



COPY

REGENT SUKOHARJO
PROVINCE OF CENTRAL JAVA
SUKOHARJO REGENCY REGULATIONS
NUMBER 29 OF 2018

ABOUT

INSTRUCTIONS FOR IMPLEMENTING REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 21 OF 2016 CONCERNING OVERCOMING PROSTITUTION
AND ASUSIC DEEDS

BY THE GRACE OF GOD ALMIGHTY

REGENT SUKOHARJO,

Considering: that to implement the provisions of Article 6, Article 7 and
Article 11 Sukoharjo Regency Regional Regulation Number 21
2016 concerning Combating Prostitution and
For immoral acts, it is necessary to stipulate a Regent's Regulation
concerning Guidelines for the Implementation of Regency Regional Regulations
Sukoharjo Number 21 of 2016 concerning Management
Prostitution and Immoral Acts;

- Remember :
- 1. Law Number 13 of 1950 concerning the Establishment of Regency Regions within the Province of Central Java;
 - 2. Law Number 44 of 2008 concerning Pornography (State Gazette of the Republic of Indonesia of 2008 Number 181, Supplement to State Gazette of the Republic of Indonesia Number 4928);
 - 3. Law Number 11 of 2009 concerning Social Welfare (State Gazette of the Republic of Indonesia of 2009 Number 12, Supplement to State Gazette of the Republic of Indonesia Number 4967);
 - 4. Law Number 36 of 2009 concerning Health (State Gazette of the Republic of Indonesia of 2009 Number 144, Supplement to State Gazette of the Republic of Indonesia Number 5063);
 - 5. Law Number 12 of 2011 concerning the Formation of Legislation (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234);

6. Law Number 23 of 2002 concerning Child Protection (State Gazette of the Republic of Indonesia of 2002 Number 109, Supplement to State Gazette of the Republic of Indonesia Number 4235) as amended several times, most recently by Law Number 17 of 2016 concerning Determination of Government Regulations in Lieu of Laws -Law Number 1 of 2016 concerning the Second Amendment to Law Number 23 of 2002 concerning Child Protection into Law (State Gazette of the Republic of Indonesia of 2016 Number 237, Supplement to the State Gazette of the Republic of Indonesia Number 5946);
7. Law Number 23 of 2004 concerning the Elimination of Domestic Violence (State Gazette of the Republic of Indonesia of 2004 Number 95, Supplement to the State Gazette of the Republic of Indonesia Number 4419);
8. Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as amended several times, most recently by Law Number 9 of 2015 concerning the Second Amendment to the Law. Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to State Gazette of the Republic of Indonesia Number 5679);
9. Government Regulation Number 6 of 2010 concerning Civil Service Police Units (State Gazette of the Republic of Indonesia of 2010 Number 9, Supplement to State Gazette of the Republic of Indonesia Number 5094);
10. Government Regulation Number 39 of 2012 Implementation of Social Welfare (State Gazette of the Republic of Indonesia of 2012 Number 68, Supplement to State Gazette of the Republic of Indonesia Number 5294);
11. Presidential Regulation Number 87 of 2014 concerning Implementing Regulations of Law Number 12 of 2011 concerning the Formation of Legislative Regulations (State Gazette of the Republic of Indonesia of 2014 Number 199);
12. Minister of Home Affairs Regulation Number 80 of 2015 concerning the Establishment of Regional Legal Products (State Gazette of the Republic of Indonesia of 2015 Number 2036);
13. Sukoharjo Regency Regional Regulation Number 3 of 2014 concerning Public Order (Sukoharjo Regency Regional Gazette of 2014 Number 3, Supplement to Sukoharjo Regency Regional Gazette Number 210);

Establish: REGULATIONS
REGENT ABOUT
INSTRUCTIONS FOR IMPLEMENTING REGIONAL REGULATIONS OF
SUKOHARJO DISTRICT NUMBER 21 OF 2016 CONCERNING
OVERCOMING PROSTITUTION AND IMMUNE ACTS.

1. The region is Sukoharjo Regency.
2. Regional Government is the Regent as the organizing element of Regional Government which leads the implementation of government affairs which are the authority of the autonomous region.
3. The Regent is the Regent of Sukoharjo.
4. Regional Apparatus is the supporting element of the Regent and the Regional People's Representative Council in the implementation of Government Affairs which fall under the authority of the Region.

5. Persons are individuals or bodies as legal subjects responsible for the rights and obligations in this Regent's Regulation.
6. Prostitution is work that involves giving oneself up or selling services to the public to carry out sexual acts in exchange for compensation as previously agreed.
7. Immoral acts are acts that are contrary to religious norms, decency norms, moral norms and moral norms.
8. Prostitution perpetrators are people who sell themselves as commercial sex sellers and use commercial sex services.
9. Investigation is a series of investigative actions in terms of and according to the methods regulated by law to search for and collect evidence which will shed light on the criminal act that occurred and in order to find the suspect.
10. Civil Servant Investigators, hereinafter abbreviated to PPNS, are certain Civil Servant Officials within the Regional Government who are given special authority by law to carry out investigations into violations of Regional Regulations.

CHAPTER II

OBLIGATIONS OF REGIONAL APPARATUS

Part One General

Section 2

- (1) The Regional Government is obliged to carry out countermeasures prostitution and immoral acts.
- (2) In carrying out the obligations as intended in paragraph (1) the Regional Government has the authority to:
 - a. carry out prevention and eradication of prostitution and immoral acts;
 - b. carry out social guidance and rehabilitation of perpetrators of prostitution and immoral acts;
 - c. carry out localization and/or location closures used for prostitution;
 - d. revoking business permits used for prostitution and immoral activities;
 - And
 - e. carry out cooperation between regions, the private sector, universities, Social Organizations and Non-Governmental Organizations to tackle prostitution and immoral acts.

The second part
Regional Apparatus Elements

Article 3

In carrying out the obligations as intended in Article 2, the Regional Government is carried out by the relevant Regional Apparatus, including:

- a. Regional apparatus that carries out affairs government in the health sector.
- b. Regional apparatus that carries out government affairs in the social sector.
- c. Regional apparatus that carries out government affairs in the fields of education, culture and tourism.
- d. Regional apparatus that carries out government affairs in the fields of youth and sports.
- e. Regional apparatus that carries out government affairs in the field of peace and public order, enforcement of regional legislation as well as community protection and fire sub-affairs.
- f. Regional apparatus that carries out government affairs in the field of public services and empowering village and sub-district communities.
- g. Regional apparatus that carries out government affairs in the fields of communications and informatics, the field of coding, and the field of statistics.

Article 4

(1) Regional apparatus that carries out government affairs in the health sector as intended in Article 3 letter a carries out obligations, including the following:

- a. Health promotion, implemented in the form of:
 1. development of health-oriented public policies;
 2. creation of a conducive environment;
 3. strengthening community movements;
 4. development of individual abilities; And
 5. restructuring the direction of health services.
- b. prevention of transmission of sexually transmitted infections and immunodeficiency syndrome (HIV-AIDS)
- c. examination and diagnosis of Sexually Transmitted Infections and Immunodeficiency Syndrome (HIV-AIDS);

- d. treatment, care and support for sufferers of Sexually Transmitted Infections and *Human Immunodeficiency Virus Acquired Immunodeficiency Syndrome* (HIV-AIDS); And
 - e. medical rehabilitation of sufferers of Sexually Transmitted Infections *Syndrome (HIV/AIDS) Acquired Human Virus Immunodeficiency*
- (2) Regional apparatus that carries out government affairs in the Social sector as referred to in Article 3 letter b carries out obligations, including the following:
- a. prepare materials for formulation, coordination, implementation, monitoring, evaluation and reporting covering social services and rehabilitation of people who sell themselves as commercial sex sellers;
 - b. providing social facilities and infrastructure to prevent prostitution;
 - c. carry out referral activities for people with social welfare problems to social/rehabilitation institutions and provide recommendations for community social security.
 - d. carry out social empowerment through training and skills for people suffering from HIV AIDS and sufferers of sexually transmitted infections;
 - e. providing social protection in the form of providing legal assistance, advocacy and social assistance, including through business capital assistance to HIV AIDS sufferers and sexually transmitted infection sufferers; And
 - f. providing social security in the form of assistance with the costs of health services for HIV AIDS sufferers.
- (3) Regional officials who carry out government affairs in the fields of education, culture and tourism as intended in Article 3 letter c carry out obligations, including the following:
- a. provide guidance to managers of tourist attractions and business actors in the tourism and entertainment sector so that they are not used for prostitution and immoral acts.
 - b. placing a ban on prostitution and immoral acts at tourist attractions;
 - c. increase community participation in preventing prostitution and immoral acts;
 - d. increasing cooperation with stakeholders in the fields of education, culture and tourism in order to prevent prostitution and immoral acts; And
 - e. provide counseling to students about early childhood sex education in order to prevent prostitution and immoral acts.

(4) Regional apparatus that carries out government affairs in the youth and sports sector as referred to in Article 3 letter d is obliged to carry out counseling and development of youth and sports organizations.

(5) Regional apparatus that carries out government affairs in the field of peace and public order, Enforcement of community protection areas and fire sub-legislation as well as affairs as intended in Article 3 letter e carries out obligations, including the following:

a. Preventive action is the initial action in order

Prevention includes:

1. carry out outreach on the prevention of prostitution and immoral acts; And
2. provide guidance to non-tourism entertainment businesses to acts. And carry out prostitution and immoral

b. Repression is action in the form of:

1. Non-judicial repression is a disciplinary action carried out by the Civil Service Police Unit against administrative violations without going through court proceedings.
2. Judicial repression is a disciplinary action carried out by the Civil Service Police Unit through a court process for violations that meet the criminal elements of at least 2 (two) pieces of evidence, including:
 - a) witness statements;
 - b) expert testimony;
 - c) letter;
 - d) instructions; and/or
 - e) defendant's statement.

(6) Regional apparatus that carries out government affairs in the field of public services and empowerment of village and sub-district communities as intended in Article 3 letter f carries out obligations, among others, as follows:

- a. preventive by providing guidance to the community so that prostitution and immoral acts do not occur; And
- b. report actions that have the potential to occur prostitution and immoral acts.

- (7) Regional apparatus carrying out Government affairs in the field of communications and informatics, the field of coding and the field of statistics as intended in Article 3 letter g undertakes the obligation to provide information to the public through, among other things, the district website and public service advertisements via Regional Government Broadcast Radio.

CHAPTER III CONTROL AND ERADICATION

Part One General

Article 5

Prevention of prostitution and immoral acts is carried out through:

- a. prevention; And
- b. eradication.

The second part Prevention

Article 6

- (1) Prevention as intended in Article 5 paragraph (1) letter a includes:

- a. guidance, counseling and coaching;
- b. discussion;
- c. preaching;
- d. through mass media/information; And
- e. through other media.

- (2) Guidance, counseling and development as intended in paragraph (1) letter a includes:

- a. guidance, counseling and coaching regarding risky casual sexual relations;
- b. guidance, counseling and fostering loyalty to couples (husband and wife);
- c. guidance, counseling and coaching regarding Sexually Transmitted Infections and *Human Immunodeficiency Virus Acquired Immunodeficiency Syndrome* (HIV-AIDS); And
- d. providing guidance, counseling and coaching in places that have the potential to become places of prostitution and immoral acts.

(3) Workshop as referred to in paragraph (1) letter b

This is done, among other things, through:

- a. AIDS Concerned Citizens (WPA); And
- b. *Focus Group Discussion* (FGD).

(4) Da'wah as intended in paragraph (1) letter c is carried out, among other things:

- a. inviting the public to religious mental development events by presenting religious figures; And
- b. provide guidance/consultation in the religious field in order to prevent prostitution and immoral acts.

(5) Mass media/information as intended in paragraph (1) letter d through:

- a. television, radio and newspapers by broadcasting and writing articles;
- b. television, radio and newspapers by creating and broadcasting public service announcements; And
- c. television and radio by conducting *talk shows*.

(6) Other media as intended in paragraph (1) letter e includes:

- a. social media by providing information related to the dangers of prostitution and the impact/risk of immoral acts; And
- b. make pamphlets, billboards, banners.

Part Three Eradication

Article 7

(1) Eradication as intended in Article 5 letter b includes:

- a. raid; And
- b. rehabilitation.

(2) Raids as intended in paragraph (1) letter a between other:

- a. simultaneous inspection by authorized officers for prostitution and immoral acts;
- b. suddenly visiting places where there is potential for prostitution and immoral acts.

(3) Rehabilitation as intended in paragraph (1) letter b of medical rehabilitation and social rehabilitation is as follows:

a. medical rehabilitation, including:

1. provide health examination services for Sexually Transmitted Infections and *Human Immunodeficiency Virus Acquired Immunodeficiency Syndrome* (HIV-AIDS) to people who sell themselves as commercial sex workers; And
2. In the event that perpetrators of prostitution and immoral acts are found to be positive for *Human Immunodeficiency Virus Acquired Immunodeficiency Syndrome* (HIV-AIDS), the sufferer will undergo rehabilitation in the form of lifelong treatment, reducing the negative stigma towards the sufferer and their family.

b. social rehabilitation, including:

1. provide education and skills training to people who sell themselves as commercial sex workers;
2. provide religious spiritual mental education and social mental education to people who sell themselves as commercial sex sellers so that they can return and be accepted by society; And
3. provide business capital assistance to people who sell themselves as commercial sex workers so that prostitution is not carried out again.

Article 8

(1) In the context of preventing prostitution and abuse immoral, an Integrated Team was formed.

(2) The Integrated Team as intended in paragraph (1) is determined by a Regent's Decree.

CHAPTER IV

ADMINISTRATIVE SANCTIONS

Part One General

Article 9

(1) Every person is subject to administrative sanctions if:

- a. using residences, business premises and public facilities as well as other places for prostitution and immoral activities; And
- b. establishing a business and/or operating or providing a place for prostitution.

- (2) Administrative sanctions as intended in paragraph (1) may be in the form of:
- a. verbal warning;
 - b. written warning;
 - c. temporary suspension of activities;
 - d. permanent cessation of activities;
 - e. temporary revocation of permits;
 - f. permanent revocation of permits; and/or
 - g. other administrative sanctions in accordance with the provisions legislation.

The second part
Procedures for Imposing Administrative Sanctions

Article 10

- (1) Every person who commits an act as intended in Article 9 paragraph (1) letter a is subject to administrative sanctions in the form of a verbal warning when it is discovered that the person has committed prostitution or immoral acts and then the person concerned makes a statement to comply with the verbal warning.
- (2) In the event of failure to carry out and/or denying the statement as intended in paragraph (1), the following will be given:
- a. written warning I with a grace period of 7 (seven) days.
 - b. written warning II with a grace period of 3 (three) days.
 - c. written warning III with a grace period of 3 (three) days.
- (3) If written warning III is not heeded, it will then be handed over to PPNS for further processing in accordance with statutory regulations.

Article 11

- (1) Every person who commits an act as intended in Article 9 paragraph (1) letter b is subject to administrative sanctions in the form of an oral warning when it is discovered that the place is a place of prostitution or immoral acts, then the person concerned makes a statement to comply with the verbal warning no later than 15 (fifteen) days.
- (2) In the event of failure to carry out and/or denying the statement as intended in paragraph (1), the following will be given:
- a. written warning I with a grace period of 7 (seven) days.
 - b. written warning II with a grace period of 3 (three) days.
 - c. written warning III with a grace period of 3 (three) days.

- (3) If you do not carry out and/or deny the written warning letter III as intended in paragraph (2) letter c, you will be subject to a temporary suspension of business activities in accordance with the permit issued by the Civil Service Police Unit.
- (4) In the event of failure to carry out the sanction of temporary suspension of activities, as intended in paragraph (3), a sanction of permanent suspension of business activities shall be imposed in accordance with the permit issued by the Civil Service Police Unit.
- (5) In the event that the sanction for permanent suspension of business activities in accordance with the permit as intended in paragraph (4) is not implemented, the sanction of temporary revocation of the permit will be imposed by the Investment and One-Stop Integrated Services Service in accordance with statutory regulations.
- (6) In the event that the sanction for permanent suspension of activities as intended in paragraph (5) is not implemented, the sanction of permanent revocation of the permit will be imposed by the Investment and One-Stop Integrated Services Service in accordance with statutory regulations.

Article 12

Sanctions for temporary suspension of activities, permanent suspension of activities, temporary revocation of permits and permanent revocation of permits can be carried out without going through the stages as intended in Article 11 if they disturb public order and tranquility.

Article 13

Other administrative sanctions in accordance with the provisions of statutory regulations as intended in Article 9 in paragraph (2) letter g include, among others:

- a. sealing is carried out by installing local *regulations*, installing unlicensed warnings and/or other forms on buildings where prostitution and immoral acts occur;
- b. closure is carried out by padlocking buildings where prostitution and immoral acts occur; And
- c. Demolition is carried out by dismantling buildings where prostitution and immoral acts are carried out.

CHAPTER XIV

CLOSING

Article 14

This Regent's Regulation comes into force on the date of promulgation.

So that everyone knows, this Regent's Regulation has been promulgated by placing it in the Sukoharjo Regency Regional News.

Stipulated in Sukoharjo on
March 26 2018

REGENT SUKOHARJO,

Promulgated in Sukoharjo on
March 26 2018

signed

REGIONAL SECRETARY
SUKOHARJO DISTRICT,

WARDOYO WIJAYA

signed

AGUS SANTOSA

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