as a result of the supervision of audit apparatuses, empowering women and youths, and trying to develop and conserve socio-cultural values and the environment;
 - c. monitor and evaluate the running of regental and municipal administrations for deputy provincial heads;
 - d. monitor and evaluate the running of sub district and/or village administrations for deputy regental/municipal heads;
 - e. give suggestions and considerations to regional heads in carrying out the activities of regional administrations;
 - f. carry out other tasks and authority of regional administrations given by regional heads; and
 - g. carry out the tasks and authority of regional heads if they are unavoidably absent.
- (2) In carrying out the tasks as meant in paragraph (1), the deputy regional heads are responsible to the regional heads.
- (3) Deputy regional heads replace regional heads until their term of office expires if the regional heads die, resign, are discharged, or are unable to carry out their obligations for 6 (six) consecutive months during their term of office.

Article 27

- (1) In carrying out the tasks and authority as meant in Article 25 and Article 26, the regional heads and deputy regional heads have the obligation to:
 - a. stick to and put into practice the five-point state ideology *Pancasila*, implement the 1945 Constitution of the Republic of Indonesia, and keep the Unitary Republic of Indonesia intact;
 - b. improve people's welfare;
 - c. maintain peace and order;
 - d. encourage democracy;
 - e. comply with and uphold all the regulations and laws;
 - f. keep ethics and norms in running regional administration;
 - g. advance and develop the competitiveness of the regions;
 - h. carry out the principles of clean and good governance;
 - i. carry out and account for the management of regional finance;
 - j. establish working relations with all vertical agencies in the regions and all regional apparatuses;
 - k. convey strategic plans for the implementation of regional administration before a plenary meeting of DPRD.
- (2) Apart from the obligations as meant in paragraph (1), the regional heads also have the obligation to submit reports on the implementation of regional administration to the Government, and reports of accountability to DPRD, and announce reports on the implementation of regional administration to the public.
- (3) The reports to the Government on the implementation of regional administration as meant in paragraph (2) are submitted to the President through the Minister of Home Affairs for governors, and to the Minister of Home Affairs through governors for regents/mayors once every year.
- (4) The reports as meant in paragraph (3) are used by the Government as the basis for evaluating the implementation of regional administrations and as inputs for further improvement efforts in accordance with the legislation.
- (5) The implementation of provisions in paragraph (1), paragraph (2), paragraph (3) and paragraph (4) is to be laid down in a Government Regulation.

Sub-Section Three
Ban for Regional Heads and Deputy Regional Heads

Article 28

Regional heads and deputy regional heads are banned from:

- a. making policies that exclusively benefit themselves, family members, cronies, certain groups or their political groups, contradict the legislation, harm public interests, and cause unrest to certain groups in the community, or discriminate against citizens and/or groups in the community;
- b. taking part in a company, either privately-run company or state-owned/regional government-owned company, or in any foundation;
- c. doing other work that benefits themselves, either directly or indirectly, in relation with the relevant regions;
- d. committing corruption-, collusion-, and nepotism-tainted practices, and receiving money, goods and/or services from other parties that influence the decisions or actions to be taken;
- e. becoming lawyers or defence lawyers in a case in the court other than that referred to in Article 25 point f;
- f. misusing authority and violating official oath/pledge;
- g. concurrently holding other post as officials of other countries or as members of DPRD as stipulated in the legislation.

Sub-Section Four
The Discharge of Regional Heads and
Deputy Regional Heads

Article 29

- (1) Regional heads and/or deputy regional heads are discharged because they:
 - a. die;
 - b. resign at their own request; or
 - c. are discharged.
- (2) The regional heads and/or deputy regional heads as meant in paragraph (1) point c are discharged because:
 - a. their term of office expires and new officials have been inducted;

- b. they are unable to perform their duties or show up for 6 (six) consecutive months;
 - c. they no longer meet qualifications as regional heads and/or deputy regional heads;
 - d. they are declared as violating official oath/pledge as regional heads and/or deputy regional heads;
 - e. they fail to carry out obligation as regional heads and/or deputy regional heads;
 - f. they violate a ban imposed on regional heads and/or deputy regional heads.
- (3) The DPRD leadership proposes and notifies the discharge of the regional heads and/or deputy regional heads as meant in paragraph (1) point a and point b and paragraph (2) point a and point b for endorsement in a plenary meeting.
- (4) The discharge of regional heads and/or deputy regional heads as meant in paragraph (2) point d and point a is done with the stipulation:
- a. The discharge of regional heads and deputy regional heads is proposed to the President based on a decision of the Supreme Court in response to the DPRD's view that the regional heads and/or deputy regional heads are declared as violating official oath/pledge and/or fail to perform their duties as regional heads and/or deputy regional heads.
 - b. The DPRD's view as meant in point a is decided through a plenary meeting of DPRD attended by at least 3/4 (three-fourths) of DPRD members and the decision is made with approval from at least 2/3 (two-thirds) of DPRD members who are present.
 - c. The Supreme Court must examine, try and decide the view of DPRD in no more than 30 (thirty) days after accepting the DPRD's request and the decision of the Supreme Court is final.
 - d. If the Supreme Court decides that regional heads and/or deputy regional heads are found guilty of violating official oath/pledge and/or fail to perform obligation, DPRD convene a plenary meeting of DPRD attended by at least 3/4 (three-fourths) of the DPRD members and the decision is taken with approval from at least 2/3 (two-thirds) of DPRD members who are present to decide the proposal for the discharge of regional heads and/or deputy regional heads to the President.
 - e. The President must process the proposal for the discharge of regional heads and/or deputy regional heads in no more than 30 (thirty) days after DPRD have submitted the proposal.

Article 30

- (1) Regional heads and/or deputy regional heads are temporarily suspended by the President without proposal from DPRD if they are declared as committing criminal offences punishable by a minimum of 5 (five) years' imprisonment or more based on a court verdict.
- (2) Regional heads and/or deputy regional heads are discharged by the President without proposal from DPRD if they are found guilty of committing criminal offences as meant in paragraph (1) based on a court verdict with permanent legal force.

Article 31

- (1) Regional heads and/or deputy regional heads are temporarily suspended by the President without proposal from DPRD because they are accused of committing corruption, terrorist act, rebellion, and/or criminal offences against state security.
- (2) Regional heads and/or deputy regional heads are discharged by the President without proposal from DPRD for committing rebellion and/or other crimes that may disintegrate the Unitary Republic of Indonesia as evidenced with a court verdict with permanent legal force.

Article 32

- (1) If a regional head and/or a deputy regional head face(s) a widespread public confidence crisis over an alleged criminal offence which involves their responsibility, the DPRD shall use its right of inquiry to respond to the case.
- (2) The use of the right of inquiry as meant in paragraph (1) is done after the DPRD receives a seal of approval from the plenary meeting of the DPRD attended by at least 3/4 (three-fourths) of its members and a decision is made with approval from at least 2/3 (two-thirds) of its members who are present to inquire into the alleged involvement of the regional head and/or deputy regional head in a criminal offence.
- (3) If evidence of involvement in the criminal offence as meant in paragraph (1) is found, the DPRD shall leave the process of settling the criminal offence to law enforcers in accordance with the legislation.
- (4) If the regional head and/or deputy regional head are/is declared guilty of being involved in the criminal offence punishable by 5 (five) years' imprisonment or more based on a court verdict which has not had permanent legal force as meant in paragraph (3), the DPRD shall propose temporary suspension by a decision of the DPRD.

- (5) Based on the decision of the DPRD as meant in paragraph (4), the President shall decide temporary suspension of the regional head and/or deputy regional head.
- (6) If the regional head and/or deputy regional head are/ is declared guilty based on a court verdict which has permanent legal force as meant in paragraph (4), the DPRD leadership shall propose discharge based on the decision reached at the plenary meeting of the DPRD attended by at least 3/4 (three-fourths) of its members and the decision is made with approval from at least 2/3 (two-thirds) of its members who are present.
- (7) Based on the decision of the DPRD as meant in paragraph (6), the President shall discharge the regional head and/or deputy regional head.

Article 33

- (1) If after a court process the regional head and/or deputy regional head who are/is temporarily suspended as meant in Article 30 paragraph (1), Article 31 paragraph (1) and Article 32 paragraph (5) are/is not found guilty based on a court verdict which has permanent legal force, in no more than 30 (thirty) days the President shall rehabilitate and reactivate the regional head and/or deputy regional head until the end of their term of office.
- (2) If the term of office of the regional head and/or deputy regional head who are/is temporarily suspended as meant in paragraph (1) has expired, the President shall rehabilitate the regional head and/or deputy regional head without reactivating them.
- (3) The procedures of implementing the provisions in Article 30, Article 31, and Article 32 are to be laid down in a Government Regulation.

Article 34

- (1) If the regional head is temporarily suspended as meant in Article 30 paragraph (1), Article 31 paragraph (1) and Article 32 paragraph (5), the deputy regional head shall carry out the tasks and obligations of the regional head until there is a court verdict which has permanent legal force.
- (2) If the deputy regional head is temporarily suspended as meant in Article 30 paragraph (1), Article 31 paragraph (1), and Article 32 paragraph (5), the regional head shall carry out the tasks and obligations of the deputy regional head until there is a court verdict which has permanent legal force.
- (3) If both the regional head and the deputy regional head are temporarily suspended as meant in Article 30 paragraph (1), Article 31 paragraph (1) and Article 32 paragraph (5), the President shall appoint an acting Governor at the proposal of the Minister of Home Affairs or an acting Regent/Mayor at the

proposal of the Governor by observing the DPRD's considerations until there is a court verdict which has permanent legal force.

- (4) The procedures of appointing, the criteria of nominees for, and the term of office of the acting official as meant in paragraph (3) are to be laid down in a Government Regulation.

Article 35

- (1) If the regional head is discharged based on a court verdict which has permanent legal force as meant in Article 30 paragraph (2), Article 31 paragraph (2) and Article 32 paragraph (7), the deputy regional head shall replace the regional head until his/her term of office expires and the process of replacement shall be based on the decision reached at the plenary meeting of the DPRD and endorsed by the President.
- (2) In case of a vacant post of deputy regional head as meant in paragraph (1) with the remaining term of office exceeding 18 (eighteen) months, the regional head shall propose 2 (two) candidates for deputy regional head to the plenary meeting of the DPRD for appointment based on a proposal from a political party or a coalition of political parties whose pair of candidates is elected in regional head and deputy regional head elections.
- (3) If a regional head and deputy regional head resign or are discharged altogether during their term of office, the plenary meeting of the DPRD shall decide and assign KPUD to hold regional head and deputy regional head elections in no more than 6 (six) months after the acting regional head is named.
- (4) In case of vacant posts of regional head and deputy regional head as meant in paragraph (3), the regional secretary shall carry out daily activities of the regional head until the President appoints an acting regional head.
- (5) The procedure of filling the vacant post, qualifications of nominees and the term of office of the acting official as meant in paragraph (4) are to be laid down in a Government Regulation.

Sub-Section Five The Investigation of Regional Heads and Deputy Regional Heads

Article 36

- (1) The investigation and examination of a regional head and/or deputy regional head is conducted after the President gives a written approval to the investigator.

- (2) If the President does not issue a written approval as meant in paragraph (1) within a period of 60 (sixty) days at the most starting from the receipt date of the application, the investigation and examination can be conducted.
- (3) The examination which leads to an arrest must be equipped with a written approval in accordance with provisions in paragraph (1) and paragraph (2).
- (4) Exceptions to the provisions in paragraph (1) are:
 - a. being caught red-handed committing a criminal offence; or
 - b. being suspected of committing a criminal offence punishable by death sentence, or of committing a criminal offence against the state security.
- (5) The examination as meant in paragraph (4) must be reported to the President in no more than twice within 24 (twenty four) hours.

Sub-Section Six
The Task of Governors as the
Representatives of the Government

Article 37

- (1) Governors are ex-officio the representatives of the Government in their respective provinces.
- (2) In their capacity as the representatives of the Government as meant in paragraph (1), the Governors shall be responsible to the President.

Article 38

- (1) In their capacity as the representatives of the Government as meant in Article 37, the Governors have the tasks and authority to:
 - a. develop and control the running of regental/municipal administrations;
 - b. coordinate the execution of the Government's affairs in provinces and regencies/municipalities;
 - c. coordinate the development and control of the execution of assistance tasks in provinces and regencies/municipalities.
- (2) The funds needed for the execution of the task and authority of the Governors as meant in paragraph (1) are borne by the state budget.
- (3) The financial position of the Governors as meant in paragraph (1) is to be laid down in a Government Regulation.

- (4) The procedure of executing the task and authority of the Governors as meant in paragraph (1) is to be laid down in a Government Regulation.

Section Five
Regional Legislative Bodies

Sub-Section One
General

Article 39

Provisions on DPRD, provided they are not contained in this Law, are based on Law on the Structure and Position of MPR, DPR, DPD and DPRD.

Sub-Section Two
Position and Function

Article 40

DPRD is a regional legislative body which serves as an element of the running of regional administration.

Article 41

DPRD has legislation, budgeting and control functions.

Sub-Section Three
Tasks and Authority

Article 42

- (1) DPRD has the task and authority to:
- a. form regional regulations to be discussed with the regional head for joint approval;
 - b. discuss and agree to draft regional regulations on the regional budget together with the regional head;
 - c. control the implementation of regional regulations and other laws and regulations, regulations of the regional head, the regional budget, the regional administration's policy in implementing regional development programs, and establishing international cooperation in the region;
 - d. propose the appointment and discharge of regional head and/or deputy regional head to the President via the Minister of Home Affairs for

- provincial DPRD and to the Minister of Home Affairs via the Governor for regental/municipal DPRD;
- e. elect a deputy regional head in case of vacant post of deputy regional head;
 - f. give views and considerations to the regional administrations in regard to plans to sign international treaties in regions;
 - g. give approval to plans for international cooperation by regional administrations;
 - h. to ask for a report of accountability from regions in running regional administrations;
 - i. form a committee to supervise regional head elections;
 - j. conduct the supervision of and ask for a report from KPUD on the holding of regional head elections;
 - k. approve plans for cooperation between regions and third parties that burden the public and regions.
- (2) Apart from the tasks and authority as meant in paragraph (1), DPRD shall carry out other tasks and authority laid down in the legislation.

Sub-Section Four
Rights and Obligations

Article 43

- (1) DPRD have:
- a. the right of interpellation;
 - b. the right of inquiry; and
 - c. the right to voice views.
- (2) The right of inquiry as meant in paragraph (1) point b is exercised after the right of interpellation as meant in paragraph (1) point a is proposed and receives approval from the plenary meeting attended by at least 3/4 (three-fourths) of the DPRD members with a decision made by at least 2/3 (two-thirds) of the DPRD members who are present.
- (3) To exercise the right of inquiry as meant in paragraph (2), DPRD shall form a committee on the right of inquiry consisting of all elements of DPRD factions, and in no more than 60 (sixty) days the committee shall convey the result of its work to DPRD.

- (4) In performing its duties, the committee on the right of inquiry as meant in paragraph (3) can summon, hear and investigate an individual considered to have known or to have rightly known the problem being investigated and ask the individual to show letters and documents related to the problem being investigated.
- (5) Any individual who is summoned, heard, and investigated as meant in paragraph (4) shall fulfill the summon from the committee on the right of inquiry, except there is legal reason in accordance with the legislation.
- (6) If after being summoned consecutively the individual does not fulfill the summons as meant in paragraph (5), the committee on the right of inquiry can forcibly pick the individual with the help of the National Police in accordance with the legislation.
- (7) All the results of work by the committee on the right of inquiry are confidential in nature.
- (8) The procedures of exercising the right of interpellation, the right of inquiry and the right to convey views are to be laid down in the procedural rule of DPRD by observing the legislation.

Article 44

- (1) DPRD members have the right to:
 - a. propose draft regional regulations;
 - b. raise questions;
 - c. convey proposals and views;
 - d. choose and to be chosen;
 - e. make self defence;
 - f. immunity;
 - g. protocol; and
 - h. financial and administrative rights.
- (2) The protocol and financial position of DPRD leaders and members is to be laid down in a Government Regulation.

Article 45

DPRD members have the obligation to:

- a. practice Five-Point State Ideology *Pancasila*, implement the 1945 Constitution of the Republic of Indonesia, and comply with all laws and regulations;
- b. encourage the life of democracy in running regional administrations;
- c. maintain national harmony and keep the Unitary Republic of Indonesia intact;
- d. struggle for improved welfare of the people in regions;
- e. absorb, accommodate, gather, and follow up public aspirations;
- f. put state interests above personal and group interests;
- g. give a report of accountability on their task and performance in the capacity as DPRD members as a manifestation of moral and political responsibility for their electorate districts.
- h. abide by procedural rules, code of ethics, and oath/ pledge of DPRD members;
- i. maintain norms and ethics when establishing work relations with relevant agencies.

Sub-Section Five
DPRD Elements

Article 46

- (1) DPRD elements consist of:
 - a. leadership;
 - b. commissions;
 - c. deliberation committee;
 - d. budget committee;
 - e. honorary council; and
 - f. other elements needed.
- (2) The formation, structure, tasks and authority of DPRD elements as meant in paragraph (1) are to be laid down in the procedural rules of DPRD with due observance of the legislation.

Article 47

- (1) The Honorary Council of DPRD is formed and endorsed by a DPRD decision.
- (2) Members of the Honorary Council of DPRD as meant in paragraph (1) are chosen from and by DPRD members, on the stipulation that:
 - a. for regental/municipal DPRD which has up to 34 (thirty-four) members the Honorary Council of DPRD comprises 3 (three) members, and for DPRD which has 35(thirty-five) to 45 (forty-five) members the Honorary Council of DPRD comprises 5 (five) members;
 - b. for provincial DPRD which has up to 74 (seventy-four) members the Honorary Council of DPRD comprises 5 (five) members, and for DPRD which has 75 (seventy five) to 100 (one hundred) members the Honorary Council of DPRD comprises 7 (seven) members.
- (3) The leadership of the Honorary Council of DPRD as meant in paragraph (2) consists of a chairman and a deputy chairman elected from and by members of the Honorary Council.
- (4) The honorary Council as meant in paragraph (1) is assisted by a secretariat which is functionally carried out by the DPRD Secretariat.

Article 48

The Honorary Council is tasked to:

- a. observe and evaluate discipline, ethnics and morality of DPRD members within the framework of maintaining the dignity and honor according to the DPRD's code of ethnics;
- b. examine alleged violations of DPRD's procedural rule, code of ethics, and oath/pledge by DPRD members;
- c. make an investigation, verification and clarification of complaints from DPRD leaders, the public and/or voters;
- d. make a summary of investigation, verification and clarification as meant in point c as a recommendation to DPRD for a follow-up.

Article 49

- (1) DPRD shall draw up code of ethics to keep the dignity and honor of DPRD members in performing their tasks and authority.
- (2) The code of ethics as meant in paragraph (1) shall at least cover:

- a. definition of code of ethics;
- b. aim of code of ethics;
- c. rules on attitude, work mechanism, and relation among regional administrative apparatuses, among members and between DPRD members and other parties;
- d. any good thing that should be done by DPRD members;
- e. ethics in conveying views, responses, replies, criticism; and
- f. sanction and rehabilitation.

Article 50

- (1) Any DPRD member shall join a faction.
- (2) The number of members of each faction as meant in paragraph (1) shall at least be same as that of commissions in DPRD.
- (3) DPRD members as meant in paragraph (1) from 1 (one) political party that does not meet requirements to form 1 (one) faction shall merge with the existing factions or form a joint faction.
- (4) The existing faction shall accept DPRD members from other political party that does not meet requirements to form a faction.
- (5) If after being formed the joint faction as meant in paragraph (3) does not meet the requirements as a joint faction, all the members of the joint faction shall join other faction and/or joint faction that meet(s) requirements.
- (6) A political party that meets requirements to form a faction is only allowed to form one faction.
- (7) A joint faction may be formed by political parties by fulfilling the requirements as meant in paragraph (2) and paragraph (3).

Article 51

- (1) Provincial DPRD which have 35 (thirty five) to 75 (seventy five) members shall form 4 (four) commissions, while those which have more than 75 members shall form 5 (five) commissions.
- (2) Regental/municipal DPRD which have 20 (twenty) to 35 (thirty-five) members shall form 3 (three) commissions, while those which have more than 35 members shall form 4 (four) commission.

Article 52

- (1) DPRD members cannot be brought to justice because of their statements, questions and/or views conveyed verbally or in writing in a DPRD meeting, provided they are not against the DPRD's procedural rule and code of ethics.
- (2) The provisions in paragraph (1) will not apply if the relevant members announce materials that have been agreed upon at a closed-door meeting to keep them secret, or matters meant by provisions on the announcement of state confidentiality in the legislation.
- (3) DPRD members can not be replaced midway because of their statements, questions and/or views conveyed in the meeting of DPRD.

Article 53

- (1) The investigation of DPRD members is conducted after there has been written approval from the Minister of Home Affairs under the name of the President for provincial DPRD members and from the Governor under the name of the Minister of Home Affairs for regional/municipal DPRD.
- (2) In case the written approval as meant in paragraph (1) is not give within 60 (sixty) days at the latest after the application has been received, the investigation process can be made.
- (3) The investigation followed by detention requires written approval through the method as in paragraph (1) and paragraph (2).
- (4) Exceptions to the provision as in paragraph (1) are:
 - a. being caught red-handed committing a criminal offence; or
 - b. being accused of committing a criminal offence punishable by death sentence, or a criminal offence against state security.
- (5) After the action as meant in paragraph (4) is taken, the result of investigation shall be reported to the official issuing a permit as meant in paragraph (1) in no more than twice within 24 (twenty four) hours.

Section Six

Ban and Discharge of DPRD Members

Article 54

- (1) DPRD members are banned from concurrently holding the posts as:
 - a. other state official;

- b. judge at a court body;
 - c. civil servant, military/police personnel, employee of state-owned company, regional government owned company and/or other body whose budget originates from the state budget/regional budget.
- (2) DPRD members are banned from doing jobs as structural official of a private educational institution, public accountant, consultant, lawyer, notaries public, general practitioner and other jobs related to their tasks, authority and rights as DPRD members.
 - (3) DPRD members are banned from committing corruption, collusion and nepotism-tainted practices.
 - (4) DPRD members who do jobs as meant in paragraph (2) must relinquish the job during their term of offices as DPRD members.
 - (5) DPRD members who do not fulfill the obligation as meant in paragraph (4) are discharged by the DPRD leadership based on the result of investigation by the Honorary Council of DPRD.
 - (6) The implementation of provisions in paragraph (1), paragraph (2), paragraph (3), paragraph (4) and paragraph (5) is to be laid down in the DPRD's procedural rule by observing the legislation.

Section Seven The Midway Replacement of DPRD Members

Article 55

- (1) DPRD members resign midway because they:
 - a. die;
 - b. resign at their own request; and
 - c. are proposed by the relevant political party.
- (2) DPRD members are discharge midway because they:
 - a. cannot perform their duties or are unavoidably absent for 6 (six) consecutive months;
 - b. no longer meet requirements as DPRD members;
 - c. are declared as violating official oath/pledge, and/or violating the DPRD's code of ethics;
 - d. fail to carry out their obligations as DPRD members;

- e. violate bans imposed on DPRD members.
 - f. are declared guilty of committing a criminal offence punishable by a minimum of 5 (five) years or more in jail based on a court verdict which has permanent legal force.
- (3) The discharge of DPRD members that has met provisions in paragraph (1) and paragraph (2) is notified by the DPRD leadership to the Minister of Home Affairs through the Governor for provincial DPRD members and to the Governor through regents/mayor for regental/municipal DPRD members for further endorsement.
- (4) The discharge of DPRD members as meant in paragraph (2) point a, point b, point c, point d, and point e is made after there has been a decision from DPRD based on a recommendation from the Honorary Council of DPRD.
- (5) The implementation of provisions in paragraph (1), paragraph (2), paragraph (3) and paragraph (4) is to be laid down in the DPRD's procedural rule by observing the legislation.

Section Eight

The Election of Regional Heads and Deputy Regional Heads

Sub-Section One Election

Article 56

- (1) Regional heads and deputy regional heads are elected in one pair of candidates in a democratic way based on the principles of direct, general, free, secret, fair and honest elections.
- (2) The pair of candidates as meant in paragraph (1) is proposed by a political party or a group of political parties.

Article 57

- (1) The election of regional heads and deputy regional heads is organized by KPUD who is responsible to DPRD.
- (2) In performing its duties, KPUD conveys a report on the holding of regional head and deputy regional head election to DPRD.
- (3) In supervising the holding of regional head and deputy regional head election, a committee on the supervision of regional head and deputy regional head election is formed with members consisting of officials from police, public prosecutor's office, institute of higher learning, the press, and social figure.

- (4) The number of members of the committee on the supervision of regional head and deputy regional head election as meant in paragraph (3) is 5 (five) at a provincial level, 5 (five) at a regental/municipal level, and 3 (three) at a sub district level.
- (5) The sub district supervisory committee is proposed by the regental/municipal supervisory committee to DPRD for endorsement.
- (6) If the elements as meant in paragraph (3) are not found, the regental/municipal/subdistrict supervisory committee may make up of other elements.
- (7) The committee on the supervision o regional head and deputy regional head election is formed by and responsible to DPRD and aim obliged to convey its reports.

Article 58

Candidates for regional heads and deputy regional heads are Indonesian citizens who meet the following qualifications:

- a. religiously devout;
- b. loyal to *Pancasila* as state ideology, the 1945 Constitution of the Republic of Indonesia, the ideals of the August 17, 1945 Proclamation, the Unitary Republic of Indonesia and the government;
- c. graduating from at least senior high school and/or its equivalent;
- d. aged at least 30 (thirty) years;
- e. physically and mentally healthy based on the results of comprehensive medical checkups by a team of doctors;
- f. never sent to jail based on a court verdict that has permanent legal force for committing a criminal offence punishable by a maximum of 5 (five) years or more in jail;
- g. not in the process of having their voting rights revoked based on a court verdict that has permanent legal force;
- h. knowing their region and are known by the community in their region;
- i. submitting a list of personal wealth and being ready to have it made public;
- j. not in the process of having personal and/or corporate debts that become their responsibility and inflict losses to the state;

- k. not in the process of being declared bankrupt based on a court verdict that has permanent legal force;
- l. never committing disgraceful deeds;
- m. having taxpayer code number (NPWP), while those who have not had NPWP must produce evidence of tax pavement;
- n. submitting a curriculum vitae containing among others educational background and work experience as well as family members, wife a husband;
- o. never appointed a regional head or deputy regional head for 2 (two) terms of office for the same post; and
- p. not in the status as an acting regional head.

Article 59

- (1) Contestants of regional head and deputy regional head elections are pairs of candidates proposed by political parties or coalitions of political parties.
- (2) The political parties or coalitions of political parties as meant in paragraph (1) can registered their pairs of candidates if they meet at least 15% (fifteen percent) threshold of the number of DPRD seats or 15% (fifteen percent) of the accumulation of valid votes in general elections to elect DPRD members in the relevant region.
- (3) Political parties or coalitions of political parties must open the widest possible chance for individual candidates that meet the qualifications as meant in Article 58 and later select the said candidates through a democratic and transparent mechanism.
- (4) In nominating a pair of candidates, political parties or coalitions of political parties must consider views and responses from the community.
- (5) At the time of registering their pairs of candidates, political parties or coalitions of political parties shall submit:
 - a. a letter of nomination signed by leaders of the political parties or coalitions of political parties;
 - b. a written agreement among political parties that coalesce to nominate a pair of candidates;
 - c. a statements of not withdrawing the nomination of their pair of candidates signed by leaders of political parties or coalitions of political parties;
 - d. a statements made by a pair of candidates that they are ready to be nominated for a regional head and deputy regional head;

- e. a statement of not withdrawing themselves as a pair of candidates;
 - f. a statement of readiness to resign from their post if elected as a regional head or deputy regional head in accordance with the legislation;
 - g. a statement of readiness to relinquish the post of state official for candidates from civil servants, National Defense Forces members, and National Police members;
 - h. a statement of being non-active from their post for leaders of DPRD in the region where they nominate themselves for the posts of regional head and deputy regional head;
 - i. a notification to their leadership for DPR, DPD and DPRD members who nominate themselves for regional head and deputy regional head;
 - j. qualifications as candidates for regional head and deputy regional head as meant in Article 58; and
 - k. a concept of vision, mission, and program from a pair of candidates.
- (6) Political parties or coalitions of political parties as meant in paragraph (1) can only nominate a pair of candidates and the pair of candidates can no longer be nominated by other political parties or coalitions of political parties.
- (7) The period of time for the registration of pairs of candidates as meant in paragraph (1) does not exceed 7 (seven) after registration of pairs of candidates is announced.

Article 60

- (1) The administrative requirements of the pairs of candidates as meant in Article 59 paragraph (1) are examined by asking for clarification from the authorized state agencies and receiving inputs from the public with regard to the requirements of the pairs of candidates.
- (2) The result of examination as meant in paragraph (1) shall be announced in writing to leaders of political parties or coalitions of political parties that nominate the pairs of candidates in no more than 7 (seven) days after the registration date is over.
- (3) If pairs of candidates have not met qualifications or are rejected for not fulfilling the qualifications as meant in Article 58 and/or Article 59, the political parties or coalitions of political parties that nominate the pairs of candidates are given a chance to complete and/or improve the letter of nomination and the qualifications of the pairs of candidates or nominate other pairs of candidates in no more than 7 (seven) days after KPUD announces the result of its verification.

- (4) KPUD shall verify again the qualifications of the pairs of candidates as meant in paragraph (3) and notify the result of the verification in no more than 7 (seven) days to the leaders of political parties or coalitions of political parties that nominate the pairs of candidates.
- (5) If the result of the verification as meant in paragraph (3) does not meet requirements and is rejected by KPUD, the political parties or coalitions of political parties can no longer nominate other pairs of candidates.

Article 61

- (1) Based on the result of the verification as meant in Article 60 paragraph (2) and paragraph (4) KPUD shall declare at least 2 (two) pairs of candidates by making an official report on pairs of candidates.
- (2) The pairs of candidates declared as meant in paragraph (1) shall be made public in no more than 7 (seven) days after the verification is completed.
- (3) KPUD shall later draw an open lot to determine the numerical orders of the pairs of candidates already declared and announced.
- (4) The declaration and announcement of the pairs of candidates as meant in paragraph (3) is final and binding.

Article 62

- (1) Political parties or coalitions of political parties are banned from withdrawing their candidates and/or pairs of candidates, and the pairs of candidates or one person of the pairs of candidates are banned from withdrawing their nomination after they are declared as pairs of candidates by KPUD.
- (2) If the political parties or coalitions of political parties withdraw their candidates or pairs of candidates and/or one person of the pairs of candidates withdraw their nomination as meant in paragraph (1), the political parties or coalition of political parties that nominate the pairs of candidates can not nominate substitute candidates.

Article 63

- (1) If one candidates or pairs of candidates is unavoidably absent after the declaration of candidates until the start of campaign period, the political party or coalition of political parties whose pair of candidates is unavoidably absent may nominate a substitute pair of candidates in no more than 4 (four) days after the substitute pair of candidates is registered.

- (2) If one of candidates or pairs of candidates is unavoidably absent at the start of campaign period until polling day and there are still 2 (two) pairs of candidates or more, the round of regional head and deputy regional head election shall be continued and the pair of candidates who is unavoidably absent cannot be replaced and is disqualified.
- (3) If one of candidates or pairs of candidates is unavoidably absent at the start of campaign period until polling day so that the number of pairs of candidates is less than 2 (two), the round of regional head and deputy regional head election is suspended in no more than 30 (thirty) days and political party whose pair of candidates is unavoidably absent can continue to nominate a substitute pair of candidates in no more than 3 (three) days after the pair of candidates is unavoidably absent and KPUD later verifies the administrative qualifications and declares the substitute pair of candidates in no more than 4 (four) days after the substitute pair of candidate is registered.

Article 64

- (1) If one of candidates or pairs of candidates is unavoidably absent after the first around of polling until the start of the second round of polling, the round of regional head and deputy regional head election shall be suspended in no more than 30 (thirty) days.
- (2) The political party or coalition of political parties whose pair of candidates is unavoidably absent nominates a substitute pair of candidates in no more than 3 (three) days after the pair of candidates is unavoidably absent as meant in paragraph (1) and KPUD verifies the administrative qualifications and declares the substitute pair of candidates in no more than 4 (four) days after the substitute pair of candidates is registered.

Article 65

- (1) Regional head and deputy regional head elections are conducted through preparation stage and implementation stage.
- (2) The preparation stage as meant in paragraph (1) covers:
 - a. notification from DPRD to the regional head about the end of term of office;
 - b. notification from DPRD to KPUD about the end of regional heads term of office;
 - c. implementation plan, including procedure and timetable for the rounds of regional head election;
 - d. formation of supervisory committee, PPK, PPS and KPPS;

- e. Announcement and registration of observers.
- (3) The implementation stage as meant in paragraph (1) covers:
- a. validation of a list of voters;
 - b. registration and validation of candidates for the regional head/deputy regional head;
 - c. campaign;
 - d. polling;
 - e. vote counting; and
 - f. declaration of elect-pair of candidates for the regional head/deputy regional head, endorsement and inauguration.
- (4) The procedures of implementing the preparation stage as meant in paragraph (2) and the implementation stage as meant in paragraph (3) are to be stipulated by KPUD by observing the Government Regulation.

Article 66

- (1) The task and authority of KPUD in holding regional head and deputy regional head election are:
- a. making a plan for regional head and deputy regional head election;
 - b. endorsing the procedure of holding regional head and deputy regional head elections according to the rounds of election as laid down in the legislation;
 - c. coordinating, implementing and controlling all rounds of regional head and deputy regional head election;
 - d. setting the date and procedure of holding campaign, and regional head and regional head and deputy regional head polling;
 - e. verifying the qualifications of political parties or coalitions of political parties nominating candidates;
 - f. verifying the qualifications of candidates for the regional head and deputy regional head;
 - g. declaring pairs of candidates who have met qualifications;
 - h. registering and announcing campaign teams;
 - i. announcing reports on campaign funds;

- j. endorsing the recapitulation of vote counting and announcing the result of regional head and deputy regional head elections;
 - k. evaluating and reporting the holding of regional head and deputy regional head elections;
 - l. carrying out other task and authority stipulated by the legislation;
 - m. appointing a public accountant's office to audit campaign funds and announcing the result of audit.
- (2) In holding gubernatorial and deputy gubernatorial election regional/municipal KPUD are part of the elements to implementation stage stipulated by the provincial KPUD.
- (3) The task and authority of DPRD in holding regional head and deputy regional head elections are:
- a. notifying the regional head that the term of office will soon expire;
 - b. proposing the discharge of regional head and deputy regional head whose term of office has expired and the appointment of elect-regional head and deputy regional head;
 - c. supervising all rounds of elections;
 - d. forming a supervisory committee;
 - e. asking KPUD to account for the execution of task; and
 - f. Holding a plenary meeting to hear the vision, mission and programs of pairs of candidates for the regional head and deputy regional head.
- (4) The election supervisory committee has the tasks and authority to:
- a. supervise all rounds of regional head and deputy regional head elections;
 - b. receive reports on violations of the law on regional head and deputy regional head election;
 - c. settle disputes arising from the holding of regional head and deputy regional head elections;
 - d. hand over the finds and reports that remain unsettled to the authorized agency; and
 - e. control coordinative relations among supervisory committees in all rounds of elections.

Article 67

KPUD is obliged to:

- a. treat all pairs of candidates fairly and equally;
- b. set standards of and needs for goods and services needed for regional head and deputy regional elections based on the legislation;
- c. convey a report to DPRD for each round of elections and make its activities known to the public;
- d. keep election files and documents and manage supplies belonging to KPUD based on the legislation;
- e. account for the use of budget to DPRD;
- f. carry out all rounds of regional head and deputy regional head elections on schedule.

Sub-Section Two
Validation of List of Voters

Article 68

Indonesian citizens who on regional head and deputy regional head polling day are 17 years old or have been married have the rights to vote.

Article 69

- (1) To use their rights to vote, Indonesian citizens must be registered as voters.
- (2) To registered themselves as voters, the Indonesian citizens as meant in paragraph (1) must fulfill the following requirements:
 - a. not in a state of being mentally ill;
 - b. not in state of having their rights to vote revoked based on a court verdict that has permanent legal force.
- (3) An Indonesian citizen who has been registered in the list of voters but later fails to meet the requirements as meant in paragraph (1) is not allowed to use his/her rights to vote.

Article 70

- (1) The list of voters in the last general elections in the region is used as a list of voters in the regional head and deputy regional head election.
- (2) The list of voters as meant in paragraph (1) and a supplement to the list of voters that have met the requirements is declared as a provisional list of voters.

Article 71

The voters that have been registered as voters as meant in article 70 are given registration cards that will later be replaced with voter's cards in each polling.

Article 72

- (1) A voter is registered in the list of voters 1 (one) occasion only.
- (2) If a voter has more than one domiciles, the voter must choose one of the domiciles to be registered in the list of voters.

Article 73

- (1) If a voter that has been registered in the list of voters as meant in Article 70 moves to other domicile or wants to cast his/her vote in other polling station, the voter must register himself/herself with the local PPS.
- (2) The PPS as meant in paragraph (1) records the name of voter from the list of voters and issues a certificate of a change in polling station.
- (3) The voter must inform PPS in the new polling station about the change in polling station.
- (4) A registered voter who because of anything cannot exercise his/her right to vote in the polling station can use his/her right to vote in other polling station by producing a voter's card.

Article 74

- (1) Based on the list of voters as meant in Article 70 and Article 73 PPS makes and endorses a provisional list of voters.
- (2) PPS announces the provisional list of voter as meant in paragraph (1) to get responses from the public.

- (3) Voters that have not been registered in the provisional list of voters can register themselves with PPS and are registered in the supplement to the list of voters.
- (4) The provisional list of voters and the supplement to the list of voters are declared as a definite list of voters.
- (5) PPS endorses and announces the definite list of voters.
- (6) KPUD stipulates the procedure of registering voters.

Sub-Section Three
Campaigns

Article 75

- (1) Campaign are held as part of regional head and deputy regional head elections.
- (2) The campaign as meant in paragraph (1) are held for 14 (fourteen) days and end 3 (three) days before polling day.
- (3) The campaigns as meant in paragraph (1) are held by a campaign team formed by pair of candidates along with a political party or a coalition of political parties nominating the pair of candidates.
- (4) The campaign team as meant in paragraph (3) must be registered with KPUD, coinciding with the registration of pairs candidates.
- (5) The campaign as meant in paragraph (1) are held jointly or separately by the pair or candidates and/or the campaign team.
- (6) The pair of candidates is held responsible for campaign and the execution of responsibilities is done by the campaign team.
- (7) Campaign teams can be formed hierarchically for province, regency/municipality for a pair of gubernatorial and deputy gubernatorial candidates and for regency/municipality and sub districts for a pair of regent/deputy regent candidates and a pair of mayor/deputy mayor candidates.
- (8) In campaigns, the people have the freedom to attend campaign.
- (9) KPUD shall set campaign schedule by considering proposals from pairs of candidates.

Article 76

- (1) Campaign can be held through:
 - a. limited meeting;
 - b. face-to-face meeting and dialog;
 - c. dissemination of programs on the print media and electronic media;
 - d. broadcast on the radio and/or television;
 - e. distribution of campaign materials to the public;
 - f. installation of audio visual aid in public places;
 - g. general meeting;
 - h. public debate/open debate among candidates; and/or
 - i. other activities that do not violate the legislation.
- (2) Pairs of candidates shall convey their vision, mission, and program verbally or in writing to the public.
- (3) Regional head and deputy regional head candidates are entitled to receive information or data from the regional government according to the legislation.
- (4) Campaign materials shall be given in a polite, orderly, and educative way.
- (5) Campaigns are held throughout a province for gubernatorial and deputy gubernatorial elections and throughout regency/municipality for regent and deputy regent elections and mayor and deputy mayor elections.

Article 77

- (1) The print media and electronic media must give an equal chance to pairs of candidates to convey their campaign themes and materials.
- (2) The print media and electronic media must give an equal chance to pairs of candidates to put advertisement related to regional head and deputy regional elections as part of campaigns.
- (3) Each regional government must give an equal chance to pairs of candidates to use public facilities.
- (4) All those present at a limited meeting or general meeting held by a pair of candidates are only allowed to bring with them or use the symbol and/or attribute of the relevant pair of candidates.

- (5) KPUD shall coordinate with the relevant regional government to determine locations to put up audio visual aid for the purpose of campaign.
- (6) Pairs of candidates shall put up the campaign audio visual aid as in paragraph (5) by observing ethics, esthetics, cleanliness and beauty of the city or local area according to the legislation.
- (7) The putting up of campaign audio visual aid in places owned by individuals or private corporate bodies must secure permission from their owners.
- (8) Campaign audio visual aid must be cleaned up in no more than 3 (three) days before polling day.

Article 78

In campaigns, it is forbidden to:

- a. question Five-Point State Ideology *Pancasila* and the Preamble of the 1945 Constitution of the Republic of Indonesia;
- b. insult an individual, religion, ethnic group, race, group, regional head/deputy regional head candidate and/or political party;
- c. incite and pit a political party, individual and/or society group against the other;
- d. use violence or violence threat, or recommend an individual, society group and/or political party to use violence;
- e. disturb security, peace, and public order;
- f. threaten to use violence and recommend the use of violence to take over power from the legitimate government;
- g. destroy and/or conceal campaign audio visual aid of other pair of candidates;
- h. use government facility and budget from the regional government;
- i. use a place of worship and school; and
- j. conduct a convoy or parade by marching or using motor vehicles on the highway.

Article 79

- (1) In campaigns, it is forbidden to involve:
 - a. judge from all types of court;
 - b. official of state-owned company/regional government-owned company;

- c. structural official and functional official within state office;
 - d. village head.
- (2) The ban as meant in paragraph (1) is not valid if the official becomes regional head/deputy regional head candidate.
- (3) In holding campaigns, the state official who becomes regional head candidate must meet the following requirements:
- a. not using facilities related to his/her post;
 - b. taking leave of absence outside the government's responsibility; and
 - c. the length of leave and the schedule of leave must observe the execution of tasks related to the running of regional government.
- (4) Pairs of candidates are banned from involving civil servants, National Defence Forces (TNI) personnel and National Police members as campaign participants and campaigners in regional head and deputy regional head elections.

Article 80

State officials, structural officials and functional officials within state office, and village heads are banned from making decisions and/or taking steps in favor of or at the expense of one of the pairs of the candidates during a campaign period.

Article 81

- (1) Violation of the ban as meant in Article 78 point a, point b, point c, point d, point e and point f are criminal offence and subject to sanction according to the legislation.
- (2) Violations of the ban as meant in Article 78 point g, point h, point i and point j that constitute violations of campaign procedures are subject to sanction in the form of:
- a. written warning if the organizer of campaigns violates the ban even though no disturbance has occurs;
 - b. discontinuation of campaigns in the place where the violations are committed or in the entire electorate district in case of security disturbance that has the potential of spreading to other electorate districts.
- (3) The procedure of imposing sanction on violators of the ban as meant paragraph (2) is to be stipulated by KPUD.

- (4) Violators of the ban as meant in Article 79 are subject to sanction in the form of the discontinuation of campaign by KPUD during a campaign period.

Article 82

- (1) Pairs of candidates and/or campaign teams are banned from pledging and/or giving money or other materials to influence voters.
- (2) Pairs of candidates and/or campaign teams that are found guilty of committing violations as meant in paragraph (1) based on a court verdict that has permanent legal force remain subject to sanction in the form of disqualification by KPUD from their nomination as pairs of candidates.

Article 83

- (1) Campaign funds may originate from:
 - a. pairs of candidates;
 - b. political party and/or coalition of political parties nominating a pair of candidates;
 - c. unbinding donations from other parties, including donations from individual and/or private corporate bodies;
- (2) Pairs of candidates must have special account for campaign funds and the said account must be registered to KPUD.
- (3) The campaign fund donations as meant in paragraph (1) point c from individuals must not exceed Rp.50,000,000 (fifty million rupiah) and from private corporate bodies must not exceed Rp.350,000,000 (three hundred and fifty million rupiah).
- (4) Pairs of candidates may receive and/or approve funding not in the form of money directly for campaign activities.
- (5) Donations to pair of candidates that exceed Rp.2,500,000 (two million, five hundred thousand rupiah) either in the form of the money or not in the form of the money that can be converted into money must be reported to KPUD particularly with regard to the amount of donations and identity of donor.
- (6) Pairs of candidates shall convey a report on campaign fund donations as meant in paragraph (3) and paragraph (5) to KPUD 1 (one) day before the campaign period begins and 1 (one) after the campaign period ends.
- (7) KPUD shall announce a report on campaign fund donations from each pair of candidates as meant in paragraph (6) to the public on the mass media 1 (one) day after receiving the report from the pair of candidates.

Article 84

- (1) Campaign funds are used by a pair of candidates but technically, the campaign funds are used by a campaign team.
- (2) The pair of candidates must report the campaign funds as meant in paragraph (1) to KPUD in no more than 3 (three) days after polling day.
- (3) KPUD must convey the report on campaign funds as meant in paragraph (2) to the public accountant's office in no more than 2 (two) days after receiving it from the pair of candidates.
- (4) The public accountant's office must complete the audit of the report on campaign funds in no more than 15 (fifteen) days after receiving it from KPUD.
- (5) KPUD must announce the result of audit as meant in paragraph (4) in no more than 3 (three) days after receiving it from the public accountant's office.
- (6) The report on campaign funds received by KPUD must be kept and open to the public.

Article 85

- (1) A pair of candidates is banned from receiving other donations or assistance for campaigns from:
 - a. foreign country, foreign private institution, foreign non governmental organization and foreign national;
 - b. unidentified donor;
 - c. the government, state-owned company, regional government-owned company.
- (2) A pair of candidates who receives the donations as meant in paragraph (1) is not justified to use the funds and must report them to KPUD in no more than 14 (fourteen) days after the end of campaign period and transfer the donations to the end of campaign period and transfer the donations to the regional treasury office.
- (3) A pair of candidates who violates the provisions in paragraph (1) is disqualified as a pair of candidates by KPUD.

Sub-Section Four
Elections

Article 86

- (1) Regional head and deputy regional head elections are conducted in no more than 1 (one) month before the term of office of the regional head expires.
- (2) Elections are conducted by casting votes through ballot papers containing numbers, photographs and names of pairs of candidates.
- (3) Elections are conducted on holiday or day declared as holiday.

Article 87

- (1) The number of ballot papers as meant in Article 86 paragraph (2) must be the same as that of definite voters plus 2,5% (two point five percent) of the number of voters.
- (2) Additional ballot papers as meant in paragraph (1) are used as reserves in each TPS to replace the ballot papers of voters who have mistakenly chosen their choices and damaged ballot papers.
- (3) The use of additional ballot papers as meant in paragraph (2) must be complete with an official report.

Article 88

Voters can cast their votes in regional head and deputy regional head elections by punching one of the pairs of candidates on the ballot paper.

Article 89

- (1) Blind voters or other physically handicapped voters can be assisted by a KPPS officer or other person at the voters' request in casting their votes at TPS.
- (2) The KPPS officer or other person who assists the voters as meant in paragraph (1) must keep the voters' choices secret.
- (3) Further provisions on assistance for the voters as meant in paragraph (1) and paragraph (2) are to be stipulated in a Government Regulation.

Article 90

- (1) The number of each TPS must be a maximum of 90 (ninety).

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- (2) The location of TPS as meant in paragraph (2) must be easily reached by voters including physically handicapped voters and must ensure that voters can cast their votes in a direct, free and confidential way.
- (3) The number, location and layout of TPS are stipulated by KPUD

Article 91

- (1) For the purpose of voting in regional head and deputy regional head elections ballot boxes are made available to voters to put ballot papers.
- (2) The number, materials, model, size and color of ballot boxes as meant in paragraph (1) are stipulated by KPUD by observing the legislation.

Article 92

- (1) Before conducting voting, KPPS must:
 - a. open ballot boxes;
 - b. remove all contents of ballot boxes;
 - c. identify the types of documents and equipment; and
 - d. count the number of each types of documents and equipment.
- (2) KPPS may carry out the activities as meant in paragraph (1) in the presence of witnesses from pairs of candidates, supervisory committee members, observers and society members.
- (3) The activities of KPPS as meant in paragraph (1) must be complete with an official report signed by witnesses from pairs of candidates.

Article 93

- (1) After carrying out the activities as meant in Article 92, KPPS must give explanations on the procedure of casting votes.
- (2) In casting votes, voters are given a chance by KPPS based on the numerical orders of their presence.
- (3) When receiving damaged ballot papers, voters can ask for substitute ballot papers for one occasion only.
- (4) If voters mistakenly cast their votes, the voters can ask for substitute ballot papers from KPPS, and later KPPS gives substitute ballot papers for one occasion only.

- (5) KPUD shall determine the start and end of voting.

Article 94

- (1) Voters who have cast their votes at TPS are given special marks by KPPS.
- (2) The special marks as meant in paragraph (1) are determined by KPUD by observing the Government Regulation.

Article 95

Votes for regional head and deputy regional head elections are declared valid if:

- a. ballot papers are signed by the KPPS chief; and
- b. punch is only found in 1 (one) quadrangle containing one pair of candidates; or
- c. punch is found in one of quadrangles containing the number, photograph and name of the pair of candidates already specified; or
- d. there are more than one punches but they are still within 1 (one) quadrangle containing the number, photograph and name of the pair of candidates; or
- e. punch is found in one of the lines of quadrangle containing the number, photograph and name of pair of candidates.

Article 96

- (1) Vote counting at TPS is conducted by KPPS after voting is over.
- (2) Before vote counting begins, KPPS must count:
- a. the number of voters casting votes based on a copy of the list of definite voters for TPS;
- b. the number of voters from other TPS;
- c. the number of ballot papers unused; and
- d. the number of ballot papers returned by voters because they are damaged or mistakenly punched.
- (3) The use of additional ballot papers must be complete with an official report signed by the KPPS chief and at least 2 (two) KPPS members.

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- (4) Vote counting is conducted and completed at TPS by KPPS and may be attended by witnesses from pairs of candidates, supervisory committee, observers, and society members.
- (5) Witnesses from pairs of candidates must bring with them a letter of mandate from their respective campaign team and hand it over to the KPPS chief.
- (6) Vote counting is conducted in such a way that makes it possible for witnesses from pairs of candidates, supervisory committee, observers, and society members who show up to see clearly the vote counting process.
- (7) Pairs of candidates and society members through witnesses from pairs of candidates who show up can raise objections to the vote counting process by KPPS if there are things violating the legislation.
- (8) If the objection raised by the witness from a pair of candidates or society members as meant in paragraph (7) are accepted, KPPS must make a correction instantly.
- (9) Shortly after the vote counting at TPS is completed. KPPS makes an official report and a certificate of vote counting result signed by the chief and at least 2 (two) KPPS members and, if possible, by witnesses from pairs of candidates.
- (10) KPPS gives 1 (one) copy of the official report and the certificate of vote counting result to each witness from a pair of candidates who show up and puts 1 (one) copy of the certificate of vote counting result in a public place.
- (11) KPPS hands over the official report, certificate of vote counting result, ballot papers, and instruments for voting and vote counting to PPS after the vote counting is completed.

Article 97

- (1) After receiving the official report and certificate of vote counting result, PPS makes an official report on the acceptance of vote counting result and recapitulates the number of votes at a village level, if possible, in the presence of witnesses pairs of candidates, supervisory committee, observers, and society members.
- (2) Witnesses from pairs of candidates must bring with them a letter of mandate from their respective campaign team and hand it over to PPS.
- (3) Pairs of candidates and society members though witnesses from pairs of candidates who show up may raise objections to the vote counting process by PPS if there are things violating the legislation.
- (4) If the objection raised by the witness from a pair of candidates or society member as meant in paragraph (3) are accepted, PPS must instantly make a correction.

- (5) After completing the recapitulation of vote counting results from all TPS in the working territory of the relevant village, PPS makes an official report and certificate of the recapitulation of vote counting results signed by its chairman and least 2 (two) PPS members as well as witnesses from pairs of the candidates.
- (6) PPS must give (one) copy of the official report and certificate of vote counting results at PPS to each of witnesses from the pairs of candidates who show up and put 1 (one) copy of certificate of the recapitulation of vote counting result in the public place.
- (7) PPS must convey 1 (one) copy of the official report and certificate of the recapitulation of vote counting result at PPS to the local PPK.

Article 98

- (1) After receiving an official report and certificate of vote counting results, PPK makes an official report of acceptance and recapitulates the number of the votes at a sub district level, if possible, in the presence of witnesses from pairs of candidates, supervisory committee, observers and society members.
- (2) Witnesses from pairs of candidates must bring with them a letter of mandate from their relevant campaign team and hand it over to PPK.
- (3) Pairs of candidates and society members through witnesses from pairs of candidates who show up may raise objections to the vote counting process by PPK if there are things violating the legislation.
- (4) If the objections raised by or through the witnesses from a pair of candidates as meant in paragraph (3) are accepted, PPK must make a correction instantly.
- (5) After completing the recapitulation of vote counting result in all PPS within the working territory of the relevant sub district, PPK makes an official report and certificate of the recapitulation of vote counting results signed by the chief and at least 2 (two) PPK members as well as witnesses from pairs of candidates.
- (6) PPK must give 1 (one) copy of the official report and certificate of the recapitulation of vote counting results at PPK to witnesses of pairs of candidates who show up and put 1 (one) copy of the certificate of vote counting results in the public place.
- (7) PPK must convey 1 (one) copy of the official report and certificate of the recapitulation of vote counting results in PPK to regental/municipal KPU.

Article 99

- (1) After receiving the official report and certificate of vote counting results, regental/municipal KPU makes an official report of acceptance and recapitulates the number of votes at a regental/municipal level and, if possible, in the presence of witnesses from pairs of candidates, supervisory committee, observers, and society members.
- (2) Witnesses from pairs of candidates must bring with them a letter of mandate from their respective campaign team and hand it over to regental/municipal KPU.
- (3) Pairs of candidates and society members through witnesses from pairs of candidates who show up may raise objections to the vote counting process by regental/municipal KPU if there are things violating the legislation.
- (4) If the objections raised by or through the witnesses from pairs of candidates as meant in paragraph (3) are accepted, regental/municipal KPU must make a correction instantly.
- (5) After completing the recapitulation of vote counting results in all PPK within the working territory of the relevant sub district, regental/municipal KPU makes an official report and certificate of the recapitulation of vote counting results signed by the chairman and at least 2 (two) members of regental/municipal KPU as well as witnesses from pairs of candidates.
- (6) Regental/municipal KPU must give 1 (one) copy of official report and certificate of the recapitulation of vote counting results at regental/municipal KPU to each of the witnesses from pairs of candidates who show up and puts 1 (one) copy of certificate of vote counting results in the public place.
- (7) Regental/municipal KPU must hand over 1 (one) copy of official report and certificate of the recapitulation of vote counting results at regental/municipal KPU to provincial KPU.

Article 100

- (1) Where regent/mayor and deputy regent/mayor elections are concerned, an official report and recapitulation of vote counting results must be decided at the plenary meeting of regental/municipal KPU to decide the elect-pair of candidates.
- (2) The elections of pair of candidates as meant in paragraph (1) is conveyed to regental/municipal DPRD for endorsement and appointment in accordance with the legislation.

Article 101

- (1) After receiving an official report and certificate of vote counting results, provincial KPU makes an official report of acceptance and recapitulates the numbers of votes at a provincial level and, if possible, in the presence of witnesses from pairs of candidates, supervisory committee, observers and society members.
- (2) Witnesses from pairs of candidates must bring with them a letter of mandate from their respective campaign team and hand it over to provincial KPU.
- (3) Pairs of candidates and society members through witnesses from pairs of candidates who show up may raise objections to the vote counting process by provincial KPU if there are things violating the legislation.
- (4) If the objections raised by or through witnesses from pairs of candidates as meant in paragraph (3) are accepted, provincial KPU must make a correction instantly.
- (5) After completing the recapitulation of vote counting result at all regental/municipal KPU, provincial KPU makes an official report and certificate of the recapitulation of vote counting results signed by the chief and at least 2 (two) members of provincial KPU as well as witnesses from pairs of candidates.
- (6) Provincial KPU gives 1 (one) copy of the official report and certificate of the recapitulation of vote counting results at provincial KPU to each of witnesses from pairs of candidates who show up and puts 1 (one) copy of certificate of vote counting results in the public place.

Article 102

- (1) The official report and recapitulation of vote counting results as meant in Article 101 paragraph (5) are later decided in a plenary meeting of provincial KPU to declare to the elect-pair of candidates.
- (2) Provincial KPU submits the name of elect-pair of candidates as meant in paragraph (1) to provincial DPRD for endorsement and appointment in accordance with the legislation.

Article 103

- (1) The recounting of ballot papers at TPS is made of the result of verification and examination shows one irregularity or more as follow:
 - a. vote counting is conducted behind closed door;
 - b. vote counting is conducted in a place without adequate lighting;

- c. witnesses from pairs of candidates, supervisory committee, observers and society members cannot clearly witness the vote counting process;
 - d. vote counting is conducted outside the given place and time; and/or
 - e. there is inconsistency in deciding valid votes and invalid votes.
- (2) The recounting of ballot papers is done at a PPS level in case of difference in the number of votes from TPS.
 - (3) The recounting of ballot papers is done at a PPS level in case of difference in the number of votes from PPS.
 - (4) In case of difference in the number of votes at a regentel/municipal KPU level provincial KPU level, a certificate of the recapitulation of vote counting result is re-checked 1 (one) level below the relevant KPU.

Article 104

- (1) Voting at TPS can be repeated in case of riot so that vote result cannot be used or vote counting cannot be conducted.
- (2) Voting at TPS can be repeated if the result of clarification and by PPK shows that one condition or more as follows occur:
 - a. the opening of ballot boxes and/or voting dossiers and vote counting is not conducted according to the legislation;
 - b. KPPS officers ask voters to give special marks or signature to or write their names or addresses on the ballot papers already punched;
 - c. more than one voters use their right to vote more than one occasions at the same TPS or different TPS;
 - d. KPPS officers destroy more than one ballot papers already punched by voters, making the ballot papers invalid; and/or
 - e. more than one voters who are registered as voters have the chance to cast their vote at TPS.

Article 105

The repeat vote counting and voting as meant in Article 103 and Article 104 are decided by PPK and conducted in no more than 7 (seven) days after polling day.

Article 106

- (1) Objections to the endorsement of the result of regional head elections can only be raised by pairs of candidates to the Supreme Court in no more than 3 (three) days after the endorsement of the result of regional head and deputy regional head elections.
- (2) The objections as meant in paragraph (1) are only related to the related to the vote counting result that influences the election of a pair of candidates.
- (3) The objections as meant in paragraph (1) are filed to the Supreme Court via the appellate court when they are related to gubernatorial and deputy gubernatorial elections and via the district court when they are related to regent/mayor and deputy regent/mayor elections.
- (4) The Supreme Court decides a dispute over vote counting result as meant in paragraph (1) and paragraph (2) in no more than 14 (fourteen) days after the district court/appellate court/the Supreme Court receives the objections.
- (5) The decision of the Supreme Court as meant in paragraph (4) is final and binding.
- (6) In exercise its authority as meant in paragraph (1) the Supreme Court can delegate the authority to the appellate court to decide a dispute over vote counting result from regent/mayor and deputy regent/mayor elections.
- (7) The decision of the appellate court as meant in paragraph (5) is final.

Sub-Section Five

Declaration and Induction of Elect-Pair of Candidates

Article 107

- (1) A pair of candidates for regional head and deputy regional head that gains more than 50% (fifty percent) of the total valid votes is declared as an elect pair of candidates.
- (2) If the provisions in paragraph (1) are not met, a pair of candidates for regional head and deputy regional head to DPRD for election.
- (3) If among the pairs of candidates that gains the most votes as meant in paragraph (2) there are more than one pairs of candidates that gain the same votes, the elect-pair of candidates is based on the wider voting areas.
- (4) If the provisions in paragraph (2) are not met, or none of the pairs of candidates gains 25% (twenty-five percent) of total valid votes, a second round of elections participated in the first and second winners is held.

- (5) If two pairs of candidates emerge as the first winner as meant in paragraph (4), both of them qualify for the second round of elections.
- (6) If three pairs of candidates or more emerge as the first winner as meant in paragraph (4), the first and second winners are based on the wider voting areas.
- (7) If more than one pairs of candidates emerge as the second winner as meant in paragraph (4), the winner is based on the wider voting areas.
- (8) The pair of candidates for regional head and deputy regional head that gains the most votes in the second round of elections declared as an elect-pair of candidates.

Article 108

- (1) If the elect-deputy regional head is incapacities, the elect-regional head is inducted as a regional head.
- (2) The regional head as meant in paragraph (1) nominates two candidates for deputy regional head to DPRD for election.
- (3) If the elect-regional head is incapacities, the elect-deputy regional head is inducted as a regional head.
- (4) The regional head as meant in paragraph (3) nominates two candidates for deputy regional head to DPRD for election.
- (5) If the elect-pair of candidates is incapacities, the political party or coalition of political parties whose pairs of candidates gain the first and second biggest votes nominate pairs of candidates to DPRD for election as a regional head and deputy regional head in no more than 60 (sixty) days.
- (6) To elect the deputy regional head as meant in paragraph (2) and paragraph (4), deputy regional head elections are held in no more than 60 (sixty) days.

Article 109

- (1) The President endorses the appointment of elect-pairs of governor and deputy governor in no more than 30 (thirty) days.
- (2) The Minister of Home Affairs on behalf of the President endorses the appointment of elect-pairs of regent and deputy regent or mayor and deputy mayor in no more than 30 (thirty) days.
- (3) Provincial DPRD proposes the endorsement of the elect-pair of governor and deputy governor to the President via the Minister of Home Affairs in no more

than 3 (three) days based on the official report on the endorsement of the elect-pair of governor and deputy governor from KPU.

- (4) Regental/municipal DPRD propose the endorsement of the elect-pair of regent and deputy regent or mayor and deputy mayor to the Minister of Home Affairs via the Governor in no more than 3 (three) days based on official report on the endorsement of the elect-pair of regent or mayor and deputy mayor from regental/municipal KPU.

Article 110

- (1) Before assuming their posts, regional heads and deputy regional heads are inducted by taking an official oath/pledge led by the official inducting them.
- (2) The official oath/pledge as meant in paragraph (1) reads as follows:
"I swear by *Allah* (God) that I will meet my obligations as a regional head/deputy regional head as properly and fairly as possible, firmly stick to the 1945 Constitution of the Republic of Indonesia, implement the legislation as truly as possible, and serve the community, nation and country."
- (3) The term of office of the regional heads and deputy regional heads as meant in paragraph (1) is 5 (five) years starting from their induction and they can be re-elected only for another one term of office.

Article 111

- (1) The Minister of Home Affairs on behalf of the President inducts governors and deputy mayors.
- (2) Governors on behalf of the President induct regents and deputy regents or mayors and deputy mayors.
- (3) The induction as meant in paragraph (1) and paragraph (2) is conducted in a plenary meeting of DPRD.
- (4) The procedure of induction and further regulations are to be stipulated in a Government Regulation.

Article 112

All costs arising from regional head and deputy regional head elections are borne by regional budgets.

Sub-Section Six
Monitoring of Regional Head and
Deputy Regional Head Elections

Article 113

- (1) Election observes including domestic non governmental organizations and corporate bodies may monitor regional head and deputy regional head elections.
- (2) The election observes as meant in paragraph (1) must meet the following requirements:
 - a. being independent; and
 - b. having clear funding sources.
- (3) The election observers as meant in paragraph (1) and paragraph (2) must register with and secure accreditation from KPUD.

Article 114

- (1) Election observers must convey their election-monitoring results to KPUD in no more than 7 (seven) days after the induction of regional head and deputy regional head.
- (2) Election observers must comply with all the existing laws and regulations.
- (3) The election observers that do not meet the obligations as meant in paragraph (2) and/or no longer meet the requirements as meant in Article 113 are disqualified as election observers and/or subject to sanction in accordance with the legislation.
- (4) The procedures of applying for permits as election observers, monitoring elections and disqualifying election observers are to be laid down in a Government Regulation.

Sub-Section Seven
Criminal Provisions in Regional Head and
Deputy Regional Head Elections

Article 115

- (1) Anybody who knowingly provides false information on his/her personality or the personality of other person on something needed to fill a list of voters is liable to a minimum of 15 (fifteen) days and a maximum of 3 (three) months in jail or

- a minimum fine of Rp.100,000 (one hundred thousand rupiah) and a maximum fine Rp.1,000,000 (one million rupiah).
- (2) Anybody who knowingly causes other person to lose his/her right to vote and the other person who loses his/her right to vote files a suit is liable to a minimum of 1 (one) month and a maximum of 6 (six) months in jail and/or a minimum fine of Rp.200,000 (two hundred thousand rupiah) and a maximum fine Rp.2,000,000 (two million rupiah).
 - (3) Anybody who knowingly falsifies a letter which according to provisions in this Law is needed to take an action with the aim of being used by him/herself or by other person as if the letter was legal or not fake is liable to a minimum of 3 (three) months and a months and a maximum of 18 (eighteen) months in jail and/or a minimum fine of Rp.600,000 (six hundred rupiah) and a maximum fine of Rp.6,000,000 (six million rupiah).
 - (4) Anybody who knowingly understands that the letter as meant in paragraph (3) is illegal or fake uses it or orders other person to use it as a legal letter is liable to a minimum of 3 (three) months and a maximum of 18 (eighteen) months in jail and a minimum fine of Rp.600,000 (six hundred thousand rupiah) and a maximum fine of Rp.6,000,000 (six million rupiah).
 - (5) Anybody who uses violence or power threat to prevent a person from registering himself/herself as a voter in regional head and deputy regional head elections according to this Law is liable to a minimum of 3 (three) months and a maximum of 18 (eighteen) months in jail and/or a minimum fine of Rp.600,000 (six hundred thousand rupiah) and a maximum fine of Rp.6,000,000 (six million rupiah).
 - (6) Anybody who knowingly gives wrong information or uses a fake letter as if was a legal letter on anything needed as requirements to become a pair of candidates for regional head and deputy regional head is liable to a minimum of 3 (three) months and a maximum of 18 (eighteen) months in jail and/or a minimum fine of Rp.600,000 (six hundred thousand rupiah) and maximum fine of Rp.6,000,000 (six million rupiah).

Article 116

- (1) Anybody who knowingly holds a campaign outside the timetable already set by KPUD for each pair of candidates as meant in Article 75 paragraph (2) is sentenced to a minimum of 15 (fifteen) days or a maximum of 3 (three) months in jail and/or is fined a minimum of Rp.100,000.00 (one hundred thousand rupiah) or a minimum of Rp.1,000,000.00 (one million rupiah).
- (2) Anybody who knowingly violates the ban on the holding of campaign as meant in Article 79 point a, point b, point c, point d, point e and point f is sentenced to minimum of 3 (three) months or a maximum of 18 (eighteen) months in jail and/or is fined a minimum of Rp.600,000.00 (six hundred thousand rupiah) or a maximum of Rp.6,000,000.00 (six million rupiah).

- (3) Anybody who knowingly violates the ban on the holding of regional head election campaign as meant in Article 78 point g, point h, point i and point j and Article 79 paragraph (1), paragraph (3) and paragraph (4) is sentenced to a minimum of 1 (one) month or a maximum of 6 (six) months in jail and/or is fined a minimum of Rp.100,000.00 (one hundred thousand rupiah) or a maximum of Rp.1,000,000.00 (one million rupiah).
- (4) Any state official, structural/functional official within state post or village head who knowingly violates provisions in Article 83 is sentenced to a minimum of 1 (one) month or a maximum of 6 (six) months in jail and/or is fined a minimum of Rp.600,000.00 (six hundred thousand rupiah) or a maximum of Rp.6,000,000.00 (six million rupiah).
- (5) Anybody who knowingly agitate, impede, or disrupt a campaign is sentenced to a minimum of 1 (one) month or a maximum of 6 (six) months and/or is fined a minimum of Rp.600,000.00 (six hundred thousand rupiah) or a maximum of Rp.6,000,000.00 (six million rupiah).
- (6) Anybody who gives or receives campaign funds in excess of the specified as meant in Article 83 paragraph (3) is sentenced to a minimum of 4 (four) months or a maximum of 24 (twenty four) months in jail and/or is fined a minimum of Rp.200,000,000.00 (two hundred million rupiah) or a maximum of Rp.1,000,000,000.00 (one billion rupiah).
- (7) Anybody who knowingly receives or gives campaign funds from or to the forbidden parties as meant in Article 85 paragraph (1), and/or fails to meet the obligation as meant in Article 85 paragraph (2) is sentenced to a minimum of 4 (four) months or a maximum of 24 (twenty four) months in jail and/or is fined a minimum of Rp.200,000,000.00 (two hundred million rupiah) or a maximum of Rp.1,000,000,000.00 (one billion rupiah).
- (8) Anybody who knowingly gives false information in the report on campaign funds as required by this Law is sentenced to a minimum of 2 (two) months or a maximum of 12 (twelve) months in jail and/or is fined a minimum of Rp.1,000,000.00 (one million rupiah) or a maximum of Rp.10,000,000.00 (ten million rupiah).

Article 117

- (1) Anybody who knowingly uses violence or violence threat to prevent other person from exercising his/her right to vote is sentenced to a minimum of 2 (two) months and a maximum of 12 (twelve) months in jail and/or is fined a minimum of Rp.1,000,000.00 (one million rupiah) and a maximum of Rp.10,000,000.00 (ten million rupiah).
- (2) Anybody who knowingly gives or pledges money or other materials to other person not to exercise his/her right to vote, or choose a certain pair or candidates, or uses his/her right to vote through a certain way that makes his/her ballot paper invalid is sentenced to a minimum 2(two) months and a

- maximum of 12 (twelve) months in jail and/or is fined a minimum of Rp.1,000,000.00 (one million rupiah) and a maximum of Rp.10,000,000.00 (ten million rupiah).
- (3) Anybody who on polling day knowingly claims to be other person to exercise the right to vote is sentenced to a minimum of 15 (fifteen) days and a maximum of 60 (sixty) days in jail an/or is fined a minimum of Rp.1,000,000.00 (one million rupiah) and a maximum of Rp.10,000,000.00 (ten million rupiah).
 - (4) Anybody who on polling day knowingly casts more than one votes in one or more TPS is sentenced to a minimum of 1 (one) month and a maximum of 4 (four) months in jail and/or is fined a minimum of Rp.200,000.00 (two hundred thousand rupiah) and a maximum of Rp.2,000,000.00 (two million rupiah).
 - (5) Anybody who knowingly foils a polling is sentenced to a minimum of 6 (six) months and a maximum of 3 (three) years in jail an/or is fined a minimum of Rp.1,000,000.00 (one million rupiah) and a maximum of Rp.10,000,000.00 (ten million rupiah).
 - (6) Any employer or superior who does not give a chance to a worker to cast his/her vote, except if the job cannot be left, is sentenced to a minimum of 2 (two) months and a maximum of 12 (twelve) months in jail an/or is fined a minimum of Rp.1,000,000.00 (one million rupiah) and a maximum of Rp.10,000,000.00 (ten million rupiah).
 - (7) Anybody who on polling day knowingly accompanies a voter other than that specified in Article 89 paragraph (1) is sentenced to a minimum of 2 (two) months and a maximum of 12 (twelve) months in jail an/or is fined a minimum of Rp.1,000,000.00 (one million rupiah) and a maximum of Rp.10,000,000.00 (ten million rupiah).
 - (8) Anybody who is assigned to assist the voter as meant in Article 89 paragraph (2) knowingly informs other person of the voter's choice is sentenced to a minimum of 2 (two) months and a maximum of 12 (twelve) months in jail an/or is fined a minimum of Rp.1,000,000.00 (one million rupiah) and a maximum of Rp.10,000,000.00 (ten million rupiah).

Article 118

- (1) Anybody who knowingly takes an action which makes the vote of a voter useless or causes a certain pair of candidates to get additional votes or lose votes is sentenced to a minimum of 2 (two) months and a maximum of 1 (one) year in jail an/or is fined a minimum of Rp.1,000,000.00 (one million rupiah) and a maximum of Rp.10,000,000.00 (ten million rupiah).
- (2) Anybody who knowingly destroys or conceals the vote return already sealed is sentenced to a minimum of 4 (four) months and a maximum of 2 (two) years in jail an/or is fined a minimum of Rp.2,000,000.00 (two million rupiah) and a maximum of Rp.20,000,000.00 (twenty million rupiah).

- (3) Anybody who because of his/her negligence causes damage to or the disappearance of vote return already sealed is sentenced to a minimum of 15 (fifteen) days and a maximum of 2 (two) months in jail an/or is fined a minimum of Rp.100,000.00 (one hundred thousand million rupiah) and a maximum of Rp.1,000,000.00 (one million rupiah).
- (4) Anybody who knowingly changes the result of vote count and/or the official report and certificate of the result of vote count is sentenced to a minimum of 6 (six) months and a maximum of 3 (three) years in jail an/or is fined a minimum of Rp.100,000,000.00 (one hundred million rupiah) and a maximum of Rp.1,000,000,000.00 (one billion rupiah).

Article 119

If a criminal offence is intentionally committed by the organizer or pair of candidates, the sentence is increase by 1/3 (one-thirds) of the sentence specified in Article 115, Article 116, Article 117 and Article 118.

Section Nine Regional Apparatuses

Article 120

- (1) Provincial apparatuses consist of regional secretary, regional legislative council (DPRD) secretary, regional offices, and regional technical institutions.
- (2) Regental/municipal apparatuses consist of regional secretary, regional legislative council (DPRD) secretary, regional offices, regional institutions, subdistricts and villages.

Article 121

- (1) Regional secretariat is led by a regional secretary.
- (2) The regional secretary as meant in paragraph (1) has the tasks and obligations to assist the regional head in drawing up policies and coordinating regional offices and regional technical institutions.
- (3) In carrying out the tasks and obligations as meant in paragraph (2), the regional secretary is responsible to the regional head.
- (4) If the regional secretary is incapacitated to carry out the tasks, the official appointed by the regional head will take over the tasks of the regional secretary.

Article 122

- (1) A regional secretary is chosen among civil servants who meet the requirements.
- (2) The regional secretary as meant in paragraph (1) for a province is appointed and discharged by the President on the recommendation of the Governor pursuant to the law in force.
- (3) The regional secretary as meant in paragraph (1) for a regency/municipality is appointed and discharged by the Governor on the recommendation of the relevant regent/mayor pursuant to the law in force.
- (4) The regional secretary *ex officio* nurtures the civil servants in his/her region.

Article 123

- (1) DPRD secretariat is led by a DPRD secretary.
- (2) The DPRD secretary as meant in paragraph (1) is appointed and discharged by the Governor/Regent/Mayor with a seal of approval from DPRD.
- (3) The DPRD secretary is tasked to:
 - a. organize the secretariat administration of DPRD;
 - b. organize the financial administration of DPRD;
 - c. support the tasks and function of DPRD; and
 - d. prepare and coordinate professional workers needed by DPRD in carrying out its function according to the financial capacity of the relevant region.
- (4) In preparing the professional workers as meant in paragraph (3) point d the DPRD secretary must ask for consideration from the DPRD leadership.
- (5) In carrying out his/her tasks the DPRD secretary is technically seconded and responsible to the DPRD leadership and is administratively responsible to the regional head through the regional secretary.
- (6) The organizational structure of the DPRD secretariat is to be stipulated in a regional regulation by observing the Government Regulation.

Article 124

- (1) Regional offices constitute elements to implement regional autonomy.

- (2) Regional offices are led by heads of office appointed and discharged by the regional head and the heads of office are chosen from civil servants that meet qualifications at the proposal of the regional secretary.
- (3) The heads of office are responsible to the regional head through the regional secretary.

Article 125

- (1) Regional technical institutes constitute elements to support the task of the regional head in making and implementing specific regional policies, in the form of regional bodies, offices, or general hospitals.
- (2) The regional bodies, offices, or general hospitals as meant in paragraph (1) are led by heads of bodies, heads of offices or heads of general hospitals appointed by the regional head from the civil servants that meet qualifications at the proposal of the regional secretary.
- (3) The regional bodies, offices, or general hospitals as meant in paragraph (2) are responsible to the regional head through the regional secretary.

Article 126

- (1) Subdistricts are established in a regency/municipality under a regional regulation issued by observing the Government Regulation
- (2) The subdistricts as meant in paragraph (1) are led by subdistricts heads who receive the delegation of part of the authority from the regent or mayor to handle part of regional autonomy affairs.
- (3) In addition to the task as meant in paragraph (2), the subdistrict heads also carry out general administrative tasks, covering:
 - a. coordinating activities to empower the community;
 - b. coordinating efforts to create public peace and order;
 - c. coordinating efforts to apply and uphold laws and regulations;
 - d. coordinating efforts to maintain infrastructure and facilities of public services;
 - e. coordinating efforts to carry out administrative activities at a subdistrict level;
 - f. guiding the running of village administration;

- g. providing public services which become the scope of their tasks and/or which cannot yet be carried out by the villages.
- (4) The subdistrict heads as meant in paragraph (2) are appointed by the regent/mayor at the proposal of the regional secretary of the regency/municipality and are chosen from civil servants who have the technical knowledge of administration and meet the qualifications according to the existing laws.
- (5) In carrying out the tasks as meant in paragraph (2) and paragraph (3) the subdistrict heads are assisted by subdistrict apparatuses and are responsible to the regent/mayor through the regional secretary of the regency/municipality.
- (6) The subdistrict apparatuses as meant in paragraph (5) are responsible to the subdistrict heads.
- (7) The implementation of provisions in paragraph (2), paragraph (3), paragraph (4), paragraph (5) and paragraph (6) is to be provided for in the regulation of the regent/mayor issued by observing the Government Regulation.

Article 127

- (1) Villages are established in a subdistrict under a regional regulation issued by observing the Government Regulation.
- (2) The villages as meant in paragraph (1) are led by village heads who receive the delegation of part of tasks from regent/mayor.
- (3) In addition to the tasks as meant in paragraph (2) the village heads are tasked to:
 - a. carry out village administrative tasks;
 - b. empower the community;
 - c. provide public services;
 - d. create public peace and order;
 - e. maintain infrastructure and facilities of public services.
- (4) The village heads as meant in paragraph (2) are appointed by the regent/mayor at the proposal of the subdistrict head and are chosen from the civil servants who have technical knowledge of administration and meet the qualifications according to the existing laws.
- (5) In carrying out the tasks as meant in paragraph (3), the village heads are responsible to the regent/mayor through the subdistrict head.

- (6) In carrying out the tasks as meant in paragraph (3), the village heads are assisted by village apparatuses.
- (7) The village apparatuses as meant in paragraph (6) are responsible to the village heads.
- (8) To ensure the smooth execution of tasks of the village heads as meant in paragraph (3) other institutes may be formed according to the need stipulated by the Regional Regulation.
- (9) The implementation of provisions in paragraph (2), paragraph (3), paragraph (4), paragraph (5), paragraph (6) and paragraph (7) is to be provided for in a regulation of the regent/mayor issued by observing the existing law and regulation.

Article 128

- (1) The organizational structure of regional apparatuses as meant in Article 120 paragraph (1) and paragraph (2) is to be provided for in a Regional issued by observing other certain factors and the Government Regulation.
- (2) The organizational of regional apparatuses as meant in paragraph (1) is controlled by the Government for provinces and by Governors for regencies/municipalities by observing the Government Regulation.
- (3) The formation and requirements of the posts of regional apparatuses as meant in Article 120 paragraph (1) and paragraph (2) are stipulated by the regulation of the regional head by observing the Government Regulation.

CHAPTER V REGIONAL PERSONNEL

Article 129

- (1) The government develops the management of regional civil servants integrated with the management of national civil servants.
- (2) The management of regional civil servants as meant in paragraph (1) covers vacant positions, recruitment, promotion, tour of duty, discharge, pensions, salaries, allowances, welfare, rights, obligations, legal position, competence development and number control.

Article 130

- (1) The promotion, tour of duty and discharge from and within second echelon posts in the provincial government are stipulated by Governor.

- (2) The promotion, tour of duty and discharge from and within second echelon posts in the regental/municipal are stipulated by the Regent/Mayor after consulting the Governor.

Article 131

- (1) The tour of duty of civil servants from one regency/municipality to another within one province is stipulated by the Governor after consulting the Head of the State Personnel Board.
- (2) The tour of duty of civil servants from one regency/municipality to another among provinces, and from one province to another is stipulated by the Minister of Home Affairs after consulting the Head of the State Personnel Board.
- (3) The tour of duty of provincial/regental/municipal civil servants to ministries/non-ministerial government agencies or the other way around is stipulated by the Minister of Home Affairs after consulting the Head of the State Personnel Board.

Article 132

The vacant positions of provincial/regental/municipal civil servants in each budget year are set by the Minister of State Administrative Reforms at the proposal of governors.

Article 133

The development of regional civil servants' career must consider the integrity and morality, education and training, ranks, tour of duty, tour of duty among regions and competence.

Article 134

- (1) The salaries and allowances of regional civil servants are borne by the regional budget (APBD) originating from the basic allocations in the general allocation funds.
- (2) The calculation and adjustment of the amount of basic allocations as meant in paragraph (1) as a result of the recruitment, discharge and tour of duty of regional civil servants is done every year.
- (3) The calculation of the basic allocations as meant in paragraph (1) and paragraph (2) is provided for in the Law concerning the Financial Sharing between the Central Government and Regional Governments.

- (4) The government updates data on the recruitment, discharge and tour of duty of regional civil servants to calculate and adjust the basic allocations as meant in paragraph (3).

Article 135

- (1) The development and control of the management of regional civil servants is coordinated at a national level by the Minister of Home Affairs and at regional level by Governors.
- (2) The standards, norms and procedures of developing and controlling the management of regional civil servants are to be provided for in a Government Regulation.

CHAPTER VI
REGIONAL REGULATIONS AND REGULATIONS
OF REGIONAL HEAD

Article 136

- (1) Regional regulations are stipulated by the regional head after securing approval from DPRD.
- (2) Regional regulations are enacted to implement provincial/regental/municipal autonomy and assistance tasks.
- (3) The regional regulations as meant in paragraph (1) constitute the elaboration of the higher regulations and are adjusted to the typical characteristics of each region.
- (4) The regional regulations as meant in paragraph (1) must not contradict the public interests and/or the higher regulations.
- (5) The regional regulations as meant in paragraph (1) take effect after being promulgated in the regional gazette.

Article 137

Regional regulations are enacted based on the principles of enacting legislation, covering:

- a. clear goal;
- b. institutions of appropriate organs;
- c. the suitability of the types of content to its materials;

- d. workable;
- e. efficiency and effectiveness;
- f. clear formula; and
- g. transparency.

Article 138

- (1) The materials of regional regulations cover the principles of:
 - a. protection;
 - b. humanity;
 - c. national outlook;
 - d. brotherhood;
 - e. archipelago;
 - f. unity in diversity;
 - g. justice;
 - h. equal position in the law and government;
 - i. public peace and legal certainty; and/or
 - j. balance, synchronization and harmony.
- (2) In addition to the principles as meant in paragraph (1), the regional regulations may carry other principles according to the substance of the relevant regional regulations.

Article 139

- (1) The public is entitled to give inputs, either orally or in writing, to prepare and deliberate draft regional regulation.
- (2) The preparations for the making, deliberation and endorsement of draft regional regulations are based on the existing laws and regulations.

Article 140

- (1) Draft regional regulations may come from the DPRD, the Governor or the Regent/mayor.
- (2) If during a session period the DPRD, the Governor or the Regent/Mayor submits a draft regional regulation on similar matters, the draft regional regulation from the DPRD must be deliberated, while those from the Governor and the Regent/Mayor are used as comparison.
- (3) The procedure or preparing draft regional regulations from governors and regents/mayors is to be provided for in a Presidential Decree.

Article 141

- (1) Draft regional regulations are submitted by members, commissions, groups of commissions or organs of DPRD specially in charge of legislation.
- (2) The procedure of preparing draft regional regulations as meant in paragraph (1) is to be provided for in the procedural rule of DPRD.

Article 142

- (1) The DPRD secretariat disseminates draft regional regulations originating from DPRD.
- (2) The regional secretariat disseminates draft regional regulations originating from the Governor of the Regent/Mayor.

Article 143

- (1) Regional regulations may carry provisions on the imposition of compulsory fees within the frame of law enforcement, either partially or entirely, on violators according to the existing laws and regulation.
- (2) Regional regulations may carry a maximum jail term of 6 (six) months or a maximum fine of Rp.50,000,000.00 (fifty million rupiah).
- (3) Regional regulations may carry jail terms or fines other than those specified in other laws and regulations.

Article 144

- (1) The draft regional regulation that has been approved by the DPRD and the Governor or the Regent/Mayor is submitted by the DPRD leadership to the Governor or the Regent/Mayor for endorsement into a regional regulation.

- (2) The draft regional regulation as meant in paragraph (1) must be submitted in no more than 7 (seven) days after being agreed upon by both sides.
- (3) The draft regional regulation as meant in paragraph (1) and paragraph (2) is endorsed by the Governor or the Regent/Mayor in no more than 30 (thirty) days after being agreed upon by both sides.
- (4) If the draft regional regulation is not endorsed by the Governor or the Regent/Mayor within the given period of time as meant in paragraph (3), the draft regional will be declared valid as a regional regulation and must be promulgated by placing it in the regional gazette.
- (5) If the draft regional regulation as meant in paragraph (4) is declared valid, the clause of its validity reads: "This regional regulation is declared valid", by enclosing the date of validity.
- (6) The clause of validity as meant in paragraph (5) must be attached to the last page of the regional regulation before being promulgated in the regional gazette.

Article 145

- (1) Any regional regulation must be submitted to the Government in no more than 7 (seven) days after being endorsed.
- (2) The Government can cancel the regional regulation as meant in paragraph (1) which contradicts the public interests and/or the higher regulations.
- (3) The decision on the cancellation of the regional regulation as meant in paragraph (2) is laid down in a Presidential Regulation is no more than 60 (sixty) days after the regional regulation as meant in paragraph (1) has been received.
- (4) In no more than 7 (seven) days after the issuance of the decision as meant in paragraph (3), the regional head must stop implementing the regional regulation and later the DPRD, along with the regional head revoke it.
- (5) If the province/regency/municipality cannot accept the decision on the cancellation of the regional regulation as meant in paragraph (3) on reason justified by the law, the regional head may file an objection to the Supreme Court.
- (6) If the objection as meant in paragraph (5) is accepted, either partially or wholly, the Supreme Court must state that the Presidential Regulation is null and void and has no legal force.
- (7) If the Governor does not issue a Presidential Regulation to nullify the regional regulation as meant in paragraph (3), the regional regulation in question is declared valid.

Article 146

- (1) To implement a regional regulation, upon the power of the legislation, the regional head issues decisions and/or regulations of the regional head.
- (2) The regulations and/or decisions of the regional head as meant in paragraph (1) must not contradict the public interests, regional regulations, and the higher legislation.

Article 147

- (1) Regional regulations are promulgated in the state gazette of the regional government and the regulations of the regional head are promulgated in the regional gazette.
- (2) The regional secretary promulgates regional regulations in the state gazette of the regional government and the regulations of the regional head in the regional gazette.
- (3) The regional government must disseminate the regional regulations that have been promulgated in the state gazette of the regional government and the regulations of the regional head that have been promulgated in the regional gazette.

Article 148

- (1) To assist the regional head in upholding regional regulations and creating public peace and order, a regional police task force is formed.
- (2) The formation and organizational structure of the regional police task force as meant in paragraph (1) must be based on the Government Regulation.

Article 149

- (1) Members of the regional police task force may be appointed civil servant investigators according to the existing law.
- (2) The investigation and prosecution of violation of regional regulation is done by investigator and public prosecutors according to the existing law.
- (3) By a regional regulation other official may be appointed to conduct an investigation into violation of the regional regulation.

CHAPTER VII
REGIONAL DEVELOPMENT PLANNING

Article 150

- (1) In running regional governments, regional development planning is drawn up as an integral part of the national development planning.
- (2) The regional development planning as meant in paragraph (1) is drawn up by provincial, regental/municipal governments in accordance with their respective authority and is implemented by the regional development planning board.
- (3) The regional development planning as meant in paragraph (2) is drawn up in stages, covering:
 - a. long-term regional development planning (regional RPJP) for a period 20 (twenty) years, which contains vision, mission and development direction based on the national RPJP;
 - b. medium-term regional development planning (regional RPJM) for a period of 5 (five) years, which constitutes the elaboration of vision, mission and programs of the regional head based on the regional RPJP and the national RPJM;
 - c. the regional RPJM as meant in point b contains the direction of regional financial policies, regional development strategies, general policies, and work programs of work units of regional apparatuses, inter work units of regional apparatuses, and territorial programs as well as work plan within the frame of regulation and indicative financing scheme;
 - d. regional development work plan (RKPD) constitutes the elaboration of the regional RPJM for a period of 1 (one) year, which contains draft regulational economic framework, regional development priorities, work plan and financing, either those financed directly by the regional government or those involving the participation, based on the work plan of the Government;
 - e. the regional RPJP and RJMD as meant in paragraph (3) point a and point b are stipulated by a regional regulation by observing the Government Regulation.

Article 151

- (1) The work units of regional apparatuses draw up strategic plans, hereinafter referred to as *Renstra*-SKPD, which contain vision, mission, goal, strategies, policies, programs and development activities according to their tasks and function by observing the regional RPJM.

- (2) *Renstra*-SKPD as meant in paragraph (1) is made in the form of work plans of work units of regional apparatuses, which contain policies, programs, and development activities, either those carried out directly by the regional government or those involving the public participation.

Article 152

- (1) Regional development planning is based on accurate and accountable data and information.
- (2) The data and information as meant in paragraph (1) cover:
 - a. the running of regional development;
 - b. the organizational structure and work mechanism of regional government;
 - c. regional head, DPRD, regional apparatuses, and regional civil servants;
 - d. regional finance;
 - e. regional resource potentials;
 - f. regional legal products;
 - g. population;
 - h. basic information on territory; and
 - i. other information related to the running of regional government.
- (3) In running the regional government efficiently and effectively, the use of data and information as meant in paragraph (2) must be managed using a regional information system integrated with the national one.

Article 153

The regional development planning as meant in Article 152 is made to ensure the linkage and consistency between planning, budgeting, realization, and control

Article 154

The stages and procedures of making, controlling and evaluating the implementation of the regional development planning are to be provided for in a Government Regulation by observing the existing law.

CHAPTER VIII
REGIONAL FINANCE

Sub-Section One
General

Article 155

- (1) The execution of administrative affairs that become the authority of regional government is borne by the regional budget.
- (2) The execution of administrative affairs that become the authority of the Government in regions is borne by the state budget.
- (3) The administration of funds for the execution of administrative affairs as meant in paragraph (1) must be separated from that as meant in paragraph (2).

Article 156

- (1) The regional head holds the power over the management of regional finance.
- (2) In exercising the power as meant in paragraph (1) the regional head partially or wholly delegates the power over the planning, execution, administration, reporting, accountability and control of the regional finance to regional officials.
- (3) The delegation of partial or entire power as meant in paragraph (2) is based on the principle of separating authority between those ordering, auditing, and receiving/spending the money.

Sub-Section Two
Income, Spendings and Financing

Article 157

Sources of regional income consist of:

- a. original income of the region, hereinafter referred to as PAD, namely:
 - 1) regional tax receipts;
 - 2) regional levies;
 - 3) proceeds from the management of separated regional assets; and
 - 4) other legal PAD.
- b. balance funds; and

- c. other legal regional income.

Article 158

- (1) Regional taxes and regional levies are stipulated by law and collected in regions by stipulating further regional regulation.
- (2) Regional governments are banned from collecting levies or the like other than those specified by the law.
- (3) Proceeds from the management of separated state assets as meant in Article 157 point a sub-point 3 and other legal PAD as meant in Article 157 point sub-point 4 are stipulated by a regional regulation issued by observing the existing law and regulation.

Article 159

The balance funds as meant in Article 157 point b consist of:

- a. sharing funds;
- b. general allocation funds (DAU); and
- c. special allocation funds (DAK).

Article 160

- (1) The sharing funds as meant in Article 159 point a originate from taxes and natural resources.
- (2) The sharing funds originating from taxes as meant in paragraph (1) consist of:
 - a. land and building tax (PBB) in the rural, urban, plantation, mining and forestry sectors;
 - b. fees on land and building titles (BPHTB) in the rural, urban, plantation, mining and forestry sectors;
 - c. income tax (PPh) under Article 21, Article 25 and Article 29 or resident taxpayers.
- (3) The sharing funds originating from the natural resources as meant in paragraph (1) originates from:
 - a. forestry receipts originating from forest concession (HPH) fees, forestry resources provisions, and reforestation funds resulting from the relevant areas;

- b. general mining receipts originating from fixed contributions (landrent) and exploration and exploitation fees (royalties) resulting from the relevant areas;
 - c. national fishery receipts originating from fishery business levies and fishery product fees;
 - d. oil mining receipts from the relevant areas;
 - e. natural gas mining receipts originating from the relevant area;
 - f. geothermal gas mining receipts originating from the government portion of payments, fixed fees and production fees from the relevant areas.
- (4) The Minister of Home Affairs determines the regions producing natural resources as meant in paragraph (3) after consulting the relevant technical minister.
- (5) The relevant technical minister sets the basis for the calculation of portion for the regions producing natural resources after consulting the Minister of Home Affairs.
- (6) The implementation of provisions in paragraph (1), paragraph (2), paragraph (3), paragraph (4) and paragraph (5) is to be stipulated in a Government Regulation.

Article 161

- (1) DAU as meant in Article 159 point b is allocated based on certain percentage of net domestic revenues stipulated in the state budget (APBN).
- (2) DAU for a region is set based on certain criteria which emphasize the aspects of equitable distribution and justice in line with the execution of administrative affairs, with the formula and calculation of DAU being set according to the existing law.

Article 162

- (1) DAK as meant in Article 159 point c is allocated from the state budget to certain regions to finance the implementation of decentralization for:
- a. special activities stipulated by the Government based on the national priorities;
 - b. special activities proposed by certain regions.
- (2) The drawing up of special activities stipulated by the Government as meant in paragraph (1) point a is coordinated with the Governor.

- (3) The drawing up of special activities as meant in paragraph (1) point b is done after being coordinated by the relevant region.
- (4) Further provisions on DAK are to be provided for in a Government Regulation.

Article 163

- (1) Guidelines for using, supervising, monitoring and evaluating tax sharing income, natural resource sharing income, DAU and DAK are to be provided for in a regulation of the Minister of Home Affairs.
- (2) Further provisions on the distribution of balance funds as meant in Article 157 point b are stipulated in Law concerning the Financial Sharing between the Central Government and Regional Administrations.

Article 164

- (1) Other legal regional revenues as meant in Article 156 point c constitute all the regional revenues other than original income of the region and balance fund, covering grants, emergency funds and other income stipulated by the Government.
- (2) The grants as meant in paragraph (1) constitute assistance in the form of money, goods, and/or services originating from the Government, the community, and domestic or corporate bodies.
- (3) The emergency funds as meant in paragraph (1) constitute government assistance from the state budget for regional governments to finance urgent needs due to certain events that can be borne by the regional budget.

Article 165

- (1) The conditions that can be classified as certain events as meant in Article 164 paragraph (3) are stipulated by a Presidential Regulation.
- (2) The amount of emergency fund allocations is set by the Minister of Finance by consulting the Minister of Home Affairs and the relevant technical minister.
- (3) The procedures of managing and accounting for the use of emergency funds are to be provided for in a Government Regulation.

Article 166

- (1) The Government may allocate emergency funds to a region declared as facing financial crisis that cannot be overcome by the region so that it puts the region as an autonomous region on the line.

- (2) The procedure of applying for emergency fund allocation and evaluation by the Government of emergency fund allocation is to be stipulated by a Government Regulation.

Article 167

- (1) Regional spendings are mainly directed towards protecting and improving the quality of the people's life as part of efforts to fulfill the regions' obligations as meant in Article 22.
- (2) The protection and improvement of the quality of the people's life as meant in paragraph (1) includes the improvement of basic services, education, health facilities, social facilities and general facilities in a reasonable way and the development of social guarantee system.
- (3) The regional spendings as meant in paragraph (1) must consider budget standard analysis, price standard, performance yardstick, and minimum service standard stipulated by the law.

Article 168

- (1) The regional head's and deputy regional head's spendings are stipulated by the Regional Regulation based on the Government Regulation.
- (2) The DPRD leaders' and members' spendings are stipulated by the Regional Regulation based on the Government Regulation.

Article 169

- (1) To finance the running of regional governments, the regional governments can make loans from the Government, other regional governments, bank financial institutions, non bank financial institutions and the public.
- (2) The regional governments, with approval from DPRD, may issue regional bonds to finance investments that produce income for the regions.

Article 170

- (1) Regional governments may apply to the Minister of Finance on behalf of the Government for two-step loans from foreign creditors after consulting the Minister of Home Affairs.
- (2) The agreement on two-step loans as meant in paragraph (1) is signed by the Minister of Finance and the relevant regional head.

Article 171

- (1) Provisions on regional loans and regional bonds are to be provided for in a Government Regulation.
- (2) The Government Regulation as meant in paragraph (1) shall at least contain:
 - a. requirements for regional governments in making loans;
 - b. budget allocations for maturing loans in the regional budget;
 - c. sanction on the regional government that fails to repay debts to the Government, other regional government, bank, non-bank financial institution and the public;
 - d. the procedure of reporting the cumulative position of debts and the obligation to repay debts in each semester of the current budget year;
 - e. the requirements for issuing regional bonds, and paying interest and principal of regional bonds;
 - f. the management of regional bonds, covering the risk management, sales and purchase of regional bonds, budget allocations for the settlement of regional bonds in the regional budget.

Article 172

- (1) Regional governments can form reserve funds to finance certain needs whose funds cannot be made available in one budget year.
- (2) Provisions on reserve funds are to be provided for in Government Regulation.
- (3) The Government Regulation as meant in paragraph (2) shall at least contain requirements for forming, allocating and accounting for reserve funds.

Article 173

- (1) Regional governments can place equities in state and/or private companies.
- (2) The equities as meant in paragraph (1) can be raised, reduced, sold to other parties, and/or transferred to a regional government-owned company.
- (3) The equities as meant in paragraph (1) are based on the existing law.

Sub-Section Three
Regional Budget Surplus and Deficit

Article 174

- (1) If the regional budget (APBD) is expected to enjoy a surplus, the use of the APBD surplus shall be stipulated in the Regional Regulation on APBD.
- (2) The surplus as meant in paragraph (1) can be used to:
 - a. pay the principal of maturing debts;
 - b. make equities (regional investment);
 - c. be transferred to the reserve fund account.
- (3) If APBD is expected to suffer a deficit, it can be financed by regional funding sources stipulated in the Regional Regulation on APBD.
- (4) The regional financing as meant in paragraph (3) originates from:
 - a. budget leftover in the past year;
 - b. transfer from reserve funds;
 - c. proceeds from the sales of separated regional assets; and
 - d. regional loans.

Article 175

- (1) The Minister of Home Affairs shall control the budget deficit of each region.
- (2) Regional governments must report the position of APBD surplus/deficit to the Minister of Home Affairs and the Minister of Finance each semester in the current budget year.
- (3) If a regional government fails to meet the obligation as meant in paragraph (2), the Government may suspend the distribution of balanced funds.

Sub-Section Four
Investment Incentives and Privileges

Article 176

In increasing regional economy, regional governments may give incentives and/or privileges to the public and/or investor based on regional regulation by observing the existing law and regulation.

Sub-Section Five
Regional Government-Owned Companies

Article 177

Regional governments may set up regional government-owned companies (BUMD) with their establishment, merger, release of ownership, and/or liquidation being stipulated in a regional regulation based on the existing law and regulation.

Sub-Section Six
The Management of Regional Assets

Article 178

- (1) Regional government-owned assets used to serve public interests cannot be sold, transferred to other parties, used as collateral or pawned according to the existing law and regulation.
- (2) Regional government-owned assets can be written off from the inventory of regional government-owned assets for sale, grant and/or destruction according to the existing law and regulation.
- (3) The procurement of assets shall be done according to the financial capacity and needs of the regions based on the principles of efficiency, effectiveness and transparency by giving priority to local products according to the existing law and regulation.
- (4) The writing off of assets as meant in paragraph (2) shall be done transparently based on the needs of the regions, the quality of goods, economic life, and economic value according to the existing law and regulation.

Sub-Section Seven
Regional Budget

Article 179

The regional budget (APBD) serves as the basis for the allocation of regional funds within a period of 1 (one) year starting from January 1 to December 31.

Article 180

- (1) In drafting APBD the regional head shall set budget priorities and ceilings as the basis for making the work plans and budget of work units of regional apparatuses.

- (2) Based on the budget priorities and ceilings as meant in paragraph (1) the heads of the work units of regional apparatuses make work plans and budget of the work units of regional apparatuses based on work achievements to be reached.
- (3) The work plans and budget of the work units of regional apparatuses as meant in paragraph (2) are submitted to the official responsible for managing the regional finance as the basis for drafting a regional regulation on APBD in the ensuing year.

Article 181

- (1) The regional head submits a draft regional regulation on APBD, along with its elucidation and supporting documents to the DPRD for joint approval.
- (2) The regional government discusses the draft regional regulation as meant in paragraph (1) with the DPRD based on the general policy of APBD as well as budget priorities and ceilings.
- (3) The DPRD shall make a decision to approve the draft regional regulation as meant in paragraph (2) in no more than 1 (one) month before the budget year starts.
- (4) Based on the approval from the DPRD as meant in paragraph (3), the regional head prepares a draft regulation of the regional head on the elaboration of APBD and draft documents on the implementation of budget of work units of regional apparatuses.

Article 182

The procedure of drawing up work plans and budget of work units of regional apparatuses and the procedure of making documents to implement the budget of work units of regional apparatuses are provided for in a regional regulation based on the existing law and regulation.

Sub-Section Eight
Revised APBD

Article 183

- (1) APBD may be revised in case of:
 - a. developments that do not accord with the assumptions in the general policy of APBD;
 - b. conditions that lead to the obligation to shift budget among organizational units, among activities and among the types of spendings; and

- c. conditions that lead to the obligation to use budget surplus in the previous year to finance activities in the current budget year.
- (2) The regional government submits a draft regional regulation on revised APBD, along with its elucidation and supporting documents to DPRD.
- (3) DPRD shall decide whether or not accept the draft regional regulation of revised APBD as meant in paragraph (2) in no more than 3 (three) months before the current budget year ends.

Sub-Section Nine
Accountability of APBD

Article 184

- (1) The regional head submits the draft regional regulation on the accountability of APBD to DPRD in the form of financial statement already audited by the State Audit Board in no more than 6 (six) months after budget year expires.
- (2) The financial statement as meant in paragraph (1) shall at least cover a report on the realization of APBD, balance sheet, cash flow, and notes on the financial statement, complete with financial statements of regional government-owned companies.
- (3) The financial statement as meant in paragraph (1) is made and presented according to the state accounting standard stipulated by the Government Regulation.

Sub-Section Ten
The Evaluation of Draft Regional Regulations
and Draft Regulations of the Regional Head on APBD,
Revised APBD and Accountability of APBD

Article 185

- (1) The draft regional regulation on APBD already approved jointly and the draft regulation of the Governor on the elaboration of APBD before being stipulated by the Governor must be submitted to the Minister of Home Affairs in no more than 3 (three) days for evaluation.
- (2) The results of evaluation as meant in paragraph (1) are sent by the Minister of Home Affairs to the Governor in no more than 15 (fifteen) days starting from the date of receipt.
- (3) If the Minister of Home Affairs states that the results of the evaluation of the draft regional regulation on APBD and the draft gubernatorial regulation on the elaboration of APBD accord with public interests and higher regulations, the

Governor shall endorse the draft regulations in question into a regional regulation and gubernatorial regulation.

- (4) If the Minister of Home Affairs states that the results of the evaluation of the draft regional regulation on APBD and draft gubernatorial regulation on the elaboration of APBD contradict public interests and higher regulations, the Governor, along with DPRD shall revise the draft regulations in question in no more than 7 (seven) days after the results of evaluation have been received.
- (5) If the Governor and DPRD do not follow up the results of evaluation, and the Governor insists on endorsing the draft regional regulation on APBD and the draft gubernatorial regulation on the elaboration of APBD into a regional regulation and gubernatorial regulation, the Minister of Home Affairs shall nullify the regional regulation and the gubernatorial regulation in question and put the APBD ceilings in the previous year into effect.

Article 186

- (1) The draft regental/municipal regulation on APBD already endorsed jointly and the draft regulation of regent/mayor on the elaboration of APBD before being stipulated by Regent/Mayor shall be submitted to the Governor in no more than 3 (three) days for evaluation.
- (2) The results of evaluation are submitted by the Governor to the Regent/Mayor in no more than 15 (fifteen) days after the receipt of the draft regental/municipal regulation and the draft regulation of regent/mayor on the elaboration of APBD as meant in paragraph (1).
- (3) If the Governor states that the results of evaluation of the draft regent/mayor on the elaboration of APBD accord with public interests and higher regulations, the Regent/Mayor shall endorse the draft regulations in question into a regental/municipal regulation and regulation of regent/mayor.
- (4) If the Governor states that the results of evaluation of the draft regental/municipal regulation on APBD and the draft regulation of regent/mayor on the elaboration of APBD contradict public interests and higher regulations, the Regent/Mayor shall revise the draft regulations in question in no more than 7 (seven days after the results of evaluation have been received).
- (5) If the Regent/Mayor and DPRD do not follow up the results of evaluation, and the Regent/Mayor insists on endorsing the draft regental/municipal regulation on APBD and the draft regulation of regent/mayor on the elaboration of APBD into a regental/municipal regulation and regulation of regent/mayor, the Governor shall nullify the regental/municipal regulation and regulation of regent/mayor in question and put the APBD ceilings in the previous year into force.

- (6) The Governor submits the results of evaluation of the draft regental/municipal regulation on APBD and the draft regulation of regent/mayor on the elaboration of APBD to the Minister of Home Affairs.

Article 187

- (1) If until the deadline as meant in Article 181 paragraph (3) DPRD does not make a joint decision along with the regional head in regard to the draft regulation of the regional head on APBD, the regional head shall set the amount of expenditure as high as APBD in the previous budget year to finance monthly needs drawn up in the draft regulation of the regional head on APBD.
- (2) The draft regulation of the regional head as meant in paragraph (1) can be implemented after securing approval from the Minister of Home Affairs for a province and from the Governor for a regency/municipality.
- (3) To secure the approval as meant in paragraph (2), the draft regulation of the regional head on APBD and its attachments are submitted in no more than 15 (fifteen) days after DPRD does not make a joint decision along with the regional head in regard to the draft regional regulation on APBD.
- (4) If within a period of 30 (thirty) days neither the Minister of Home Affairs nor the Governor approves the draft regulation of the regional head as meant in paragraph (2), the regional head shall endorse the draft regulation of the regional head into a regulation of regional head.

Article 188

The process of endorsing a draft regional regulation on revised APBD and a draft regulation of regional head on the elaboration of revised APBD into a regional regulation and regulation of regional head is subject to provisions in Article 185, Article 186 and Article 187.

Article 189

The process of endorsing a draft regional regulation related to regional taxes, regional levies, and regional spatial layout plan into a regional regulation is subject to provisions in Article 185 and Article 186 on the stipulation that the plan to collect regional taxes and regional levies must first be discussed with the Minister of Finance and the plan to impose a regional spatial layout plan must first be discussed with the minister in charge of spatial layout plan.

Article 190

The regulation of regional head on the elaboration of APBD and the regulation of regional head on the elaboration of revised APBD serve as the basis for the

endorsement of documents to implement the budget of works units of regional apparatuses.

Article 191

To evaluate the management of regional finance, a regional financial information system which is an integral part of the information system of the regional government is developed.

Sub-Section Eleven
The Administration of Regional Finance

Article 192

- (1) All revenues and spendings of the regional government are presented in APBD through the cash account of the regional government managed by the general regional treasurer.
- (2) For each spending at the burden of APBD, the regional head issues a letter of authorization or other decisions as a substitute for a letter of authorization.
- (3) Spendings cannot be charged to the regional budget of expenditure if no fund or no adequate fund in APBD is available to the spendings.
- (4) The regional head, deputy regional head, DPRD leader, and other regional officials are banned from making expenditures at the burden of the regional budget of expenditure for purposes other than those specified in APBD.

Article 193

- (1) The money of the regional government which is not used for the time being can be deposited and/or invested in short-term investments, provided that the investments do not disturb the liquidity of the regional finance.
- (2) Interest on deposits, interest on savings, *giro* services, and/or interest on short-term investments constitute regional income.
- (3) With the approval of DPRD, the regional head can stipulate regulations on:
 - a. the writing off of regional claims, either partially or wholly; and
 - b. the settlement of civil case.

Article 194

The drawing up, implementation, administration, reporting, control and accountability of regional finance are to be laid down in regional regulations based on the Government Regulation.

CHAPTER IX
COOPERATION AND SETTLEMENT OF DISPUTES

Article 195

- (1) In an effort to improve the people's welfare, the region can cooperate with other regions based on the principles of efficiency and effectiveness of public services, synergy and mutual benefit.
- (2) The cooperation as meant in paragraph (1) may be realized through the formation of inter-regional cooperation board stipulated in a joint decision.
- (3) In providing public services, the region may also cooperate with third parties.
- (4) The cooperation as meant in paragraph (2) and paragraph (3) that will burden the public and the region must secure approval from DPRD.

Article 196

- (1) State affairs that lead to an inter-regional impact must be jointly managed by the regions concerned.
- (2) To create efficiency, the region must manage public services together with neighboring regions in the interests of the public.
- (3) To manage the cooperation as meant in paragraph (1) and paragraph (2) the region may form a cooperation board.
- (4) If the region does not establish the cooperation as meant in paragraph (1) and paragraph (2), the management of public services may be done by the Government.

Article 197

The procedure of implementing provisions in Article 195 and Article 196 is to be provided for in a Government Regulation.

Article 198

- (1) In case of a dispute among regencies/municipalities in a province in implementing administrative function, the Governor shall settle the dispute.
- (2) In case of a dispute among provinces, between a province and regency/municipality in the region, and between a province and regency/municipality outside the region, the Minister of Home Affairs shall settle the said dispute.
- (3) The decision as meant in paragraph (1) and paragraph (2) is final in nature.

CHAPTER X
URBAN AREAS

Article 199

- (1) Urban areas can be in the form of:
 - a. city as an autonomous region;
 - b. part of a regency having characteristics as a city;
 - c. part of two or more regions sharing borders and having characteristics as a city.
- (2) The urban areas as meant in paragraph (1) point a is managed by the city administration.
- (3) The urban areas as meant in paragraph (1) point b is managed by the region or the management board formed by and responsible to the regental government.
- (4) The urban areas as meant in paragraph (1) point c is jointly managed by the relevant regions, where spatial layout plan and certain public facilities are concerned.
- (5) In rural areas expected to be developed into urban areas, the relevant regional government may form a development management board.
- (6) In making plans, implementing development, and managing urban areas, the regional government can involve the public as part of efforts to empower the public.
- (7) Provisions in paragraph (2), paragraph (3), paragraph (4), paragraph (5) and paragraph (6) are provided for in regional regulations based on the Government Regulation.

CHAPTER XI
VILLAGES

Section One
General

Article 200

- (1) In the regental/municipal government, village administrations consisting of village government and village consultative board shall be formed.
- (2) The formation, abolition and/or merger of villages must observe the origin of the villages at the initiative of the public.
- (3) Villages in the regency/municipality can gradually be changed into or have their status adjusted to village administrations according to the proposal and at the initiative of village government along with the village consultative board stipulated by a regional regulation.

Article 201

- (1) Funding as a result of a change in the status of village into village administration is borne by the regental/municipal budget.
- (2) If a village changes its status into village administration, all the assets of the village belong to the regional government and are managed by the relevant village administration.

Section Two
Village Administrations

Article 202

- (1) Village administration consists of village head and village apparatuses.
- (2) The village apparatuses consist of village secretary and other village apparatuses.
- (3) The village secretary as meant in paragraph (2) is chosen from a civil servant that meets qualifications.

Article 203

- (1) The village head as meant in Article 202 paragraph (1) is directly elected by and from the villagers holding Indonesian citizenship, with the requirements and procedure of electing the village head being stipulated in a regional regulation based on the Government Regulation.

- (2) The village head candidate who secures the most votes in a village head election as meant in paragraph (1) is declared as a village head.
- (3) The election of village head in a customary community and its traditional rights, provided the community still exists and is recognized, is subject to the local customary law stipulated in a regional regulation based on the Government Regulation.

Article 204

The term of office of the village head is 6 (six) years and the village head can only be reelected for another term of office.

Article 205

- (1) The village head-elect is sworn in by the Regent/Mayor in no more than 30 (thirty) days after polling.
- (2) Before assuming the post, the village head shall take an oath/pledge.
- (3) The oath/pledge reads as follows:
"I swear/pledge by God that I will meet my obligations in the capacity as a village head as properly, honestly and fairly as possible; that I will always be loyal to put five-point state ideology *Pancasila* into practice and defend it as the state basis; and that I will uphold the life of democracy and the 1945 Constitution and implement all laws and regulations applicable to villages, regions and the Unitary Republic of Indonesia as truly as possible."

Article 206

The administrative affairs that become the authority of a village cover:

- a. the existing administrative affairs based on the original rights of the village;
- b. administrative affairs that become the authority of regency/municipality delegated to the village;
- c. assistance tasks from the Government, provincial government and/or regental/municipal government;
- d. other administrative affairs transferred to the village by observing the law and regulation.

Article 207

The assistance tasks from the Government, provincial government, and/or regental/municipal government are transferred to a village by financing the development of infrastructure facilities and human resources.

Article 208

The tasks and obligations of a village head in leading the running of village administration are to be laid down in a regional regulation by observing the Government Regulation.

Section Three
Village Consultative Body

Article 209

The Village Consultative Body endorses village regulations along with the village head in addition to accommodating and channeling public aspirations.

Article 210

- (1) Members of the Village Consultative Body are representatives of residents of the relevant village appointed through deliberations to reach an agreement.
- (2) The chief of the Village Consultative Body is appointed from and by members of the Village Consultative Body.
- (3) The term of office of members of the Village Consultative Body is 6 (six) years and they can only be reelected for the ensuing term of office.
- (4) The requirements and procedure of endorsing members and chief of the Village Consultative Body are laid down in a regional regulation by observing the Government Regulation.

Section Four
Other Institutions

Article 211

- (1) A social institution may be formed in a village under a village regulation by observing the law and regulation.
- (2) The social institution as meant in paragraph (1) is tasked to assist the village administration and serves as the partner of the village administration in empowering villagers.

Section Five
Village Finance

Article 212

- (1) Village finance is all the rights and obligations of the village that can be measured by means of money, and everything either money or goods that can be converted into village assets as a result of the execution of the rights and obligations.
- (2) The rights and obligations as meant in paragraph (1) lead to income, expenditure and management of village finance.
- (3) The source of village income as meant in paragraph (2) consists of:
 - a. original income of the village;
 - b. proceeds from regional tax and levy sharing with the regental/municipal government;
 - c. part of balance fund of the central and regional finance received by the regental/municipal government;
 - d. assistance from the Government, provincial government and regental/municipal government;
 - e. grants and assistance from third parties.
- (4) The village expenditure as meant in paragraph (2) is used to finance the running of village administration and the empowerment of the people.
- (5) The management of village finance as meant in paragraph (2) is done by the village head as laid down in the village regulation on the village budget.
- (6) The guidelines for managing the village finance as meant in paragraph (5) are stipulated by the Regent/Mayor by observing the law and regulation.

Article 213

- (1) A village may form village-owned companies according to the needs and potentials of the village.
- (2) The formation of the village-owned companies as meant in paragraph (1) must observe the law and regulation.
- (3) The village-owned companies as meant in paragraph (1) can make loans according to the law and regulation.

Section Six
Village Cooperation

Article 214

- (1) Villages may establish cooperation in the interests of the villages as provided for in a joint decision and the cooperation must be reported to the Regent/Mayor through the subdistrict head.
- (2) The cooperation among villages and between a village and third party as meant in paragraph (1) is realized according to their authority.
- (3) Cooperation between village and third party as meant in paragraph (1) may be realized according to the law and regulation.
- (4) To realize the cooperation as meant in paragraph (1), paragraph (2) and paragraph (3) a cooperation board may be established.

Article 215

- (1) The development of rural area by the regental/municipal government and the third party must involve the village administration and the village consultative body.
- (2) The implementation of the provisions in paragraph (1) is laid down in a regional regulation by observing:
 - a. the interests of the village community;
 - b. the authority of the village;
 - c. the smooth flow of investments;
 - d. the conservation of the environment;
 - e. the harmony between inter-regional interests and public interests.

Article 216

- (1) Further provisions on the running of village administration are to be laid down in a regional regulation by observing the law and regulation.
- (2) The regional regulation as meant in paragraph (1) must recognize and respect the rights, origin and tradition of the village.

CHAPTER XII
GUIDANCE AND CONTROL

Article 217

- (1) The Government shall guide the running of regional administration, including:
 - a. coordinating administration among the government structures;
 - b. providing guidelines and standards for the implementation of administrative affairs;
 - c. providing guidance, supervision and consultation for the implementation of administrative affairs;
 - d. providing education and training courses;
 - e. planning, research, development, monitoring and evaluation of the implementation of administrative affairs.
- (2) The coordination as meant in paragraph (1) point a is done periodically at a national, regional or provincial level.
- (3) The guidelines and standards as meant in paragraph (1) point b cover such aspects as planning, execution, procedure, funding, quality, control and supervision.
- (4) The guidance, supervision and consultation as meant in paragraph (1) point c given periodically and/or any time, either for the whole region or for certain areas according to the need.
- (5) The education and training courses as meant in paragraph (1) point d are recognize periodically for regional heads or deputy regional heads, DPRD members, regional apparatuses, regional civil servants and village heads.
- (6) Planning, research, development, monitoring and evaluation as meant in paragraph (1) point e are done periodically or any time by observing the government structure.
- (7) The provisions in paragraph (1) point d and point e can be implemented in cooperation with institutes of higher learning and/or research institute.

Article 218

- (1) The Government shall supervise the running of regional governments, including:
 - a. supervising the execution of administrative affairs in the regions;

- b. supervising the implementation of regional regulations and regulations of regional heads.
- (2) The supervision as meant in paragraph (1) point a is conducted by the Government's internal auditors according to the law and regulation.

Article 219

- (1) The Government gives rewards in the running of regional governments.
- (2) The rewards as meant in paragraph (1) are given to regional governments, regional heads and/or deputy regional heads, DPRD members, regional apparatuses, regional civil servants, village heads, members of the village consultative body, and the public.

Article 220

- (1) The Government gives sanction within the framework of supervising the running of regional governments.
- (2) The sanction as meant in paragraph (1) is given to regional governments, regional heads and/or deputy regional heads, DPRD members, regional apparatuses, regional civil servants, and village heads.

Article 221

The results of guidance and control as meant in Article 217 and Article 218 serve as the basis for the provision of further guidance by the Government and for the conduct of audit by the State Audit Board.

Article 222

- (1) The Minister of Home Affairs shall coordinate efforts to guide and control the running of regional governments as meant in Article 217 and Article 218 at a national level.
- (2) The Governor shall coordinate efforts to guide and control the running of regional governments as meant in paragraph (1) at a regional/municipal level.
- (3) The Regent/Mayor shall coordinate efforts to guide and control the running of village administrations.
- (4) The Regent/Mayor can delegate authority to subdistrict heads in guiding and controlling the running of village administrations as meant in paragraph (3).

Article 223

The guidelines for guiding and controlling the running of regional governments covering standards, norms, procedures, rewards, and sanction are to be provided for in a Government Regulation.

CHAPTER XIII
CONSIDERATIONS IN REGIONAL AUTONOMY POLICIES

Article 224

- (1) In running regional governments, the President may form a council tasked to give suggestions and considerations with regard to regional autonomy policies.
- (2) The council as meant in paragraph (1) is tasked to give suggestions and considerations to the President particularly on draft policies for:
 - a. the formation, abolition and merger of regions and the formation of special areas;
 - b. the financial sharing between the Government and regional governments, covering:
 - 1) the calculation of portion for each region in regard to proceeds from the sharing of taxes and natural resources according to the law and regulation;
 - 2) the formula and calculation of DAU for each region based on the DAU ceilings according to the law and regulation;
 - 3) DAK for each region for each budget year based on the DAK ceilings using the criteria according to the law and regulation.
- (3) The council as meant in paragraph (1) is led by the Minister of Home Affairs, with the lineup and work mechanism being further stipulated in a Presidential Decree.

CHAPTER XIV
OTHER PROVISIONS

Article 225

The regions that have special status and are given special autonomy are subject not only to this Law but also special provisions in other laws.

Article 226

- (1) Provisions in this Law apply to the Special Capital Province of Jakarta, Nanggroe Aceh Darussalam Province, Papua Province, and Special Province of Yogyakarta, provided they are not specifically provided for in a separate law.
- (2) The special treatment for the Special Province of Yogyakarta as meant in Law No. 22/1999 remains unchanged, on the stipulation that the running of government in the Special Province of Yogyakarta is based on this Law.
- (3) Especially for Nanggroe Aceh Darussalam Province, regional head and deputy regional head elections are held according to Law No. 18/2001 concerning Special Autonomy for the Special Province of Aceh as Nanggroe Aceh Darussalam Province as follows:
 - a. if the term of office of regional heads expires in April 2005, direct elections as meant in Law No. 18/2001 concerning Special Autonomy for the Special Province of Aceh as Nanggroe Aceh Darussalam Province will be conducted by May 2005 at the latest;
 - b. replacements of regional heads other than those specified in point a are elected according to their tenure;
 - c. if the term of office of regional heads and deputy regional heads expires before this Law began to take effect until April 2005, acting regional heads are appointed after the expiry of their term of office;
 - d. acting regional heads cannot nominate themselves for regional heads or deputy regional heads directly appointed as meant in Law No. 18/2001 concerning Special Autonomy for the Special Province of Aceh as Nanggroe Aceh Darussalam Province;
 - e. the posts of members of the independent election commission from the General Election Commission of the Republic of Indonesia are filled by the chairman and members of the Regional General Election Commission of Nanggroe Aceh Darussalam Province.

Article 227

- (1) Especially for the Special Province of Jakarta as the capital of the Republic of Indonesia, a separate law will apply to it.
- (2) The Special Province of Jakarta as the capital of the Republic of Indonesia has autonomous status, and no autonomous region is formed in the administrative territory.
- (3) The Law as meant in paragraph (1) deals with:

- a. special tasks, rights, obligations and responsibilities as the capital of the state;
- b. the base of representatives from friendly countries;
- c. the integration of general spatial layout plan of Jakarta and those of its surrounding areas;
- d. special areas directly managed by the Government to carry out certain administrative function.

Article 228

- (1) The administrative affairs that become the authority of the Government as meant in Article 10 paragraph (3) and are deconcentrated are carried out by vertical agencies in the region.
- (2) The Government stipulates the number, organizational structure and working territory of the vertical agencies as meant in paragraph (1).
- (3) The formation, organizational structure and work mechanism of vertical agencies in the region as meant in paragraph (1) and paragraph (2) are to be provided for in a Presidential Decree.
- (4) The assets of all vertical agencies that become regional apparatuses are converted into regional assets.

Article 229

The borders shared by provinces or regencies/municipalities and other countries are stipulated by the Government based on the law by observing the international law.

Article 230

Members of the National Defence Forces and the National Police do not use their rights to vote in regional head and deputy regional heads elections, provided the rights have not been provided for in the law.

CHAPTER XV
TRANSITIONAL PROVISIONS

Article 231

When this Law began to take effect, the names, borders, and capitals of provinces, special regions, regencies, and municipalities remain as they are, except when the law stipulates otherwise.

Article 232

- (1) The provinces, regencies/municipalities, subdistricts and villages that have already been in existence when this Law was promulgated remain as they are, except when the law stipulates otherwise.
- (2) The formation of a new province or regency/municipality that has met all the requirements according to the existing law will constantly be processed according to the existing law before this Law is promulgated.

Article 233

- (1) If the term of office of regional heads expires in 2004 up to June 2005, direct regional head elections as meant in this Law will be conducted in June 2005.
- (2) If the term of office of regional heads expires between January 2009 and July 2009, direct regional head elections as meant in this Law will be conducted in December 2008.

Article 234

- (1) If the term of office of regional heads and deputy regional heads expires before June 2005, acting regional heads are appointed after the term of office expires.
- (2) Acting regional heads that have been appointed before the promulgation of this Law shall carry out their duties until their term of office expires.
- (3) All the expenses arising from regional head and deputy regional head elections held in 2005 are borne by APBN and APBD.

Article 235

When the term of office of a governor and regent/mayor in the same area expires in the same month and year and/or still within a period of 1 (one) to 30 (thirty) days, polling will be conducted in the same day.

Article 236

- (1) Village heads and village apparatuses who are still in office when this Law began to take effect shall carry out their duties until their term of office expires.
- (2) Members of the village consultative body who are still in office when this Law began to take effect shall carry out their duties as meant in this Law until their term of office expires.

CHAPTER XVI
CONCLUSION

Article 237

All laws and regulations directly related to autonomous region must be based on and adjusted to this Law.

Article 238

- (1) All laws and regulations related to regional government shall remain valid, provided they have not been amended and do not contradict this Law.
- (2) Regulations needed to implement this Law shall be stipulated in no more than 2 (two) years after this Law has been enacted.

Article 239

When this Law began to take effect, Law No. 22/1999 concerning Regional Governments is declared null and void.

Article 240

This Law began to take effect on the date of stipulation.

For public cognizance, this Law shall be promulgated by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
On October 15, 2004
THE PRESIDENT OF THE REPUBLIC
OF INDONESIA

Signed

MEGAWATI SOEKARNOPUTRI

Promulgated in Jakarta
On October 15, 2004
THE STATE SECRETARY

Signed

BAMBANG KESOWO