

MAYOR OF SERANG
PROVINCE OF BANTEN

REGIONAL REGULATION OF SERANG CITY
NUMBER 9 OF 2021

ON
THE ESTABLISHMENT OF RESERVE FUNDS
FOR THE ELECTION OF THE MAYOR AND DEPUTY MAYOR IN 2024

BY THE GRACE OF GOD ALMIGHTY

MAYOR OF SERANG,

- Considering : a. That to implement the provisions of Article 80 paragraph (5) of Government Regulation Number 12 of 2019 on Regional Financial Management, it is necessary to stipulate a Regional Regulation on the Establishment of Reserve Funds for the Election of the Mayor and Deputy Mayor in 2024;
- Observing : 1. Article 18 paragraph (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 17 of 2003 on State Finances (State Gazette of the Republic of Indonesia of 2003 Number 47, Supplement to the State Gazette of the Republic of Indonesia Number 4286);
3. 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);
4. Law Number 15 of 2004 on Audit, Management, and Responsibility of State Finances (State Gazette of the Republic of Indonesia of 2004 Number 66, Supplement to the State Gazette of the Republic of Indonesia Number 4400);
5. 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);
6. Law Number 32 of 2007 on the Establishment of Serang City in the Province of Banten (State Gazette of the Republic of Indonesia of 2007 Number 98, Supplement to the State Gazette of the Republic of Indonesia Number 4748);
7. 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 most recently amended 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);

8. Law Number 1 of 2015 on the Stipulation of Government Regulation in Lieu of Law Number 1 of 2014 on the Election of Governors, Regents, and Mayors into Law (State Gazette of the Republic of Indonesia of 2015 Number 23, Supplement to the State Gazette of the Republic of Indonesia Number 5656), as most recently amended by Law Number 10 of 2016 on the Second Amendment to Law Number 1 of 2015 (State Gazette of the Republic of Indonesia of 2016 Number 130, Supplement to the State Gazette of the Republic of Indonesia Number 5898);
9. Government Regulation Number 12 of 2019 on Regional Financial Management (State Gazette of the Republic of Indonesia of 2019 Number 42, Supplement to the State Gazette of the Republic of Indonesia Number 6322);
10. Minister of Home Affairs Regulation Number 77 of 2020 on Technical Guidelines for Regional Financial Management (State Gazette of the Republic of Indonesia of 2020 Number 1781);
11. Minister of Home Affairs Regulation Number 54 of 2019 on Funding for the Election of Governors, Regents, and Mayors Sourced from the Regional Revenue and Expenditure Budget, as amended by Minister of Home Affairs Regulation Number 41 of 2020 on Amendments to Minister of Home Affairs Regulation Number 54 of 2019.

With the Joint Approval
OF THE REGIONAL PEOPLE'S REPRESENTATIVE COUNCIL OF SERANG CITY
AND
THE MAYOR OF SERANG

HAS DECIDED:

To Enact : THE REGIONAL REGULATION ON THE ESTABLISHMENT OF
RESERVE FUNDS FOR THE ELECTION OF THE MAYOR AND
DEPUTY MAYOR IN 2024.

CHAPTER I
GENERAL PROVISIONS
Article 1

In this Regional Regulation, the following terms shall have the meanings ascribed to them:

1. Region means Serang City.
2. Regional Government means the administration of governmental affairs by the Regional Government and the Regional People's Representative Council under the principles of autonomy and co-administration based on the broadest possible autonomy within the system and principles of the Unitary State of the Republic of Indonesia as provided in the 1945 Constitution of the Republic of Indonesia.
3. Regional Government Executive means the Mayor, the governmental authority that leads the implementation of governmental affairs under the jurisdiction of the autonomous region.
4. Mayor means the Mayor of Serang.
5. Deputy Mayor means the Deputy Mayor of Serang.
6. Regional Financial Management means activities encompassing planning, budgeting, implementation, administration, reporting, accountability, and supervision of Regional Finances.
7. Regional Revenue and Expenditure Budget, hereinafter referred to as APBD, means the Regional Revenue and Expenditure Budget of Serang City established by Regional Regulation.
8. Regional Financial Management Officer, hereinafter referred to as PPKD, means the head of the Regional Financial Management Work Unit tasked with managing the APBD and acting as the Regional General Treasurer.
9. Regional General Treasurer, hereinafter referred to as BUD, means the PPKD acting in the capacity of the Regional General Treasurer.
10. Reserve Funds mean funds allocated to finance the development of regional infrastructure and facilities whose funding cannot be accommodated within a single fiscal year.
11. The Election of the Mayor and Deputy Mayor means exercising the people's sovereignty within the city to elect the Mayor and Deputy Mayor directly and democratically.
12. Regional General Cash Account means the account designated by the Mayor for the safekeeping of Regional funds, the receipt of all Regional income, and the disbursement of all Regional expenditures at a designated bank.

Article 2

The purpose of establishing Reserve Funds is to finance activities related to the Mayor's and Deputy Mayor's Election in 2024, for which the necessary funding cannot be accommodated within a single fiscal year.

CHAPTER II
ACTIVITIES TO BE FUNDED

Article 3

- (1) Reserve Funds shall be utilized to finance activities related to the Mayor's and Deputy Mayor's Election in 2024.
- (2) The use of Reserve Funds to finance the activities referred to in paragraph (1) shall be reflected in Regional Expenditures under the applicable laws and regulations.

CHAPTER III
SOURCES AND ALLOCATION OF FUNDING

Article 4

- (1) The Regional Revenue and Expenditure Budget (APBD), as mentioned in Article 2, shall provide the Reserve Funds, with the following exceptions:
 - a. Special Allocation Funds;
 - b. Regional loans; and
 - c. Other revenues whose use is restricted for specific expenditures under applicable laws and regulations.
- (2) The total amount of Reserve Funds referred to in paragraph (1) shall be IDR 32,500,000,000.00 (thirty-two billion five hundred million rupiahs), allocated as follows:
 - a. APBD for the Fiscal Year 2022: IDR 16,250,000,000.00 (sixteen billion two hundred fifty million rupiahs); and
 - b. APBD for the Fiscal Year 2023: IDR 16,250,000,000.00 (sixteen billion two hundred fifty million rupiahs).
- (3) In the event of the Reserve Funds referred to in paragraph (2) are insufficient to finance the Election of the Mayor and Deputy Mayor, the funding shortfall shall be covered by the APBD of the relevant fiscal year.
- (4) The funding shortfall covered by the APBD of the relevant fiscal year as referred to in paragraph (3) shall comply with the applicable laws and regulations.

CHAPTER IV
PLACEMENT OF FUNDS

Article 5

- (1) As referred to in Article 4, Reserve Funds shall be placed in a separate account under the name Reserve Funds in the Regional General Cash Account.
- (2) The Reserve Funds referred to in paragraph (1) shall be managed by the Regional Financial Management Officer (PPKD) acting as the Regional General Treasurer (BUD).
- (3) In the event that the Reserve Funds referred to in paragraph (1) are not yet used for their intended purpose, they may be invested in low-risk fixed-income portfolios.
- (4) The Regional Government shall be entitled to earn interest, giro services, and/or other returns from the funds deposited in the bank in accordance with prevailing interest rates and/or giro service regulations.
- (5) The interest/dividends earned from the Reserve Funds account and its placement in portfolios as referred to in paragraph (3) shall be added to the Reserve Funds account in the Regional Revenue and Expenditure Budget (APBD).

CHAPTER V
BUDGETING AND ADMINISTRATION

Part One
Budgeting
Article 6

- (1) The establishment of Reserve Funds as referred to in Article 4 shall be budgeted as financing expenditures.
- (2) The disbursement of Reserve Funds as referred to in Article 4 shall be budgeted as financing revenues.

Article 7

Reserve Funds shall not be used to finance programs and activities other than those stipulated in Article 3.

Part Two
Administration and Accountability
Article 8

- (1) The allocation of funds for establishing Reserve Funds in the relevant fiscal year shall comply with the amounts determined.
- (2) The allocated funds referred to in paragraph (1) shall be transferred from the Regional General Cash Account to the Reserve Funds account.
- (3) The transfer referred to in paragraph (2) shall be executed through an order from the Regional General Treasurer (BUD) upon approval from the Regional Financial Management Officer (PPKD).

Article 9

- (1) The transfer of funds from the Reserve Funds account to the Regional General Cash Account shall be carried out based on the plan for the use of Reserve Funds in accordance with their intended purpose.
- (2) The transfer referred to in paragraph (1) shall only be executed after the Reserve Funds balance reaches the required amount.
- (3) The maximum amount of funds transferred from the Reserve Funds account to the Regional General Cash Account shall correspond to the ceiling of the Reserve Funds used for their intended purpose in the relevant fiscal year.
- (4) The transfer of funds as referred to in paragraph (1) shall be executed through a transfer order by the Regional General Treasurer (BUD) upon approval from the Regional Financial Management Officer (PPKD).

Article 10

The accountability for the use of Reserve Funds shall be conducted under the applicable regulations on regional financial management.

CHAPTER VI
MISCELLANEOUS PROVISIONS

Article 11

In the event that the Reserve Funds are not used for the Election of the Mayor and Deputy Mayor in 2024 as stipulated in Article 3, the funds shall be returned to the Regional General Cash Account.

CHAPTER VII
CLOSING PROVISIONS

Article 12

If there is a remaining balance in the Reserve Funds at the end of the fiscal year, it shall be entirely returned to the Regional General Cash Account.

Article 13

This Regional Regulation shall come into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Regional Regulation by its placement in the Regional Gazette of Serang City of the Republic of Indonesia.

Issued in Serang
On November 16, 2021
MAYOR OF SERANG,

signed

SYAFRUDIN

Promulgated in Serang
On November 17, 2021
SECRETARY OF SERANG CITY,

signed

NANANG SAEFUDIN

REGIONAL GAZETTE OF SERANG CITY YEAR 2021 NUMBER 9
MUNICIPAL REGULATION NUMBER OF SERANG CITY, BANTEN PROVINCE
(REGULATION REGISTRATION NUMBER 9,63)/(YEAR 2021)

The certified copy of the original
HEAD OF THE LEGAL DIVISION

signed

RUDY SUHARTANTO

EXPLANATION
OF
REGIONAL REGULATION OF SERANG CITY
NUMBER 9 OF 2021
ON THE ESTABLISHMENT OF RESERVE FUNDS
FOR THE ELECTION OF THE MAYOR AND DEPUTY MAYOR IN 2024

I. GENERAL

To finance the Election of the Mayor and Deputy Mayor in 2024, where the required funds cannot be accommodated within a single fiscal year, the Regional Government deems it necessary to establish Reserve Funds.

The establishment of these Reserve Funds is based on Law Number 23 of 2014 on Regional Government, as most recently amended by Law Number 11 of 2020 on Job Creation; Law Number 33 of 2004 on Financial Balance Between the Central Government and Regional Governments; Government Regulation Number 12 of 2019 on Regional Financial Management; Minister of Home Affairs Regulation Number 54 of 2019 on Funding for the Election of Governors, Regents, and Mayors Sourced from the Regional Revenue and Expenditure Budget, as amended by Minister of Home Affairs Regulation Number 41 of 2020; and Minister of Home Affairs Regulation Number 77 of 2020 on Technical Guidelines for Regional Financial Management. Thus, the Regional Government established Reserve Funds to finance the Mayor's and Deputy Mayor's Election in 2024, ensuring that funding needs beyond a single fiscal year can be met.

Considering the above, this Regional Regulation on the Establishment of Reserve Funds for the Election of the Mayor and Deputy Mayor in 2024 is enacted.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear.

Article 3

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9
Sufficiently clear.

Article 10
Sufficiently clear.

Article 11
Sufficiently clear.

Article 12
Sufficiently clear.

Article 13
Sufficiently clear.

SUPPLEMENT TO THE REGIONAL GAZETTE OF SERANG CITY NUMBER 121

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