

1883	Other Technical Duties of the Ministry of ESDM Guidance and Coordination Activity Planning and Cooperation of the Ministry of ESDM TOTAL	38,000,000,000
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THE MINISTER OF ENERGY AND MINERAL RESOURCES
OF THE REPUBLIC OF INDONESIA,

Signed
JERO WACIK

(A)

DELEGATION OF PART OF PLANNING ACTIVITIES AND FACILITIES FOR ACCELERATED DEVELOPMENT OF BACKWARD REGIONS TO GOVERNORS FOR BUDGET YEAR 2013

**(Regulation of the Minister for Development of Backward
Regions of the Republic of Indonesia No. 6/2012
dated December 28, 2012)**

BY THE GRACE OF GOD ALMIGHTY
THE MINISTER FOR DEVELOPMENT OF BACKWARD
REGIONS OF THE REPUBLIC OF INDONESIA,

Considering :

- a. to ensure the effective and efficient realization of government affairs which become the authority of the Ministry for Development of Backward Regions for 2013, part of government affairs needs to be delegated to governors as government rep-

resentatives in the regions through deconcentration;

- b. pursuant to Article 16 paragraph (5) of Government Regulation No. 7/2008 on Deconcentration and Assistance Task, the delegation of government affairs to governors as referred to in letter a shall be stipulated in a Ministerial Regulation;
- c. based upon the considerations as referred to in letters a and b, it is necessary to stipulate Regulation of the Minister for Development of Backward

Regions on the Delegation of Part of Planning Activities and Facilities for the Accelerated Development of Backward Regions to Governors for 2013;

In view of :

1. Law No. 17/2003 on State Finance (Statute Book of 2003 No. 47, Supplement to Statute Book No. 4286);
2. Law No.1/2004 on State Treasury (Statute Book of 2004 No. 5, Supplement to Statute Book No. 4355);
3. Law No. 15/2004 on the Audit of Management of and Responsibility for State Finance (Statute Book of 2004 No. 66, Supplement to Statute Book No. 4400);
4. Law No. 25/2004 on National Development Planning System (Statute Book of 2004 No. 104, Supplement to Statute Book No. 4421);
5. Law No. 32/2004 on Regional Governments (Statute Book of 2004 No. 125, Supplement to Statute Book No. 437) as already twice amended the latest by Law No. 12/2008 on Second Round of Amendment to Law No. 32/2004 on Regional Governments (Statute Book of 2008 No. 59, Supplement to Statute Book No. 4844);
6. Law No. 33/2004 on Financial Balance between the Central Government and Regional Governments (Statute Book of 2004 No. 126, Supplement to Statute Book No. 4438);
7. Law No. 39/2008 on State Ministries (Statute Book of 2008 No. 166, Supplement to Statute Book No. 4916);
8. Government Regulation No. 38/2007 on the Distribution of Affairs among the Government, Pro-

vincial Governments, Regency/Municipal Governments (Statute Book of 2007 No. 82, Supplement to Statute Book No. 4737);

9. Government Regulation No. 7/2008 on Deconcentration and Co-administration Tasks (Statute Book of 2008 No. 20, Supplement to Statute Book No. 4816);
10. Presidential Regulation No. 47/2009 on the Formation and Organization of State Ministries as already several times amended the latest by Presidential Regulation No. 91/2011 on the Third Round of Amendment to Presidential Regulation No. 47/2009 on the Formation and Organization of State Ministries (Statute Book of 2011 No. 141);
11. Presidential Regulation No. 24/2010 on the Position, Tasks and Functions of State Ministries as well as the Organizational Structure, Tasks and Functions of Echelon I Officials of State Ministries as already several times amended the latest by Presidential Regulation No. 92/2011 on the Second Round of Amendment to Presidential Regulation No. 24/2010 on the Position, Tasks and Functions of State Ministries as well as the Organizational Structure, Tasks and Functions of Echelon I Officials of State Ministries (Statute Book of 2011 No. 142);
12. Regulation of the Minister for Development of Backward Region No. 15/PER/M-PDT/VIII/2010 on the Organization and Work Mechanism of the Ministry for Development of Backward Regions;

DECIDES :

To stipulate :

REGULATION OF THE MINISTER FOR DEVELOPMENT
OF BACKWARD REGIONS ON THE DELEGATION OF
PART OF PLANNING ACTIVITIES AND FACILITIES
FOR ACCELERATED DEVELOPMENT OF BACKWARD
REGIONS TO GOVERNORS FOR 2013.

CHAPTER I
GENERAL PROVISIONS

Article 1

Referred to in this Ministerial Regulation as :

1. Government (Central), hereinafter referred to as government, is the President of the Republic of Indonesia holding the government power of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia.
2. Deconcentration is the delegation of authority from the government to governors as representatives of the government and/or certain vertical agencies.
3. Deconcentration fund is fund originating from the State Budget realized by governors as government representatives covering all revenues and expenditures within the framework of deconcentration, excluding funds allocated to central vertical agencies in regions.
4. Working unit of regional apparatuses, hereinafter abbreviated into SKPD, is an organization/institute in regional government responsible for realizing deconcentration/government tasks in certain fields in a province, regency or municipality.
5. State Budget, hereinafter abbreviated into APBN, is a government financial plan approved by the House of Representatives and stipulated by Law.
6. Approved Project List, hereinafter abbreviated into DIPA or other document similar to DIPA, is a document for the realization of budget made by the Minister for Development of Backward Regions and approved by the Finance Minister to function as a document on the financing of activities and a document supporting government accounting.
7. Minister for Development of Backward Regions, hereinafter called Minister, is the minister realizing government affairs in the development of backward regions.
8. Deputy and Secretary of the Ministry are echelon I units at the Ministry for Development of Backward Regions.
9. Governor is a governor as government representative in a region.
10. Ministry for Development of Backward Regions, hereinafter called Ministry, is a government element seconded and responsible to the President in carrying out government tasks in the development of backward regions in accordance with the law.
11. Vision is a general formula of condition expected at the end of planning period.
12. Mission is a general formula of efforts to be made to create vision.
13. Strategy is a series of steps containing indicative programs to create vision and mission.
14. Program is a policy instrument containing one or more activities carried out by a government agency/institution to achieve the target and goal as well as to obtain budget allocations, or public activities coordinated by government agency.
15. Activity is part of program carried out by one or several working units as part of the effort to achieve the measurable target of a program and consists of a series of steps to empower resources, either human

resources, capital goods including instrument and technology, fund or a combination of several or all types of the resources as an input to produce output in the form of goods/services.

16. Facility for accelerated development of backward region is an activity carried out directly by the Ministry for Development of Backward Regions for backward, forefront, outer and post-conflict regions where it cannot be carried out by the authorized ministry/ government institution.

CHAPTER II

PURPOSE AND AIM

Article 2

- (1) The purpose of realizing deconcentration is to improve performance in carrying out part of planning activities and facilities for accelerated development of backward regions.
- (2) The aim of realizing deconcentration is to improve the role and position of governors as government representatives in carrying out part of planning activities and facilities for accelerated development of backward regions.

CHAPTER III

REALIZATION OF DECONCENTRATION

Part One

Types of Deconcentration

Article 3

- (1) The Minister delegates part of planning activities and facilities for accelerated development of backward regions to governors.
- (2) Details of part of planning activities and facilities for accelerated development of backward regions delegated to governors as referred to in paragraph

(1) are to be provided for in a Ministerial Decree.

- (3) Details of location and allocation and amount of allocation funds for deconcentration are provided for in a Ministerial Regulation as referred to in Article 3 paragraph (2).
- (4) Part of planning activities and facilities for accelerated development of backward regions delegated to governors cannot be delegated to regents.
- (5) The delegation of part of planning activities and facilities for accelerated development of backward regions as referred to in paragraph (1) is valid until December 31, 2013.

Part Two

Realization of Deconcentration

Article 4

- (1) Governors shall form working units of regional apparatuses to handle part of planning activities and facilities for accelerated development of backward regions as executors delegated as referred to in Article 3.
- (2) After receiving the delegation of part of planning activities and facilities for accelerated development of backward regions as referred to in Article 3, governors shall appoint fund managing officials including proxy of budget/goods user, commitment-making official, claim testing/payment order signing official and spending treasurer.
- (3) Governors shall submit a decision on the appointment of proxy of budget/goods users and fund managing official to the Minister, with a copy to the Finance Minister attn. the Director General of Treasury.
- (4) In carrying out part of planning activities and facilities for accelerated development of backward

regions delegated as referred to in Article 3, governors shall stick to norms, standards, procedures and criteria set by the Minister.

- (5) The realization of part of planning activities and facilities for accelerated development of backward regions delegated to governors as referred to in Article 3 is financed by the budget allocated to the Ministry for Development of Backward Regions in 2013.
- (6) The realization of budget by working units of regional apparatuses handling part of planning activities and facilities for accelerated development of backward regions as referred to in paragraph (1) is based on the law and regulation in force.
- (7) The management of budget to realize part of planning activities and facilities for accelerated development of backward regions delegated as referred to in Article 3 shall be done orderly, efficiently, economically, effectively, transparently and responsibly by abiding by the law and regulation and observing a sense of justice and propriety.

Part Three

Reporting of Deconcentration

Article 5

- (1) Every 3 (three) months, 6 (six) months and end of year heads of working units of regional apparatuses handling part of planning activities and facilities for accelerated development of backward regions shall report its realization to the Minister, with copies to the Secretary of the Ministry and Deputy for Activity Management.
- (2) The reporting as referred to in paragraph (1) covers managerial and accountability aspects.

- (3) The managerial aspect consists of developments in the absorption of funds, attainment of output target, obstacles, and follow up suggestions.
- (4) The accountability aspect consists of report of realized budget, balance sheet, notes to financial statement and report of goods.

CHAPTER IV

GUIDANCE AND SUPERVISION

Article 6

- (1) Technical guidance for the realization of deconcentration as referred to in Article 3 is provided by the Secretary of the Ministry, Deputy and Assistant Deputy responsible for activities.
- (2) The guidance as referred to in paragraph (1) covers guidance, facilitation, training, technical guidance, monitoring and evaluation.
- (3) Norms, standards, procedures, and criteria as referred to in Article 4 paragraph (4) are guidance instruments to carry out part of planning activities and facilities for accelerated development of backward regions delegated to governors.
- (4) Functional supervision of realized deconcentration as referred to in Article 3 and review of financial statement for deconcentration funds is done by the Inspector of the Ministry for Development of Backward Regions.
- (5) The Minister can withdraw part of planning activities and facilities for accelerated development of backward regions already delegated if :
 - a. the Minister change policy; and/or
 - b. governors realize deconcentration as referred to in Article 3 by violating norms, standards, procedures and criteria set by the Minister.
- (6) The withdrawal of part of planning activities and

facilities for accelerated development of backward regions as referred to in paragraph (5) is set forth in a Ministerial Regulation.

CHAPTER V SANCTIONS

Article 7

- (1) Working units of provincial apparatuses as referred to in Article 4 paragraph (1) receiving deconcentration funds that do not submit a report of fund accountability intentionally to the Minister are liable to a sanction in the form of deferred disbursement and/or halted fund allocations.
- (2) The sanction of deferred disbursement as referred to in Article 7 paragraph (1) will be imposed if working units of provincial apparatuses do not reconcile financial statement with the local state treasury service office and the auxiliary accounting unit of users of echelon I budget according to Regulation of the Finance Minister on accounting and reporting system of government finance.
- (3) The Minister shall decide the deferred disbursement and/or halted fund allocation as referred to in Article 7 paragraph (1) after consulting the Finance Minister.
- (4) The sanction of deferred disbursement does not exempt working units of provincial apparatuses from the obligation to submit a report of deconcentration fund.
- (5) Halted payment in the current year may be made if :
 - a. working units of regional apparatuses do not submit a quarterly financial statement to the Minister in 2 (two) consecutive quarters in the ongoing budget year; and/or

- b. irregularities are found based upon the result of audit by the State Audit Board, Finance and Development Supervisory Board, Inspectorate of the Ministry for Development of Backward Regions or Provincial Inspectorate.

- (6) The Minister shall decide the halted payment as referred to in paragraph (4) after coordinating with the Finance Minister.

CHAPTER VI CONCLUSION

Article 8

This Ministerial Regulation shall come into force as from the date of promulgation.

For public cognizance, this Ministerial Regulation shall be promulgated by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On December 28, 2012

THE MINISTER FOR DEVELOPMENT OF BACKWARD
REGIONS OF THE REPUBLIC OF
INDONESIA,

sgd.

A. HELMY FAISHAL ZAINI

Promulgated in Jakarta

On February 6, 2013

THE LAW AND HUMAN RIGHTS MINISTER
OF THE REPUBLIC OF INDONESIA,

sgd.

AMIR SYAMSUDIN

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