

GOVERNMENT OF THE REGENCY OF GRESIK
REGIONAL REGULATION OF THE REGENCY OF GRESIK
NUMBER 13 OF 1994

ON

THE FORMATION OF THE ORGANIZATION AND WORK PROCEDURES
OF THE REGIONAL MARKET MANAGEMENT OFFICE
OF THE REGENCY OF GRESIK

BY THE BLESSINGS OF ALMIGHTY GOD

Considering: 1. That in order to improve the smooth implementation of duties in the field of Government, Development and Community which are effective and efficient, and to increase Local Original Revenue and the Market Management sector, it is necessary to establish a separate institution;
2. That to implement the intention as mentioned in this considerandum, it is necessary to incorporate it into a Regional Regulation.

Considering: 1. Law Number 5 of 1974 on the Principles of Regional Government;
2. Law Number 12 of 1950 on the Establishment of Regency Areas in the Environment of the Province of East Java, juncto Law Number 2 of 1965 on the Change of Border Area of Surabaya Municipality and Regency of Surabaya;
3. Law Number 12 Drt of 1957 on General Regional Retribution Regulations;
4. Law Number 8 of 1974 on the Principles of Personnel;
5. Government Regulation Number 3 of 1957 on the Transfer of State Taxes to Regions;
6. Government Regulation Number 38 on the Change of Name of Surabaya Regency to Gresik Regency; 7. Government Regulation Number 5 of 1975 on the Management of Accountability and Supervision of Regional Finances;

8. Decree of the Minister of Home Affairs Number 39 of 1992 on Guidelines for the Formation of the Organizational Structure and Work Procedures of Regional Offices;
9. Decree of the Minister of Home Affairs Number 97 of 1993 on the Pattern of Regional and Territorial Government Organization;
10. Instruction of the Minister of Home Affairs Number 23 of 1993 on Instructions for the Implementation of the Organization and Work Procedures of Provincial and Regency Offices.

With the Approval of

THE REGIONAL HOUSE OF REPRESENTATIVES OF REGENCY OF GRESIK

DECIDES

To Enact: REGIONAL REGULATION OF THE REGENCY OF GRESIK ON THE FORMATION OF THE ORGANIZATION AND WORK PROCEDURES OF THE REGIONAL MARKET MANAGEMENT OFFICE OF THE REGENCY OF GRESIK.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Regional Regulation:

- a. Regional Government means the Regency Government of Gresik;
- b. Regional Head means the Regent of Gresik;
- c. Market Management Office means the Regional Market Management Office of the Regency of Gresik;
- d. Head of Market Management Office means the Head of the Regional Market Management Office of the Regency of Gresik;
- e. Market means the Market controlled by the Regency Government of Gresik;

f. Community means the Community in the Regency of Gresik, both individuals, households, shop owners, stalls, company owners, and other traders.

CHAPTER II

FORMATION OF THE OFFICE

Article 2

By the Regional Regulation of the Regency of Gresik, the Regional Market Management Office of the Regency of Gresik is formed with the Organizational Structure and Work Procedures as stipulated in this Regional Regulation.

CHAPTER III

POSITION, DUTIES, AND FUNCTIONS

Article 3

(1) The Market Management Office is the Implementing Element of the Regional Government in the field of Market Management;

(2) The Market Management Office is headed by a Head of Market Management Office who is under and accountable to the Regional Head.

Article 4

(1) The Market Management Office has the following duties:

- a. To carry out some of the regional household affairs (autonomy) in the field of Market Management;
- b. To carry out supporting tasks related to market management entrusted by the Regional Head to the Head of the Market Management Office.

(2) The details of the duties referred to in section (1) of this Article include:

- a. Planning the existence and development of markets and their facilities;
- b. Implementing market management;
- c. Regulating and granting business permits to traders in the market environment;

- d. Conducting guidance for traders in the market environment;
- e. Implementing the collection and billing for kiosk rentals, stands, stalls, and shops, as well as other levies related to market levies;
- f. Carrying out duties in the field of cleanliness and order in the market environment within a 200-meter radius;
- g. Carrying out the maintenance of market buildings;
- h. Coordinating with relevant institutions in the implementation of all activities in the field of regulation and collection related to market levies;
- i. Determining and implementing plans that have been outlined in the Regional Development Plan;

Article 5

To carry out the duties referred to in Article 4 of this Regional Regulation, the Market Management Office has the following functions:

- a. Planning, which includes all efforts and activities to plan, prepare, manage, examine the formulation of technical policies and work programs;
- b. Implementation, which includes all efforts and activities to implement programs and technical policies that have been determined;
- c. Guidance, which includes all efforts and activities of extension and guidance towards increasing the potential ability in carrying out the tasks that are its responsibility;
- d. Supervision, which includes all efforts and activities to carry out security for the implementation of tasks in accordance with applicable laws and regulations;
- e. Administration, which includes all efforts and activities covering general administration, personnel, finance, and equipment.

CHAPTER IV

ORGANIZATIONAL STRUCTURE

Article 6

The organizational structure of the Market Management Office consists of:

- a. Leadership Element, namely the Head of the Office;

- b. Assistant Leadership Element, namely the Sub-Section;
- c. Implementing Element, namely the Section;
- d. Group of Functional Positions.

Article 7

(1) The Sub-Sections and Sections referred to in Article 6 (b) and (c) of this Regional Regulation are:

- a. Sub-Section of Administration;
- b. Section of Levies;
- c. Section of Cleanliness and Market Order;

(2) The Sub-Sections and Sections referred to in section (1) of this Article, are each headed by a Head of Sub-Section and Head of Section who are under and accountable to the Head of the Market Management Office.

Article 8

The Sub-Section of Administration oversees 2 (two) Divisions:

- a. Finance Division;
- b. General Division;

Article 9

The Section of Levies oversees 2 (two) Sub-Sections:

- a. Sub-Section of Levies and Collection;
- b. Sub-Section of Levies and Licensing.

Article 10

The Section of Cleanliness and Market Order oversees three Sub-Sections:

- a. Sub-Section of Market Maintenance and Cleanliness;
- b. Sub-Section of Order;
- c. Sub-Section of Supervision and Market Information;

Article 11

The Organizational Chart of the Market Management Office is as contained in the Appendix to the Regional Regulation and is an inseparable part of this Regional Regulation.

CHAPTER V

DESCRIPTION OF DUTIES

Article 12

The Sub-Section of Administration has the following duties:

- a. To carry out general administrative affairs, personnel administration, financial administration, and supply/material administration;
- b. To assist and coordinate activity plans and budget plans for all subordinate organizational units and all organizational units within the Office;
- c. To carry out household affairs;
- d. To carry out internal security for personnel, materials, finances, and information;
- e. To carry out tasks for organizational improvement, administrative procedures, and apparatus development;
- f. To carry out protocol and official travel duties;
- g. To carry out other duties assigned by the Head of the Market Management Office.

Article 13

The General Division has the following duties:

- a. To provide general administrative services, including routine and development activities;
- b. To organize ceremonies, meetings, and official meetings;
- c. To manage official travel;
- d. To manage household affairs;
- e. To carry out typing, duplication, and expedition work;
- f. To manage office security and official information;
- g. To carry out other duties assigned by the Head of the Sub-Section of Administration;
- h. To manage personnel administration, personnel register, mutations, appointments, periodic salary

increases, rank promotions, career development, and employee retirement;

i. To manage personnel needs planning;

j. To manage employee welfare, such as housing facilities, health, service awards, and others.

Article 14

The Finance Division has the following duties:

a. To gather materials for the preparation of the budget;

b. To manage the finances of official travel and the transfer of employees;

c. To conduct supervision and verification of financial administration;

d. To prepare the preparation of the Revenue and Expenditure Budget Plan;

e. To manage and carry out the payment of salaries and financial entitlements of employees;

f. To carry out other duties assigned by the Head of the Sub-Section of Administration.

Article 15

The Section of Levies has the following duties:

a. To manage the administration of levies and other market revenue;

b. To plan for increasing market revenue and to collect levies and other revenue in accordance with applicable laws and regulations;

c. To maintain records of all receipts and deposits of market levies and other revenue;

d. To carry out other duties assigned by the Head of the Market Management Office.

Article 16

The Sub-Section of Levies and Collection has the following duties:

a. To collect market levies and other revenue from traders, owners of stands, stalls, shops, and kiosks in the market environment;

b. To receive and deposit the results of the collection of levies and other revenue to the special cashier for receiving and depositing at the Market Management Office and then deposited to the Regional Treasury;

c. To carry out collection from delinquent levy payers in accordance with applicable provisions;

d. To carry out other duties assigned by the Head of the Section of Levies.

Article 17

The Sub-Section of Bookkeeping and Licensing has the following duties:

- a. To record and bookkeep all levy payers;
- b. To record the results of receipts and deposits based on the receipts and deposit slips received from the receiving and depositing cashier of the Market Management Office;
- c. To prepare reports on the receipt and deposit of market levies and other revenue periodically;
- d. To collect and examine the number of applicants/brokers for traders, owners of stands, stalls, shops, and kiosks in the Market;
- e. To prepare and provide advice and consideration to their superiors for the issuance of permits for the use of sales places;
- f. To inventory the re-registration of plots, stalls, stands, shops, and kiosks for sales places;
- g. To prepare advice/consideration and proposals for renewal regarding the transfer of rights to plots, stalls, stands, shops, and kiosks for sales places;
- h. To carry out other duties assigned by the Section of Levies.

Article 18

The Section of Cleanliness and Market Order has the following duties:

- a. To carry out duties in the field of market cleanliness, market maintenance, market order, and market security within a 200-meter radius;
- b. To provide advice to superiors to determine the appropriate land location for the construction of market buildings in accordance with the City Spatial Plan;
- c. To prepare and analyze the cost plan for market buildings, including facilities, both for the construction of new markets and the rejuvenation of market buildings;
- d. To coordinate with relevant institutions to plan, direct, and supervise fire prevention equipment at market locations;
- e. To carry out other duties assigned by the Head of the Market Management Office.

Article 19

The Sub-Section of Market Maintenance and Cleanliness has the following duties:

- a. To prepare calculations of the costs of market maintenance;
- b. To examine and report on the physical condition of market buildings, including proposals for repairs;
- c. To prepare calculations of the costs of constructing new markets and their facilities;
- d. To carry out duties in the field of cleanliness, including environmental pollution prevention at market locations;
- e. To carry out other duties assigned by the Head of the Section of Cleanliness and Market Order.

Article 20

The Sub-Section of Order has the following duties:

- a. To carry out duties in the field of order and security at market locations;
- b. To cooperate with other institutions to create orderly and safe market conditions;
- c. To relocate traders outside the market location to the designated trading location or market;
- d. To carry out the sealing and/or reopening of seals for plots, stands, stalls, shops, and kiosks for sales;
- e. To prepare periodic reports on market order and security;
- f. To provide education to the community or residents living around the market to participate in creating an orderly and safe atmosphere at the market location;
- g. To carry out other duties assigned by the Head of the Section of Cleanliness and Market Order.

Article 21

The Sub-Section of Supervision and Market Information has the following duties:

- a. To monitor the use of market facilities in accordance with applicable laws and regulations;
- b. To supervise the use of water and electricity at the market location;
- c. To strive for savings in the use of water and electricity at the market location;
- d. To manage the use of water and electricity and maintain the administration of the use of water and electricity at the market location;
- e. To prepare periodic reports on the results of supervision in accordance with their duties;
- f. To jointly supervise fire prevention equipment at the market location and its replacement with relevant institutions;

g. To conduct guidance for traders, owners of stands, kiosks, stalls, and shops at the market location;

h. To carry out other duties assigned by the Head of the Section of Cleanliness and Market Order.

Article 22

The Group of Functional Positions has the duty to carry out technical activities in the field of market management in accordance with their field of expertise and needs.

Article 23

(1) The Group of Functional Positions consists of employees holding functional positions who carry out technical and administrative tasks;

(2) The Group of Functional Positions referred to in section (1) of this Article consists of a number of workers in the functional position hierarchy divided into various groups according to their field of expertise;

(3) Each group referred to in section (1) of this Article is headed by a senior functional staff member appointed by the Governor, Regional Head, and is accountable to the Head of the Market Management Office;

(4) The number of Functional Positions referred to in section (1) of this Article is determined based on needs and workload;

(5) The types of Functional Positions referred to in section (1) of this Article are regulated in accordance with applicable laws and regulations.

CHAPTER VI

WORK PROCEDURES

Article 24

(1) In carrying out his/her duties, the Head of the Market Management Office is accountable to the Regional Head, while accountability in the field of administration is through the Secretary;

(2) Each Head of Organizational Unit within the Market Management Office is obliged to lead, coordinate, provide guidance, and instructions for the implementation of the tasks of their respective

subordinates;

(3) The Head of the Market Management Office, in carrying out his/her duties, is obliged to apply the principle of coordination, both within the Office and in relations between other Offices/Institutions.

CHAPTER VII

APPOINTMENT AND DISMISSAL FROM OFFICE

Article 25

(1) The Head of the Market Management Office is appointed and dismissed by the Regional Head after obtaining the approval of the Governor of East Java;

(2) The Head of Sub-Section and Head of Section are appointed and dismissed by the Regional Head upon the proposal of the Head of the Market Management Office after obtaining the approval of the Governor of East Java;

(3) The Head of Division and Head of Sub-Section are appointed and dismissed by the Regional Head upon the proposal of the Head of the Market Management Office;

(4) The Group of Functional Positions are appointed and dismissed based on applicable laws and regulations.

CHAPTER VIII

FINAL PROVISIONS

Article 26

Other matters not yet regulated in this Regional Regulation, as far as their implementation is concerned, will be further regulated by the Regional Head.

Article 27

This Regional Regulation comes into force on the date of its promulgation. In order that everyone may know it, the promulgation of this Regional Regulation is ordered by its placement in the Regional Gazette of the Regency of Gresik.

Gresik, November 12, 1994

THE REGIONAL HOUSE OF REPRESENTATIVES OF REGENCY OF GRESIK REGENT OF
GRESIK

Deputy Chairman.

(signature) (signature)

ACHSAN SUBAGYO. A SOEWARSO

Ratified by the Decision of the Governor of East Java dated April 24, 1995 Number 262/P Year
1995.

On behalf of the GOVERNOR OF EAST JAVA

Assistant for Regional Governance

(signature)

PUTU SETIAWAN, SH.Mwk

Supervisor

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EXPLANATION OF THE REGIONAL REGULATION OF REGENCY OF GRESIK
NUMBER 13 OF 1994

ON

THE FORMATION OF THE ORGANIZATION AND WORK PROCEDURES
OF THE REGIONAL MARKET MANAGEMENT OFFICE
OF THE REGENCY OF GRESIK

I. GENERAL EXPLANATION

This Regional Regulation is the implementation of the transfer of some affairs in the field of the transfer of State Taxes to Regions concerning market levies and other market revenue as outlined in the Letter of the Minister of Home Affairs dated January 19, 1994, Number: 061.1/1 79/SJ regarding the Formation of the Market Office of the Regency of Gresik, and the Letter of the Governor of East Java dated February 17, 1994 Number 06I/2590/041/1994 regarding the Formation of the Regional Market Management Office of the Regency of Gresik for the effectiveness and efficiency of task implementation in the field of government, community development, and to further improve services to the community and the market sector.

II. EXPLANATION ARTICLE BY ARTICLE

Articles 1 to 15: Sufficiently clear.

Article 16: The Sub-Section of Levies and Collection carries out the duties of collecting and billing market levies and other market revenue, and the results of the collection are then submitted to the Special Cashier for Receiving and Depositing at the Market Management Office.

Furthermore, the said Cashier deposits to the Regional Revenue Office of the Regency of Gresik, and the Regional Revenue Office deposits it to the Regional Treasury through the designated Government Bank.

Articles 17 to 27: Sufficiently clear.