

REGENT OF SUKOHARJO
REGIONAL REGULATION OF SUKOHARJO REGENCY
NUMBER 11 OF 2015

ON
VILLAGE AUTHORITY

BY THE GRACE OF GOD ALMIGHTY
THE REGENT OF SUKOHARJO,

- Considering :
- a. That the Village, as a legal community unit, has the authority to regulate and manage governmental affairs and the interests of the local community to improve the welfare of the people within the Unitary State of the Republic of Indonesia;
 - b. That the authority of the Village is based on customary rights, local authority on a village scale, and authority delegated by the Government, Provincial Government, and Regency Government in order to enhance public service and welfare;
 - c. That in order to implement the provisions of Law Number 6 of 2014 concerning Villages, it is necessary to establish a Regional Regulation concerning Village Authority;
 - d. That based on the considerations mentioned in points a and b, it is necessary to stipulate a Regional Regulation on Village Authority;

- Remember :
1. Article 18 paragraph (6) of the 1945 Constitution of the Republic of Indonesia;
 2. Law Number 13 of 1950 concerning the Formation of Regency Regions within the Province of Central Java;
 3. Law Number 12 of 2011 concerning the Formation of Laws and Regulations (State Gazette of the Republic of Indonesia Year 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234);
 4. Law Number 6 of 2014 concerning Villages (State Gazette of the Republic of Indonesia Year 2014 Number 7, Supplement to the State Gazette of the Republic of Indonesia Number 5495);
 5. Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia Year 2014

Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587), as amended several times, lastly by Law Number 9 of 2015 concerning the Second Amendment to Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia Year 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);

6. Law Number 30 of 2014 concerning Government Administration (State Gazette of the Republic of Indonesia Year 2014 Number 292, Supplement to the State Gazette of the Republic of Indonesia Number 5601);
7. Government Regulation of the Republic of Indonesia Number 7 of 2008 concerning Deconcentration and Assignment Tasks (State Gazette of the Republic of Indonesia Year 2008 Number 20, Supplement to the State Gazette of the Republic of Indonesia Number 4816);
8. Government Regulation Number 43 of 2014 concerning the Implementation of Law Number 6 of 2014 concerning Villages (State Gazette of the Republic of Indonesia Year 2014 Number 123, Supplement to the State Gazette of the Republic of Indonesia Number 5539), as amended by Government Regulation Number 47 of 2015 concerning Amendments to Government Regulation Number 43 of 2014 concerning the Implementation of Law Number 6 of 2014 concerning Villages (State Gazette of the Republic of Indonesia Year 2015 Number 157, Supplement to the State Gazette of the Republic of Indonesia Number 5717);
9. Government Regulation of the Republic of Indonesia Number 60 of 2014 concerning Village Funds sourced from the State Revenue and Expenditure Budget (State Gazette of the Republic of Indonesia Year 2014 Number 168, Supplement to the State Gazette of the Republic of Indonesia Number 5558), as amended by Government Regulation Number 22 of 2015 concerning Village Funds sourced from the State Revenue and Expenditure Budget (State Gazette of the Republic of Indonesia Year 2015 Number 88, Supplement to the State Gazette of the Republic of Indonesia Number 5694);
10. Presidential Regulation Number 87 of 2014 concerning the Implementation of Law Number 12 of 2011 concerning the Formation of Laws and Regulations (State Gazette of the Republic of Indonesia Year 2014 Number 199);
11. Minister of Village, Disadvantaged Regions, and Transmigration Regulation Number 1 of 2015 concerning Guidelines for Authority Based on Customary Rights and Local Authority on a Village Scale (State Gazette of the Republic of Indonesia Year 2015 Number 158);

WITH THE JOINT APPROVAL OF
THE REGIONAL PEOPLE'S REPRESENTATIVE COUNCIL OF SUKOHARJO
REGENCY

AND
THE REGENT OF SUKOHARJO

DECIDES:

To enact: REGIONAL REGULATION ON VILLAGE AUTHORITY

CHAPTER I GENERAL PROVISIONS

Article 1

In this Regional Regulation, the following terms are defined as:

1. Region is Sukoharjo Regency.
2. Local Government is the Head of Region as an element of the Local Government authority responsible for managing governmental affairs within the scope of autonomous regions.
3. Regent is the Regent of Sukoharjo.
4. Village is a legal community unit with defined territorial boundaries, having the authority to regulate and manage governmental affairs, the interests of the local community based on community initiative, customary rights, and/or traditional rights recognized and respected in the system of the Unitary State of the Republic of Indonesia.
5. Village Authority is the authority held by the Village, which includes authority in the fields of Village Government administration, Village Development, Community Development, and Village Empowerment,

based on community initiative, customary rights, and village customs.

6. Authority based on customary rights refers to rights that are inherited and still active, and initiatives from the Village or the community's initiative in line with the development of society.

7. Local authority on a village scale refers to the authority to regulate and manage the interests of the Village community that has been or can be effectively managed by the Village, or that has emerged as a result of the Village's development and community initiatives.

8. Village Government is the administration of governmental affairs and the interests of the local community within the system of the Unitary State of the Republic of Indonesia.

9. Village Government is the Village Head or other titles as the head of the Village, assisted by village officials as the elements of Village Government administration.

10. Village Consultative Body or BPD is an institution that performs governmental functions, with members representing the Village population based on territorial representation, established democratically.

11. Village Regulation is the legislation established by the Village Head after being discussed and agreed upon with the Village Consultative Body.

12. Village Development is the effort to improve the quality of life and livelihood for the greatest possible welfare of the Village community.

CHAPTER II

SCOPE OF VILLAGE AUTHORITY

Article 2

The Village Authority includes:

- a. authority based on customary rights;
- b. local authority on a village scale;

- c. authority delegated by the Government, Provincial Government, or Regency Government; and
- d. other authority delegated by the Government, Provincial Government, or Regency Government in accordance with the provisions of legislation.

CHAPTER III

AUTHORITY BASED ON CUSTOMARY RIGHTS

Article 3

The scope of authority based on the Village's customary rights, as referred to in Article 2 letter a, includes:

- a. the organizational system of village officials;
- b. community institutional development;
- c. management of village land, which includes:

titisara land;

bengkok land;

grazing land;

pituas land; and

other village-owned land with different names.

- d. development of the role of the village community.

CHAPTER IV

LOCAL AUTHORITY ON A VILLAGE SCALE

Article 4

The criteria for local authority on a village scale, as referred to in Article 2 letter b, include:

- a. authority that prioritizes public service activities and community empowerment;

- b. authority that covers the regulation and activities only within the territory and community of the Village, with internal impacts on the Village;
- c. authority related to the daily needs and interests of the Village community;
- d. activities already carried out by the Village based on the Village initiative;
- e. programs and activities of the Government, Provincial Government, Regency Government, and third parties that have been handed over and managed by the Village; and
- f. local authority on a village scale that has been regulated in legislation concerning the division of authority between the Government, Provincial Government, and Regency Government.

Article 5

Third parties, as referred to in Article 4 letter e, include:

- a. individuals;
- b. community organizations;
- c. universities;
- d. non-governmental organizations;
- e. donor agencies; and
- f. companies.

Article 6

The local authority on a village scale includes:

- a. village government affairs,
- b. village development,
- c. village community affairs, and
- d. village community empowerment.

Article 7

The local authority on a village scale in the field of village government, as referred to in Article 6 letter a, includes:

- a. determination and affirmation of village boundaries;
- b. development of village administration and information systems;
- c. development of village spatial planning and social maps;
- d. data collection and classification of village labor;
- e. data collection of the population working in the agricultural and non-agricultural sectors;
- f. data collection of the population by working age, workforce, job seekers, and labor force participation rate;
- g. data collection of the population aged 15 and above working by job field, job type, and employment status;
- h. data collection of the population working abroad;
- i. determination of village government organization;
- j. establishment of the Village Consultative Body;
- k. appointment of village officials;
- l. establishment of Village-Owned Enterprises (BUM Desa);
- m. establishment of the Village Budget (APB Desa);
- n. establishment of Village Regulations;
- o. establishment of inter-village cooperation;
- p. issuance of permits for the use of village meeting halls or village halls;
- q. data collection of village potential;
- r. issuance of land management permits for village land;
- s. declaration of emergency status in the village, such as during disasters, conflicts, food insecurity, epidemics, security disturbances, and other extraordinary events on a village scale;
- t. management of village archives; and

u. establishment of security posts and other preparedness posts in accordance with the needs and social conditions of the village community.

Article 8

The local authority on a village scale in the field of village development, as referred to in Article 6 letter b, includes:

- a. basic village services;
- b. village infrastructure and facilities;
- c. local economic development of the village; and
- d. utilization of natural resources and the village environment.

Article 9

The local authority on a village scale in the field of basic services, as referred to in Article 8 letter a, includes:

- a. development of village health posts and Polindes (village integrated health posts);
- b. development of village health workers;
- c. management and development of Posyandu (integrated health services posts) through:
 - 1. nutrition services for toddlers;
 - 2. prenatal care for pregnant women;
 - 3. provision of supplementary food;
 - 4. health education;
 - 5. clean and healthy living movement;
 - 6. baby weighing; and
 - 7. health programs for the elderly.
- d. development and supervision of traditional health practices;
- e. monitoring and prevention of drug abuse and addictive substances in the village;
- f. development and management of early childhood education;
- g. provision and management of learning centers, art and cultural centers, and village libraries; and

h. facilitation and motivation for learning groups in the village.

Article 10

The local authority on a village scale in the field of village infrastructure and facilities, as referred to in Article 8 letter b, includes:

- a. construction and maintenance of village offices and village halls;
- b. construction and maintenance of village roads;
- c. construction and maintenance of farm roads;
- d. construction and maintenance of village water reservoirs;
- e. construction of new and renewable energy sources;
- f. construction and maintenance of places of worship;
- g. management of village cemeteries and sacred sites.
- h. development and maintenance of environmental sanitation;
- i. development and management of clean water on a village scale;
- j. development and maintenance of tertiary irrigation;
- k. development and maintenance of village fields;
- l. development and maintenance of village parks;
- m. development and maintenance and management of channels for fish farming; and
- n. development of production facilities and infrastructure in the village.

Article 11

The local authority on a village scale in the field of local economic development, as referred to in Article 8 letter c, includes:

- a. development and management of village markets and village stalls;

- b. development and management of village-owned fish auction places;
- c. development of village-based micro-enterprises;
- d. utilization of village-based microfinance;
- e. development and management of floating net cages and fish traps;
- f. development and management of food barns and establishment of village food reserves;
- g. determination of superior agricultural and fishery commodities in the village;
- h. management of integrated pest and disease control for agriculture and fisheries;
- i. determination of types of organic fertilizers and feeds for agriculture and fisheries;
- j. development of local seeds;
- k. collective livestock development;
- l. development and management of independent energy;
- m. establishment and management of Village-Owned Enterprises (BUM Desa);
- n. development and management of boat docks;
- o. management of grazing fields;
- p. development of village tourism outside the master plan for district tourism development;
- q. management of fish seed halls;
- r. development of appropriate technology for processing agricultural and fishery products; and
- s. development of agricultural production business systems based on resources, institutions, and local culture.

Article 12

The local authority on a village scale in the field of village community affairs, as referred to in Article 6 letter c, includes:

- a. fostering security, order, and peace in the village and its community;
- b. fostering community harmony in the village;
- c. maintaining peace, resolving conflicts, and conducting mediation in the village; and
- d. preserving and developing the spirit of mutual cooperation in the village.

Article 13

The local authority on a village scale in the field of village community empowerment, as referred to in Article 6 letter d, includes:

- a. development of local arts and culture;
- b. organizing through the establishment and facilitation of community organizations and customary institutions;
- c. facilitating community groups through:
 - 1. farmer groups;
 - 2. fisher groups;
 - 3. arts and cultural groups; and
 - 4. other community groups in the village;
- d. providing social assistance to poor families;
- e. facilitating vulnerable groups, including the poor, women, indigenous communities, and people with disabilities;
- f. organizing through the establishment and facilitation of paralegal groups to provide legal assistance to village residents;
- g. participatory poverty analysis in the village;
- h. organizing health promotion and clean and healthy living movements;
- i. organizing through the establishment and facilitation of community development and empowerment cadres;
- j. capacity building through training for village economic activities;
- k. utilization of appropriate technology; and

1. capacity building of the community through:

1. community empowerment cadres;
2. productive economic enterprise groups;
3. women's groups;
4. farmer groups;
5. poor community groups;
6. fisher groups;
7. artisan groups;
8. child protection and welfare groups;
9. youth groups; and
10. other groups based on village conditions.

Chapter V

AUTHORITY DELEGATED BY THE GOVERNMENT,
PROVINCIAL GOVERNMENT, AND DISTRICT
GOVERNMENT

Article 14

The authority delegated by the Government, Provincial Government, or District Government to the Village as referred to in Article 2 letter c constitutes government affairs that can directly enhance public services and community empowerment.

Article 15

The authority assigned by the government and the provincial government shall be exercised in accordance with the provisions of laws and regulations.

Article 16

(1) The affairs of the Regency Government that may be assigned to the Village, as referred to in Article 2 letter c, include:

- a. Agriculture and Food Security;
- b. Forestry and Plantations;
- c. Industry and Trade;
- d. Cooperatives and Small and Medium Enterprises;

- e. Investment;
- f. Manpower and Transmigration;
- g. Health;
- h. Education and Culture;
- i. Social Affairs;
- j. Spatial Planning;
- k. Housing and Settlement;
- l. Public Works;
- m. Transportation;
- n. Environment;
- o. Village Autonomy;
- p. Fiscal Balance;
- q. Assistance Tasks;
- r. Tourism;
- s. Land Affairs;
- t. Population and Civil Registration;
- u. National Unity, Community Protection, and General Administration;
- v. Development Planning;
- w. Public Information and Communication;
- x. Women's Empowerment and Child Protection;
- y. Family Planning and Welfare;
- z. Youth and Sports;
- aa. Village Community Empowerment;
- bb. Statistics; and
- cc. Archives and Libraries.

(2) The details of the Regency Government affairs that may be assigned to the Village, as referred to in paragraph (1), shall be further regulated by a Regent Regulation.

CHAPTER VI

OTHER AUTHORITIES ASSIGNED BY THE GOVERNMENT, PROVINCIAL GOVERNMENT, AND REGENCY GOVERNMENT

Article 17

Other authorities assigned by the Government, Provincial Government, or Regency Government that are delegated to the Village, as referred to in Article 2 letter d, shall be implemented in accordance with the provisions of laws and regulations.

CHAPTER VII

STAGES AND PROCEDURES

Article 18

The Regent conducts an assessment to identify and inventory authorities based on original rights and local-scale village authorities through the following methods:

- a. Inventorying the list of local-scale village activities managed by Regional Government Work Units or Regional Government Work Unit programs based in the Village;
- b. Identifying and inventorying government and development activities that have already been implemented by the Village; and
- c. Establishing an Assessment and Inventory Team to classify types of authorities based on original rights and local-scale village authorities.

Article 19

In the identification process as referred to in Article 18, the Village identifies activities that have already been managed and activities that the Village is capable of managing but have not yet been implemented.

Article 20

The duties of the Assessment and Inventory Team, as referred to in Article 18 letter c, include:

- a. Drafting a list of authorities based on original rights and local-scale village authorities based on the assessment results;
- b. Discussing the draft list of authorities based on original rights and local-scale village authorities;
- c. Ensuring that the discussion of the draft, as referred to in letter b, involves the participation of the Village, experts, and relevant stakeholders; and
- d. Producing a finalized draft list of authorities based on original rights and local-scale village authorities.

Article 21

- (1) The finalized draft list of authorities, as referred to in Article 20 letter d, shall be determined by a Regent Regulation.
- (2) The Regent must conduct a socialization of the Regent Regulation, as referred to in paragraph (1), to the Village.
- (3) The Regent facilitates the establishment of the list of authorities at the Village level.

Article 22

The Village Head, together with the Village Consultative Body (BPD), involves the village community in deliberations to select authorities based on original rights and local-scale village authorities from the list established by the Regent Regulation, in accordance with the needs and conditions of the Village.

Article 23

The Village Head, together with the Village Consultative Body (BPD), may add other types of authorities based on original rights and local-scale village authorities in accordance with community initiatives, village needs, and local conditions.

Article 24

The Village Head shall establish a Village Regulation concerning authorities based on original rights and local-scale village authorities.

CHAPTER VIII VILLAGE LEVIES

Article 25

(1) The Village is prohibited from imposing levies on administrative services provided to the Village community.

(2) The administrative services referred to in paragraph (1) include:

- a. introduction letters;
- b. recommendation letters; and
- c. certificates.

Article 26

(1) The Village has the authority to impose levies on business services such as public baths, village tourism, village markets, boat moorings, fish cages, fish auctions, and other business service levies that do not contradict laws and regulations.

(2) The Village may develop and receive profit-sharing from joint ventures between the Village government and the Village community.

CHAPTER IX DETERMINATION OF VILLAGE AUTHORITIES

Article 27

(1) Authorities based on original rights and local-scale village authorities shall be determined by Village Regulation.

(2) The Village Regulation referred to in paragraph (1) serves as the basis for policies, programs, and village administration in the fields of Village Government administration, Village Development implementation, Community Development, and Village Community Empowerment.

CHAPTER X

FINANCING

Article 28

The implementation of Regency Government affairs delegated to the Village shall be funded from the Regency's Regional Revenue and Expenditure Budget.

CHAPTER XI

GUIDANCE AND SUPERVISION

Article 29

(1) The Regent shall provide guidance and supervision over the implementation of Village authorities.

(2) The implementation of guidance and supervision, as referred to in paragraph (1), may be delegated to the District Head (Camat).

CHAPTER XII

CLOSING PROVISIONS

Article 30

Upon the enactment of this Regional Regulation, Sukoharjo Regency Regional Regulation Number 16 of 2007 concerning the Delegation of Certain Regency Government Authorities to the Village (Sukoharjo Regency Regional Gazette of 2007 Number 12, Supplement to

Sukoharjo Regency Regional Gazette Number 143) shall be revoked and declared no longer in effect.

Article 31

This Regional Regulation shall come into effect on the date of its enactment.

To ensure public awareness, the promulgation of this Regional Regulation is ordered by its placement in the Sukoharjo Regency Regional Gazette.

Established in Sukoharjo
on October 5, 2015
REGENT OF SUKOHARJO,
ttd.
AGUS SANTOSA

Promulgated in Sukoharjo
on October 5, 2015
SECRETARY OF SUKOHARJO
REGENCY,
ttd.
EKO ADJI ARIANTO
REGIONAL GAZETTE OF
SUKOHARJO REGENCY
2015, NUMBER 11

EXPLANATION
OF
REGIONAL REGULATION OF SUKOHARJO REGENCY
NUMBER 11 OF 2015
CONCERNING
VILLAGE AUTHORITY

I. GENERAL

The existence of villages has actually preceded the establishment of the Unitary State of the Republic of Indonesia. The existence of villages is recognized in the Explanation of Article 18 of the 1945 Constitution of the Republic of Indonesia (before amendments), which states:

"Within the territory of Indonesia, there are approximately 250 'Zelfbesturende Landschappen' and 'Volksgemeenschappen,' such as villages in Java and Bali, Nagari in Minangkabau, Dusun and Marga in Palembang, etc. These regions have their own original structures and, therefore, can be considered as special regions. Hence, the Republic of Indonesia respects the status of these special regions, and all state regulations concerning these regions shall take into account their original rights."

Therefore, their existence must continue to be recognized and guaranteed within the Unitary State of the Republic of Indonesia.

Recognition of villages is carried out by acknowledging their authority based on original rights. In addition, villages serve as local government organizers tasked with governing and developing their respective areas. As such, they must have local-scale village authority to manage their own affairs. Within the framework of the Unitary State of the Republic of Indonesia, village governance is part of state administration. Consequently, villages must also carry out duties and authorities assigned by higher levels of government, namely the Central Government, provincial government, or regency/municipal government, in accordance with the applicable laws and regulations.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear.

Article 3

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Sufficiently clear.

Article 12

Sufficiently clear.

Article 13

Letter a

Sufficiently clear.

Letter b

Sufficiently clear.

Letter c

Sufficiently clear.

Letter d

Sufficiently clear.

Letter e

Sufficiently clear.

Letter f

The term "paralegal" refers to a person engaged in legal-related work but who does not possess qualifications as a legal practitioner.

Letter g

Sufficiently clear.

Letter h

Sufficiently clear.

Letter i

Sufficiently clear.

Letter j

Sufficiently clear.

Letter k

Sufficiently clear.

Letter l

Sufficiently clear.

Article 14

Sufficiently clear.

Article 15

The term "statutory regulations" refers to regulations governing the division of affairs between the Central Government and Regional Governments, as well as those regulating deconcentration and co-administration tasks.

Article 16

Sufficiently clear.

Article 17

The term "statutory regulations" refers to regulations governing the division of affairs between the Central Government and Regional Governments, as well as those regulating deconcentration and co-administration tasks.

Article 18

Sufficiently clear.

Article 19

Sufficiently clear.

Article 20

Sufficiently clear.

Article 21

Sufficiently clear.

Article 22

Sufficiently clear.

Article 23

Sufficiently clear.

Article 24

Sufficiently clear.

Article 25

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Sufficiently clear.

Article 28

Sufficiently clear.

Article 29

Sufficiently clear.

Article 30

Sufficiently clear.

Article 31

Sufficiently clear.

SUPPLEMENT TO THE REGIONAL GAZETTE OF SUKOHARJO REGENCY
NUMBER 225