



REGENT SUKOHARJO
PROVINCE OF CENTRAL JAVA
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 8 OF 2018
ABOUT
CHANGES TO THE REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 19 OF 2016 CONCERNING APPOINTMENT AND
DISMISSAL OF VILLAGE APPARATUS
BY THE GRACE OF GOD ALMIGHTY
REGENCY OF

SUKOHARJO, Considering: that with the enactment of Minister of Home Affairs Regulation Number 83 of 2015 concerning Appointment and Dismissal of Village Officials as amended by Minister of Home Affairs Regulation Number 67 of 2017 concerning Amendments to Minister of Home Affairs Regulation Number 83 of 2015 concerning Appointment and Dismissal of Officials Villages need to stipulate Regional Regulations concerning Amendments to Sukoharjo Regency Regional Regulation Number 19 of 2016 concerning Appointment and Dismissal of Village Officials; 1. Article 18 paragraph (6) of the 1945

Remember : **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 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. 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 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);
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. Sukoharjo Regency Regional Regulation Number 19 of 2016 concerning Appointment and Dismissal of Village Officials (Sukoharjo Regency Regional Gazette of 2016 Number 19, Supplement to Sukoharjo Regency Regional Gazette Number 241);

With Mutual Consent

REGIONAL REPRESENTATIVE COUNCIL OF SUKOHARJO DISTRICT and

REGENT SUKOHARJO

DECIDE:

To stipulate: REGIONAL REGULATIONS CONCERNING AMENDMENTS TO THE REGIONAL REGULATIONS OF SUKOHARJO DISTRICT NUMBER 19 OF 2016 CONCERNING THE APPOINTMENT AND DISMISSAL OF VILLAGE APPARATUS.

Article I

Several provisions in the Regency Regional Regulations Sukoharjo Number 19 of 2016 concerning Appointment and Dismissal of Village Officials (Regency Regional Gazette Sukoharjo Year 2016 Number 19, Additional Gazette Sukoharjo District Number 241), amended as follows:

1. The provisions of Article 1 number 12 and number 13 are amended, adding number 15, number 16, number 17 and number 18, so that they read as follows:

article 1

In this Regional Regulation what is meant by:

1. The 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 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.**
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. **Village Revenue and Expenditure Budget, hereinafter referred to as Village APB, is the annual financial plan of the village government.**
12. **Screening is the activity of announcing vacancies, receiving registration files and administrative selection until the selection of prospective Village Officials who meet the requirements for following the screening stages.**
13. **Screening is a written selection activity until with the determination of village officials candidates.**
14. **Day is a working day.**

15. A court decision is a judge's statement made in an open court session, which can be in the form of punishment or acquittal or release from all legal charges.
16. A suspect is a person who, because of his actions or circumstances, based on preliminary evidence, is reasonably suspected of being the perpetrator of a criminal offense since the issuance of the Suspect Determination Letter or Letter Order to Commence Investigation.
17. A defendant is a suspect who has been charged, examined and tried in court since the file is declared complete by the Public Prosecutor and recorded in the case register at court.
18. A convict is a person who is convicted based on a court decision which has obtained permanent legal force, with a decision letter/information from the Court.

2. Between CHAPTER I and CHAPTER II, 1 (one) chapter, namely CHAPTER IA, and 1 (one) article, namely Article 1A, are inserted so that it reads as follows:

CHAPTER IA

CHARGING VILLAGE DEVICES

Article 1A

- (1) Fill vacant Village Apparatus positions no later than 2 (two) months after the relevant Village Apparatus resigns.
- (2) Filling the positions of Village officials as intended in paragraph (1) can be done by:
 - a. transfer of positions between Village officials within the Village government; and
 - b. Networking and screening of prospective Village officials.
- (3) Filling in Village apparatus as referred to in paragraph (1) is consulted with the sub-district head.
- (4) Further provisions regarding the filling of Village Apparatus positions as referred to in paragraph (1) are regulated by Regent Regulations.

3. The provisions of Article 3 letter a are amended to read as follows:

Article 3

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

- a. photocopy of Identity Card or Letter
Information on 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 maintaining the integrity of the Unitary State of the Republic of Indonesia and Bhinneka Tunggal Ika, made 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 apparatus;
 - 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 Village Apparatus; And
 - l. Certificate of not currently serving a prison sentence from an authorized official.
4. The provisions of Article 5 paragraph (2) are amended to read as follows:

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 terminates.
5. The provisions of Article 15 paragraph (3) letter b are amended to read as follows:

Article 15

- (1) The Village Head dismisses the Village Apparatus after consult with the sub-district head.

(2) The Village Apparatus stops

**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 who is threatened with
imprisonment for a minimum of 5 (five) years 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.**

**6. The provisions of Article 16 paragraph (2) letters a and b are
amended to read as follows:**

Article 16

**(1) Village officials are temporarily suspended by the Village
Head after consulting with the Subdistrict Head.**

**(2) Termination of equipment as intended in Village
paragraph (1) because: a. named as a suspect
in criminal acts of corruption, terrorism, treason, and/or
criminal acts against state security;**

- b. declared as a defendant who is threatened with
imprisonment for a minimum of 5 (five) years based on
the case register at court; 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 those carrying out duties as referred to in paragraph (3) are regulated by Regent's Regulations.**
- 7. The provisions of Article 18 paragraph (1) are amended and the provisions of paragraph (3) are deleted, so that they read as follows:**

Article 18

- (1) In the event that there is a vacancy in the position of a Village official, the duties of the vacant Village official are carried out by the executor of the duties concurrently with another available Village official.**
- (2) The Task Executor as referred to 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) Deleted.**
- (4) Further provisions regarding the appointment of Executors as referred to in paragraph (1) are regulated by a Regent's Regulation.**

- 8. The provisions of Article 26 are amended to read as follows following:**

Article 26

- (1) Village officials who have carried out their duties his term of service has expired based on the Decree of appointment as intended in Article 25 and is less than 60 (sixty) years old and is reappointed to carry out duties up to 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 to carry out duties until the age of 60 (sixty) years as referred to in paragraph (1) are further regulated in a Regent's Regulation.**

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 September 10, 2018
REGENT SUKOHARJO,**

signed

WARDOYO WIJAYA

**Promulgated in Sukoharjo
on September 10, 2018**

**REGIONAL SECRETARY
SUKOHARJO DISTRICT,**

signed

**AGUS SANTOSA
SUKOHARJO DISTRICT REGIONAL GAZETTE
YEAR 2018 NUMBER 8**

**EXPLANATION
ON
REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 8 OF 2018
ABOUT
CHANGES TO THE REGIONAL REGULATIONS OF SUKOHARJO DISTRICT
NUMBER 19 OF 2016 CONCERNING APPOINTMENT AND
DISMISSAL OF VILLAGE APPARATUS**

I. GENERAL.

Sukoharjo Regency Regional Regulation Number 19 of 2016 concerning Appointment and Dismissal of Village Officials which was prepared based on Minister of Home Affairs Regulation Number 83 of 2015 concerning Appointment and Dismissal of Village Officials has now been amended by Minister of Home Affairs Regulation Number 67 of 2017 concerning Amendments to Ministerial Regulations Domestic Affairs Number 83 of 2015 concerning Appointment and Dismissal of Village Officials, so that the Regional Regulations in question need to be adjusted.

Adjustment of the substance/material of Regency Regional Regulations Sukoharjo Number 19 of 2016 concerning Appointment and Dismissal of Village Officials by Regulation of the Minister of Home Affairs Number 83 of 2015 concerning Appointment and Dismissal Village Apparatus as amended by Ministerial Regulation Domestic Affairs Number 67 of 2017 concerning Amendments to Regulations Minister of Home Affairs Number 83 of 2015 concerning Appointment and Dismissal of Village Officials includes several arrangements, including:

- a. General requirements;
- b. How to fill vacancies in village officials;
- c. Completeness of administrative requirements for appointing village officials and dismissal of village officials;
- d. Temporary suspension of village officials; And
- e. Re-appointment of village officials whose term of office has expired and aged less than 60 (sixty) years.

Based on the considerations above, it is necessary to establish Sukoharjo Regency Regional Regulations concerning Amendments to Sukoharjo Regency Regional Regulations Number 19 of 2016 concerning Appointment and Dismissal of Village Officials.

II. ARTICLE BY ARTICLE

Article I

Quite clear.

Article II

Quite clear.