



**REGENT SUKOHARJO
PROVINCE OF CENTRAL JAVA
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 16 OF 2017**

ABOUT

**SECOND AMENDMENT TO THE REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 5 OF 2010 CONCERNING ADMINISTRATION
POPULATION**

BY THE GRACE OF GOD ALMIGHTY

REGENT SUKOHARJO,

Considering:

- a. that in order to realize orderly population administration, the Regional Government is obliged to provide protection and recognition for the determination of personal status and legal status for every Population Event and Important Event experienced by the Population;
- b. that in order to encourage orderly Population Administration and eliminate discriminatory treatment in the population document issuance service as intended in letter a, the issuance of population documents also aims to further encourage the investment climate in Indonesia, so it is necessary to facilitate population administration services;
- c. that based on the general explanation of Law Number 23 of 2006 concerning Population Administration as amended by Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration, it is stated that the issuance of Population Documents is carried out without any discriminatory treatment by adhering to active stelsel system through the active role of the Government and Regional Government;

- d. that based on the considerations as intended in letters a and b, Sukoharjo Regency Regional Regulation Number 5 of 2010 concerning the Implementation of Population Administration as amended by Sukoharjo Regency Regional Regulation Number 2 of 2015 concerning Amendments to Sukoharjo Regency Regional Regulations

Number 5 of 2010 concerning the Implementation of Population Administration needs to be changed;

- e. that based on the considerations as intended in letters a, b, c and d, it is necessary to establish Regional Regulations concerning Amendments
Second, Sukoharjo Regency Regional Regulation Number 5 of 2010 concerning the Implementation of Population Administration;

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

- 2. Law Number 13 of 1950 concerning Internal Regency Formation of Regions
Central Java Province Environment;

- 3. Law Number 1 of 1974 concerning Marriage
(State Gazette of the Republic of Indonesia of 1974 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 3019);

- 4. Law Number 39 of 1999 concerning Human Rights
Human (State Gazette of the Republic of Indonesia of 1999 Number 165, Supplement to the State Gazette of the Republic of Indonesia Number

- 3886); 5. 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);

- 6. Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia (State Gazette
Republic of Indonesia Year 2006 Number 63, Supplement to the State Gazette of the Republic of Indonesia Number 4634);

7. Law Number 23 of 2006 concerning Population Administration (State Gazette of the Republic Indonesia Year 2006 Number 124, Supplement to the State Gazette of the Republic of Indonesia Number 4674) as amended by Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration (State Gazette of the Republic of Indonesia of 2013 Number 262, Supplement to the State Gazette of the Republic of Indonesia Number 5475);
8. Law Number 25 of 2009 concerning Services Public (2009 State Gazette of the Republic of Indonesia Number 112, Supplement to the State Gazette of the Republic of Indonesia Number 5038);
9. Law Number 6 of 2011 concerning Immigration (State Gazette of the Republic of Indonesia of 2011 Number 53, Supplement to the State Gazette of the Republic of Indonesia Number 5216);
10. Law Number 12 of 2011 concerning the Formation of Legislative Regulations (Sheet Republic of Indonesia Year 2004 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234);
11. 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);
12. Government Regulation Number 37 of 2007 concerning Implementation of Law Number 23 of 2006 concerning Population Administration (State Gazette of the Republic of Indonesia of 2007 Number 80, Supplement to State Gazette of the Republic of Indonesia Number 4736), as amended by Government Regulation Number 102 of 2012 concerning Amendments to Government Regulation Number 37 of 2007 concerning Implementation of Law Number 23 of 2006 concerning Population Administration (State Gazette of the Republic Indonesia Year 2012 Number 265, Supplement to the State Gazette of the Republic of Indonesia Number 5373);
13. Presidential Regulation Number 25 of 2008 concerning Requirements and Procedures for Population Registration and Civil Registration;

14. Presidential Regulation Number 26 of 2009 concerning Implementation of Identification Cards Based on Identification Numbers National Population, as amended several times, most recently by Presidential Regulation Number 112 of 2013 concerning the Fourth Amendment to Presidential Regulation Number 26 of 2009 concerning the Implementation of Identification Cards Based on Identification Numbers National Population (State Gazette of the Republic of Indonesia 2013 Number 257);
15. 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);
16. Sukoharjo Regency Regional Regulation Number 5 of 2010 concerning the Implementation of Population Administration (Sukoharjo Regency Regional Gazette of 2010 Number 5, Supplement to Sukoharjo Regency Regional Gazette Number 172) as amended by Sukoharjo Regency Regional Regulation Number 2 of 2015 concerning Amendments to Regional Regulation Number 5 of 2010 concerning the Implementation of Population Administration (Sukoharjo Regency Regional Gazette of 2015 Number 2, Supplement to Sukoharjo Regency Regional Gazette Number 218);
17. Sukoharjo Regency Regional Regulation Number 12 of the Year 2016 concerning the Formation and Structure of Regional Apparatus (2016 Sukoharjo Regency Regional Gazette Number 12, Supplement to Sukoharjo Regency Regional Gazette Number 236);

With Mutual Consent

REGIONAL PEOPLE'S REPRESENTATIVE COUNCIL OF SUKOHARJO DISTRICT

And

REGENT SUKOHARJO

DECIDE:

To stipulate: REGIONAL REGULATIONS CONCERNING THE SECOND AMENDMENT TO THE REGIONAL REGULATIONS OF SUKOHARJO DISTRICT NUMBER 5 OF 2010 CONCERNING THE ORGANIZATION OF POPULATION ADMINISTRATION.

Article I

Provisions of Article 97 in the Regency Regional Regulations Sukoharjo Number 5 of 2010 concerning Implementation Population Administration (Regency Regional Gazette Sukoharjo Year 2010 Number 5, Supplement to the Regional Gazette Sukoharjo Regency Number 172) as amended by Sukoharjo Regency Regional Regulation Number 2 2015 concerning Amendments to Regional Regulations Sukoharjo Regency Number 5 of 2010 concerning Implementation of Population Administration (Plate Sukoharjo Regency Region 2015 Number 2, Additional Sukoharjo Regency Regional Gazette Number 218), amended to read as follows:

Article 97

- (1) Every resident is subject to administrative sanctions in the form of: fines if the incident reporting time limit is exceeded
Population in this case:
 - a. moving in for Foreigners who have a Limited Stay Permit or Foreigners who have a Permanent Stay Permit, as intended in Article 32 paragraph (1);
 - b. moving abroad for Indonesian citizens, as intended in Article 33 paragraph (1);
 - c. moving from abroad for Indonesian citizens, as intended in Article 34 paragraph (1);
 - d. moving from abroad for Foreigners who have a Limited Stay Permit, as intended in Article 36 paragraph (1); e. change of status for Foreigners who have a Limited Stay Permit or Foreigners who have a Permanent Stay Permit, as intended in Article 37 paragraph (1);
 - f. moving abroad for Foreigners who have a Limited Stay Permit or Foreigners who have a Permanent Stay Permit, as intended in Article 38 paragraph (1); or
 - g. changes to the KK as intended in Article 79 paragraph (2).
- (2) The administrative fine as intended in paragraph (1) letter c against Indonesian citizens is IDR 0.00 (zero rupiah).
- (3) The administrative fine as intended in paragraph (1) letters a, b, d, e and f against foreigners is IDR 0.00 (zero rupiah).

- (4) The administrative fine as intended in paragraph (1) letter g for Indonesian citizens is Rp. 0.00 (zero rupiah) and foreigners is Rp. 0.00 (zero rupiah).
- (5) Every resident is subject to administrative sanctions in the form of: fines if the incident reporting time limit is exceeded
Important in this case:
- a. birth as intended in Article 48 paragraph (1) or Article 52 or Article 53 paragraph (1);
 - b. marriage as intended in Article 54 paragraph (1) or Article 58 paragraph (1);
 - c. cancellation of marriage as intended in Article 60 paragraph (1);
 - d. divorce as intended in Article 61 paragraph (1) or in Article 62 paragraph (3);
 - e. annulment of divorce as referred to in Article 63 paragraph (1);
 - f. death as intended in Article 64 paragraph (1) or Article 65 paragraph (1);
 - g. adoption of a child as referred to in Article 66 paragraph (1);
 - h. child recognition as intended in Article 67 paragraph (1); i. validation of the child as intended in Article 68 paragraph (1);
 - j. change of name as intended in Article 70 paragraph (2); or
 - k. change in citizenship status as intended in Article 71 paragraph (1).
- (6) The administrative fine as intended in paragraph (5) letters a and letter f against Indonesian citizens is IDR 0.00 (zero rupiah) and against foreigners IDR 0.00 (zero rupiah).
- (7) The administrative fine as intended in paragraph (5) letter b, letter c, letter g, letter h, letter i, letter j, and letter k is IDR 0.00 (zero rupiah).
- (8) The administrative fine as intended in paragraph (5) letters d and e is IDR 0.00 (zero rupiah).

Article II

This local regulation are applied at the date stated.

So that everyone is aware, this Regional Regulation is ordered to be promulgated by placing it in the Sukoharjo Regency Regional Gazette.

**Set in Sukoharjo
on December 29, 2017**

REGENT SUKOHARJO,

signed

WARDOYO WIJAYA

**Promulgated in Sukoharjo
on December 29, 2017**

**REGIONAL SECRETARY
SUKOHARJO DISTRICT,**

signed

**AGUS SANTOSA
SUKOHARJO DISTRICT REGIONAL GAZETTE
YEAR 2017 NUMBER 16**

**EXPLANATION
ON
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 16 OF 2017
ABOUT
SECOND AMENDMENT TO THE REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 5 OF 2010 CONCERNING IMPLEMENTATION
POPULATION ADMINISTRATION**

I. GENERAL.

Regulation of administrative fines as a form of administrative sanction as regulated in Article 89, Article 90 and Article 91 of Law Number 23 of 2006 concerning Population Administration as amended by Law Number 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration between legal principles and legal norms creates legal uncertainty in its implementation. This is due to the change in the principle of active stelsel which was previously carried out by residents as applicants for population documents to become an obligation of the government.

Norms or provisions regarding administrative fines which are re-regulated in Sukoharjo Regency Regional Regulation Number 5 of 2010 concerning the Implementation of Population Administration as amended by Sukoharjo Regency Regional Regulation Number 2 of 2015 concerning Amendments to Sukoharjo Regency Regional Regulation Number 5 of 2010 concerning the Implementation of Population Administration are necessary changed to comply with the principle of legal certainty.

Changes to the provisions on administrative fines in regional regulations aim to provide social justice for both the interests of residents and state administrators in orderly population administration and investment efforts. For this reason, the regulation of fines as administrative sanctions needs to be re-arranged but still adheres to the rules of statutory regulations.

Efforts to create harmonious legal arrangements without abandoning internal legal principles
In its formation, the material must be in accordance with the principles of order and legal certainty. This principle states that every material contained in legal regulations must be able to create order in society through guarantees of legal certainty.

Based on the provisions in Article 79A of the Law
Number 23 of 2006 concerning Population Administration as amended by Law
Number 24 of 2013 concerning Amendments to Law Number 23 of 2006

Regarding Population Administration, there is no charge for the processing and issuance of Population Documents, so consistent with these regulations, for processing late fines for processing population documents, the amount of administrative fines is equivalent to IDR. 0.00 (zero rupiah).

II. ARTICLE BY ARTICLE

Article I

Quite clear.

Article II

Quite clear

**SUPPLEMENTARY SUKOHARJO DISTRICT REGIONAL GAZETTE
NUMBER 256**