



REGENT SUKOHARJO
PROVINCE OF CENTRAL JAVA
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 19 OF 2016
ABOUT
APPOINTMENT AND DISMISSAL OF VILLAGE APPARATUS

BY THE GRACE OF GOD ALMIGHTY,

REGENT SUKOHARJO,

Considering: that to implement the provisions of Article 13 of the Regulation Minister of Home Affairs Number 83 of 2015 concerning Appointment and Dismissal of Village Officials, it is necessary to stipulate Regional Regulations regarding Appointment and Dismissal of Village Officials;

- Bearing in mind:**
- 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 Regions within the Province of Central Java;**
 - 3. Law Number 12 of 2011 concerning the Establishment of Legislation and Regulations (State Gazette of the Republic of 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 of 2014 Number 7, Supplement to 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 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);**

6. Government Regulation Number 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages (State Gazette of the Republic of Indonesia of 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 on Government Regulation of the Republic of Indonesia Number 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages (State Gazette of the Republic of Indonesia of 2015 Number 157, Supplement to State Gazette of the Republic of Indonesia Number 5717);
7. 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);
8. Minister of Home Affairs Regulation Number 80 of 2015 concerning the Formation of Regional Legal Products (State Gazette of the Republic of Indonesia of 2015 Number 2036);
9. Minister of Home Affairs Regulation Number 83 of 2015 concerning Appointment and Dismissal of Village Officials (State Gazette of the Republic of Indonesia of 2016 Number 5);

DECIDE:

To stipulate: REGIONAL REGULATIONS CONCERNING APPOINTMENT AND DISMISSAL OF VILLAGE APPARATUS.

**PIG
GENERAL REQUIREMENTS**

article 1

- In this Regional Regulation what is meant by:
1. 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. The sub-district head is the sub-district leader who is under and responsible to the Regent through the Regional Secretary.
 5. A village is a legal community unit that owns territorial boundaries that have the authority to regulate and manage government affairs, the interests of local communities based on community initiatives, rights of origin, and/or traditional rights that are recognized and respected in the government system of the Unitary State of the Republic of Indonesia.

6. Village Government is the administration of government affairs and the interests of local communities in the government system of the Unitary State of the Republic of Indonesia.
7. Village Government is the Village Head assisted by Village officials as an element of Village Government administration.
8. The Village Head is a Village Government official who has the authority, duties and obligations to organize the Village household and carry out the duties of the Government and Regional Government.
9. Village Apparatus is a staff element that assists the Village Head in formulating policies and coordination which is contained in the Village Secretariat, and an element supporting the Village Head's duties in implementing policies which is contained in the form of technical implementers and regional elements.
10. The Village Apparatus Appointment Team is a team that carries out the selection and screening of candidates for village officials.
11. Next Village Revenue and Expenditure Budget called the Village APB is the annual financial plan of the village government.
12. Networking is the activity of announcing vacancies and receiving registration files for prospective candidates Village.
13. Screening is an administrative selection activity until with the determination of village officials candidates.
14. Day is a working day.

CHAPTER II

APPOINTMENT OF VILLAGE APPARATUS

Part One

Appointment Requirements

Section 2

- (1) Village officials are appointed by the Village Head from among the residents villages that have met general and special requirements.
- (2) General requirements as intended in paragraph (1) are as follows :
 - a. at least secondary school education general or equivalent;
 - b. aged 20 (twenty) years to 42 (forty-two) years; And
 - c. fulfill complete administrative requirements.

- (3) Special Requirements as intended in paragraph (1) are as follows:**
- a. have the competence to occupy a position as a village official;**
 - b. especially for the position of Regional Executive, he must know his hamlet area and be known by the local hamlet community;**
 - c. Civil servants who register to become village officials must obtain written permission from civil service development officer;**
 - d. TNI members or Polri members who register to become Village Apparatus must obtain written permission from the authorized superior;**
 - e. BPD members who register themselves as candidates for Village Apparatus, if appointed as Village Apparatus must resign as members of the BPD;**
 - f. Village officials who nominate themselves for other village officials' positions must obtain written permission from the Village Head; And**
 - g. The Village Apparatus Appointment Team cannot nominate themselves as Village Apparatus candidates.**
- (4) Further provisions regarding special requirements as intended in paragraph (3) are regulated in a Regent's Regulation.**

Article 3

Completeness of administrative requirements as intended in Article 2 paragraph (2) letter c, among others, consists of:

- a. photocopy of Resident Identity Card legalized by the authorized official;**
- b. Statement of devotion to God Almighty made by the person concerned on stamped paper;**
- c. Statement Letter upholding and implementing Pancasila, the 1945 Constitution of the Republic of Indonesia, defending and preserving the integrity of the Unitary State of the Republic of Indonesia and Bhinneka Tunggal Ika, drawn up by the person concerned on stamped paper;**
- d. photocopy of education diploma from elementary level to final diploma legalized by an official authorized or statement letter from an authorized official;**
- e. photocopy of birth certificate or birth certificate legalized by an authorized official;**
- f. Healthy body certificate from the Community Health Center or authorized health officials;**

- g. Application letter to become a Village Apparatus made by the person concerned with sufficient stamp duty;**
- h. Letter of permission from civil service supervisor for registrants from Civil Servants;**
- i. Letter of permission from an authorized superior for applicants from TNI or Polri members;**
- j. Statement of willingness to resign as a BPD Member if appointed as a Village Apparatus for applicants from BPD Members;**

- k. Village Head's permission letter for registrants from the Device Village; And**
- l. Certificate of not currently serving a prison sentence from an authorized official.**

**The second part
Lifting Mechanism**

**Paragraph 1
Formation of a Team for the Appointment of Village Apparatus**

Article 4

- (1) The Village Head can form a Team for the Appointment of Village Apparatus.**
- (2) The Village Apparatus Appointment Team as referred to in paragraph (1) has the task and function of carrying out the selection and screening of Village Apparatus candidates.**
- (3) The Village Apparatus Appointment Team consists of elements from Village Apparatus, community institutions and community leaders.**
- (4) The Village Apparatus Appointment Team as intended in paragraph (1) is determined by the Village Head's Decree.**
- (5) Composition of the Village Apparatus Appointment Team as follows referred to in paragraph (1) consists of:**
 - a. chairman;**
 - b. secretary; And**
 - c. member.**
- (6) The members as referred to in paragraph (5) letter c are at least 1 (one) person or more with an odd number.**
- (7) Further provisions regarding the elements, duties and functions of the Village Apparatus Appointment Team as referred to in paragraph (2) are regulated by a Regent's Regulation.**

Paragraph 2

Screening and Screening of Prospective Candidates

Article 5

- (1) The Village Apparatus Appointment Team carries out screening and screening activities for prospective Village Apparatus at a predetermined time.**
- (2) The selection and screening of prospective Village Apparatus candidates shall be carried out no later than 2 (two) months after the village apparatus position becomes vacant or dismissed.**

Article 6

- (1) The Village Apparatus Appointment Team announces vacancies for Village Apparatus positions and opens registration for prospective Village Apparatus candidates.**
- (2) Prospective Village Officials register themselves with submit an application for a Village Apparatus Nomination submitted in one's own hand with sufficient stamp duty to the Village Head accompanied by the requirements as intended in Article 2 and Article 3.**
- (3) Nominations for Village Apparatus are at least 2 (two) people in each village apparatus position.**

Article 7

- (1) Screening of prospective Village Apparatus candidates to become candidates Village officials are determined through administrative completeness selection and written selection.**
- (2) The written selection material as intended in paragraph (1) includes Pancasila, the 1945 Constitution of the Republic of Indonesia, National Insight, Village Government, and General Knowledge.**
- (3) The written selection material as intended in paragraph (2) is prepared by the Village Apparatus Appointment Team.**
- (4) In compiling the material as referred to in paragraph (2), consulted with the sub-district head.**

Article 8

- (1) The results of the selection and screening of Village Apparatus as intended in Article 6 and Article 7 are stated in the Minutes and then reported to the Village Head.**
- (2) The results of the selection and screening of prospective Village Apparatus candidates are at least 2 (two) candidates in each Village officials are consulted by the Village Head to the Subdistrict Head to obtain recommendations.**

Article 9

Further provisions regarding the selection and screening of prospective Village Officials are regulated by Regent's Regulations.

Paragraph 3

Appointment of Village Officials

Article 10

- (1) In the case of consultation by the Village Head to the Subdistrict Head as intended in Article 8 paragraph (2), the Subdistrict Head shall provide written recommendations to prospective Village Apparatus no later than 7 (seven) working days.
- (2) The recommendation given by the sub-district head is in the form of approval or rejection based on specified requirements.
- (3) If the sub-district head gives approval, the Village Head issues a Village Head Decree regarding the Appointment of Village Apparatus.
- (4) In the event that the Camat's recommendation contains rejection, the Village Head will conduct a screening and re-screening of Village Apparatus candidates.
- (5) Provisions regarding the Camat's recommendations as referred to in paragraph (2) are further regulated in a Regent's Regulation.

Paragraph 4

Inauguration of Village Officials

Article 11

- (1) The Village Head appoints Village Apparatus no later than 10 (ten) days after the Head's Decree is issued Village regarding the Appointment of Village Apparatus as intended in Article 10 paragraph (3).
- (2) The inauguration of Village Apparatus is carried out by the Village Head and carried out at the Village Hall/Village Office or at another designated place.
- (3) Before assuming office, the Village Apparatus takes an oath/ promise whose wording is as follows: "By Allah (God), I swear/ promise that I will fulfill my obligations as a Village Apparatus honestly and fairly, that "I will always be obedient in practicing and maintaining Pancasila as the basis of the state, and that I will uphold democratic life and the 1945 Constitution as the state constitution as well as all laws and regulations that apply to villages, regions and the Unitary State of the Republic of Indonesia."

- (4) Further provisions regarding procedures for Inauguration Village apparatus are regulated by Regent Regulations.**

CHAPTER III

PERIOD OF VILLAGE APPARATUS

Article 12

The term of office of village officials ends at the age of 60 (sixty) years.

CHAPTER IV

WELFARE OF VILLAGE OFFICERS

Article 13

- (1) Village officials receive fixed income and guarantees health.**
- (2) Apart from fixed income and health insurance as intended in paragraph (1), you can receive:**
- a. allowance;**
 - b. additional allowances; And**
 - c. other valid receipts.**
- (3) Health insurance, benefits, additional benefits, and Other legitimate revenues as intended in paragraph (1) and paragraph (2) are sourced from the Village APB.**

CHAPTER V

PROHIBITION

Article 14

Village officials are prohibited from:

- a. detrimental to the public interest; b. make decisions that benefit oneself, family members, other parties, and/or certain groups; c. abuse their authority, duties, rights and/or obligations;**
- d. carry out discriminatory actions against citizens and/or certain community groups;**
- e. carrying out actions that disturb a group of people Village;**
- f. commit collusion, corruption and nepotism, receive money, goods and/or services from other parties that can influence decisions or actions to be taken; g. become a political party administrator;**
- h. being a member and/or administrator of a prohibited organization;**

- i. holding concurrent positions as chairman and/or member of the Village Consultative Body, member of the People's Representative Council of the Republic of Indonesia, Regional Representative Council of the Republic of Indonesia, Provincial Regional People's Representative Council or Regency/Municipal Regional People's Representative Council, and other positions specified in statutory regulations;
 - j. participate and/or be involved in general election campaigns and/or regional head elections;
 - k. violating the oath/promise of office; and l.
- leave duty for 60 (sixty) working days consecutively without clear reasons and cannot be accounted for.

CHAPTER VI

DISMISSAL OF VILLAGE APPARATUS**Part One
Dismissal****Article 15**

- (1) The Village Head dismisses the Village Apparatus after consult with the sub-district head.
- (2) Village officials stop because:
 - a. die;
 - b. own request; And
 - c. dismissed.
- (3) Village officials are dismissed as intended in paragraph (2) letter c because:
 - a. age has reached 60 (sixty) years;
 - b. declared as a convict based on a court decision that has permanent legal force;
 - c. permanent absence;
 - d. no longer meets the requirements as a Village Apparatus; And
 - e. violating prohibitions as a village official.
- (4) The dismissal of Village Officials as referred to in paragraph (2) letters a and b, is determined by the Village Head's Decree and submitted to the Subdistrict Head no later than 14 (fourteen) days after it is determined.
- (5) The dismissal of Village Officials as referred to in paragraph (2) letter c must be consulted first first to the sub-district head.
- (6) Consultation results as intended in paragraph (5) stated in the form of a written recommendation by the sub-district head.

- (7) The sub-district head's written recommendation as referred to in paragraph (6) is based on the requirements for the dismissal of Village officials.

The second part
Temporary Suspension

Article 16

- (1) Village officials are temporarily suspended by the Village Head after consulting with the Subdistrict Head.
- (2) Temporary suspension of Village Apparatus as stated referred to in paragraph (1) because:
- a. named as a suspect and detained;
 - b. named as a defendant; or c. caught red-handed and detained.
- (3) If the Village Apparatus is temporarily suspended as referred to in paragraph (1), the Village Head appoints the Village Apparatus as the Person Carrying Out Duties (YMT) with the Village Head's Decree.
- (4) Village officials who are temporarily suspended as referred to in paragraph (2), if they are terminated acquitted or declared not proven guilty by the Court and having permanent legal force then he is returned to his original position.
- (5) Further provisions regarding the appointment of Persons Carrying Out Duties as intended in paragraph (3) are regulated by Regent's Regulations.

Article 17

- (1) Village officials who are temporarily suspended as referred to in Article 16 after going through a judicial process are proven not guilty based on a court decision that has
- permanent legal force, no later than 30 (thirty) days after the court decision is received by the Village Apparatus, the Village Head rehabilitates and reactivates the Village Apparatus concerned as a Village Apparatus.
- (2) If the Village Apparatus is temporarily suspended as referred to in paragraph (1), his term of office has ended, the Village Head must rehabilitate the good name of the Village Apparatus concerned.

CHAPTER VII

VACANCY POSITIONS FOR VILLAGE APPARATUS

Article 18

- (1) In the event that there is a vacancy in a Village Apparatus position, the duties of the vacant Village Apparatus are carried out by an Acting Officer who holds a position from the same element.

- (2) The Task Executor as intended in paragraph (1) is determined by the Village Head with an Assignment Order, a copy of which is submitted to the Regent via the Subdistrict Head no later than 7 (seven) days from the date of the assignment letter.
- (3) Fill vacant Village Apparatus positions no later than 2 (two) months after the relevant Village Apparatus resigns.
- (4) Further provisions regarding the appointment of Executors as referred to in paragraph (1) are regulated by a Regent's Regulation.

CHAPTER VIII

ELEMENTS OF VILLAGE STAFF

Article 19

- (1) The Village Head can appoint elements of the Apparatus staff Village.
- (2) The staff elements as referred to in paragraph (1) are to assist the Head of Affairs, Head of Sections and Head of Regions in accordance with the village's financial needs and capabilities.
- (3) Further provisions regarding procedures for appointing Village Apparatus staff elements as referred to in paragraph (1) is regulated by a Regent's Regulation.

CHAPTER IX

OFFICIAL CLOTHING AND VILLAGE ATTRIBUTES

Article 20

Official clothing and attributes of Village Officials are determined by Regent's Regulations which are guided by the provisions of statutory regulations.

CHAPTER X

INCREASING THE CAPACITY OF THE VILLAGE APPARATUS

Article 21

- (1) Village Apparatus and Village Apparatus staff who have been appointed by Village Head Decree are obliged to take part in initial training for their term of service and training programs implemented by the Government, Provincial Government, Regency Government and Village Government.
- (2) Training costs as referred to in paragraph (1) and paragraph (2) are charged to the APBN, Provincial APBD, Regency APBD, and Village APB, and other authorized sources.

CHAPTER XI

SUPERVISION

Article 22

- (1) In the context of monitoring the implementation process the appointment of Village Apparatus is formed by a Supervisory Team at the District level.

- (2) The formation of the Supervisory Team as intended in paragraph (1) is determined by the District Head's Decree.**
- (3) The elements, composition, duties and authority of the Supervisory Team as referred to in paragraph (1) are further regulated in a Regent's Regulation.**

CHAPTER XII

LIFTING COSTS

Article 23

Village Apparatus Appointment Fees are charged to the Village APB.

CHAPTER XIII

PENALTY

Article 24

- (1) Village officials who violate the prohibitions as follows as intended in Article 14 are subject to sanctions:**
 - a. administrative in the form of a verbal warning and/or reprimand written.**
 - b. in terms of administrative sanctions as intended in letter a is not implemented, action is taken temporary dismissal and can be continued with dismissal.**
- (2) Provisions regarding sanctions as referred to in paragraph (1) is further regulated by a Regent's Regulation.**

CHAPTER XIV

TRANSITIONAL PROVISIONS

Article 25

Village officials appointed before the enactment of this Regional Regulation continue to carry out their duties until the end of their term of office based on their appointment decree.

Article 26

- (1) Village officials who have carried out their duties his term of office expires based on the Decree of appointment as intended in Article 25 and aged less than 60 (sixty) years can reappointed to carry out duties until the age of 60 (sixty) years.**
- (2) The reappointment of Village Apparatus to carry out duties up to the age of 60 (sixty) years as intended in paragraph (1) does not apply retroactively to Village Apparatus who have been dismissed before this Regional Regulation comes into force.**
- (3) Provisions for the re-appointment of Village Apparatus for carrying out duties until the age of 60 (sixty) years as intended in paragraph (1) is further regulated by a Regent's Regulation.**

CHAPTER XV

CLOSING

Article 27

When this Regional Regulation comes into force, Sukoharjo Regency Regional Regulation Number 5 of 2006 concerning Village Apparatus (Sukoharjo Regency Regional Gazette of 2006 Number 5, Supplement to Sukoharjo Regency Regional Gazette Number 126) as amended by Sukoharjo Regency Regional Regulation Number 20

2011 concerning Amendments to Sukoharjo Regency Regional Regulation Number 5 of 2006 concerning Village Apparatus (Sukoharjo Regency Regional Gazette 2012 Number 5, Supplement to Sukoharjo Regency Regional Gazette Number 197) was revoked and declared invalid.

Article 28

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.

Stipulated in Sukoharjo on
December 30 2016

REGENT SUKOHARJO,

signed

WARDOYO WIJAYA

Promulgated in Sukoharjo
on December 30, 2016

**REGIONAL SECRETARY
SUKOHARJO DISTRICT,**

signed

AGUS SANTOSA

**SUKOHARJO DISTRICT REGIONAL GAZETTE
YEAR 2016 NUMBER 19**

The copy corresponds to the original
HEAD OF LEGAL SECTION,

BUDI SUSETYO, SH, MH
NIP

Trustee. 19730705 199203 1 004

**EXPLANATION
ON
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 19 OF 2016
ABOUT
APPOINTMENT AND DISMISSAL OF VILLAGE APPARATUS**

I. GENERAL

In order to improve the smooth implementation of village government, implementation of development and services to the community, the role of village officials is absolutely necessary, so that services to the community run optimally in line with the dynamics of the ongoing development of village autonomy.

In order to realize this and in order to ensure legal certainty in the appointment and dismissal of village officials, it is necessary to have a legal umbrella as a guideline in the appointment and dismissal of village officials.

With the issuance of Law Number 6 of 2014 concerning Villages, Government Regulation Number 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages, as amended by Government Regulation Number 47 of 2015 concerning Amendments to Government Regulation Number 43 of 2015 concerning Implementing Regulations for Law Number 6 of 2014 concerning Villages, as well as Regulation of the Minister of Home Affairs Number 83 of 2015 concerning Appointment and

Dismissal of Village Officials: The Regional Government has the authority to regulate the appointment and dismissal of village officials in Regional Regulations.

II. ARTICLE BY ARTICLE

article 1

Quite clear.

Section 2

Paragraph (1)

What is meant by "village residents" are village residents who reside in the local village or village residents/communities who come from villages/sub-districts in Sukoharjo Regency area or village residents/communities who come from villages/sub-districts outside the Sukoharjo Regency area.

Paragraph (2)

Quite clear.

Paragraph (3)

Quite clear.

Paragraph (4)

Quite clear.

Article 3

Quite clear.

Article 4

Quite clear.

Article 5

Quite clear.

Article 6

Quite clear.

Article 7

Quite clear.

Article 8

Quite clear.

Article 9

Quite clear.

Article 10

Quite clear.

Article 11

Quite clear.

Article 12

Quite clear.

Article 13

Quite clear.

Article 14

Quite clear.

Article 15

Quite clear.

Article 16

Quite clear

Article 17

Quite clear.

Article 18

Quite clear.

Article 19

Quite clear.

Article 20

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.

Article 27

Quite clear.

Article 28

Quite clear.

SUPPLEMENTARY REGIONAL GAZETTE OF SUKOHARJO DISTRICT NUMBER 241