

REGENT OF GRESIK

EAST JAVA PROVINCE

REGULATION OF THE REGENT OF GRESIK

NUMBER 21 OF 2017

ON

IMPLEMENTATION REGULATION OF THE REGIONAL REGULATION OF THE REGENCY OF GRESIK NUMBER 7 OF 2017 ON THE FINANCIAL AND ADMINISTRATIVE RIGHTS OF LEADERS AND MEMBERS OF THE REGIONAL HOUSE OF REPRESENTATIVES

BY THE BLESSINGS OF ALMIGHTY GOD

The Regent of Gresik,

Considering: a. that to implement the provisions of Section 15 section (3), Section 20 section (3), Section 22 section (4), Section 27 section (6), Section 38 section (4) and Section 43 section (2) of the Regional Regulation of the Regency of Gresik Number 7 of 2017 on the Financial and Administrative Rights of Leaders and Members of the Regional House of Representatives, it is necessary to regulate the implementation guidelines for the said Regional Regulation;

b. that based on the final report of the Study of the Calculation of Transportation Allowance for Members of the Regional House of Representatives of the Regency of Gresik in 2017, File No. 054.1A/ASM/LPC/VIII/2017 and the final report of the Study of the Calculation of Housing Allowance for the Chairperson and Deputy Chairperson of the Regional House of Representatives of the Regency of Gresik in 2017, File No. 054.1/ASM/LPC/VIII/2017 by the Public Appraisal Service Office Asmawi, it needs to be followed up;

c. that based on the considerations as referred to in (a) and (b), it is necessary to issue a Regents Regulation on the Implementation Regulation of the Regional Regulation of the Regency of Gresik Number 7 of 2017 on the Financial and Administrative Rights of Leaders and Members of the Regional House of Representatives;

Considering: 1. Law Number 17 of 2003 on State Finance (State Gazette of the Republic of

Indonesia of 2003 Number 47, Supplement to the State Gazette of the Republic of Indonesia Number 4286);

2. Law Number 1 of 2004 on State Treasury (State Gazette of the Republic of Indonesia of 2004 Number 5, Supplement to the State Gazette of the Republic of Indonesia Number 4355);

3. Law Number 15 of 2004 on Supervision and Accountability of State Finance (State Gazette of the Republic of Indonesia of 2004 Number 66, Supplement to the State Gazette of the Republic of Indonesia Number 4400);

4. 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);

5. Law Number 17 of 2014 on the Peoples Consultative Assembly, the House of Representatives, the Regional Representative Council, and the Regional House of Representatives (State Gazette of the Republic of Indonesia of 2014 Number 182, Supplement to the State Gazette of the Republic of Indonesia Number 5568) as amended by Law Number 42 of 2014 on Amendment to Law Number 17 of 2014 on the Peoples Consultative Assembly, the House of Representatives, the Regional Representative Council, and the Regional House of Representatives (State Gazette of the Republic of Indonesia of 2014 Number 38, Supplement to the State Gazette of the Republic of Indonesia Number 5650);

6. 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);

7. Government Regulation Number 58 of 2005 on Regional Financial Management (State Gazette of the Republic of Indonesia of 2005 Number 140, Supplement to the State Gazette of the Republic of Indonesia Number 4578);

8. Government Regulation Number 12 of 2017 on Guidance and Supervision of Regional Government Administration (State Gazette of the Republic of Indonesia of 2017 Number 73, Supplement to the State Gazette of the Republic of Indonesia Number 6041);

9. Government Regulation Number 18 of 2017 on the Financial and Administrative Rights of

Leaders and Members of the Regional House of Representatives (State Gazette of the Republic of Indonesia of 2017 Number 106, Supplement to the State Gazette of the Republic of Indonesia Number 6057);

10. Presidential Regulation Number 87 of 2014 on the Implementation Regulation of Law Number 12 of 2011 on the Formation of Legislation (State Gazette of the Republic of Indonesia of 2014 Number 199);

11. Regulation of the Minister of Home Affairs Number 13 of 2006 on Guidelines for Regional Financial Management, as amended several times lastly by Regulation of the Minister of Home Affairs Number 21 of 2011 on the Second Amendment to Regulation of the Minister of Home Affairs Number 13 of 2006 on Guidelines for Regional Financial Management (State Gazette of the Republic of Indonesia of 2011 Number 310);

12. Regulation of the Minister of Home Affairs Number 7 of 2006 on Standardization of Facilities and Infrastructure for Regional Government Work as amended by Regulation of the Minister of Home Affairs Number 11 of 2007 on Amendment to Regulation of the Minister of Home Affairs Number 7 of 2006 on Standardization of Facilities and Infrastructure for Regional Government Work;

13. Regulation of the Minister of Home Affairs Number 80 of 2015 on the Formation of Regional Legal Products (State Gazette of the Republic of Indonesia of 2015 Number 2036);

14. Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 62 of 2017 on the Grouping of Regional Financial Capacity as well as the Implementation and Accountability of Operational Funds (State Gazette of the Republic of Indonesia of 2015 Number 1067);

15. Regional Regulation of the Regency of Gresik Number 2 of 2012 on Guidelines for the Formation of Regional Legislation (Regional Gazette of the Regency of Gresik of 2012 Number 2);

16. Regional Regulation of the Regency of Gresik Number 7 of 2017 on the Financial and Administrative Rights of Leaders and Members of the Regional House of Representatives (Regional Gazette of the Regency of Gresik of 2017 Number 7);

Decides:

To Enact: REGULATION OF THE REGENT ON THE IMPLEMENTATION REGULATION OF THE REGIONAL REGULATION OF THE REGENCY OF GRESIK NUMBER 7 OF 2017 ON THE

FINANCIAL AND ADMINISTRATIVE RIGHTS OF LEADERS AND MEMBERS OF THE REGIONAL HOUSE OF REPRESENTATIVES.

CHAPTER I

GENERAL PROVISIONS

Section 1

In this Regents Regulation:

1. Regent means the Regent of Gresik.
2. Regional House of Representatives, hereinafter referred to as DPRD means the Regional House of Representatives of the Regency of Gresik.
3. Leaders of the Regional House of Representatives, hereinafter referred to as DPRD Leaders are regional officials holding the positions of Chairperson and Deputy Chairperson of the DPRD of the Regency of Gresik in accordance with legislation.
4. Members of the Regional House of Representatives, hereinafter referred to as DPRD Members are regional officials holding the position of members of the DPRD of the Regency of Gresik in accordance with legislation.
5. Secretary of the Regional House of Representatives, hereinafter referred to as DPRD Secretary is the Secretary of the Regional House of Representatives of the Regency of Gresik.
6. Regional Financial Capacity is a classification of a region to determine the group of Regional Financial Capacity determined based on a formula as the basis for calculating the amount of intensive communication allowance, recess allowance, and operational funds for DPRD Leaders.
7. Representation Allowance is the money given every month to the Leaders and Members of the DPRD in connection with their positions as Leaders and Members of the DPRD.
8. Intensive Communication Allowance, hereinafter referred to as Intensive Communication Allowance is the money given to the Leaders and Members of the DPRD every month in order to encourage improved performance of the Leaders and Members of the DPRD.
9. Recess Allowance is the allowance given to the DPRD Leaders and DPRD Members every time

they have a recess.

10. Operational Funds for DPRD Leaders, hereinafter referred to as Operational Funds are funds provided by the DPRD Leaders every month to support operational activities related to representation, services, and other needs to facilitate the daily performance of the DPRD Leaders duties.

11. Day means working day.

Section 2

The Regency of Gresik is designated in the high regional financial capacity group.

CHAPTER II

INCOME OF DPRD LEADERS AND MEMBERS

Section 3

(1) Based on the regional financial capacity referred to in Section 2, the intensive communication allowance for DPRD Leaders and Members is set to be given seven (7) times the representation allowance of the Chairperson of the DPRD.

(2) Based on the Regional Financial Capacity referred to in Section 2, the Recess Allowance for DPRD Leaders and Members is set to be given seven (7) times the representation allowance of the Chairperson of the DPRD.

CHAPTER III

WELFARE ALLOWANCE OF DPRD LEADERS AND MEMBERS

Part One

Health Insurance

Section 4

- (1) Health insurance for DPRD Leaders and Members is provided in the form of contributions to the Social Security Administration Body for Health in accordance with legislation.
- (2) Health insurance also includes for husband/wife and children in accordance with the provisions of legislation.
- (3) The amount of health insurance contributions for DPRD members referred to in section (1) and section (2) is determined based on the provisions of legislation.

Section 5

- (1) In addition to health insurance, DPRD Leaders and Members are provided with health check-ups (general check-up) conducted once a year at Ibnu Sina Regional General Hospital.
- (2) The time of the health check-up referred to in section (1) is determined jointly with Ibnu Sina Regional General Hospital.
- (3) Health check-ups are not provided for husband/wife and children.

Part Two

Housing Allowance and Transportation Allowance

Section 6

- (1) DPRD Leaders and Members are given a housing allowance.
- (2) The amount of housing allowance referred to in section (1) is:
 - a. Chairperson of the DPRD: Rp17,800,000 (seventeen million eight hundred thousand rupiahs) per month.
 - b. Deputy Chairperson of the DPRD: Rp16,400,000 (sixteen million four hundred thousand rupiahs)

per month.

c. Member of the DPRD: Rp12,000,000 (twelve million rupiahs) per month.

(3) The amount of allowance referred to in section (2) already includes tax that must be paid.

Section 7

(1) DPRD Members are given a transportation allowance.

(2) The amount of Transportation Allowance referred to in section (1) is Rp8,500,000.00 (eight million five hundred thousand rupiahs) per month.

(3) The amount of allowance referred to in section (2) already includes tax that must be paid.

Section 8

The Housing Allowance referred to in Section 6 and the Transportation Allowance referred to in Section 7 are given in the form of money including Income Tax (Article 21 PPh) and are paid every month.

Part Three

Uniforms and Attributes

Section 9

(1) DPRD Leaders and Members are provided with uniforms and attributes.

(2) The uniforms and attributes referred to in section (1) consist of:

a. daily civilian clothes provided in 2 (two) sets in 1 (one) year, with a price of at most Rp2,000,000 (two million rupiahs) per set;

b. official civilian clothes provided in 1 (one) set in 1 (one) year, with a price of at most Rp2,000,000 (two million rupiahs) per set;

- c. complete civilian clothes provided in 2 (two) sets in 5 (five) years, with a price of at most Rp3,000,000 (three million rupiahs) per set;
- d. long-sleeved daily uniforms provided in 1 (one) set in 1 (one) year with a price of at most Rp2,000,000 (two million rupiahs) per set;
- e. regional traditional clothes provided in 1 (one) set in 1 (one) year, with a price of at most Rp2,000,000 (two million rupiahs) per set; and
- f. attributes provided in 1 (one) package in 1 (one) year, with a price of at most Rp500,000 (five hundred thousand rupiahs) per package.

(3) Uniforms and attributes referred to in section (2) are provided in accordance with legislation in the field of procurement of goods and/or government services, taking into account the principles of efficiency, effectiveness, and appropriateness.

CHAPTER IV

SUPPORTING EXPENDITURES FOR DPRD ACTIVITIES

Part One

Operational Funds

Section 10

(1) To support operational activities related to representation, services, and other needs to facilitate the daily performance of the DPRD Leaders duties, the DPRD Leaders are given Operational Funds which are given every month.

(2) The Operational Funds referred to in section (1) are given in accordance with regional financial capacity.

Section 11

The budgeting of Operational Funds is compiled collectively by the DPRD Secretary with the

following provisions:

- a. Chairperson of the DPRD, amounting to six (6) times the representation allowance of the Chairperson of the DPRD; and
- b. Deputy Chairperson of the DPRD, amounting to four (4) times the representation allowance of the Deputy Chairperson of the DPRD.

Section 12

The provision of Operational Funds is carried out every month with the following provisions:

- a. 80% (eighty percent) is given at once for all expenses or called lumpsum; and
- b. 20% (twenty percent) is given for support of other operational funds.

Section 13

(1) The disbursement treasurer submits a request letter for direct payment of the disbursement of Operational Funds amounting to 1/12 (one-twelfth) of the budget for 1 (one) fiscal year to the budget user.

(2) Based on the submission of the direct payment request letter referred to in section (1), the DPRD secretary as the budget user submits a direct payment order letter for the disbursement of Operational Funds amounting to 1/12 (one-twelfth) of the budget for 1 (one) fiscal year to the regional treasurer.

(3) The direct payment order letter referred to in section (2) attaches:

- a. list of recipients of Operational Funds; and
- b. a signed integrity pact of the DPRD Leaders explaining that the use of funds will be in accordance with their intended purpose.

(4) The authorized Regional Treasurer issues a disbursement order letter for Operational Funds based on the direct payment order letter referred to in section (3) to the account of the disbursement treasurer of the DPRD secretariat regional apparatus.

Section 14

(1) The disbursement treasurer referred to in Section 13 section (4) makes payments of Operational Funds given at once as referred to in Section 12 (a), based on a receipt signed by the Chairperson and Deputy Chairperson of the DPRD.

(2) The disbursement treasurer referred to in Section 13 section (4) manages Operational Funds for support of other operational activities as referred to in Section 12 (b) in accordance with the provisions of legislation on regional financial management.

Section 15

(1) In the context of accountability for Operational Funds, the DPRD Leaders must sign an integrity pact explaining that the use of funds has been in accordance with their intended purpose.

(2) Accountability for the use of Operational Funds referred to in Section 12 (a) is evidenced by a report on the use of Operational Funds.

(3) Accountability for the use of Operational Funds referred to in Section 12 (b) is accompanied by complete and valid expenditure evidence.

(4) The DPRD Leaders submit proof of accountability for the use of Operational Funds referred to in section (2) and section (3) to the disbursement treasurer every month at the latest on the 5th (fifth) of the following month.

(5) In the event that there are remaining Operational Funds at the end of the previous month, this will be added to the Operational Funds for the current month.

(6) Accountability for the use of Operational Funds by the DPRD Leaders referred to in section (4) serves as the basis for the submission of disbursement requests for the following month.

Section 16

In the event that there are remaining Operational Funds not used until the fiscal year, the disbursement treasurer of the secretariat regional apparatus of the council deposits the remaining Operational Funds into the regional treasury.

Part Two

Expert Staff for the Faction

Section 17

- (1) To support the duties of the Faction, each Faction is provided with 1 (one) expert staff for the faction.
- (2) The Expert Staff for the Faction must at least have a Bachelors degree and have the ability to support the factions duties.
- (3) The appointment and dismissal of expert staff for the faction are carried out through proposals submitted by the Faction to the DPRD Secretary to be determined by the Decision of the DPRD Secretary.
- (4) The procurement of expert staff for the faction is carried out in accordance with the provisions of legislation.

Section 18

- (1) The expert staff for the faction referred to in Section 17 section (1) work every day.
- (2) In addition to the days referred to in section (1), the Expert Staff for the Faction work on other days as needed by the Faction.
- (3) The honorarium for the Expert Staff for the Faction of the Regional House of Representatives of the Regency of Gresik is given in the amount of Rp3,000,000 (three million rupiahs) per month.

CHAPTER V

FINAL PROVISIONS

Section 19

The amount of income for DPRD Leaders and Members in accordance with the amount determined in this Regents Regulation is paid as of August 2017.

Section 20

Upon the commencement of this Regents Regulation:

1. Regents Regulation of Gresik Number 26 of 2014 on Welfare Allowances for Leaders and Members of the Regional House of Representatives of the Regency of Gresik for the 2014-2019 Term of Office;
 2. Regents Regulation of Gresik Number 27 of 2014 on Intensive Communication Allowances for Leaders and Members of the Regional House of Representatives and Supporting Operational Expenditures for Leaders of the Regional House of Representatives of the Regency of Gresik for the 2014-2019 Term of Office;
 3. Regents Regulation of Gresik Number 10 of 2015 on Amendment to Regents Regulation of Gresik Number 26 of 2014 on Welfare Allowances for Leaders and Members of the Regional House of Representatives of the Regency of Gresik for the 2014-2019 Term of Office; and
 4. Regents Regulation of Gresik Number 48 of 2015 on Amendment to Regents Regulation of Gresik Number 26 of 2015 on Welfare Allowances for Leaders and Members of the Regional House of Representatives of the Regency of Gresik for the 2014-2019 Term of Office;
- are revoked and declared invalid.

Section 21

This Regents Regulation comes into force on the date of its promulgation.

In order for everyone to know, order the promulgation of this Regents Regulation by placing it in the Regional Gazette of the Regency of Gresik.

Enacted in Gresik

on August 31, 2017

REGENT OF GRESIK,

(signed)

Dr. Ir. H. SAMBARI HALIM RADIANTO, S.T., M.Si.

Promulgated in Gresik

on August 31, 2017

SECRETARY OF REGENCY OF GRESIK

(signed)

Drs. Kng. DJOKO SULISTIO HADI. M.M

Senior Main Official

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REGIONAL GAZETTE OF THE REGENCY OF GRESIK OF 2017 NUMBER 21