

REGENT OF GRESIK
EAST JAVA PROVINCE

REGULATION OF THE REGENT OF GRESIK
NUMBER 20 OF 2024

ON

TECHNICAL INSTRUCTIONS FOR THE PAYMENT OF HOLIDAY ALLOWANCE AND THE
THIRTEENTH MONTH SALARY TO STATE APPARATUS IN THE REGENCY OF GRESIK
GOVERNMENT FUNDED FROM THE REGIONAL REVENUE AND EXPENDITURE BUDGET
FISCAL YEAR 2024

BY THE BLESSINGS OF ALMIGHTY GOD

The Regent of Gresik,

Considering: that in order to implement the provisions of Article 17 section (2) of Government Regulation Number 14 of 2024 on the Provision of Holiday Allowance and the Thirteenth Month Salary to State Apparatus, Pensioners, Pension Recipients, and Allowance Recipients in 2024, it is necessary to issue a Regent Regulation on Technical Instructions for the Payment of Holiday Allowance and the Thirteenth Month Salary to State Apparatus in the Regency of Gresik Government funded from the Regional Revenue and Expenditure Budget Fiscal Year 2024;

Considering: 1. Law Number 16 of 1950 on the Establishment of Large City Regions within the Provinces of East Java, Central Java, West Java and within the Special Region of Yogyakarta (State Gazette of the Republic of Indonesia of 1950 Number 45) as amended by Law Number 2 of 1965 on the Amendment of the Boundary of the Surabaya City and Level II Surabaya Region by Amending Law Number 12 of 1950 on the Establishment of Regency Regions within the East Java Province and Law Number 16 of 1950 on the Establishment of Large City Regions within East Java, Central

Java, West Java and within the Special Region of Yogyakarta (State Gazette of the Republic of Indonesia of 1965 Number 19, Supplement to the State Gazette of the Republic of Indonesia Number 2730);

2. Law Number 12 of 2011 on 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) as amended several times lastly by Law Number 13 of 2022 on the Second Amendment to Law Number 12 of 2011 on the Formation of Legislation (State Gazette of the Republic of Indonesia of 2022 Number 183, Supplement to the State Gazette of the Republic of Indonesia Number 6398);

3. Law Number 23 of 2014 on 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 lastly by Law Number 9 of 2015 on the Second Amendment to Law Number 23 of 2014 on Regional Government (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);

4. Law Number 6 of 2023 on the Ratification of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation into Law (State Gazette of the Republic of Indonesia of 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6841);

5. Law Number 20 of 2023 on Civil Servants (State Gazette of the Republic of Indonesia of 2023 Number 141, Supplement to the State Gazette of the Republic of Indonesia Number 6897);

6. Government Regulation Number 12 of 2019 on Regional Financial Management (State Gazette of the Republic of Indonesia of 2019 Number 42, Supplement to the State Gazette of the Republic of Indonesia Number 6322);

7. Government Regulation Number 14 of 2024 on the Provision of Holiday Allowance and the Thirteenth Month Salary to State Apparatus, Pensioners, Pension Recipients, and Allowance

Recipients in 2024 (State Gazette of the Republic of Indonesia of 2024 Number 50, Supplement to the State Gazette of the Republic of Indonesia Number 6911);

8. Regulation of the Minister of Home Affairs Number 80 of 2015 on the Formation of Regional Legal Products (State News of the Republic of Indonesia of 2015 Number 2036) as amended by Regulation of the Minister of Home Affairs Number 120 of 2018 on Amendment to Regulation of the Minister of Home Affairs Number 80 of 2015 on the Formation of Regional Legal Products (State News of the Republic of Indonesia of 2018 Number 157);

9. Regulation of the Minister of Home Affairs Number 79 of 2018 on Regional Public Service Agencies (State News of the Republic of Indonesia of 2018 Number 1213);

10. Regulation of the Minister of Home Affairs Number 77 of 2020 on Technical Guidelines for Regional Financial Management (State News of the Republic of Indonesia of 2020 Number 1781);

11. Regional Regulation of Gresik Regency Number 12 of 2016 on the Formation of Regional Apparatus of Gresik Regency (Regional Gazette of Gresik Regency of 2016 Number 18) as amended several times lastly by Regional Regulation Number 8 of 2021 on the Second Amendment to Regional Regulation of Gresik Regency Number 12 of 2016 on the Formation of Regional Apparatus of Gresik Regency (Regional Gazette of Gresik Regency of 2021 Number 8);

12. Regional Regulation of Gresik Regency Number 7 of 2017 on the Financial and Administrative Rights of Leaders and Members of the Regional Peoples Representative Council (Regional Gazette of Gresik Regency of 2017 Number 7);

13. Regional Regulation of Gresik Regency Number 3 of 2023 on Regional Financial Management (Regional Gazette of Gresik Regency of 2023 Number 3);

14. Regional Regulation of Gresik Regency Number 9 of 2024 on the Regional Revenue and Expenditure Budget Fiscal Year 2024 (Regional Gazette of Gresik Regency of 2024 Number 9);

15. Regent Regulation of Gresik Number 21 of 2017 on the Implementing Regulations of Regional Regulation of Gresik Regency Number 7 of 2017 on the Financial and Administrative Rights of Leaders and Members of the Regional Peoples Representative Council (Regional Gazette of Gresik Regency of 2017 Number 21) as amended by Regent Regulation Number 42 of 2020 on Amendment to Regent Regulation of Gresik Number 21 of 2017 on the Implementing Regulations of Regional Regulation of Gresik Regency Number 7 of 2017 on the Financial and Administrative Rights of Leaders and Members of the Regional Peoples Representative Council (Regional Gazette of Gresik Regency of 2020 Number 43);

16. Regent Regulation of Gresik Number 74 of 2023 on Guidelines for the Implementation of the Regional Revenue and Expenditure Budget of Gresik Regency Fiscal Year 2024 (Regional Gazette of Gresik Regency of 2023 Number 74);

17. Regent Regulation of Gresik Number 81 of 2023 on the Detailed Regional Revenue and Expenditure Budget Fiscal Year 2024 (Regional Gazette of Gresik Regency of 2023 Number 81) as amended by Regent Regulation Number 11 of 2024 on Amendment to Regent Regulation of Gresik Number 81 of 2023 on the Detailed Regional Revenue and Expenditure Budget Fiscal Year 2024 (Regional Gazette of Gresik Regency of 2024 Number 11);

DECIDES:

To enact: THE REGENT REGULATION ON TECHNICAL INSTRUCTIONS FOR THE PAYMENT OF HOLIDAY ALLOWANCE AND THE THIRTEENTH MONTH SALARY TO STATE APPARATUS IN THE REGENCY OF GRESIK GOVERNMENT FUNDED FROM THE REGIONAL REVENUE AND EXPENDITURE BUDGET FISCAL YEAR 2024.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Regent Regulation:

1. Region means the Regency of Gresik.
2. Regional Government means the Gresik Regency Government.
3. Civil Servant, hereinafter referred to as ASN, is a profession for civil servants and government employees with employment contracts who work at government institutions.
4. Civil Servant Employee, hereinafter referred to as Employee ASN, is a civil servant and government employee with an employment contract appointed by the personnel official and entrusted with duties in a government position or entrusted with other state duties and given an income based on applicable laws and regulations.
5. Civil Servant, hereinafter abbreviated as PNS, is an Indonesian citizen who meets certain requirements, appointed as a Civil Servant employee permanently by the Personnel Official to hold a government position.
6. Member of the Regional Peoples Representative Council, hereinafter abbreviated as Member of the DPRD, means Member of the DPRD Regency.
7. Prospective Civil Servant, hereinafter referred to as CPNS, is an Employee who has just passed the first stage of the civil servant recruitment selection test and the Prospective Civil Servant has not yet fulfilled the requirements to become a Civil Servant with a 100% (one hundred percent) salary.
8. Government Employee with Employment Contract, hereinafter abbreviated as PPPK, is an Indonesian citizen who meets certain requirements, who is appointed based on an employment contract for a certain period of time in order to carry out government duties and/or hold government positions.
9. Regional Public Service Agency, hereinafter abbreviated as BLUD, is a system applied by technical implementing units of regional departments/agencies in providing services to the public that has flexibility in financial management patterns as an exception to the general provisions of regional management.
10. Salary is the right of an employee received and stated in the form of money as compensation from the employer to the employee that is determined and paid according to an employment

contract, agreement or applicable laws and regulations.

11. Holiday means Idul Fitri holiday.

CHAPTER II

PAYMENT OF HOLIDAY ALLOWANCE AND THE THIRTEENTH MONTH SALARY

Section One

General

Article 2

(1) The Regional Government provides Holiday Allowance and the Thirteenth Month Salary in 2024 to State Apparatus in the Region.

(2) The State Apparatus referred to in section (1) consists of:

- a. PNS and Prospective PNS;
- b. Regent and Deputy Regent;
- c. Chairperson of the DPRD, Deputy Chairperson of the DPRD, and Members of the DPRD;
- d. Leaders of the Regional Public Service Agency consisting of the Supervisory Board and the Managing Officials in accordance with the provisions of applicable laws and regulations;
- e. Non-Civil Servant employees working at Regional institutions that apply the Regional Public Service Agency financial management system in accordance with the provisions of applicable laws and regulations; and
- f. PPPK.

(3) PNS referred to in section (2) letter a is in accordance with the provisions of applicable laws and regulations.

(4) PNS referred to in section (2) letter a includes:

- a. PNS placed or assigned outside government institutions, both domestically and abroad whose salaries are paid by their parent institution;
- b. PNS assigned outside government institutions, both domestically and abroad whose salaries are paid by their parent institution;

c. PNS receiving waiting money; and

d. PNS who are temporarily dismissed and whose salaries are still paid.

(5) PNS referred to in section (2) letter a, does not include PNS who are:

a. taking leave outside the states responsibility or with other names; or

b. assigned outside the Regional Government institution, both domestically and abroad whose salaries are paid by the assigning institution, in accordance with the provisions of applicable laws and regulations.

(6) Non-Civil Servant employees working at Regional institutions that apply the Regional Public Service Agency financial management system referred to in section (2) letter e must meet the following requirements:

a. Indonesian Citizen;

b. at the time this Regent Regulation is enacted, has carried out the main organizational duties fully and continuously for at least 1 (one) year since appointment or signing of the employment contract;

c. employee expenditure funding is sourced from the Regional Revenue and Expenditure Budget; and

d. appointed by an official who has the authority and/or has signed an employment contract in accordance with the provisions of applicable laws and regulations.

(7) In the event that Non-Civil Servant Employees have not carried out the main organizational duties fully and continuously for at least 1 (one) year as referred to in section (6) letter b, Holiday Allowance and the Thirteenth Month Salary may be given if:

a. has signed an employment contract with an official who has the authority in accordance with the provisions of applicable laws and regulations and in the employment contract it has been stated that they are entitled to receive Holiday Allowance and/or the Thirteenth Month Salary; or

b. has been determined to receive Holiday Allowance and/or the Thirteenth Month Salary by the Personnel Official in their appointment decree in accordance with applicable regulations.

Section Two

Payment of Holiday Allowance and the Thirteenth Month Salary

Article 3

(1) Holiday Allowance and the Thirteenth Month Salary for PNS referred to in Article 2 section (2) letter a consists of:

- a. basic salary;
- b. family allowance;
- c. food allowance;
- d. position allowance or general allowance; and
- e. employee additional income of 25% (twenty-five percent) received in 1 (one) month in accordance with the provisions of applicable laws and regulations, according to their position, rank, position rank, or position class.

(2) Holiday Allowance and the Thirteenth Month Salary for Prospective PNS referred to in Article 2 section (2) letter a consists of:

- a. 80% (eighty percent) of the PNS basic salary;
- b. family allowance;
- c. food allowance;
- d. general allowance; and
- e. employee additional income of 25% (twenty-five percent) received in 1 (one) month in accordance with the provisions of applicable laws and regulations, according to their position, rank, position rank, or position class.

(3) Holiday Allowance and the Thirteenth Month Salary for the Regent and Deputy Regent referred to in Article 2 section (2) letter b consists of:

- a. basic salary;
 - b. family allowance; and
 - c. position allowance or general allowance,
- in accordance with the provisions of applicable laws and regulations.

(4) Holiday Allowance and the Thirteenth Month Salary are given to the Chairperson of the DPRD, Deputy Chairperson of the DPRD, and Members of the DPRD as referred to in Article 2 section (2) letter c, at most amounting to the accumulation of representation money, family allowance, and position allowance in accordance with the provisions of applicable laws and regulations governing

the financial and administrative rights of the Chairperson, Deputy Chairperson, and Members of the DPRD, in accordance with the provisions of applicable laws and regulations.

(5) Holiday Allowance and the Thirteenth Month Salary for:

- a. Leaders of the Regional Public Service Agency as referred to in Article 2 section (2) letter d; and
- b. Non-Civil Servant Employees as referred to in Article 2 section (2) letter e,

at most amounts to the Holiday Allowance and the Thirteenth Month Salary given to PNS at the Regional Public Service Agency whose position, rank, position rank, or position class is equivalent.

(6) In the case of teachers whose basic salary is sourced from the regional revenue and expenditure budget who do not receive additional income as referred to in section (1) letter e, allowances can be given in accordance with the provisions of applicable laws and regulations.

(7) Holiday Allowance and the Thirteenth Month Salary for PPPK as referred to in Article 2 section (2) letter f consists of:

- a. basic salary;
- b. family allowance;
- c. food allowance;
- d. position allowance or general allowance; and
- e. employee additional income of 25% (twenty-five percent) received in 1 (one) month in

accordance with the provisions of applicable laws and regulations,

according to their position, rank, position rank, or position class.

CHAPTER III

PAYMENT OF HOLIDAY ALLOWANCE AND THE THIRTEENTH MONTH SALARY

Section One

Payment

Article 4

(1) The Holiday Allowance referred to in Article 2 is paid at least 10 (ten) working days before the Holiday.

(2) In the event that the Holiday Allowance referred to in section (1) cannot be paid, the Holiday Allowance can be paid after the Holiday.

(3) The amount of Holiday Allowance paid as referred to in section (1) is based on the amount of income components paid in March 2024.

Article 5

(1) The Thirteenth Month Salary referred to in Article 2 is paid at the earliest in June 2024.

(2) In the event that the Thirteenth Month Salary referred to in section (1) cannot be paid, the Thirteenth Month Salary can be paid after June 2024.

(3) The amount of the Thirteenth Month Salary paid as referred to in section (1) is based on the amount of income components paid in May 2024.

Article 6

(1) In the event that State Apparatus according to the provisions can receive more than 1 (one) Holiday Allowance, only 1 (one) Holiday Allowance with the largest value is paid.

(2) In the event that the State Apparatus is also a Pensioner or vice versa, a Pensioner is also a State Apparatus according to the provisions can receive more than 1 (one) Holiday Allowance, only 1 (one) Holiday Allowance with the largest value is paid.

(3) In the event that the State Apparatus and Pensioners as referred to in section (1) and section (2) receive more than 1 (one) Holiday Allowance, the excess payment of the Holiday Allowance is a debt and must be returned to the state in accordance with the provisions of applicable laws and regulations.

(4) In the event that the State Apparatus is also a Pension Recipient, and/or as an Allowance Recipient, the Holiday Allowance paid:

- a. Holiday Allowance as a State Apparatus; and
- b. Holiday Allowance as a pension recipient and/or Holiday Allowance as an allowance recipient.

Article 7

(1) In the event that the State Apparatus according to the provisions can receive more than 1 (one) Thirteenth Month Salary, only 1 (one) with the largest value is paid.

(2) In the event that the State Apparatus is also a Pensioner or vice versa, a Pensioner is also a State Apparatus according to the provisions can receive more than 1 (one) Thirteenth Month Salary, only 1 (one) with the largest value is paid.

(3) In the event that the State Apparatus and Pensioners as referred to in section (1) and section (2) receive more than 1 (one) Thirteenth Month Salary, the excess payment of the Thirteenth Month Salary is a debt and must be returned to the state in accordance with the provisions of applicable laws and regulations.

(4) In the event that the State Apparatus is also a Pension Recipient, and/or as an allowance recipient, the Thirteenth Month Salary paid:

- a. Thirteenth Month Salary as a State Apparatus; and
- b. Thirteenth Month Salary as a pension recipient and/or allowance recipient.

Section Two

Deductions and Taxes

Article 8

(1) Holiday Allowance and the Thirteenth Month Salary as referred to in Article 3 are not subject to deductions of contributions or other deductions based on applicable laws and regulations.

(2) Holiday Allowance and the Thirteenth Month Salary as referred to in Article 3 are subject to income tax in accordance with applicable laws and regulations.

Section Three

Mechanism

Article 9

The payment mechanism for Holiday Allowance and the Thirteenth Month Salary is carried out in accordance with applicable laws and regulations.

CHAPTER IV

FUNDING

Article 10

Funding for the provision of Holiday Allowance and the Thirteenth Month Salary can be sourced from the Regional Revenue and Expenditure Budget Fiscal Year 2024.

CHAPTER V

FINAL PROVISIONS

Article 11

This Regent Regulation comes into force on the date of its enactment.

In order for everyone to know, it is ordered that this Regent Regulation be enacted with its placement in the Regional Gazette of Gresik Regency.

Enacted in Gresik

on March 22, 2024

REGENT OF GRESIK,

(signed)

FANDI AKHMAD YANI

Promulgated in Gresik

on March 22, 2024

SECRETARY OF REGENCY OF GRESIK,

(signed)

Ir. ACHMAD WASHIL M.R., M.T.

Senior Main Official

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