



COPY

REGENT SUKOHARJO
PROVINCE OF CENTRAL JAVA
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 4 OF 2023
ABOUT
CONTROL AND SUPERVISION OF ALCOHOLIC DRINKS

BY THE GRACE OF GOD ALMIGHTY

REGENT SUKOHARJO,

Considering: a. that the control and supervision of Alcoholic Drinks is carried out in order to ensure a sense of peace, comfort and public order

in accordance with the values of Pancasila and the Constitution Republic of Indonesia in 1945;

b. that in order to safeguard and maintain physical and spiritual health, peace and order in community life, it is necessary to control and supervise Alcoholic Drinks in the Region;

c. that Sukoharjo Regency Regional Regulation Number 7 of 2012 concerning Supervision, Control of Distribution and Sales of Alcoholic Drinks as amended by Sukoharjo Regency Regional Regulation Number 6 of 2017 concerning Amendments to Sukoharjo Regency Regional Regulation Number 7 of 2012 concerning Supervision, Control of Circulation and Sales of Beverages Alcohol is no longer in accordance with the provisions of the laws and regulations, so it needs to be replaced;

d. that based on the considerations as intended in letters a, b, and c, it is necessary to establish a Regional Regulation concerning the Control and Supervision of Alcoholic Drinks;

Remember : 1. Article 18 paragraph (6) of the 1945 Constitution of the Republic of Indonesia;

2. Law Number 13 of 1950 concerning the Establishment of Regency Areas within the Province of Central Java as stated in

amended by Law Number 9 of 1965 concerning the Establishment of the Batang Level II Region by amending Law No. 13 of 1950 concerning the Establishment of Regency Regions within the Province of Central Java (State Gazette of 1965 Number 52, Supplement to State Gazette Number 2757);

3. Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to State Gazette of the Republic of Indonesia Number 5587) as amended several times, most recently by Law Number 6 of 2023 concerning the Establishment of Government Regulations in Lieu of Laws. Law Number 2 of 2022 concerning Job Creation becomes Law (State Gazette of the Republic of Indonesia of 2023 Number 41, Supplement to State Gazette of the Republic of Indonesia Number 6856);

With Mutual Consent
REGIONAL PEOPLE'S REPRESENTATIVE COUNCIL OF SUKOHARJO DISTRICT
And
REGENT SUKOHARJO

DECIDE:

Establish: REGIONAL REGULATIONS CONCERNING THE CONTROL AND SUPERVISION OF ALCOHOLIC DRINKS.

PIG
GENERAL REQUIREMENTS

Part One
Understanding
article 1

In this Regional Regulation what is meant by:

1. The region is Sukoharjo Regency.
2. Regional Government is the Regent as an element of regional government administrators who leads the implementation of government affairs which fall under 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. A person is an individual or corporation, whether a legal entity or an unincorporated entity law.

6. Alcoholic drinks are drinks containing ethanol and ethyl alcohol (C₂H₅OH) which are processed from agricultural products containing carbohydrates by fermentation and distillation or fermentation without distillation.
7. Ciu or other names are liquids with an ethanol content below 70% (seventy percent) which are misused as alcoholic drinks, produced in the region, do not have a distribution permit and are known to the public.
8. Alcoholic Beverage Retailers are next
Retailers are companies that sell alcoholic beverages to final consumers in packaged form at designated locations.
9. Control of Alcoholic Drinks is a series of activities to limit the type and quantity of procurement, distribution and sale of Alcoholic Drinks, as well as limiting the sales time of Alcoholic Drinks.
10. Circulation of Alcoholic Drinks is an activity
distributing alcoholic drinks
by distributors, sub-distributors, retailers or direct sellers for drinking on the spot.
11. Direct Seller of Alcoholic Drinks, hereinafter referred to as Direct Seller, is a company that sells Alcoholic Drinks to final consumers to drink directly at a designated place.

The second part
Purpose and objectives

Section 2

The purpose of drafting this Regional Regulation is as a guideline for the Regional Government in controlling and supervising Alcoholic Drinks.

Article 3

Control and supervision of Alcoholic Drinks aims to:

- a. maintain public peace and order; And
- b. carry out control over the distribution of alcoholic drinks circulating in the community.

Part Three
Scope

Article 4

The scope of regulation in this Regional Regulation includes:

- a. Alcoholic Drinks group;
- b. control;
- c. Circulation;

- d. control of Alcoholic Drinks;
- e. orderliness;
- f. prohibition;
- g. society participation;
- h. investigation provisions; And
- i. criminal provisions.

CHAPTER II

CLASS OF ALCOHOLIC BEVERAGES

Article 5

Alcoholic Drinks consist of Alcoholic Drinks originating from domestic production or imported origin.

Article 6

- (1) Alcoholic Drinks as referred to in Article 5, are grouped into:
 - a. Class A Alcoholic Drinks;
 - b. Class B Alcoholic Drinks; And
 - c. Class C Alcoholic Drinks.
- (2) Class A alcoholic drinks as referred to in paragraph (1) letter a, are drinks containing ethyl alcohol or ethanol (C₂H₅OH) with levels of up to 5% (five percent).
- (3) Class B alcoholic drinks as referred to in paragraph (1) letter b, are drinks containing ethyl alcohol or ethanol (C₂H₅OH) with levels of more than 5% (five percent) up to 20% (twenty percent).
- (4) Class C alcoholic drinks as referred to in paragraph (1) letter c, are drinks containing ethyl alcohol or ethanol (C₂H₅OH) with levels of more than 20% (twenty percent) up to 55% (fifty five percent).
- (5) Alcoholic Drinks as intended in paragraph (1) are designated as goods under supervision.

CHAPTER III

CONTROL

Article 7

- (1) The Regional Government has the authority to control class B and class C alcoholic drinks.
- (2) Control as intended in paragraph (1) is carried out through business licensing and reports on the realization of sales of Alcoholic Drinks.
- (3) Every person who carries out sales and/or distribution of class B and C alcoholic beverages is required to obtain a business permit from the Regional Government.
- (4) Business licensing as intended in paragraph (3) is carried out through *Online Single Submission* in accordance with the provisions of statutory regulations.

(5) Retailers and Direct Sellers of class B and class C Alcoholic Drinks are required to submit a report on the realization of sales of Alcoholic Drinks to the Regional Apparatus administering government affairs in the cooperative, small and medium enterprises and trade sector with a copy.

Governor of Central Java and Regent.

(6) Every person who violates the provisions as intended in paragraph (3) and paragraph (5) will be subject to administrative sanctions.

(7) Administrative sanctions as intended in paragraph (6)

can be:

a. verbal warning;

b. written warning; c.

suspension or temporary suspension of activities;

or

d. license revocation.

(8) Further provisions regarding administrative sanctions as intended in paragraph (6) and paragraph (7) are regulated in Regent regulations.

CHAPTER IV

CIRCULATION

Article 8

(1) Class B and class C alcoholic drinks can only be sold at:

a. hotels and bars that meet the requirements in accordance with the provisions of laws and regulations in the tourism sector;

And

b. a certain place other than letter a, which is determined by Regent.

(2) Circulation of alcoholic beverages in certain places determined by the Regent as intended in paragraph (1) letter b, not close to places of worship, educational institutions and hospitals.

(3) The Regent can determine restrictions on the circulation of alcoholic beverages in places as intended in paragraph (1) letter b, taking into account regional characteristics and local culture.

Article 9

(1) Sales of Alcoholic Drinks as intended in Article 8 paragraph (1) can only be given to consumers who are 21 (twenty one) years of age or older by showing an identity card to the officer/salesperson.

(2) Any person who violates the provisions as intended in paragraph (1) will be subject to administrative sanctions.

- (3) Administrative sanctions as intended in paragraph (2) can be in the form of:
- a. verbal warning;
 - b. written warning; or
 - c. freezing or temporary suspension of activities.
- (4) Further provisions regarding administrative sanctions as intended in paragraph (2) and paragraph (3) are regulated in Regent regulations.

Article 10

- (1) Retailers are obliged to place Alcoholic Drinks in a special or separate place and not together with other products.
- (2) Retailers are obliged to ensure that buyers of alcoholic beverages do not drink directly at the sales location.
- (3) Purchase of Alcoholic Drinks by consumers is mandatory served by officers/saleswomen.
- (4) Every person who violates the provisions as intended in paragraph (1), paragraph (2) and paragraph (3) will be subject to administrative sanctions.
- (5) Administrative sanctions as intended in paragraph (4) can be:
- a. verbal warning;
 - b. written warning; c.
 - suspension or temporary suspension of activities;
or
 - d. license revocation.
- (6) Further provisions regarding administrative sanctions as intended in paragraph (4) and paragraph (5) are regulated in Regent regulations.

CHAPTER V

CONTROL OF ALCOHOLIC BEVERAGES

Article 11

- (1) Control of Alcoholic Drinks is carried out on Retailers and Direct Sellers.
- (2) In carrying out supervision of Alcoholic Drinks as intended in paragraph (1) a team was formed by the Regent.
- (3) The team as intended in paragraph (2) consists of element:
- a. Regional Apparatus that carries out government affairs in the field of cooperatives, small and medium enterprises, and the field of trade;
 - b. Regional apparatus that carries out government affairs in the field of peace and public order as well as community protection, sub-affairs of peace and public order and sub-affairs of fire;
 - c. Regional apparatus that carries out government affairs in the industrial sector, labor sector and transmigration sector;

- d. Regional apparatus that carries out government affairs in the field of investment and one-stop integrated services;
 - e. Indonesian national army;
 - f. resort police; And
 - g. Legal section of the Regional Secretariat.
- (4) The team as intended in paragraph (3) is determined by the Regent's decision.

CHAPTER VI
CONTROL
Article 12

- (1) The Regional Government carries out control over the sale and/or distribution of alcoholic drinks.
- (2) Control over the sale and/or distribution of alcoholic drinks is carried out by taking action against:
 - a. sellers and/or retailers who do not have business licensing in the form of confiscation of alcoholic beverages; b. sellers and/or retailers who abuse their permits in the form of temporary suspension; And
 - c. sellers and/or retailers who sell to consumers who are not yet 21 (twenty one) years old in the form of temporary suspension.
- (3) Further provisions regarding the control of the sale and/or distribution of alcoholic beverages as referred to in paragraph (1) are regulated in the Regent's regulations.

CHAPTER VII
PROHIBITION
Article 13

Every person is prohibited from distributing and/or selling alcoholic drinks with an ethanol content (C₂H₅OH) above 55% (fifty five percent).

Article 14

- (1) Every person is prohibited from consuming class A, class B and class C alcoholic drinks in public facilities.
- (2) Consumption of Alcoholic Drinks as intended in paragraph (1) is excluded for a series of religious activities that use Alcoholic Drinks.

Article 15

Every person is prohibited from storing, distributing, selling and buying Ciu or other names.

Article 16

Every person is prohibited from selling class A, class B and class C alcoholic drinks without a business permit.

Article 17

- (1) Every person who already has a business license Selling Alcoholic Drinks is prohibited from selling Ciu or other names, either in retail form in packaging or selling directly for drinking on the spot.
- (2) Every person who already has a permit to try to produce alcohol is prohibited from transferring its production to Ciu or any other name for sale.
- (3) Every person is prohibited from using Ciu or other names that are misused for drinking.

Article 18

Retailers or Direct Sellers are prohibited from trading Alcoholic Drinks in locations or places close to:

- a. youth arenas, street vendors, terminals, stations, small kiosks, youth accommodation and campsites;
- b. places of worship, schools, hospitals; And
- c. other specific places determined by the Regent.

Article 19

Retailers are prohibited from advertising Alcoholic Drinks in any media.

CHAPTER VIII

SOCIETY PARTICIPATION

Article 20

- (1) The public can participate in the control and supervision of Alcoholic Drinks.
- (2) Community participation as intended in paragraph (1) is carried out by:
 - a. provide information on misuse and storage of the use of Alcoholic Drinks to the authorized agencies; And
 - b. provide information and testimony regarding cases that occur related to the distribution and trade of alcoholic beverages.
- (3) Community participation as intended in paragraph (1) and paragraph (2) is carried out in accordance with the provisions of statutory regulations.

CHAPTER IX

PROVISIONS OF INVESTIGATION

Article 21

Apart from the investigating officers of the State Police of the Republic of Indonesia who are tasked with investigating criminal acts, investigations into criminal acts as intended in this Regional Regulation can be carried out by civil servant investigating officers within the Regional Government whose appointment is determined in accordance with the provisions of statutory regulations.

CHAPTER X
CRIMINAL PROVISIONS

Article 22

- (1) Any person who violates the provisions as intended in Article 13, Article 14, Article 15, Article 16, Article 17, Article 18 and Article 19 shall be punished with imprisonment for a maximum of 3 (three) months or a fine of a maximum of IDR 50. 000,000.00 (fifty million rupiah).
- (2) The criminal act as intended in paragraph (1) is a violation.

CHAPTER XI
FUNDING

Article 23

Funding for the control and supervision of alcoholic beverages comes from the regional income and expenditure budget.

CHAPTER XII
CLOSING

Article 24

Implementing regulations for this Regional Regulation must be established no later than 1 (one) year from the promulgation of this Regional Regulation.

Article 25

When this Regional Regulation comes into force:

- a. Sukoharjo Regency Regional Regulation Number 7 of 2012 concerning Supervision, Control of Distribution and Sales of Alcoholic Drinks (Sukoharjo Regency Regional Gazette of 2013 Number 1, Supplement to Sukoharjo Regency Regional Gazette Number 202) as amended by Sukoharjo Regency Regional Regulation Number 6 of 2017 concerning Amendments to Sukoharjo Regency Regional Regulation Number 7 of 2012 concerning Supervision, Control of Distribution and Sales of Alcoholic Drinks

(2017 Sukoharjo Regency Regional Gazette Number 6, Supplement to Sukoharjo Regency Regional Gazette Number 249), revoked and declared invalid; And

- b. Implementing regulations of Sukoharjo Regency Regional Regulation Number 7 of 2012 concerning Supervision, Control of Distribution and Sales of Alcoholic Drinks (Sukoharjo Regency Regional Gazette of 2013 Number 1, Supplement to Sukoharjo Regency Regional Gazette Number 202) as amended by Sukoharjo Regency Regional Regulation Number 6 of 2017 concerning Amendments to Sukoharjo Regency Regional Regulation Number 7 of 2012 concerning Supervision, Control of Distribution and Sales of Alcoholic Drinks (Sukoharjo Regency Regional Gazette of 2017 Number 6, Supplement to Sukoharjo Regency Regional Gazette Number 249), is stated to still be valid as long as it does not conflict with the provisions in this Regional Regulation.

Article 26

This local regulation are applied at the date stated.

So that everyone knows, order this invitation to be placed in the Regional Gazette of Sukoharjo Regency.

Set in Sukoharjo
on April 3, 2023
REGENT SUKOHARJO,

signed.

ETIK SURYANI

Promulgated in Sukoharjo
on April 3, 2023

REGIONAL SECRETARY
SUKOHARJO DISTRICT,

signed.

WIDODO

SUKOHARJO DISTRICT REGIONAL GAZETTE YEAR 2023 NUMBER 4

The copy corresponds to the original
HEAD OF LEGAL SECTION,

signed.

TEGUH PRAMONO, SH, MH

Level I Supervisor
NIP. 19710429 199803 1 003

SUKOHARJO DISTRICT REGIONAL REGISTRATION NUMBER,
CENTRAL JAVA PROVINCE : (2-72/2023)

EXPLANATION
ON
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 4 OF 2023
ABOUT
CONTROL AND SUPERVISION OF ALCOHOLIC DRINKS

I. GENERAL

One of the mandatory government affairs related to basic services is health. This health service is provided to protect people from getting dangerous drinks that can cause illness and even death. Liquor or alcoholic drinks are dangerous drinks and can reduce a person's health status if consumed excessively.

Alcoholic drinks are drinks that contain ethanol. Ethanol is a psychoactive substance that can cause decreased consciousness. If consumed excessively, alcoholic drinks can cause side effects of organic mental disorders, namely disturbances in the function of thinking, feeling and behaving.

Procurement, distribution and sale of alcoholic beverages without permits is also a social problem that needs serious attention from all parties, including government officials, community leaders and society in general, because it is contrary to social, religious values, order and all aspects of community life.

Apart from alcoholic drinks, the circulation of adulterated drinks is growing in society, the circulation of which is disturbing the public, both in terms of health, peace and public order. Therefore, it is necessary to provide a legal umbrella to be able to control the distribution and sale of alcoholic drinks.

This Regional Regulation was drafted to provide protection to the community from the negative impacts of alcoholic drinks, as well as to maintain security and order so that acts of violence and crime do not occur as a result of alcoholic drinks. This Regional Regulation regulates the supervision, control of the distribution and sale of alcoholic beverages. However, this does not mean that the Regional Government will legalize the circulation and sale of alcoholic drinks in the Region, because based on this Regional Regulation alcoholic drinks can only be sold in places where they are supposed to be.

This Regional Regulation gives authority to Regional Civil Servant Investigators and other law enforcement officials to carry out law enforcement against violations of the distribution and sale of Alcoholic Drinks in Sukoharjo Regency.

II. ARTICLE BY ARTICLE

Article 1

Self-explanatory.

Article 2

Self-explanatory.

Article 3

Self-explanatory.

Article 4

Quite clear.

Article 5

Self-explanatory.

Article 6

Quite clear.

Article 7

Self-explanatory.

Article 8

Self-explanatory.

Article 9

Self-explanatory.

Article 10

Quite clear.

Article 11

Quite clear.

Article 12

Quite clear.

Article 13

Quite clear.

Article 14

Paragraph (1)

What is meant by "public facilities" are facilities provided for the public interest, such as roads, bus stops, parking lots, green open spaces, city parks, and so on.

Paragraph (2)

Quite clear.

Article 15

Quite clear.

Article 16

Quite clear.

Article 17

Quite clear.

Article 18

Quite clear.

Article 19

Quite clear.

Article 20

Paragraph (1)

Quite clear.

Paragraph (2)

Letter a

What is meant by “authorized agency” is:

1. Regional apparatus that carries out government affairs in the field of cooperatives, small and medium enterprises, and the field of trade;
2. Regional apparatus that carries out government affairs in the field of peace and public order as well as community protection, sub-affairs of peace and public order and sub-affairs of fire; And

3. Police.

Letter b

Quite clear.

Paragraph (3)

Quite clear.

Article 21

Quite clear.

Article 22

Quite clear.

Article 23

Quite clear.

Article 24

Quite clear.

Article 25

Quite clear.

Article 26

Quite clear.