

REGENT SUKOHARJO
PROVINCE OF CENTRAL JAVA
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 8 OF 2016
ABOUT
CHANGES TO THE REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 10 OF 2015 CONCERNING VILLAGE HEAD
BY THE GRACE OF GOD ALMIGHTY
REGENT SUKOHARJO,

Considering: a. that based on the letter from the Governor of Central Java Number 180/020459 dated 21 December 2015 regarding the Clarification Results of the Sukoharjo Regional Regulations, the Sukoharjo Regency Regional Regulation Number 10 of 2015 concerning Village Heads needs to be amended;

b. that based on the considerations as intended in letter a, it is necessary to stipulate a Regional Regulation concerning Amendments to Sukoharjo Regency Regional Regulation Number 10 of 2015 concerning Village Heads;

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 12 of 2011 concerning the Formation 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);

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. Law Number 30 of 2014 concerning Government Administration (State Gazette of the Republic of Indonesia of 2014 Number 292, Supplement to State Gazette of the Republic of Indonesia Number 5601);
7. 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 Based on 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 2015 Number 157, Supplement to the State Gazette of the Republic of Indonesia Number 5717);
8. 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);
9. Minister of Home Affairs Regulation Number 112 of 2014 concerning Election of Village Heads (State Gazette of the Republic of Indonesia of 2014 Number 2092);
10. 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);
11. Minister of Home Affairs Regulation Number 82 of 2015 concerning the Appointment and Dismissal of Village Heads (State Gazette of the Republic of Indonesia of 2016 Number 4);
12. Sukoharjo Regency Regional Regulation Number 10 of the Year 2015 concerning Village Heads (2015 Sukoharjo Regency Regional Gazette Number 10 Supplement to Sukoharjo Regency Regional Gazette Number 224);

With Mutual Consent

REGIONAL PEOPLE'S REPRESENTATIVE COUNCIL OF SUKOHARJO DISTRICT

And

REGENT SUKOHARJO

DECIDE:

To stipulate: REGIONAL REGULATIONS CONCERNING AMENDMENTS TO SUKOHARJO DISTRICT REGIONAL REGULATIONS NUMBER 10 OF 2015 CONCERNING VILLAGE HEADS.

Article I

Several provisions in the Regency Regional Regulations Sukoharjo Number 10 of 2015 concerning Village Heads (Sukoharjo Regency Regional Gazette 2015 Number 10, Supplement to Sukoharjo Regency Regional Gazette Number 224), amended as follows:

1. The provisions of Article 1 number 22 are deleted, so that Article 1 reads as follows:

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. A village is a legal community unit that has territorial boundaries that has the authority to regulate and manage government affairs, the interests of local communities based on community initiatives, original rights, and/or traditional rights that are recognized and respected in the government system of the Unitary State of the Republic of Indonesia.
5. Village Authority is the authority possessed by the Village including authority in the field of administering Village Government, implementing Village Development, Development of Village Community, and Empowerment of Village Community based on community initiative, original rights and Village customs.
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. Village Consultative Body, hereinafter abbreviated to BPD, is an institution that carries out government functions whose members are representatives of the Village population based on regional representation and are determined democratically.
9. Village Community Institutions are institutions formed by the community in accordance with needs and are partners of the village government in empowering the community.

10. **Village Deliberation is a deliberation between the BPD, the Village Government and elements of society held by the BPD to agree on strategic matters.**
11. **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.**
12. **Village Head Election is the implementation of people's sovereignty in the village in order to elect a Village Head that is direct, general, free, confidential, honest and fair.**
13. **The Village Head Election Committee, hereinafter referred to as the Election Committee, is the Committee formed by the BPD to carry out the Village Head Election process.**
14. **The Regency level Village Head election committee, hereinafter referred to as the Regency Election Committee, is a committee formed by the Regent at the Regency level to support the implementation of the Village Head election.**
15. **Village Head Candidate is a prospective Village Head who has been determined by the Election Committee as a candidate who has the right to be elected as Village Head.**
16. **Elected Village Head Candidate is the Village Head candidate who obtains the most votes in the Village Head election.**
17. **Acting Village Head is an official appointed by the authorized official to carry out the duties, rights and authority and obligations of the Village Head within a certain period of time.**
18. **Voters are residents of the village concerned and have fulfilled the requirements to exercise the right to vote in the election of the Village Head.**
19. **Temporary Voter List, hereinafter abbreviated as DPS, is a voter list compiled based on data from the Permanent Voter List for the last General Election which has been updated and checked again for correctness and added with new voters.**
20. **Additional Voter List is a voter list prepared based on suggestions from voters because the person concerned is not yet registered in the Temporary Voter List.**
21. **Permanent Voter List, hereinafter abbreviated to DPT, is a list of voters that has been determined by the Election Committee as the basis for determining voter identity and the number of voters in the Village Head election.**

- 22. deleted.
 - 23. A campaign is an activity carried out by a Village Head Candidate to convince voters in order to gain support.
 - 24. Polling Place, hereinafter abbreviated as TPS, is the place where voting takes place
voice.
 - 25. Witnesses are local village residents who are authorized by the Village Head Candidate to represent the candidate concerned in participating in the voting process.
 - 26. Supervisory Team is a Team formed to supervise the process of selecting Village Heads at the village and sub-district levels.
 - 27. Day is a working day.
2. The provisions of Article 9 paragraph (2) letter g are amended, so that Article 9 reads as follows:

Article 9

- (1) The Regent forms an Election Committee in the Regency.
- (2) The election committee in the Regency as intended in paragraph (1) has duties and authority including:
 - a. plan, coordinate and organize all stages of implementing district level elections;
 - b. provide technical guidance on the implementation of the Village Head election to the Village Head election committee at the village level;
 - c. determine the number of ballot papers and ballot boxes;
 - d. facilitate the printing of ballot papers and manufacture of ballot boxes and other election equipment;
 - e. deliver ballot papers, ballot boxes and other election equipment to the Election Committee;
 - f. facilitate the resolution of problems in the election of Village Heads at the Regency level related to the vote counting results;
 - g. can carry out additional selection of more than 5 (five) prospective village head candidates;
 - h. evaluate and report on election implementation; And
 - i. carry out other duties and authorities stipulated by the Regent's Decree.

- (3) The duties of the committee as intended in paragraph (2) letter c, letter d and letter e can be delegated to the Election Committee.**
- (4) The elements of the Election Committee in the Regency as intended in paragraph (1) are regulated in the Regent's Regulation.**
- (5) Membership of the Regency Election Committee as intended in paragraph (1) is determined by a Regent's Decree.**

3. The provisions of Article 27 are deleted.

4. The provisions of Article 28 paragraph (5) and paragraph (6) are deleted, so that Article 28 reads as follows:

Article 28

(1) The Election Committee notifies voters who are entitled to vote and makes announcements in strategic places in the village area concerned about the Village Head Election that will be held, no later than 7 (seven) days before the election is held.

(2) Notification to voters who are entitled to vote as intended in paragraph (1) is carried out by means of a notification letter with proof of receipt.

(3) The notification letter as intended in paragraph (2) includes the name and address of the voter according to the DPT and the place and time the election was held.

(4) Voters who are listed in the DPT, but have not received a notification letter, can ask the Election Committee before the closing of voting voice.

(5) deleted.

(6) deleted.

5. The provisions of Article 34 paragraph (3) are amended, so that Article 34 reads as follows:

Article 34

(1) In the event that there are more than 5 (five) prospective Village Head candidates who meet the requirements as intended in Article 29, additional selection is carried out using the criteria of work experience in government institutions, education level and age.

(2) Apart from additional selection using the criteria as intended in paragraph (1), additional selection is carried out through a written test.

(3) Additional selection as intended in paragraph (1) and paragraph (2) is implemented by the Committee.

(4) Procedures for additional selection of prospective Village Head candidates as intended in paragraph (1) and paragraph (2) are regulated by Regent Regulations.

6. The provisions of Article 51 paragraph (2) letter b are deleted, so that Article 51 reads as follows:

Article 51

- (1) The vote counting at the TPS is carried out by the Election Committee after the voting ends.**
- (2) Before the vote counting begins as intended in paragraph (1), the Election Committee counts:**
 - a. the number of voters who cast their votes based on the DPT copy for the TPS;**
 - b. removed;**
 - c. number of voters from other polling stations;**
 - d. number of unused ballot papers;**
 - and e. the number of ballot papers returned by voters because they were damaged or mistakenly cast.**
- (3) The vote counting as intended in paragraph (1), is carried out and completed at the TPS by the Election Committee and can be attended and witnessed by candidate witnesses, BPD, Supervisors and members of the public.**
- (4) Candidate witnesses in the vote counting as intended in paragraph (3), must bring a mandate letter from the Village Head candidate concerned and submit it to the Chair of the committee.**
- (5) The Committee prepares a Minutes of the vote counting results which are signed by the Chair of the Committee and at least 2 (two) members of the Committee and can be signed by the candidate's witnesses.**
- (6) The Election Committee shall provide 1 (one) copy of the Minutes of the vote counting results as intended in paragraph (5) to each candidate witness who is present and attach 1 (one) copy of the certificate of the vote counting results in a public place.**
- (7) The official report and its accessories as intended in paragraph (6), are put in a special cover provided and put in a ballot box with a label or seal attached to the outside.**
- (8) The Election Committee submits the Minutes of vote counting results, ballot papers, and administrative equipment for voting and vote counting to the BPD immediately after completing the vote count.**

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 June 2, 2016**

REGENT SUKOHARJO,

**Promulgated in Sukoharjo
on June 2, 2016**

**REGIONAL SECRETARY
SUKOHARJO DISTRICT,**

WARDOYO WIJAYA

**AGUS SANTOSA
SUKOHARJO DISTRICT REGIONAL GAZETTE
YEAR 2016 NUMBER 8**

**EXPLANATION
ON
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 8 OF 2016
ABOUT
CHANGES TO THE REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 10 OF 2015 CONCERNING VILLAGE HEAD**

I. GENERAL

That based on the results of the Central Java Governor's clarification of Sukoharjo Regency Regional Regulation Number 10 of 2015 concerning Village Heads, there are provisions that need to be deleted, namely relating to the DPK because it is not in accordance with Minister of Home Affairs Regulation Number 112 of 2014 concerning Election of Village Heads.

In connection with the above, it is necessary to form a Regional Regulation concerning Amendments to Sukoharjo Regency Regional Regulation Number 10 of 2015 concerning Village Heads.

The substance that was changed is related to the elimination of provisions on the Special Voter List (DPK), namely the list of voters determined by the Election Committee to accommodate voters who have not registered in the Permanent Voter List (DPT). Provisions regarding the DPK are not regulated in the Minister of Home Affairs Regulation Number 112 of 2014 concerning the Election of Village Heads, so the articles that regulate or relate to the DPK are all deleted.

Apart from the above, the substance of the changes is related to the authority of the District Election Committee to carry out additional selection if there are more than 5 (five) Village Head candidates. Because consideration of the conduciveness of the area of authority can be carried out by the Regency Election Committee and is a local policy as outlined in this Regional Regulation.

II. ARTICLE BY ARTICLE

Article I

Quite clear.

Article II

Quite clear.