



**REGENT SUKOHARJO
PROVINCE OF CENTRAL JAVA
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 21 OF 2016
ABOUT
COMMANDERING PROSTITUTION AND IMMUNE ACTS**

BY THE GRACE OF GOD ALMIGHTY

REGENT SUKOHARJO,

Considering: a. that prostitution and immoral acts are disgraceful acts that are contrary to religious norms, customs, morality and the law and have a negative impact on health, the life of the family, national and state society, and also degrade human dignity;

b. that in an effort to create public order and public peace, it is necessary to prevent prostitution and immoral acts;

c. that with the increasing dynamics of community life in Sukoharjo Regency, the Sukoharjo Level II Regional Regency Regional Regulation Number 19 of 1995 concerning the Handling and Eradication of Immoral People in Sukoharjo Level II Regional Regency, is no longer appropriate so it is necessary replaced;

d. that based on the considerations as intended in letters a, b, and c, it is necessary to stipulate Regional Regulations regarding the Prevention of Prostitution and Immoral Acts;

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 Regions within the Province of Central Java;

3. Law Number 8 of 1981 concerning Criminal Procedure Law (State Gazette of the Republic of Indonesia of 1981 Number 76, Supplement to State Gazette of the Republic of Indonesia Number 3209);

4. 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);

5. 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):
6. Law Number 36 of 2009 concerning Health (State Gazette of the Republic of Indonesia Year 2009 Number 144, Supplement to the State Gazette of the Republic of Indonesia Number 5063):
7. Law Number 12 of 2011 concerning the Establishment 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);
8. 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 Government Regulation in Lieu of Law Number 1 of 2016 concerning Second Amendment Regarding Law Number 23 of 2002 concerning Child Protection (State Gazette of the Republic of Indonesia of 2014 Number 99, Supplement to the State Gazette of the Republic of Indonesia Number 5882);
9. Law Number 23 of 2004 concerning the Elimination of Domestic Violence (State Gazette of the Republic of Indonesia of 2004 Number 95, Supplement to State Gazette of the Republic of Indonesia Number 4419);
10. 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);
11. Government Regulation Number 27 of 1983 concerning Implementation of the Criminal Procedure Code (State Gazette of the Republic of Indonesia of 1981 Number 6, Supplement to State Gazette of the Republic of Indonesia Number 3258), as amended by Government Regulation Number 58 of 2010 concerning Amendments to Regulations Government Number 27 of 1983 concerning Implementation of the Criminal Procedure Code (State Gazette of the Republic of Indonesia of 2010 Number 90, Supplement to State Gazette of the Republic of Indonesia Number 5145);

12. Government Regulation Number 6 of 2010 concerning Civil Service Police Units (State Gazette of the Republic Indonesia Year 2010 Number 9, Supplement to the State Gazette of the Republic of Indonesia Number 5094);
13. 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);
14. 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);
15. 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);
16. Sukoharjo Regency Regional Regulation Number 6 of 2011 concerning Implementation of Protection for Victims of Gender-Based Violence and Children (Sheet Sukoharjo Regency Region 2011 Number 6, Supplement to Sukoharjo Regency Regional Gazette Number 186);
17. 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);
18. Sukoharjo Regency Regional Regulation Number 3 of 2015 concerning the Implementation of Child Protection (Sukoharjo Regency Regional Gazette of 2015 Number 3, Supplement to Sukoharjo Regency Regional Gazette Number 219) as amended by Sukoharjo Regency Regional Regulation Number 16 of 2016 concerning Amendments to Regency Regional Regulations Sukoharjo Number 3 of 2015 concerning Implementation of Child Protection (Sukoharjo Regency Regional Gazette of 2016 Number 16, Supplement to Sukoharjo Regency Regional Gazette Number 240);
19. Sukoharjo Regency Regional Regulation Number 4 of 2016 concerning Civil Servant Investigators (Sukoharjo Regency Regional Gazette of 2016 Number 4, Supplement to Sukoharjo Regency Regional Gazette Number 229);

With Mutual Consent

REGIONAL PEOPLE'S REPRESENTATIVE COUNCIL OF SUKOHARJO DISTRICT

And

REGENT SUKOHARJO

DECIDE :

Establish: REGIONAL REGULATIONS CONCERNING COUNTERMEASURE
PROSTITUTION AND IMMUNE ACTS.

PIG

GENERAL REQUIREMENTS

article 1

In this Regional Regulation what is meant by:

1. The region is Sukoharjo Regency.
2. The Regent is the Regent of Sukoharjo.
3. Regional Government is the regional head as the organizing element of the Regional Government who leads the implementation of government affairs which fall under the authority of the autonomous region.
4. Regional Apparatus is a supporting element for the Regent and DPRD in the implementation of Government Affairs is the authority of the Sukoharjo Regency Government.
5. Person is an individual or entity as a legal subject responsible for the rights and obligations in this Regional Regulation.
6. The family is the smallest unit in society consisting of husband and wife, or husband and wife and their children, or father and children, or mother and children, or blood relatives in a straight line up or down to the third degree.
7. Public facilities are facilities organized by the Government, private sector or individuals which are used for activities for the community, including all office buildings belonging to the Government or Regional Government, public office buildings, malls and shopping centers.
8. 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.
9. Prostitution perpetrators are people who sell themselves as commercial sex sellers and use commercial sex services.
10. Immoral acts are acts that are contrary to religious norms, decency norms, moral norms and moral norms.

11. **Obscene acts are inappropriate acts with religious norms, customs, morality and laws relating to sexual desire.**
12. **Countermeasures are a process, method and act of overcoming problems through prevention, development and rehabilitation, and eradication efforts.**
13. **Rehabilitation is a process of re-functionalization and development to enable a person to be able to carry out their social functions properly in community life.**
14. **Investigation is a series of investigator's actions in terms and according to the methods stipulated in law to search for and collect evidence which will shed light on the criminal act that occurred and in order to find the suspect.**
15. **Civil Servant Investigators, hereinafter abbreviated as PPNS, are certain Civil Servant Officials in The Regional Government is given special authority by law to carry out investigations into violations of Regional Regulations.**

CHAPTER II

PURPOSE AND OBJECTIVES

Section 2

The purpose of enacting this Regional Regulation is as a legal basis for efforts to overcome various forms of prostitution and immoral acts that affect social life and as an effort to change mental attitudes that damage the foundations of community life.

Article 3

The purpose of enacting this Regional Regulation is to:

- a. **realizing and maintaining an ethical community life order, with a noble personality in accordance with religious norms, customs, morality, decency and law;**
 - b. **maintain human dignity;**
 - c. **provide the basis and guidelines for handling prostitution and immoral acts;**
 - d. **prevent the development of prostitution practices and immoral acts in society; and e. preventing**
- the increase in sexually transmitted infections and Human Immunodeficiency Virus Acquired Immunodeficiency Syndrome (HIV-AIDS).**

CHAPTER III
PROSTITUTION AND IMMUNE ACTS

Article 4

- (1) Prostitution perpetrators include a person or several people
Which:**
- a. selling oneself as a seller of sexual services;**
 - and b. users of sex trafficking services.**
- (2) Prostitution as intended in paragraph (1) is carried out either directly
or indirectly.**

Article 5

Immoral acts include, among others:

- a. Everyone who is not married lives together like husband and wife;**
- b. Everyone who is not bound by marriage does
sexual relations with other people; And**
- c. Everyone who is not bound by marriage does
obscene acts with other people.**

CHAPTER IV
REGIONAL GOVERNMENT OBLIGATIONS

Article 6

- (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.**
- (3) The Regional Government in carrying out the obligations as intended
in paragraph (1) is carried out by the relevant Regional Apparatus.**
- (4) Further provisions regarding relevant Regional Apparatus in carrying
out the obligations as intended in paragraph (3) are regulated by a
Regent's Regulation.**

CHAPTER V
COUNTERMEASURES

Article 7

- (1) **Overcoming prostitution and immoral acts implemented through:**
 - a. prevention; And
 - b. eradication.
- (2) **Prevention as intended in paragraph (1) letter a includes:**
 - a. guidance and counseling; b. discussion;
 - c. preaching;
 - d. mass media/information; And
 - e. other media.
- (3) **Eradication as intended in paragraph (1) letter b includes:**
 - a. raid; and (given article explanation)
 - b. rehabilitation.
- (4) **Further provisions regarding the prevention of prostitution and immoral acts as referred to in paragraph (1) are regulated by a Regent's Regulation.**

CHAPTER VI
FAMILY AND COMMUNITY PARTICIPATION

Part One
Family Participation

Article 8

- (1) **The family as the smallest unit in society can participate in efforts to overcome prostitution and immoral acts.**
- (2) **Forms of family participation as intended in paragraph (1) include:**
 - a. provide a sense of security and love to family members;
 - b. creating children who are firm in their faith, educated, healthy and tough in competition and able to determine their own future;
 - c. develop talent, ability, well-being and a good and moral social life;
 - d. increasing the role and empowerment of the family as a vehicle for children to socialize and protect themselves from all abuse, neglect and exploitation;

- e. preventing family members from engaging in acts of prostitution and immoral acts; And
- f. protect and assist in the rehabilitation of family members involved in prostitution and immoral acts.

**The second part
Community participation
Article 9**

- (1) The community, both individually and in groups, can participate in efforts to overcome prostitution and immoral acts.
- (2) Forms of community participation as referred to in paragraph (1) by:
 - a. provide information and/or report about the occurrence of prostitution practices and immoral acts to Regional Apparatus whose main task and function is to enforce Regional Regulations or the Police of the Republic of Indonesia;
 - b. participate in preventing the occurrence of prostitution and immoral acts; And
 - c. collaborate with the Regional Government in coaching and social rehabilitation of perpetrators of prostitution and immoral acts.

**CHAPTER VII
PROHIBITION**

Article 10

Everyone is prohibited from:

- a. offering oneself, inviting others directly and/or indirectly to commit prostitution and immoral acts; b. loitering on streets, business premises and public facilities as well as other places with the aim of committing prostitution and immoral acts;
- c. calling or ordering either directly or indirectly using information media with the intention of committing prostitution and immoral acts;
- d. provide opportunities, assistance, facilities and infrastructure as well as facilitate the occurrence/competition of prostitution and immoral acts;
- e. giving or promising something by abusing power or dignity, by means of violence, threats or misdirection, or by providing opportunities, means or information, deliberately persuading other people to engage in prostitution;
- f. carrying out prostitution and immoral activities;

- g. using residences, business premises and public facilities as well as other places for prostitution and immoral activities; And**
- h. establish a business and/or undertake or provide a place to carry out prostitution.**

**CHAPTER VIII
ADMINISTRATIVE SANCTIONS**

Article 11

- (1) Any person who violates the provisions in Article 10 letters g and h may be subject to administrative sanctions.**
- (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.**
- (3) Further provisions regarding the procedures for imposing administrative sanctions as intended in paragraph (2) are regulated by a Regent's Regulation.**

**CHAPTER IX
INVESTIGATION**

Article 12

- (1) Certain Civil Servant Officials within the Regional Government are given special authority as Investigators to carry out investigations into criminal acts of violations of this Regional Regulation as intended in Law Number 8 of 1981 concerning Criminal Procedure Law.**
- (2) The investigator's authority as intended in paragraph (1), is :**
 - a. receive, seek, collect and examine information or reports relating to criminal acts so that the information or report is complete and clear;**
 - b. researching, searching for and collecting information about individuals or bodies regarding the truth acts committed in connection with the criminal act;**
 - c. request information and evidence from individuals or entities in connection with criminal acts;**

d. examine books, records and other documents relating to criminal acts; e. carry out searches to obtain evidence of bookkeeping, records and other documents and confiscate such evidence;

f. request assistance from experts in the context of carrying out criminal investigation; g.

ordering to stop and/or prohibiting someone from leaving the room or place while the inspection is in progress and checking the identity of the person and/or documents being carried as intended in letter e; h. photographing someone related to a criminal act; i. summon people to hear

their statements and be questioned as suspects or witnesses; j.

stop the investigation after receiving instructions from the investigator that there is not enough evidence or

that the incident does not constitute a criminal act and then through the investigator inform the

public prosecutor, suspect or his family; k. take

other actions necessary for smooth running

investigation of criminal acts according to law that can be accounted for; l. carry out

other actions according to applicable law to facilitate the smooth investigation of criminal acts.

(3) In carrying out their duties, PPNS has no authority carry out arrests and detention.

CHAPTER X

CRIMINAL PROVISIONS

Article 13

Any person who violates the provisions as intended in Article 10 letters a, b, c, d, e, f and g shall be punished with imprisonment for a maximum of 3 (three) months or a fine of a maximum of IDR. 50,000,000,- (fifty million rupiah).

CHAPTER XI

CLOSING

Article 14

When this Regional Regulation comes into force, the Regional Regulation of the Sukoharjo Level II Regional Regency Number 19 of 1995 concerning the Handling and Eradication of Immorality in the Sukoharjo Level II Regional Regency, (Regional Gazette of the Level II Sukoharjo Regional Regency of 1996 Number 12 Series C Number 1) is revoked and declared invalid.

Article 15

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,

**Promulgated in Sukoharjo
on December 30, 2016**

WARDOYO WIJAYA

**REGIONAL SECRETARY
SUKOHARJO DISTRICT,**

**AGUS SANTOSA
SUKOHARJO DISTRICT REGIONAL GAZETTE
YEAR 2016 NUMBER 21**

**EXPLANATION
ON
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 21 OF 2016
ABOUT
COMMANDERING PROSTITUTION AND IMMUNE ACTS**

I. GENERAL

Humans as civilized creatures in order to fulfill their biological needs or sexual desires should follow legal rules, religious rules and other social rules in the institution of marriage, so that it becomes an act that is legally valid, religious, civilized and dignified, and also in accordance with the state ideology as stated in listed in the second principle of Pancasila, namely just and civilized humanity. Therefore, it is clear that prostitution and immoral acts are acts that deviate from the rules of law, religious rules and other social rules, even prostitution is also contrary to the state ideology of Pancasila.

Prostitution and immoral acts are serious social problems because they harm safety, peace and prosperity, both physical, spiritual and social, in living together. Not only is it detrimental to the individual perpetrators of this act, but it can also have an impact on damage to social morality, damage to the foundations of family and social life. Prostitution and immoral acts have also been proven to spread various kinds of venereal diseases, including HIV for which no cure has been found. The consequences of prostitution have also resulted in the continued occurrence of human trafficking (trafficking in women) to become prostitutes.

By paying attention to these problems, in the context of regional policy, prostitution and immoral acts in all forms and other related activities should be designated as acts that must be addressed. This Regional Regulation was prepared with the following objectives: a. realizing and maintaining an ethical community life order, with noble

character in accordance with religious norms, customs, morality and law;

b. maintain human dignity in accordance with applicable norms/regulations and create order and tranquility;

c. provide the basis and guidelines for dealing with prostitution and immoral acts;
And

d. prevent the development of prostitution practices and immoral acts in society.

II. ARTICLE BY ARTICLE

article 1

Quite clear.

Section 2

Quite clear.

Article 3

Quite clear.

Article 4

Paragraph (1)

Quite clear.

Paragraph (2)

What is meant by "direct" is selling oneself to service users without using information media, while "indirect" means selling oneself through information media, both print and electronic, such as newspapers, cellphones, the internet and so on.

Article 5

Quite clear.

Article 6

Quite clear.

Article 7

Paragraph (1)

Quite clear.

Paragraph (2)

Quite clear.

Paragraph (3)

Letter a

What is meant by "raid" is a simultaneous inspection by authorized officers of prostitution activities and immoral acts.

Letter b

Quite clear.

Paragraph (4)

Quite clear.

Article 8

Quite clear.

Article 9

Quite clear.

Article 10

Letter a

Quite clear.

Letter b

Quite clear.

Letter c

What is meant by "information media" is print media and electronic media.

Letter d

What is meant is providing opportunities, assistance, facilities and infrastructure as well as facilitating the occurrence/committing of prostitution and immoral acts generally known as pimping.

Letter e

Quite clear.

Letter f

Quite clear.

Letter g

Quite clear.

Letter h

Quite clear.

Article 11

Paragraph (1)

Quite clear.

Paragraph (2)

Letter a

Quite clear.

Letter b

Quite clear.

Letter c

Quite clear.

Letter d

Quite clear.

Letter e

Quite clear.

Letter f

Quite clear.

Letter g

What is meant by "other administrative sanctions in accordance with statutory provisions" include closure, sealing, demolition.

Paragraph (3)

Quite clear.

Article 12

Quite clear.

Article 13

Quite clear.

Article 14

Quite clear.

Article 15

Quite clear.

SUPPLEMENTARY SUKOHARJO DISTRICT REGIONAL GAZETTE NUMBER 243