

REGENT OF GRESIK

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REGULATION OF THE REGENT OF GRESIK

NUMBER 43 OF 2013

ON

THE SECOND AMENDMENT TO REGULATION OF THE REGENT OF GRESIK NUMBER 74 OF 2011 ON THE GRANTING OF DEATH GRATUITY FOR POOR PEOPLE IN THE REGENCY OF GRESIK

BY THE BLESSINGS OF ALMIGHTY GOD

THE REGENT OF GRESIK,

Considering: a. that in order to realize the concern of the Gresik Regency Regional Government towards the burden of the community affected by the death calamity, the Gresik Regency Government provides Death Gratuity to their heirs, the implementation of which is regulated by Regulation of the Regent of Gresik Number 74 of 2011 on the Granting of Death Gratuity for Poor People in the Regency of Gresik, as amended by Regulation of the Regent of Gresik Number 27 of 2012;

b. that to ensure legal certainty and justice for the community, with the enactment of the Integrated Data of the Social Protection Program of Gresik Regency as the basic data of poverty used by the Gresik Regency Government in the context of government program intervention, and to expand the reach of the community considered eligible to receive death gratuity assistance, it is necessary to amend for the second time the Regulation of the Regent as referred to in sub-paragraph a.; c. that based on the considerations as referred to in sub-paragraphs a. and b., it is necessary to issue a

Regional Regulation on the Second Amendment to the Regulation of the Regent of Gresik Number 74 of 2011 on the Granting of Death Gratuity for Poor People in the Regency of Gresik;

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 32 of 2004 on Regional Government (State Gazette of the Republic of Indonesia of 2004 Number 125, Supplement to the State Gazette of the Republic of Indonesia Number 4437) as amended several times, lastly by Law Number 12 of 2008 on the Second Amendment to Law Number 32 of 2004 on Regional Government (State Gazette of the Republic of Indonesia of 2008 Number 59, Supplement to the State Gazette of the Republic of Indonesia Number 4844);

4. Law Number 33 of 2004 on Financial Balance between the Central Government and Regional Governments (State Gazette of the Republic of Indonesia of 2004 Number 126, Supplement to the State Gazette of the Republic of Indonesia Number 4438);

5. Law Number 40 of 2004 on the National Social Security System (State Gazette of the Republic of Indonesia of 2004 Number 150, Supplement to the State Gazette of the Republic of Indonesia Number 4456);

6. Law Number 11 of 2009 on Social Welfare (State Gazette of the Republic of Indonesia of 2009 Number 12, Supplement to the State Gazette of the Republic of Indonesia Number 4967);

7. 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);

8. 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);

9. Government Regulation Number 38 of 2007 on the Division of Government Affairs between the Central Government, Provincial Regional Governments and Regency/City Regional Governments (State Gazette of the Republic of Indonesia of 2007 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 4737);

10. Government Regulation Number 41 of 2007 on Regional Apparatus Organization (State Gazette of the Republic of Indonesia of 2007 Number 89, Supplement to the State Gazette of the Republic of Indonesia Number 4741);

11. Regulation of the Minister of Home Affairs Number 13 of 2006 on Guidelines for Regional Financial Management, as amended twice 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 (State News of the Republic of Indonesia of 2011 Number 310);

12. Regulation of the Minister of Home Affairs Number 32 of 2011 on Guidelines for granting grants and social assistance sourced from the Regional Revenue and Expenditure Budget, as amended by Regulation of the Minister of Home Affairs Number 39 of 2012 on Amendment to Regulation of the Minister of Home Affairs Number 32 of 2011 on Guidelines for Granting Grants and Social Assistance sourced from the Regional Revenue and Expenditure Budget;

13. Regulation of the Regent of Gresik Number 74 of 2011 on the Granting of Death Gratuity for Poor People in the Regency of Gresik (Regional News of Gresik Regency of 2011 Number 937) as amended by Regulation of the Regent of Gresik Number 27 of 2012 on Amendment to Regulation of the Regent of Gresik Number 74 of 2011 on the Granting of Death Gratuity for Poor People in the Regency of Gresik (Regional News of Gresik Regency of 2012 Number 542)

DECIDES:

To Enact: REGULATION OF THE REGENT ON THE SECOND AMENDMENT TO REGULATION OF THE REGENT OF GRESIK NUMBER 74 OF 2011 ON THE GRANTING OF DEATH GRATUITY FOR POOR PEOPLE IN THE REGENCY OF GRESIK.

Article I

The provisions in Regulation of the Regent of Gresik Number 74 of 2011 on the Granting of Death Gratuity for Poor People in the Regency of Gresik (Regional News of Gresik Regency of 2011 Number 937) as amended by Regulation of the Regent of Gresik Number 27 of 2012 on Amendment to Regulation of the Regent of Gresik Number 74 of 2011 on the Granting of Death Gratuity for Poor People in the Regency of Gresik (Regional News of Gresik Regency of 2012 Number 542), are amended as follows:

The provisions of section 8, sections (2) and (3), are amended, and three (3) sections are added, namely (2A), section (3A), and section (6), so that Article 8 reads as follows:

Article 8

(1) To obtain death gratuity funds, heirs must submit a letter of application to the Regent through the Sub-district Head.

(2) The Application Letter is sent by the Sub-district Head after being verified by the Head of the Technical Implementation Team for the Distribution of Death Gratuity Social Assistance Activities in the Sub-district.

(2A) The application as referred to in section (1) is processed by the Peoples Welfare Administration

Section.

(3) The application letter as referred to in section (2) must be accompanied by:

- a. A death certificate from the local village head/urban village head;
- b. Photocopy of Gresik Identity Card and Gresik Family Card from the applicant/heir;
- c. Original Gresik Identity Card of the deceased;
- d. Photocopy of Birth Certificate or birth certificate from a midwife/birth certificate from the village/urban village (Triplicate) and photocopy of the parents marriage certificate for deceased persons who are not yet of age;
- e. A Certificate from the village head/urban village head stating that the deceased is included in the Integrated Data of the Social Protection Program of Gresik Regency;
- f. Photocopy of the Integrated Data sheet of the Social Protection Program of Gresik Regency where the name of the deceased is listed and legalized by the Village Head/Urban Village Head;
- g. For poor people who are not included in the Integrated Data of the Social Protection Program of Gresik Regency, attach a Certificate of Poverty from the Village Head/Urban Village Head;

(3A) The Certificate of Poverty as referred to in section (3) sub-paragraph g., is made based on the Statement of Poverty made by the Heir/Applicant, known by the RT and RW.

(4) The heir may authorize someone to submit the application with a duly stamped power of attorney.

(5) For the authorized Applicant, the recipient of the power of attorney must sign a statement that

the attached documents are true and legally accountable.

(6) The format of the Certificate of Poverty as referred to in section (3) sub-paragraph g. and the Statement of Poverty as referred to in section (3A) are included in the Appendix, are a single unit and an inseparable part of this Regulation of the Regent.

Article II

(1) The requirements for completeness of the application letter to obtain death gratuity funds, determined based on the provisions in Regulation of the Regent of Gresik Number 74 of 2011 on the Granting of Death Gratuity for Poor People in the Regency of Gresik as amended by Regulation of the Regent of Gresik Number 27 of 2012, remain valid until December 31, 2013.

(2) The requirements for completeness of the application letter to obtain death gratuity funds, determined based on the provisions in this Regulation of the Regent, are valid starting from January 1, 2014.

(3) This Regulation of the Regent shall come into force on the date of its promulgation, in order for everyone to know it, orders the promulgation of this Regional Regulation with its placement in the Regional News of Gresik Regency.

Enacted in Gresik

On November 13, 2013

REGENT OF GRESIK

Signed,

Dr. Ir. H. SAMBARI HALIM RADIANTO, ST., M.Si.

Promulgated in Gresik

on November 13, 2013

SECRETARY OF REGENCY OF GRESIK,

Signed,

Ir. MOCH. NADJIB, MM

Senior Main Official

NIP. 19551017 198303 1 005

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