

REGENT OF GRESIK
EAST JAVA PROVINCE

REGULATION OF THE REGENT OF GRESIK
NUMBER 8 OF 2023

ON
THE MANAGEMENT OF LOANS/DEBTS
AT IBNU SINA REGIONAL GENERAL HOSPITAL, REGENCY OF GRESIK

BY THE BLESSINGS OF ALMIGHTY GOD

THE REGENT OF GRESIK,

Considering: that in order to implement the provisions in
section 87 paragraph (5) of the Regulation of the Minister of Home Affairs
Number 79 of 2018 on Regional Public Service Agency, it is necessary to issue a Regent Regulation
on
the Management of Loans/Debts at Ibnu Sina Regional General Hospital, Regency of Gresik;

Considering: 1. Law Number 16 of 1950 on the Establishment of Large City Regions in
the Province of East Java, Central Java,
West Java and in 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 Border of the Surabaya Municipality and the Type II
Surabaya Region by Amending Law
Number 12 of 1950 on the Establishment of Regency Regions in the Province of
East Java and Law Number 16 of

1950 on the Establishment of Large City Regions in

East Java, Central Java, West Java and in 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 44 of 2009 on Hospitals (State Gazette of 2009

Number 153 Supplement to the State Gazette Number 5072);

3. 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 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 143, Supplement

to the State Gazette of the Republic of Indonesia Number 680);

4. 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);

5. Government Regulation Number 23 of 2005 on the Management of Public Service Agency
Finances

(State Gazette of the Republic of Indonesia of 2005

Number 48, Supplement to the State Gazette of the Republic

Number 4502) as amended by

Government Regulation Number 74 of 2012 on

Amendment to Government Regulation Number 23

of 2005 on the Management of Public Service Agency Finances (State Gazette of the Republic of Indonesia

of 2012 Number 171, Supplement to the State Gazette

of the Republic Number 5340);

6. Government Regulation Number 56 of 2018 on Regional Loans (State Gazette of the Republic of Indonesia of 2018 Number 248, Supplement to the State Gazette of the Republic of Indonesia Number 6279);

7. 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 Number 6322);

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 2005 Number 2036)

as amended by the Regulation of the Minister

of Home Affairs Number 120 of 2018 on

Amendment to the 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. Regulation of the Minister of Finance Number

129/PMK.05/2020 on Guidelines for the Management of Public Service Agencies (State News of the Republic

of Indonesia of 2020 Number 1046);

12. 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 by Regional Regulation Number 8 of 2021

on the Second Amendment to Regional Regulation

Number 12 of 2016 on the Formation of

Regional Apparatus of Gresik Regency (Regional Gazette

of Gresik Regency of 2021 Number 24);

13. Regulation of the Regent of Gresik Number 83 of 2021

on the Establishment of Ibnu Sina Regional General Hospital, Regency of Gresik as a Special Organization

(Regional Gazette of Gresik Regency

Number 83 of 2021 Number 83);

DECIDES:

To establish: A REGENT REGULATION ON THE MANAGEMENT OF LOANS/DEBTS AT IBNU SINA REGIONAL GENERAL HOSPITAL, REGENCY OF GRESIK.

CHAPTER I

GENERAL PROVISIONS

Section 1

In this Regent Regulation:

1. Region means the Regency of Gresik.
2. Regional Government means the Gresik Regency Government.
3. Regent means the Regent of Gresik.

4. Regional Apparatus means the elements assisting the Head of Region and the Regional House of Representatives in managing government affairs that are within the authority of the Region.
5. Regional Financial Management Official, hereinafter abbreviated as RFMO, means the Head of the Financial Management Working Unit who has the task of carrying out regional financial management and acts as the Regional Treasurer.
6. Ibnu Sina Regional General Hospital, hereinafter referred to as RSUD Ibnu Sina, means the Ibnu Sina Regional General Hospital in the Regency of Gresik.
7. Director means a person appointed by the Regent to hold the position as the highest leader of RSUD Ibnu Sina.
8. BLUD Financial Official means the BLUD Managing Official who has the function as the person responsible for BLUD finances, the title of which is adjusted to the nomenclature applicable to the BLUD in question.
9. BLUD Technical Official means the BLUD Managing Official who has the function as the person responsible for the technical aspects in their field, the title of which is adjusted to the nomenclature applicable to the BLUD in question.
10. Regional Public Service Agency, hereinafter abbreviated as BLUD, means a system applied by technical implementing units of regional departments/agencies in providing services to the public that have flexibility in financial management patterns as an exception to general regional management provisions.
11. Loans/Debts at BLUD means all transactions that result in the BLUD receiving a sum of money or receiving benefits that have monetary value from another party so that the BLUD is burdened with the obligation to repay.
12. Short-term loan means a loan with a term of no more than 12 (twelve) months.
13. Long-term loan means a loan with a term of more than 12 (twelve) months.
14. Loan Agreement means a loan agreement document or other equated document containing the agreement on the loan between the BLUD and the lender.
15. Business and Budget Plan, hereinafter abbreviated as BBP, means an annual business planning and budgeting document containing the programs, activities, performance targets, and budget of the BLUD.

16. Investment means the use of assets to obtain economic benefits that can improve the BLUDs ability in providing services to the community.
17. Regional Revenue and Expenditure Budget, hereinafter abbreviated as RREB, means the Regional Revenue and Expenditure Budget of Gresik Regency.
18. State Revenue and Expenditure Budget, hereinafter abbreviated as SREB, means the annual financial plan of the national government approved by the House of Representatives.

CHAPTER II

INTENT AND PURPOSE

Section 2

- (1) The intent of establishing this Regent Regulation is to provide guidance for RSUD Ibnu Sina to obtain loans/debts from other parties in order to improve the quality of hospital services.
- (2) The purpose of establishing this Regent Regulation is to regulate the implementation of RSUD Ibnu Sina loans to other parties as a manifestation of the authority of RSUD Ibnu Sina which has implemented the BLUD Financial Management Pattern in accordance with applicable regulations.

CHAPTER III

SCOPE

Section 3

The scope of this Regent Regulation includes:

- a. management of loans/debts at BLUD;
- b. payment and administration of Loans;
- c. monitoring and evaluation; and
- d. reporting of loans or debts.

CHAPTER IV

MANAGEMENT OF LOANS/DEBTS AT BLUD

Part One

General Principles

Section 4

(1) BLUD may obtain loans/debts in connection with operational activities and/or loan obligations with other parties.

(2) Loans/debts as referred to in section (1), consist of:

- a. short-term loans/debts; or
- b. long-term loans/debts.

(3) Other parties as referred to in section (1) may be domestic business entities, both banking and non-banking financial institutions, other business entities, Public Service Agencies, or other BLUDs.

Part Two

Authority, Requirements, and Limits of Short-Term Loans/Debts

Section 5

(1) The authority to approve short-term loans is given to:

- a. The BLUD Leader for loans valued up to 10% (ten percent) of the amount of BLUD revenue in the previous fiscal year that is not sourced from SREB, RREB, and tied grants; and
- b. The BLUD Leader with the approval of the Supervisory Board for loans valued above 10% (ten percent) up to 15% (fifteen percent) of the amount of BLUD revenue in the previous fiscal year that is not sourced from SREB, RREB, and tied grants.

(2) The authority to approve long-term loans/debts is given by the Regent.

Section 6

(1) The requirements that must be met in obtaining short-term loans/debts are:

- a. the activities to be financed have been included in the BLUD Business and Budget Plan for the current fiscal year, but the funds available from the BLUDs operational revenue sources are not/have not been sufficient to cover the needs/shortfall of funds to finance the said activities;
- b. the BLUDs cash and cash equivalents are insufficient or inadequate; and
- c. the amount of short-term loans/debts to be drawn does not exceed 15% (fifteen percent) of the amount of BLUD revenue in the previous fiscal year that is not directly sourced from SREB and/or RREB and tied grants.

(2) Budgeting for loans/debts can be done in the budget amendment.

Section 7

In the event that the BLUD will obtain a long-term loan, the BLUD must meet the following requirements:

- a. the activities to be financed are included in the BLUD Planning Document, namely the BLUD Business and Budget Plan;
- b. the maximum amount of the BLUDs long-term loan is 75% (seventy-five percent) of the amount of BLUD revenue obtained from service fees in the previous year; and
- c. if there is a remaining unpaid BLUD long-term loan, then the total amount of the new long-term loan and the remaining unpaid loan does not exceed 75% (seventy-five percent) of the amount of BLUD revenue obtained from service fees in the previous year.

Part Three

Loans/Debts

Section 8

In the event that the BLUD will implement a long-term loan, the BLUD Leader, with the consideration of the Supervisory Board, submits a loan plan to the Regent by submitting the following documents:

- a. terms of reference;
- b. BLUD strategic plan;
- c. loan/debt usage plan;

- d. current year BBP/DPA and periodic loan/debt repayment plan;
- e. calculation of the BLUDs ability to meet its loan repayment obligations; and
- f. financial plan (Financing Plan) of the proposed loan.

Section 9

The BLUD chooses the provisions and requirements of the lender that are most advantageous to the BLUD, prioritizing the principles of efficiency and prudence.

Section 10

(1) The implementation of Loans between the BLUD and other parties is stipulated in a Loan Agreement.

(2) The Loan Agreement as referred to in section (1) shall at least contain the following matters:

- a. the parties entering into the Loan Agreement;
- b. the loan amount;
- c. the purpose of the loan;
- d. loan requirements;
- e. loan disbursement procedures;
- f. loan repayment procedures;
- g. term; and
- h. dispute resolution.

CHAPTER V

PAYMENT AND ADMINISTRATION OF LOANS

Section 11

(1) The BLUD Financial Official shall make payments of principal loan/debt, interest, and other costs at maturity in accordance with the Loan/Debt Agreement.

(2) Obligations arising from the Loan/Debt Agreement are the responsibility of the BLUD.

Section 12

- (1) The administration of Loans/Debts is carried out by the BLUD Financial Official.
- (2) The administration of Loans/Debts includes activities:
 - a. loan management administration; and
 - b. loan management accounting.

CHAPTER VI

MONITORING AND EVALUATION

Section 13

- (1) The BLUD Leader shall conduct monthly monitoring and evaluation of loan/debt management.
- (2) In the event of slow completion of activities or low loan absorption, the BLUD Leader shall take remedial steps.
- (3) The BLUD Leader shall conduct a performance evaluation of activities funded by loans at least every semester based on the targets and/or performance standards that have been set.

CHAPTER VII

LOAN REPORTING

Section 14

- (1) The BLUD Financial Official shall submit a monthly report to the BLUD Leader on the realization of absorption and payment of obligations arising from Loans/Debts.
- (2) The BLUD Technical Official shall submit a monthly report to the BLUD Leader on the realization of activities financed by Loans/Debts.
- (3) The monthly reports as referred to in section (1) and section (2) are submitted by the BLUD Leader to the Regent through the Supervisory Board.

CHAPTER VIII

OTHER PROVISIONS

Section 15

(1) The BLUD may propose additional activities funded by Loans/Debts in accordance with the loan/debt usage plan after conducting an evaluation in accordance with the provisions of the Legislation.

(2) The addition of activities as referred to in section (1) shall not result in a reduction of targets in accordance with the loan/debt usage plan.

CHAPTER XI

FINAL PROVISIONS

Section 16

This Regent Regulation shall come into force on the date of its promulgation.

In order that everyone knows, it is ordered that this Regent Regulation be promulgated by placing it in the Regional Gazette of Gresik Regency.

Established in Gresik

on February 20, 2023

REGENT OF GRESIK,

(Signature)

FANDI AKHMAD YANI

Promulgated in Gresik

on February 20, 2023

SECRETARY OF REGENCY OF GRESIK,

(Signature)

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

Senior Main Official

NIP. 19661027 199803 1 001

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