

REGENT OF GRESIK
EAST JAVA PROVINCE
REGULATION OF THE REGENCY OF GRESIK
NUMBER 12 OF 2018

ON
VILLAGE DELIBERATIVE COUNCIL

BY THE BLESSINGS OF ALMIGHTY GOD,

THE REGENT OF GRESIK,

Considering: that to implement the provisions in Section 73 section (1) of the Regulation of the Minister of Home Affairs Number 110 of 2016 concerning the Village Deliberative Council, it is necessary to issue a Regional Regulation on the Village Deliberative Council;

Considering: 1. Section 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 12 of 1950 on the Formation of Regions within the Province of East Java, (State Gazette of the Republic of Indonesia of 1950 Number 19, Supplement to the State Gazette of the Republic of Indonesia Number 2930) as amended by Law Number 2 of 1965 on the Change of the Boundary of Surabaya Municipality and Surabaya Regency (State Gazette of the Republic of Indonesia of 1965 Number 19, Supplement to the State Gazette of the Republic of Indonesia Number 2730);

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);

4. Law Number 6 of 2014 on Villages

(State Gazette of the Republic of Indonesia of 2014 Number 7, Supplement to the State Gazette of the Republic

of Indonesia Number 5495);

5. 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);

6. Government Regulation Number 43 of 2014 on the Implementation Regulations of Law Number 6 of 2014 on

Villages (State Gazette of the Republic of Indonesia of 2014 Number 123, Supplement to the State Gazette of the

Republic of Indonesia Number 5539) as amended by Government Regulation Number 47 of 2015 on Amendment

to Government Regulation Number 43 of 2014 on the Implementation Regulations of Law Number 6 of 2014 on

Villages (State Gazette of the Republic of Indonesia of 2015 Number 157, Supplement to the State Gazette of the

Republic of Indonesia Number 5717);

7. 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);

8. Regulation of the Minister of Home Affairs Number 111 of 2014 on Technical Guidelines for Village Regulations

(State News of the Republic of Indonesia of 2014 Number 2091);

9. Regulation of the Minister of Home Affairs Number 112 of 2014 on the Election of Village Heads

(State News of the

Republic of Indonesia of 2014 Number 2092) as amended by Regulation of the Minister of Home Affairs Number 65

of 2017 on Amendment to Regulation of the Minister of Home Affairs Number 112 of 2014 on the Election of

Village Heads (State News of the Republic of Indonesia of 2017 Number 1221);

10. Regulation of the Minister of Home Affairs Number 114 of 2014 on Village Development Guidelines (State News

of the Republic of Indonesia of 2014 Number 2094);

11. 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);

12. Regulation of the Minister of Home Affairs Number 44 of 2016 on Village Authority (State News of the Republic of

Indonesia of 2016 Number 1037);

13. Regulation of the Minister of Home Affairs Number 110 of 2016 on Village Deliberative Councils (State News of the

Republic of Indonesia of 2017 Number 89);

14. Regulation of the Minister of Home Affairs Number 20 of 2018 on Village Financial Management (State News of

the Republic of Indonesia of 2018 Number 661);

15. Gresik Regency Regional Regulation Number 4 of 2016 on Village Financial Management (Gresik Regency Regional

Gazette of 2016 Number 12);

16. Gresik Regency Regional Regulation Number 6 of 2016 on the Village Development Planning

System (Gresik

Regency Regional Gazette of 2016 Number 11);

17. Gresik Regency Regional Regulation Number 2 of 2017 on the Formation of Village Regulations

(Gresik Regency

Regional Gazette of 2017 Number 2);

With Joint Agreement

THE REGIONAL HOUSE OF REPRESENTATIVES OF REGENCY OF GRESIK

and

THE REGENT OF GRESIK

DECIDE:

To Enact: REGIONAL REGULATION ON THE VILLAGE DELIBERATIVE COUNCIL.

CHAPTER I

GENERAL PROVISIONS

Section 1

In this Regional Regulation:

1. Regional Government means the Gresik Regency Government.
2. Regent means the Regent of Gresik.
3. Sub-district Head means the sub-district heads in the Regency of Gresik.
4. Village means the villages in the Regency of Gresik.
5. Village Government means the Village Head assisted by Village Officials as the implementing element of the Village Government.
6. Village Government means the administration of government affairs and local community

interests within the Unitary

State of the Republic of Indonesia government system.

7. Village Head means the Village Government Official who has the authority, duties and obligations to manage the

household of his village and carry out the duties of the Central Government and the Regional Government.

8. Village Deliberative Council hereinafter referred to as BPD means an institution that carries out governmental

functions whose members are representatives of village residents based on regional representation and are

appointed democratically.

9. Village Deliberation means a deliberation between the Village Deliberative Council, the Village Government, and

community elements organized by the Village Deliberative Council to agree on strategic matters.

10. Supervision of the village heads performance means the BPDs monitoring and evaluation process of the village

heads task performance.

11. Village Government Administration Performance Report hereinafter abbreviated as LKPPD means the village

heads report to the BPD on the achievements of the village heads task performance in one fiscal year.

12. Regional Revenue and Expenditure Budget hereinafter abbreviated as APBD means the Regional Revenue and

Expenditure Budget of Gresik Regency.

13. Village Revenue and Expenditure Budget hereinafter referred to as APBDesa means the Annual Financial Plan of

the Village Government.

14. Day means working day.

CHAPTER II

MEMBERS OF BPD

Section One

Members of BPD

Section 2

(1) Members of the BPD are representatives of Village residents based on regional and female representation, the filling of which is carried out democratically through a direct election or representative deliberation process.

(2) The number of BPD members as referred to in section (1) is determined with an odd number, at least 5 (five) people and at most 9 (nine) people.

(3) The determination of the number of BPD members as referred to in section (2) considers the population and financial capacity of the Village.

(4) The region as referred to in section (1) is a region within the village such as a hamlet, RW or RT area.

Section 3

Filling of BPD Membership is done through:

- a. Filling of BPD members based on regional representation; and
- b. Filling of BPD members based on female representation.

Section Two

Division of Regions for Representation of BPD Members

Section 4

(1) The filling of BPD members based on regional representation as referred to in Section 3 letter a

is carried out to

elect prospective BPD members from the element of regional representatives in the village.

(2) The element of regional representatives as referred to in section (1) are village residents from the electoral

districts in the village.

(3) The electoral districts in the village as referred to in section (1) are specific areas within the village that have

been determined to have a certain number of representatives in the BPD membership.

(4) The number of BPD members from each region as referred to in section (3) is determined proportionally,

considering the population.

(5) The procedure for determining the number of BPD members in each electoral district is determined by Village

Regulations.

Section Three

Allocation of the Number of BPD Members

Section 5

(1) The allocation of the number of BPD members in each Village as referred to in Section 2 section

(2) is determined

as follows:

a. population up to 2000 people is 5 people;

b. population of 2001 people to 2500 people is 7 people; and

c. Population of more than 2,500 people is 9 people.

(2) The allocation of the number of BPD members as referred to in section (1) includes female representative BPD

members.

Section 6

The number of prospective BPD members is at least twice the allocated number of BPD members determined in each electoral district.

Section 7

(1) The filling of BPD members based on female representation as referred to in Section 3 letter b is carried out to

elect 1 (one) woman as a BPD member.

(2) The female representative as referred to in section (1) is a female village resident who meets the requirements

for a prospective BPD member and has the ability to voice and fight for the interests of women.

(3) The election of female representatives as referred to in section (1) is carried out by female village residents

who have the right to vote.

Section Four

Committee for Filling BPD Members

Section 8

(1) The filling of BPD members as referred to in Section 2 section (1) is carried out by a committee appointed by

Decision of the Village Head.

(2) The committee as referred to in section (1) consists of a maximum of 11 (eleven) people, consisting of Village

officials of at most 3 (three) people and community elements of at most 8 (eight) people.

(3) The community element as referred to in section (2) is a representative from the electoral district.

(4) The requirements to be a Committee for Filling BPD Members are:

a. residents of the village in question;

- b. having at least a senior high school education or equivalent;
- c. at least 25 (twenty-five) years old; and
- d. having the ability to screen and filter prospective BPD members.

(5) If there is a member of the Committee for Filling BPD Members who registers as a prospective BPD member or has a permanent impediment, their membership is replaced by a village official or community element from the region concerned.

Section 9

(1) The committee as referred to in Section 8 section (1) conducts screening and filtering of prospective BPD members within 6 (six) months before the end of the BPD membership period.

(2) Prospective BPD members who meet the requirements are appointed as BPD member candidates.

(3) The election of BPD member candidates as referred to in section (3) is at the latest 3 (three) months before the end of the BPD membership period.

Section 10

(1) In the event that the mechanism for filling BPD membership is determined through a direct election process, the filling committee holds a direct election of BPD member candidates by community elements who have the right to vote.

(2) In the event that the mechanism for filling BPD membership is determined through a representative deliberation process, BPD member candidates are selected in the representative deliberation process by community representatives who have the right to vote.

(3) Community elements who have the right to vote as referred to in section (1) and community representatives are determined proportionally in each electoral district.

(4) The elected BPD member candidate is the BPD member candidate with the most votes.

(5) The mechanism for filling BPD membership is further regulated in the Regents Regulation.

Section 11

(1) The elected BPD member candidates are submitted by the committee to the Village Head at the latest 7 (seven) days after the elected BPD member candidates are determined by the committee.

(2) The elected BPD member candidates as referred to in section (1) are submitted by the Village Head to the Regent through the Sub-district Head at the latest 7 (seven) days after receiving the election results from the filling committee to be inaugurated by the Regent.

Section 12

Requirements for prospective BPD members are:

- a. devout to God Almighty;
- b. uphold and practice Pancasila, implement the 1945 Constitution of the Republic of Indonesia, and maintain and preserve the unity of the Republic of Indonesia and Bhineka Tunggal Ika;
- c. at least 20 (twenty) years old or already/have been married as of the date of determination of prospective BPD members;
- d. having at least a junior high school education or equivalent;
- e. not a Village Government official;
- f. willing to be nominated as a BPD member;
- g. representative of Village residents elected democratically; and
- h. residing in the electoral district.

Section Five

Inauguration of BPD Members

Section 13

(1) The inauguration of BPD members is determined by the Regents decision at the latest 30 (thirty) days after

receiving the report on the results of the BPD member election from the Village Head.

(2) The Regents Decision as referred to in section (1) takes effect from the date of the oath and pledge of the BPD

members.

(3) The oath of the BPD members is led by the Regent or the designated official at the latest 30 (thirty) days after

the issuance of the Regents Decision on the inauguration of BPD members.

Section 14

(1) The BPD membership period is 6 (six) years, starting from the date of the oath.

(2) The BPD members as referred to in section (1) can be elected for a maximum of 3 (three) membership periods,

consecutively or non-consecutively.

Section 15

(1) Before holding office, BPD members take an oath together in front of the community and are guided by the

Regent or a designated official.

(2) The wording of the oath of BPD members is as follows: ?In the name of God/Almighty God, I swear/pledge that I

will fulfill my duties as a member of the Village Deliberative Council to the best of my ability, honestly, and fairly;

that I will always be obedient in practicing and upholding Pancasila as the state ideology, and that I will uphold democratic life and the 1945 Constitution of the Republic of Indonesia and implement all applicable legislation for the Village, Region, and Unitary State of the Republic of Indonesia?.

Section 16

(1) The oath of office of BPD members as referred to in Section 14 section (2) is accompanied by a religious leader according to their respective religions.

(2) In the oath as referred to in section (1), BPD members who are of the religion:

a. Islam, begins with the phrase "In the name of God, I swear?;

b. Protestant Christian and Catholic Christian, begins with the phrase "In the name of God, I pledge? and ends with the phrase "May God help me?;

c. Buddha, begins with the phrase "In the name of Hyang Adi Buddha?; and

d. Hindu, begins with the phrase "Om Atah Paramawisesa?.

(3) After the oath as referred to in section (1), the signing of the minutes of the oath continues.

Section 17

(1) BPD members who have taken the oath as referred to in Section 16 section (3) attend initial on-the-job training conducted by the Regional Government.

(2) The costs of the training as referred to in section (1) are charged to the APBD.

Section Six

Financing the Filling of BPD Members

Section 18

(1) Costs incurred as a result of the implementation of the filling of BPD members are charged to the APBDesa.

(2) The costs as referred to in section (1) are used for:

- a. Procurement of office stationery;
- b. operational direct elections or representative deliberations;
- c. meeting costs;
- d. honorariums for committee members and staff;
- e. procurement/rental of equipment;
- f. travel expenses for consultation purposes; and
- g. inauguration and oath-taking ceremony of BPD members.

Section Seven

Dismissal of BPD Members

Section 19

(1) BPD members cease to be members due to:

- a. death;
- b. resignation; or
- c. dismissal.

(2) BPD members are dismissed as referred to in section (1) letter c, if:

- a. the membership period ends;
- b. unable to carry out duties continuously or has a permanent impediment for 6 (six) consecutive months without any explanation;
- c. no longer meets the requirements as a BPD member;
- d. fails to fulfill obligations;
- e. violates prohibitions as a BPD member;
- f. violates the oath of office and the BPD code of ethics;
- g. declared guilty based on a court decision that has obtained permanent legal force for committing

a criminal

act with a prison sentence of 5 (five) years or more;

h. fails to attend plenary meetings and/or other BPD meetings that are their duties and obligations 6 (six) times in

a row without valid reason;

i. a change in the status of the village to a sub-district, the merger of 2 (two) or more villages into 1 (one) new

village, the expansion or abolition of a village;

j. residing outside the original electoral district; and/or

k. appointed as a Village Head candidate or village official.

Section 20

(1) The dismissal of BPD members is proposed by the BPD leadership based on the results of the BPD deliberation

to the Regent through the Village Head.

(2) The Village Head follows up on the proposal for the dismissal of BPD members to the Regent through the

sub-district head at the latest 7 (seven) days after receiving the dismissal proposal.

(3) The Sub-district Head follows up on the proposal for the dismissal of BPD members to the Regent at the latest 7

(seven) days after receiving the dismissal proposal.

(4) The Regent officially dismisses the BPD member at the latest 30 (thirty) days after receiving the proposal for

the dismissal of the BPD member.

(5) The official dismissal of the BPD member as referred to in section (3) is determined by the Regents Decision.

Section Eight

Temporary Dismissal

Section 21

(1) BPD members are temporarily dismissed by the Regent after being designated as a suspect in corruption,

terrorism, treason, and/or crimes against state security.

(2) In the case of a temporarily dismissed BPD member who holds the position of BPD leader, it is followed by

dismissal as BPD leader.

(3) In the event that the BPD leader is dismissed as referred to in section (2), another BPD leader leads the BPD

replacement interim election meeting.

Section Nine

Interim Dismissal of BPD Members

Section 22

(1) BPD members who resign during their term are replaced by the next candidate in line based on the results of the

BPD member election.

(2) In the event that the next BPD member candidate as referred to in section (1) dies, resigns, or no longer meets

the requirements as a BPD member candidate, they are replaced by the next BPD member candidate in line.

Section 23

(1) At the latest 7 (seven) days after the interim dismissal of the BPD member is determined, the Village Head

submits a proposal for the name of the replacement candidate for the dismissed BPD member to the Regent

through the Sub-district Head.

(2) At the latest 7 (seven) days after receiving the proposal for the interim dismissal of the BPD member as referred

to in section (1), the Sub-district Head submits a proposal for the name of the replacement candidate for the

dismissed BPD member to the Regent.

(3) The Regent officially appoints the replacement candidate for the BPD member as a BPD member with a Regents

decision at the latest 30 (thirty) days after the submission of the proposal for replacement of the BPD member

from the Village Head.

(4) The inauguration of the BPD member as referred to in section (2) takes effect from the taking of the oath and

is led by the Regent or the designated official.

(5) After the oath as referred to in section (3), the signing of the minutes of the oath continues.

Section 24

(1) The term of office of the interim BPD member continues the remaining term of office of the BPD member they

replace.

(2) The term of office as referred to in section (1) is calculated for 1 (one) period.

Section 25

(1) The interim replacement of BPD members is not carried out if the remaining term of office of the replaced BPD

member is less than 6 (six) months.

(2) The BPD membership as referred to in section (1) is vacant until the end of the BPD members term of office.

Section Ten

Prohibitions for BPD Members

Section 26

BPD members are prohibited from:

- a. harming public interest, disturbing a group of Village residents, and discriminating against Village residents or groups of Village residents;
- b. committing corruption, collusion, and nepotism, receiving money, goods, and/or services from other parties that can influence their decisions or actions;
- c. abusing authority;
- d. violating the oath of office;
- e. holding concurrent positions as Village Head and Village Officials;
- f. holding concurrent positions as a member of the House of Representatives of the Republic of Indonesia, the Regional Representative Council of the Republic of Indonesia, the Provincial Regional Peoples Representative Council, or the Regency/City Regional Peoples Representative Council, and other positions determined in legislation;
- g. as implementers of village projects;
- h. being a member of a political party; and/or
- i. being a member and/or official of a prohibited organization.

CHAPTER III

BPD INSTITUTION

Section 27

(1) The BPD institution consists of:

- a. leadership; and
- b. divisions.

(2) The BPD leadership as referred to in section (1) letter a consists of:

- a. 1 (one) chairperson;
- b. 1 (one) vice-chairperson; and
- c. 1 (one) secretary.

(3) The divisions as referred to in section (1) letter b consist of:

- a. Division of Village Governance and Community Development; and
- b. Division of Village Development and Village Community Empowerment.

(4) The divisions as referred to in section (3) are led by division heads.

(5) The BPD leadership and division heads concurrently serve as BPD members.

Section 28

(1) To support the implementation of BPD institutional duties, 1 (one) BPD administrative staff is appointed.

(2) The BPD administrative staff is a village official staff.

(3) The appointment of administrative staff as referred to in section (2) is determined by the Village Heads decision after obtaining consideration from the BPD, considering the Villages financial capacity.

Section 29

(1) The BPD leadership and division heads as referred to in Section 27 section (1) are elected from and by the BPD members directly in a special BPD meeting.

(2) The meeting to elect the BPD leadership and division heads as referred to in section (1) for the first time is led by the oldest member and assisted by the youngest member.

(3) The election meeting as referred to in section (2) is held at the latest 3 (three) days from the date of the oath.

(4) The subsequent election meeting for the leadership and/or division head due to the cessation of the leadership and/or division head is led by the chairperson or other BPD leader based on the agreement of the BPD leadership.

Section 30

(1) The leadership and division heads as referred to in Section 29 section (1) are determined by the BPD Decision.

(2) The BPD Decision as referred to in section (1) takes effect after obtaining the Sub-district Heads approval on behalf of the Regent.

CHAPTER IV

FUNCTIONS AND DUTIES OF BPD

Section One

Functions of BPD

Section 31

The BPD has the following functions:

- a. to discuss and agree on Draft Village Regulations with the Village Head;
- b. to collect and channel the aspirations of the Village community; and
- c. to supervise the performance of the Village Head.

Section Two

Duties of BPD

Section 32

The BPD has the following duties;

- a. to gather community aspirations;
- b. to collect community aspirations;
- c. to manage community aspirations;
- d. to channel community aspirations;
- e. to hold BPD deliberations;
- f. to hold Village deliberations;
- g. to form the Village Head election committee;
- h. to hold special Village deliberations for interim Village Head elections;
- i. to discuss and agree on draft village regulations with the Village Head;
- j. to carry out supervision of the Village Heads performance;
- k. to evaluate the report on the administration of Village Government;
- l. to create harmonious working relationships with the Village Government and other Village institutions; and

Paragraph 1

Gathering Community Aspirations

Section 33

(1) The BPD gathers community aspirations.

(2) The gathering of aspirations as referred to in section (1) can be done directly to Village institutions and the community, including people with special needs, women, and marginalized groups.

(3) The gathering of aspirations is carried out based on the decision of the BPD deliberation, which is included in the BPDs work agenda.

(4) The implementation of the gathering of aspirations as referred to in section (1) uses activity guidelines that at least contain the purpose, objectives, targets, time, and description of activities.

(5) The results of the gathering of aspirations of the village community are submitted in the BPD deliberation.

Paragraph 2

Collecting Community Aspirations

Section 34

(1) The activity of collecting community aspirations is carried out at the BPD secretariat.

(2) Community aspirations as referred to in section (1) are administered and submitted in the BPD deliberation.

Paragraph 3

Management of Community Aspirations

Section 35

(1) The BPD manages Village community aspirations through the administration and formulation of aspirations.

(2) The administration of aspirations as referred to in section (1) is based on divisions that include the divisions of government, development, community development, and Village community empowerment.

(3) The formulation of aspirations as referred to in section (1) is carried out by analyzing and formulating the aspirations of the Village community to be submitted to the Village Head in order to achieve good governance and the welfare of the Village community.

Paragraph 4

Channeling Community Aspirations

Section 36

(1) The BPD channels community aspirations verbally and/or in writing.

(2) The channeling of community aspirations verbally as referred to in section (1) is like the submission of

community aspirations by the BPD in the BPD deliberation attended by the Village Head.

(3) The channeling of community aspirations in writing as referred to in section (1) is like the submission of

aspirations through a letter in order to provide input for Village Governance, requests for information to the

Village Head, or the submission of Draft Village Regulations originating from BPD proposals.

Paragraph 5

Holding BPD Deliberations

Section 37

(1) BPD deliberations are held in order to produce BPD decisions on strategic matters.

(2) Strategic matters as referred to in section (1) are such as deliberations on the discussion and agreement of draft

Village Regulations, evaluation of reports on the administration of Village Government, the determination of BPD

rules of procedure, and proposals for the dismissal of BPD members.

(3) The BPD holds BPD deliberations with the following mechanisms:

a. BPD deliberations are chaired by the BPD leadership;

b. BPD deliberations are declared valid if attended by at least 2/3 (two-thirds) of the number of BPD members;

c. decision-making is carried out through deliberation to reach a consensus;

d. if a consensus is not reached, decision-making is carried out through voting;

e. voting as referred to in letter d is declared valid if approved by at least ½ (one-half) plus 1 (one) of the number

of BPD members present; and

f. the results of the BPD deliberation are determined by the BPD decision and are attached to the

minutes of the

deliberation made by the BPD secretary.

Paragraph 6

Holding Village Deliberations

Section 38

(1) Village deliberations are held by the BPD, facilitated by the Village Government.

(2) Village deliberations are a deliberative forum attended by the BPD, the Village Government, and Village

community elements to deliberate on strategic matters in Village Governance.

(3) Strategic matters as referred to in section (2) include:

- a. Village arrangement;
- b. Village planning;
- c. Village cooperation;
- d. Investment plans entering the Village;
- e. Formation of Village-Owned Enterprises;
- f. Addition and release of Village assets; and
- g. Extraordinary events.

(4) Community elements as referred to in section (2) consist of:

- a. religious leaders;
- b. community leaders;
- c. education leaders;
- d. representatives of farmer groups;
- e. representatives of fishermen groups;
- f. representatives of craftsperson groups;
- g. representatives of womens groups; and
- h. representatives of child care and protection groups.

(5) In addition to community elements as referred to in section (4), Village deliberations may involve other

community elements in accordance with the social and cultural conditions of the community.

(6) Village deliberations as referred to in section (1) are funded from the APBDesa.

Paragraph 7

Formation of the Village Head Election Committee

Section 39

(1) The BPD forms a simultaneous Village Head election committee and an interim Village Head election committee.

(2) The formation of the committee as referred to in section (1) is determined by the BPD decision.

Section 40

(1) The committee as referred to in Section 39 section (1) consists of Village officials and community elements.

(2) The number of committee members is adjusted to the workload and financing capacity.

(3) The committee as referred to in section (1) is accountable to the BPD.

(4) If committee members fail to carry out their duties and obligations, they can be dismissed by BPD decision.

Section 41

(1) The committee as referred to in Section 39 section (1) screens and filters prospective interim Village Head candidates.

(2) The filtering of prospective Village Head candidates into Village Head candidates is at least 2 (two) people and at most 3 (three) people.

(3) If the number of prospective candidates who meet the requirements is more than 3 (three), the committee conducts additional selection using criteria that include knowledge of Village Government, education

level, age,

and other requirements determined by the Regent.

(4) If the number of prospective candidates who meet the requirements is less than 2 (two) people, the committee

extends the registration period for 7 (seven) days.

(5) If the number of prospective candidates who meet the requirements remains less than 2 (two) people after the

extension of the registration period as referred to in section (4), the BPD postpones the Village Head election

until a later date.

Paragraph 8

Holding Special Village Deliberations for Interim Village Head Elections

Section 42

(1) The BPD holds special Village deliberations for interim Village Head elections.

(2) The holding of Village deliberations as referred to in section (1) is carried out to ratify the Village Head

candidates proposed by the committee and to elect and ratify the elected Village Head candidate.

(3) The Village deliberation forum submits the elected Village Head candidate as referred to in section (2) to the

committee to be submitted to the BPD.

Section 43

The BPD submits the elected Village Head candidate as referred to in Section 42 section (3) to the Regent at the

latest 7 (seven) days after receiving the report on the results of the Village Head election from the election

committee.

Paragraph 9

Discussion and Agreement on Draft Village Regulations

Section 44

(1) The BPD and the Village Head discuss and agree on draft Village Regulations proposed by the BPD and/or the Village Head.

(2) The discussion of the draft Village Regulations as referred to in section (1) is held by the BPD in the BPD deliberation.

(3) The draft Village Regulations proposed by the Village Head as referred to in section (1) are first discussed in an internal BPD deliberation at the latest 10 (ten) working days from the date the draft Village Regulations are received by the BPD.

(4) The implementation of the discussion of the draft Village Regulations as referred to in section (1) between the BPD and the Village Head is carried out for the first time at the latest 30 (thirty) days after the internal BPD deliberation.

(5) Each discussion of the draft Village Regulations is recorded in the minutes of the deliberation.

Section 45

(1) If the discussion of the draft Village Regulations between the BPD and the Village Head does not reach an agreement, the joint deliberation still makes a decision with notes on the unresolved issues.

(2) The draft Village Regulations as referred to in section (1) can be submitted by the Village Head to the Regent through the Sub-district Head, along with notes on unresolved issues, at the latest 7 (seven) days after the last

discussion deliberation to obtain evaluation and guidance.

(3) Follow-up evaluation and guidance as referred to in section (2) can be in the form of:

a. Termination of the discussion; or

b. Guidance for follow-up discussion and agreement on the draft Village Regulations.

(4) The follow-up discussion and agreement as referred to in section (3) letter b can be attended by the Sub-district

Head or other officials designated by the Regent.

Paragraph 10

Implementation of Supervision of the Village Heads Performance

Section 46

(1) The BPD supervises the performance of the Village Head.

(2) The implementation of supervision as referred to in section (1) is carried out through:

a. Planning of Village Government activities;

b. Implementation of activities; and

c. Reporting on the administration of Village Government.

(3) The form of BPD supervision as referred to in section (1) is in the form of monitoring and evaluation.

Section 47

The results of the implementation of supervision of the Village Heads performance as referred to in

Section 46

section (1) become part of the BPD performance report.

Paragraph 11

Evaluation of the Village Government Administration Performance Report

Section 48

(1) The BPD evaluates the Village Government Administration Performance Report.

(2) The evaluation of the report as referred to in section (1) is an evaluation of the Village Heads performance for 1

(one) fiscal year.

(3) The implementation of the evaluation as referred to in section (1) is carried out based on the principles of

democracy, responsiveness, transparency, accountability, and objectivity.

(4) The evaluation of the Village Heads task performance as referred to in section (1) includes:

a. achievements in the implementation of the Village Medium-Term Development Plan, Village Work Plan, and

APBDesa;

b. achievements in the implementation of assignments from the Central Government, Provincial Government, and

Regency Government;

c. achievements in compliance with the implementation of duties in accordance with legislation; and

d. achievements of the Village Head.

(5) The implementation of the evaluation as referred to in section (1) is part of the BPD performance report.

Section 49

(1) The BPD evaluates the LKPPD at the latest 10 (ten) working days after receiving the LKPPD.

(2) Based on the