

COPY



REGENT OF TEGAL
CENTRAL JAVA PROVINCE
REGULATION OF THE REGENCY OF TEGAL
NUMBER 1 OF 2021
ON
THE IMPLEMENTATION OF REGIONAL COOPERATION

BY THE BLESSING OF ALMIGHTY GOD

REGENT OF TEGAL,

- Considering :
- a. That in order to promote the general welfare, the Regional Government is obliged to improve the welfare of the people, one of which is through the administration of government which focuses on improving services, empowering and participating in the community and increasing regional competitiveness based on the 1945 Constitution of the Republic of Indonesia;
 - b. That in order to improve the welfare of the people, the Regions may enter into cooperation based on considerations of efficiency of public services and mutual benefit;
 - c. That the implementation of orderly, directed, efficient, and successful regional cooperation is a necessity to provide protection and legal certainty for the parties carrying out regional cooperation;
 - d. That based on the considerations as referred to in Points a, b, and c, it is necessary to stipulate Regional Regulations on the Implementation of Cooperation Region.
- Observing :
1. Article 18 paragraph (6) of the Constitution of the Republic of Indonesia Year 1945
 2. Law Number 13 of 1950 Concerning the Establishment of Regency Regions within the Province of Central Java (State Gazette of the Republic of Indonesia of 1950 number 42)
 3. Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia Year 2014 Number 244, Supplementary Gazette State Gazette of the Republic of Indonesia Number 5587) as amended several times lastly by Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia of 2020 Number 245, Supplement to State Gazette of the Republic of Indonesia Number 6573);

With Join approval of
THE REGENCY HOUSE OF REPRESENTATIVES OF TEGAL
And
THE REGENT OF TEGAL

HAS DECIDE :

To Issue : REGIONAL REGULATION ON REGIONAL COOPERATION.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Regional Regulation, what is meant by:

1. Regional Government is the administration of government affairs by the Regional Government and the Regional People's Representative Council according to the principles of autonomy and assistance tasks with the principle of the widest possible autonomy within the system and principles of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia.
2. The Regional Government is the Regent as an organizing element of the Regional Government who leads the implementation of government affairs which fall under the authority of the Region.
3. The Region is Tegal Regency.
4. Regent is the Regent of Tegal.
5. The Regional People's Representative Council hereinafter abbreviated as DPRD, is a representative body of the Regional people who serves as an organizing element of the Regional Government.
6. Regional Apparatus is a supporting element of the Regent and DPRD in the implementation of government affairs which fall under the authority of the Region.
7. The Regional Cooperation Coordination Team, hereinafter abbreviated as TKKSD, is a team formed by the Regent to assist the Regent in preparing Regional Cooperation.
8. The Cooperation Secretariat is an institution outside the Regional Apparatus formed to carry out Mandatory Cooperation carried out by the Region with other regions.
9. The Regional Revenue and Expenditure Budget, hereinafter abbreviated as APBD, is an annual Regional financial plan stipulated by Regional Regulation.
10. Regional Cooperation is a joint venture between regions and other regions, between regions and Part Threeies, and/or between regions and institutions or regional governments abroad based on considerations of efficiency and effectiveness of public services and mutual benefit.
11. Mandatory Cooperation is Regional Cooperation with other regions implemented by 2 (two) or more bordering regions, for the implementation of government affairs that have cross-regional externalities and the provision of public services that are more efficient if managed together.

12. Voluntary Cooperation is Regional Cooperation with other regions carried out by 2 (two) or more regions that border or do not border for the implementation of government affairs which are the authority of the Region but are deemed more effective and efficient if carried out by working together;
13. Regional Cooperation with Other Regions, hereinafter abbreviated as KSDD, is a joint effort carried out by the Region with other regions in the context of implementing government affairs which fall under regional authority for the welfare of the community and accelerating the fulfilment of public services.
14. Regional Cooperation with Part Threeies, hereinafter abbreviated as KSDPK, is a joint venture carried out by the Region with Part Threeies in the context of implementing government affairs which fall under regional authority to improve the welfare of the community and accelerate the fulfilment of public services.
15. Regional Cooperation with Regional Governments Abroad, hereinafter abbreviated as KSDPL is a joint effort made by the Region with regional governments abroad in the context implementing government affairs which fall under regional authority to improve the welfare of the community and accelerate the fulfilment of public services.
16. Regional Cooperation with Institutions Abroad, hereinafter as KSDLL is a joint effort carried out by the Region with institutions abroad in the context of implementing government affairs which fall under regional authority to improve the welfare of the community and accelerate the fulfilment of public services.
17. Mapping is the compilation of potential data on matters related to planning activities.
18. Joint Agreement is a cooperation document between the Region and other regions and/or Regions with Part Threeies, which contains an agreement whose contents are general in nature.
19. Cooperation Agreement is a cooperation document between regions and other regions and/or regions and Part Threeies, which contains rights and obligations.
20. Part Threeies are individuals, business, entities incorporated in accordance with the provisions of laws and regulations and community organizations both incorporated and unincorporated in accordance with the provisions of laws and regulations
21. Cooperation Plan is a document of planned activities to be carried out by the Region with local governments abroad and/or the Region with institutions abroad during the cooperations period.
22. Overseas local governments or institutions are local governments or institutions that are part of other countries, in accordance with the provisions of laws and regulations.

Article 2

Regional Cooperation is carried out with the principle of:

- a. efficiency;
- b. effectiveness;
- c. synergy;
- d. mutual benefit;
- e. mutual agreement;
- f. good faith;

- g. prioritize interests national interests and integrity territory Unitary State of the Republic of Indonesia;
- h. equality of position;
- i. transparency;
- j. fairness; and
- k. legal certainty.

Article 3

- (1) Regional Cooperation is carried out in order to improve the welfare of the people which is intended to achieve efficiency, and effectiveness of public services and mutual benefit.
- (2) The implementation of Regional Cooperation as referred to in paragraph (1) is intended as :
 - a. a means to further strengthen the relationship and attachment of the Region with other regions within the framework of the Unitary State of the Republic of Indonesia;
 - b. efforts to harmonize regional development;
 - c. efforts to synergize the potential between regions, regions with Part Threeies, and regions with local governments and/or institutions abroad;
 - d. efforts to improve the exchange of knowledge, technology, and regional fiscal capacity; and
 - e. efforts to reduce inter-regional disparities in the provision of public services.

Article 4

The regulation of Regional Cooperation in this Regional Regulation aims to:

- a. reduce inter-regional disparities in the provision of public services;
- b. increase togetherness in solving inter-regional problems;
- c. maximize the implementation of authority and optimize the utilization of regional resources and potential;
- d. improve the quality of public services;
- e. accelerate the mastery of science and technology;
- f. increase regional income; and
- g. improve the effectiveness and efficiency of resource utilization.

Article 5

- (1) Forms of Regional Cooperation include:
 - a. KSDD;
 - b. KSDPK; and
 - c. KSDPL and KSDLL.
- (2) The object of Regional Cooperation includes all affairs that fall under authority of the Regional Government in accordance with the provisions of laws and regulations

Article 6

The scope of this Regional Regulation includes:

- a. regional Cooperation with other regions;
- b. regional Cooperation with Part Threeies;
- c. regional Cooperation with local governments and/or institutions abroad;

- d. planning
- e. regional Cooperation Coordination Team;
- f. coaching and Supervision;
- g. monitoring and evaluation;
- h. support from provincial and local government programs;
- i. Regional associations;
- j. funding; and
- k. Cooperation changes.

CHAPTER II
REGIONAL COOPERATION WITH
OTHER REGIONS

Part One
Legal
Subject

Article 7

- (1) In the implementation of KSDD, the Region is represented by the Regent who acts for and on behalf of the Region.
- (2) The Regent as referred to in paragraph (1) may authorize officials within the Regional Apparatus to sign the Cooperation Agreement.
- (3) Officials within the Regional Apparatus as referred to in paragraph (2) in accordance with the provisions of laws and regulations.

Part Two
Categories of Cooperation

Article 8

- (1) KSDD is categorized into:
 - a. Mandatory Cooperation; and
 - b. Voluntary Cooperation
- (2) Mandatory Cooperation as referred to in paragraph (1) Point a is Regional Cooperation with other regions implemented by 2 (two) or more bordering regions, for the implementation of government affairs that have cross-regional externalities and the provision of public services that are more efficient if managed together.
- (3) Voluntary Cooperation as referred to in paragraph (1) Point b, in the form of Regional Cooperation with other regions carried out by 2 (two) or more regions that border or do not border for the implementation of government affairs which are the authority of the Region but are deemed more effective and efficient if carried out by working together.

Part Three
Object of Cooperation

Article 9

- (1) The object of KSDD is government affairs that fall under the authority of the Region to realize public welfare and accelerate the fulfilment of public services.

- (2) The region determines the priority of the KSDD object as referred to in paragraph (1) based on regional development planning in accordance with the provisions of laws and regulations.
- (3) Regions may carry out KSDD whose objects have not been included in the Regional development planning as referred to in paragraph (2) with the provisions for:
 - a. address emergency conditions;
 - b. support the implementation of national strategic programs; and/or
 - c. carry out assignments based on the principle of co-administration.
- (4) The object and implementation of KSDD does not conflict with decency publicorder, national interest, and/or the provisions of laws and regulations.

Part Four
Technical Coordination
Article 10

- (1) Regions that will carry out Mandatory Cooperation as referred to in Article 8 paragraph (1) Point a, conduct a mapping of government affairs according to the potential and characteristics of the Region.
- (2) The mapping of government affairs to be cooperated as referred to in paragraph (1) shall be discussed by the Regional Governments with deep borders:
 - a. Technical coordination at the provincial level for KSDD conducted by inter-regency/municipality within 1 (one) provincial area; or
 - b. Technical coordination at the national level for KSDD carried out by inter-provincialregions, between provincial regions and districts/cities from different provinces and between districts/cities from different provinces.
- (3) The results of the discussion in technical coordination as referred to in paragraph (2) mutually agreed upon by the heads of the cooperating regions.

Part Five
Stages and Documents of Cooperation

Paragraph 1
General
Article 11

- (1) The implementation of KSDD is carried out through stages :
 - a. preparation;
 - b. Quote;
 - c. Drafting of the Joint Agreement;
 - d. Signing of the Joint Agreement;
 - e. DPRD approval;
 - f. Preparation of the Cooperation Agreement;
 - g. signing of the Cooperation Agreement;
 - h. implementation
 - i. administration; and
 - j. reporting.
- (2) DPRD approval as referred to in paragraph (1) Point e is given in the event that the KSDD plan burdens the community and region and/or KSDD funding has not been budgeted in the regional revenue and expenditure budget for the current fiscal year.
- (3) The Joint Agreement and cooperation agreement as referred to in paragraph (1) Point d and Point g are KSDD documents.

Part Six
Institutionalization of Cooperation

Article 12

- (1) The Regent may establish a Cooperation Secretariat in the implementation of KSDD.
- (2) The Cooperation Secretariat as referred to in paragraph (1) may be established in implementing the Mandatory Cooperation as referred to in Article 8 paragraph (2), with the provisions of the Mandatory Cooperation:
 - a. carried out continuously;
 - b. has high complexity; and
 - c. the period of cooperation is at least 5 (five) years.
- (3) Secretariat Work Cooperation Secretariat as referred to at paragraph (1) is not a Regional Apparatus.
- (4) Secretariat Work Cooperation Secretariat as at paragraph (1) is tasked with facilitating Regional Apparatus in implementing KSDD.
- (5) Funding for the Cooperation Secretariat as referred to (1) is charged to the APBD proportionally.

Part Seven
Dispute Resolution

Article 13

- (1) If there is a dispute in the efforts to implement KSDD, the settlement is carried out in accordance with the provisions of laws and regulations governing the procedures for resolving disputes between regions in the implementation of government affairs.
- (2) The procedure for dispute resolution must be regulated and included in every KSDD agreement prepared and signed.

Part Eight
Termination of Cooperation

Article 14

- (1) KSDD ended because :
 - a. the expiration of the KSDD period;
 - b. the KSDD objectives have been achieved;
 - c. there is an agreement between the parties to terminate the cooperation;
 - d. policy changes based on the provisions of laws and regulations that result in KSDD cannot be implemented; and/or
 - e. the KSDD object is lost or destroyed.
- (2) KSDD cannot end even if there is a change of leadership in the Region, except based on the provisions as referred to in paragraph (1).

Part Nine
Acquisition of Cooperated Government Affairs

Article 15

- (1) In the event that the Mandatory Cooperation as referred to in Article 8 paragraph (2) is not implemented by the Region, the Governor as the representative of the Central Government shall take over the cooperated government affairs.
- (2) The takeover of the implementation of cooperated government affairs by the Governor as representative of the Central Government as referred to in paragraph (1) shall be carried out after :
 - a. the governor as the representative of the Central Government provides guidance to the regions concerned;
 - b. the governor as the representative of the Central Government conducts and evaluation of the obstacles that cause the non-implementation of mandatory cooperation;
 - c. the governor as the representative of the Central Government obtains the Minister's approval.
- (3) The cost of taking over the implementation of cooperated government affairs as referred to in paragraph (2) shall be calculated from the APBD.

Part Ten
Inter-Regional Cooperation Assistance

Article 16

The Regional Government can provide financial assistance to other regions to carry out Mandatory Cooperation through the APBD in the Regional Apparatus in accordance with the cooperated fields.

Article 17

Further provisions regarding the KSDD procedures as referred to in Article 7 through Article 16 are regulated in Regent Regulations based on statutory regulations.

CHAPTER III
REGIONAL COOPERATION WITH THIRDPARTIES

Part One

Legal Subject

Article 18

- (1) In the implementation of the KSDPK, the Region is represented by the Regent who acts for and on behalf of the Region.
- (2) The Regent as referred to in paragraph (1) may authorize officials within the Regional Apparatus to sign contracts / Cooperation Agreements.

Article 19

Part Threeies that can become partners in KSDPK consist of:

- a. individual;
- b. a business entity incorporated in accordance with the provisions of laws and regulations; and
- c. organizations community organizations either which incorporated legal or not incorporated in accordance with the provisions of laws and regulations.

Part Two

Types of Cooperation

Article 20

- (1) KSDPK includes:
 - a. cooperation in the provisions of public services;
 - b. cooperation in asset management to increase added value that provides income for the Region;
 - c. investment cooperation; and
 - d. other cooperation that does not conflict with the provisions of laws and regulations.
- (2) KSDPK as referred to in paragraph (1) Point a is implemented in accordance with the provisions in this Regional Regulation.
- (3) KSDPK as a referred to in paragraph (1) Point b and Point c are carried out in accordance with the provisions of laws and regulations.
- (4) KSDPK as referred to in paragraph (1) Point d can be in the form of:
 - a. cooperation with a legal entity in the provision of infrastructure; or
 - b. cooperation in the procurement of goods and services, implement in accordance with the provisions of laws and regulations.

Part Three

Objects of Cooperation

Article 21

- (1) The object of KSDPK includes government affairs that fall under the authority of the Region in the context of efficiency and effectiveness of public service and mutual benefit.
- (2) The region determines the priority of the KSDPK object as referred to in paragraph (1) based on Regional development planning in accordance with the provisions of laws and regulations.
- (3) Regions may carry out KSDPK whose objects have not been included in the Regional development planning as referred to in paragraph (2) with the provisions for:
 - a. address emergency conditions;
 - b. support the implementation of national strategic programs; and/or
 - c. carry out assignments based on the principle of co-administration.
- (4) The object and implementation of KSDPK must not conflict with decency, public order, national interest, and/or the provisions of laws and regulations.

Part Four

Feasibility Study

Article 22

In the event that the KSDPK initiative originates from the Region, the Region conducts:

- a. mapping of government affairs according to the potential acharacteristics of the Region and the needs of the Region; and
- b. preparation of feasibility studies in accordance with the provisions of laws and regulations.

Part Five

Stages and Documents of Cooperation

Article 24

- (1) Provisions regarding the stages and documents of cooperation as referred to in Article 11 shall apply mutatis mutandis to the stages and documents of cooperation in the implementation of KSDPK.
- (2) Specifically for cooperation documents in the form of contracts/ Cooperation Agreements, at least contain:
 - a. rights and obligations of the parties;
 - b. period of cooperation;
 - c. dispute resolution; and
 - d. sanctions for parties who do not fulfil the agreement.

Part Six Results of KSDPK

Article 25

- (1) KSDPK proceeds can be in the form of money and/or goods.
- (2) The results of KSDPK which are entitled to the Region in the form of money are deposited into the Regional treasury as Regional revenue in accordance with the provisions of laws and regulations.
- (3) The results of KSDPK which become the rights of the Region in the form of goods are recorded as Regional Government assets in accordance with the provisions of laws and regulations.

Part Seven Dispute Resolution

Article 26

- (1) If there is a dispute in the implementation of KSDPK, the settlement is carried out by prioritizing deliberation and consensus and in accordance with the agreement stated in the contract/cooperation agreement and does not conflict with the provisions of laws and regulations.
- (2) Dispute resolution must be included in every written CSDPK agreement.

Part Eight Termination of Cooperation

Article 27

- (1) The provisions regarding the end of cooperation as referred to in Article 14 shall apply mutatis mutandis to the end of cooperation in the implementation of KSDPK.
- (2) Other than based on the provisions as referred to in paragraph (1), KSDPK ends because:
 - a. a court decision that has obtained permanent legal force; or
 - b. the Part Threey is declared bankrupt in accordance with the provisions of the regulations legislation.

Article 28

Further provisions regarding the KSDPK procedures as referred to in Article 18 through Article 27 are regulated in a Regent Regulation based on the provisions of laws and regulations.

CHAPTER IV REGIONAL COOPERATION WITH

REGIONAL GOVERNMENTS ABROAD AND
REGIONAL COOPERATION WITH OVERSEAS INSTITUTIONS

General

Part One

Article 29

- (1) In implementation KSDPL and KSDLL, Region represented Regent who acts for and on behalf of the Region.
- (2) The objects of KSDPL and KSDLL as referred to in paragraph (1) consist of:
 - a. development of science and technology;
 - b. cultural exchange;
 - c. improvement of technical capabilities and government management;
 - d. promotion of Regional potential; and
 - e. other objects of cooperation that do not conflict with the provisions of laws and regulations.
- (3) KSDPL and KSDLL as referred to in paragraph (2) are set forth in a Cooperation Manuscript.
- (4) KSDPL and KSDLL as referred to in paragraph (3) shall be implemented after obtaining approval from the central government and guided by the provisions of laws and regulations.

Article 30

KSDPL as referred to in Article 29 paragraph (1) consists of :

- a. twinning/sibling regional cooperation; and
- b. other cooperation.

Article 31

KSDLL as referred to in Article 29 paragraph (1) is organized :

- a. on the basis of forwarding central government cooperation; or
- b. in other forms of cooperation based on central government approval.

Article 32

- (1) In the case of organizing KSDPL and KSDLL there are grants, implemented in accordance with the provisions of laws and regulations.
- (2) In the event that there are KSDPL and KSDLL results in the form of goods whose ownership has not been confirmed in the Cooperation Manuscript, it shall be carried out in accordance with the provisions of laws and regulations.

Part Two

Requirements

Article 33

- (1) The implementation of KSDPL and KSDLL must fulfil the following requirements:
 - a. have diplomatic relations;
 - b. is an affair of the Regional Government;
 - c. regional Governments do not open representative offices abroad;
 - d. overseas local governments and/or overseas institutions do not open representative office abroad;

- e. in accordance with the national and regional development policies and plans.
- (2) In addition to meeting the requirements as referred to in paragraph (1), cooperation in the field of science and technology must be transferable to Indonesian human resources.
- (3) In addition to meeting the requirements as referred to in paragraph (1), KSDPL must fulfil the requirements:
 - a. equality of administrative status and/or equality of area;
 - b. complementarity; and
 - c. improvement of inter-community relations.

Article 34

The Implementation of KSDPL, in addition to adhering to the principles as referred to in Article 2, must also pay attention to the following principles:

- a. not disrupt political and economic stability;
- b. respect the sovereignty of the Unitary State of the Republic of Indonesia;
- c. maintaining environmental sustainability; and
- d. support gender mainstreaming.

Part Three

Initiative

Article 35

- (1) KSDPL initiatives can come from:
 - a. Local Government;
 - b. overseas local governments; or
 - c. local governments abroad through the Minister and/or the minister who organizes government affairs in the field of foreign relations.
- (2) KSDLL initiatives may originate from:
 - a. Local Government; or
 - b. overseas local governments or overseas institutions through the Minister and/or the minister who organizes government affairs in the field of foreign relations,
- (3) based on the initiatives as referred to in paragraph (1) and paragraph (2), the Regent conducts an assessment to determine the opportunities and benefits of cooperation for the Regional interests and national interests.
- (4) In the event that the results of the exploration as referred to in paragraph (3) can be followed up with a statement of intent to cooperate the Regent shall coordinate and consult with the minister who organizes domestic government affairs and the minister who organizes government affairs in the field of foreign relations before signing the cooperation will.
- (5) The statement of willingness to cooperate as referred to in paragraph (4) is followed up with the preparation of a KSDPL or KSDLL plan.

Part Four

Organizing KSDPL

Paragraph 1

General

Article 36

KSDPL as referred to in Article 30 shall be implemented based on the approval of the central government in accordance with the provisions of laws and regulations.

Paragraph 2
Cooperation Plan

Article 37

- (1) KSDPL as referred to in Article 30 must obtain the approval of the DPRD.
- (2) The Regent submits a Point requesting approval by attaching the Cooperation Plan to the DPRD.
- (3) The Cooperation Plan as referred in paragraph (2) contains at least :
 - a. subject of cooperation;
 - b. background;
 - c. aims objectives, and targets;
 - d. object of cooperation;
 - e. scope of cooperation;
 - f. source of financing; and
 - g. period of implementation
- (4) DPRD approval as referred to in paragraph (2) of the Cooperation Plan is given within a maximum period of 45 (forty-five) working days from receiving the application Point from the Regent.
- (5) The form of approval of the DPRD as referred to in paragraph (4) shall be in accordance with the provisions of laws and regulations governing the rules of procedure of the DPRD.

Article 38

- (1) The Cooperation Plan as referred to in Article 37 which has been approved by the DPRD is submitted by the Regional Government to the minister who organizes domestic government affairs for consideration.
- (2) The Regent follows up the results of the consideration as referred to in paragraph (1) in the form of :
 - a. revise the Cooperation Plan; or
 - b. draft the Cooperation Script.

Paragraph 3
Preparation of KSDPL Draft Script

Article 39

Preparation of the draft Cooperation Manuscript as referred to in Article 38 verse (2) Point b, submitted to Minister for approval.

Paragraph 4
Signing of the Cooperation Script

Regent signed Manuscript Work Cooperation which has obtain approval as referred to in Article 39.

Paragraph 5

Dispute Resolution

Article 41

If occurs dispute in implementation of KSDPL, settlement is carried out through negotiation and consultation.

Article 42

Further provisions regarding KSDPL procedures are carried out in accordance with the provisions of laws and regulations.

Part Five

KSDLL Implementation

Paragraph 1

General

Article 43

- (1) KSDLL on the basis of forwarding central government cooperation as referred to in Article 31 Point a, is carried out by the Region with:
 - a. international organizations;
 - b. nonprofit organizations incorporated overseas; and
 - c. overseas development partners.
- (2) KSDLL as referred to in paragraph (1) is carried out by placing the Region as the beneficiary.
- (3) The institution as referred to in paragraph (1) Point b does not include political parties.
- (4) KSDLL as referred to in paragraph (1) is implemented in accordance with the provisions of laws and regulations.
- (5) KSDLL organized based on the approval of the central government as referred to in Article 31 Point b, is carried out by the Region with institutions abroad other than the institutions as referred to in paragraph (1).

Paragraph 2

Cooperation Plan

Article 44

Provisions regarding the Cooperation Plan as referred to in Article 37 and Article 38 shall apply mutatis mutandis to the Cooperation Plan in the implementation of KSDLL.

Paragraph 3

Preparation of KSDLL Draft Script

Article 45

Provisions regarding the preparation of the draft Cooperation Script as referred to in Article 39 shall apply mutatis mutandis to the preparation of the Cooperation Script in the implementation of KSDLL.

Paragraph 4

Signing of the Cooperation Script

Article 46

The provisions regarding the signing of the Cooperation Script as referred to in Article 40 shall apply mutatis mutandis to the signing of the Cooperation Script in the implementation of KSDLL.

Paragraph 5 Dispute Resolution

Article 47

If occurs dispute in the implementation of KSDLL, settlement is carried out through negotiation and consultation.

Article 48

Further provisions regarding KSDLL procedures are carried out in accordance with the provisions of laws and regulations.

Part Six KSDPL and/or KSDLL Implementation Reporting

Article 49

- (1) The Regent submits a report on the implementation of KSDPL/KSDLL to the Governor which is then forwarded to the Minister through the Secretary General.
- (2) The procedure for reporting the implementation of KSDPL and/or KSDLL as referred to in paragraph (1) is in accordance with the provisions of laws and regulations.

Part Seven Termination of KSDPL and/or KSDLL

Article 50

KSDPL and/or KSDL terminates in the event that :

- a. agreement of the parties through the procedures set out in the Cooperation Script;
- b. the objectives of the Cooperation Script have been achieved;
- c. occurrence changes policy based on the provisions of laws and regulations;
- and
- d. KSDPL and/or KSDLL objects are lost or destroyed.

CHAPTER V PLANNING

Article 51

- (1) Regional Cooperation Planning is carried out by the Regional Apparatus in charge of cooperation together with the regional apparatus in charge of planning in each year before the next year's budget planning.
- (2) Planning as referred to in paragraph (1) carried out by inventorying the needs of Regional Cooperation based on:
 - a. proposal of the Regional Apparatus;

- b. identification of the potential for Regional Cooperation carried out by the Regional Apparatus in charge of Regional Cooperation together with the regional apparatus in charge of planning; and/or
 - c. prioritization of Regional Cooperation objects based on Regional development planning in accordance with the provisions of laws and regulations.
- (3) The proposal as referred to in paragraph (2) Point a, is verified by the Regional Apparatus in charge of Regional Cooperation together with the following regional apparatus in charge of planning, based on the level of need and benefits obtained by the Region.
 - (4) Identification as referred to in paragraph (2) Point b, pays attention to opportunities for cooperation with bordering regions and potential problems arising from Regional Cooperation.
 - (5) The Results of the inventory as referred to in paragraph (2) are set forth in the List of Regional Cooperation Program and Activity Plans for a period of 1 (one) year.

CHAPTER VI REGIONAL COOPERATION COORDINATION TEAM

Article 52

- (1) In the implementation of Regional Cooperation, the Regent forms TKKSD.
- (2) TKKSD as referred to in paragraph (1) consists of elements:
 - a. 1 (one) Chairman who is *ex officio* held by the Secretary of Regional;
 - b. 1 (one) vice chairman who is *ex officio* held by the assistant regional secretary in charge of regional cooperation affairs;
 - c. 1 (one) Secretary who is *ex officio* held by the head of the Part in charge of regional cooperation;
 - d. Members include:
 1. Permanent members:
 - a) Regional Apparatus in charge of regional cooperation;
 - b) Regional Apparatus in charge of regional development planning;
 - c) Regional Apparatus in charge of supervision;
 - d) Regional Apparatus in charge of regional financial management and regional assets; and
 - e) Part in charge of law.
 2. Non-Permanents members are Regional Apparatus that carry out regional cooperation and/or are related to the implementation of Regional Cooperation.
- (3) The TKKSD as referred to in paragraph (1) is stipulated by a Regent Decree.
- (4) For the smooth implementation of tasks, TKKSD as referred to in paragraph (1) may involve technical and professional personnel.
- (5) Further provisions regarding TKKSD as referred to in paragraph (1) shall be implemented in accordance with the provisions of laws and regulations.

CHAPTER VII GUIDANCE AND SUPERVISION

Article 53

- (1) Guidance and supervision of Regional Cooperation by the Regent is carried out by the Regional Apparatus in charge of regional Cooperation.

- (2) Further provisions regarding guidance and supervision as referred to in paragraph (1), shall be carried out in accordance with the provisions of laws and regulations governing the guidance and supervision of regional government administration.

CHAPTER VIII MONITORING AND EVALUATION

Article 54

- (1) Monitoring and evaluation conducted every year before next year's budget planning.
- (2) Monitoring and evaluation as referred to in paragraph (1) shall be carried out by:
 - a. identify and inventory Regional Cooperation that has been implemented, but not yet listed in the information system;
 - b. conduct identify and inventory Work Cooperation Area which are carried out outside KSDD, KSDPK, KSDPL and/or KSDLL; and
 - c. updating the Regional Cooperation data in the information system.
- (3) Monitoring and evaluation as referred to in paragraph (1) is carried out by TKKSD.
- (4) Monitoring and evaluation of KSDD as referred to in Article 11 paragraph (2) and KSDPL as referred to in Article 37 is carried out by TKKSD and may involve DPRD.

CHAPTER IX SUPPORT FROM CENTRAL AND LOCAL GOVERNMENT PROGRAMS

Article 55

- (1) The implementation of government affairs that require the support of Central Government and Local Government programs is carried out in the form of synergies in development planning and implementation in accordance with the provisions of laws and regulations.
- (2) Program support as referred to in paragraph (1) is not related to the provision of financial assistance and financial assistance as referred to in Article 16
- (3) Funding in the context of synergizing development planning and implementation as referred to in paragraph (1) shall be charged to the budget in accordance with the provisions of laws and regulations.
- (4) The synergy of development planning and implementation as referred to in paragraph (1) is set out in agreement document that binds the parties.
- (5) Further provisions regarding the synergy of development planning and implementation as referred to in paragraph (1) shall be implemented in accordance with the provisions of laws and regulations.

CHAPTER X REGIONAL ASSOCIATION

Article 56

- (1) Regions may form associations to support Regional Cooperation.
- (2) The establishment of the association as referred to in paragraph (1) shall be carried out in accordance with the provisions of laws and regulations.

CHAPTER XI
FUNDING

Article 57

- (1) All fees which incurred in organizing work cooperation region shall be borne by:
 - a. APBD; and/or
 - b. Other legitimate sources of funding.
- (2) Financing as referred to in paragraph (1) shall be implemented in accordance with the provisions of laws and regulations.

CHAPTER XII
CHANGES IN REGIONAL COOPERATION

Article 58

- (1) In the event that the implementation of Regional Cooperation has strong reasons and does not conflict with the provisions of laws and regulations, the Regent may make changes to the material of the Cooperation Agreement.
- (2) Amendments to the Regional Cooperation material as referred to in paragraph (1) based on the agreement of the parties.
- (3) Amendments to the Regional Cooperation material as referred to in paragraph (1) can be in the form of reducing and/or adding/addendum to the agreement material.
- (4) In the event that the material of the Regional Cooperation Amendment results in a burden on the community and the Region, it must be approved by the DPRD.
- (5) The mechanism for changing Regional Cooperation is carried out in accordance with the provisions of laws and regulations.

CHAPTER XIII
TRANSITIONAL PROVISIONS

Article 59

- (1) Regional Cooperation Contracts/Agreements that have been jointly signed prior to the enactment of this Regional Regulation, remain in effect until the end of the cooperation.
- (2) Cooperation Contracts/Agreements between the Regional Government and the central government that have been signed together before the enactment of this Regional Regulation, remain in effect until the end of the cooperation and can be continued in the form of synergy of development planning and implementation as referred to in Article 55.

CHAPTER XIV
CLOSING PROVISIONS

Article 60

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

So that everyone may know it, ordered the promulgation of this Regional Regulation by placing in the Tegal Regency Regional Gazette.

Issued in Slawi
On 22 March 2021

REGENT OF TEGAL,

Signed.

UMI AZIZAH

Promulgated in Slawi
On 22 March 2021

REGIONAL SECRETARY OF TEGAL REGENCY,

Signed.

WIDODO JOKO MULYONO

REGENCY GAZETTE OF TEGAL OF 2021 NUMBER 1

REGISTRATION NUMBER OF REGULATION OF TEGAL REGENCY CENTRAL
JAVA PROVINCE NUMBER (1-36/2021)

ELUCIDATION
OF
REGULATION OF THE REGENCY OF TEGAL
NUMBER 1 OF 2021
ON
THE IMPLEMENTATION OF REGIONAL COOPERATION

I. GENERAL

In the context of implementing Regional Government in accordance with the mandate of the 1945 Constitution of Republic of Indonesia, the Regional Government is authorized to regulate and manage its own government affairs according to the principles of autonomy and assistance tasks. The granting of this authority is directed at accelerating the realization of people's welfare through improvement, service, empowerment, and community participation, as well as increasing regional competitiveness by taking into account the principles of democracy, equity, justice, privileges, and specificity of a region within the system of the Unitary State of the Republic of Indonesia, Regional governments must be able and creative to find, map, and utilize the potential and opportunities for cooperation that exist. In order to improve the welfare of the people, Regions can enter into cooperation based on considerations of efficiency and effectiveness of public services and mutual benefit.

With the issuance of Law Number 23 Year 2014 on Regional Government as amended several times lastly by Law Number 9 Year 2015 on the Second Amendment to Law Number 23 Year 2014 on Regional Government which replaces Law Number 32 Year 2004 on Regional Government has emphasized that Regional Cooperation is carried out to improve people's welfare. Regional Cooperation can be carried out with other regions, Part Threeies, and local governments or institutions abroad.

The Implementation of Regional Cooperation is also intended as a means to further strengthen the relationship and attachment of one region to another within the framework of the Unitary State of the Republic of Indonesia, harmonize regional development, synergize the potential between regions, regions, with Part Threeies, and regions with regional governments and/or institutions abroad and increase the exchange of knowledge, technology, and regional fiscal capacity. Regional Cooperation with local governments and/or institutions abroad is international cooperation and is carried out after obtaining approval from the central government and guided by the provisions of existing laws and regulations. In addition, Regional Cooperation is expected to reduce inter-regional disparities in the provision of public services.

In general, this Regional Regulation regulates the implementation of Regional Cooperation with other regions, Regional Cooperation with Part Threeies, and Regional Cooperation with the government. Regions and/or institutions abroad as well as guidance and supervision of Regional Cooperation. This Regional Regulation affirms that the implementation of government affairs that require the support of central government and regional government programs is carried out in the form of synergy of development planning and implementation in accordance with the provisions of laws and

regulations. For legal certainty, contracts/Cooperation Agreements between the Local Government and the central government that have been jointly signed before the enactment of this Regional Regulation, remain valid until the end of the cooperation and can be continued in the form of synergy of development planning and implementation.

In connection with this, it is necessary to establish Tegal Regency Regional Regulation on Regional Cooperation. This Regional Regulation is needed to provide a legal basis and guidelines for the Regional Government in organizing Regional Cooperation in accordance with the conditions and need of the Region while still complying with higher laws and regulations and reviewing the implementation of the Regional Cooperation continuously with the aim of realizing effective, efficient and transparent Regional Cooperation.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Point a

What is meant by “efficient” is an effort by the Regional Government through cooperation to reduce costs to obtain a certain result or use the same costs but can achieve maximum results.

Point b

What is meant by “effectiveness” is an effort by the Regional Government through cooperation to encourage the optimal and responsible utilization of the parties’ resources for the welfare of the community.

Point c

What is meant by “synergy” is an effort to realize harmony between the Regional Government, the community and the private sector to carry out cooperation for the realization of community welfare.

Point d

What is meant by “mutually beneficial” is that the implementation of cooperation must be able to provide benefits to each party and can provide benefits to the community.

Point e

What is meant by “mutual agreement” is the agreement of the parties to cooperate.

Point f

What is meant by “good faith” is the willingness of the parties to genuinely carry out the cooperation.

Point g

What is meant by “prioritizing national interest and the territorial integrity of the Unitary State of the Republic of Indonesia” is that the entire implementation of Regional Cooperation must be able to have a positive impact on efforts to realize prosperity, community welfare and strengthen the Unitary State of the Republic of Indonesia.

Point h

What is meant by “equality of position” is equality and legal position for the parties conducting Regional Cooperation.

Point i

What is meant by “transparency” is the process of openness in Regional Cooperation.

Point j

What is meant by “fairness” is the equality of rights and obligations and treatment of the parties in implementing Regional Cooperation.

Point k

What is meant by “legal certainty” is that the cooperation carried out can be legally binding for the parties carrying out Regional Cooperation.

Article 3

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Sufficiently clear.

Article 8

Section (1)

Sufficiently clear.

Section (2)

What is meant by “having cross-regional externalities” is government affairs whose implementation has cross-regional impacts/effects.

Section (3)

Sufficiently clear.

Article 9

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Point a

What is meant by “emergency conditions” are conditions beyond human capabilities, including the occurrence of disasters.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Sufficiently clear.

Article 12

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

What is meant by “having high complexity” is in the event that the Region cooperates with more than 2 (two) regions, and/or the object of cooperation is more than 2 (two) objects.

Point c

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 13

Sufficiently clear.

Article 14

Section (1)

Sufficiently clear.

Section (2)

What is meant by “cannot end despite a change of leadership” is that the Regional Cooperation continues to be carried out in accordance with the agreement as referred to in the cooperation document and does not end with a change of leadership, affected by a change in the Regent or not affected by a change in the official authorized to sign the cooperation document.

Article 15

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

What is meant by “the cost of taking over the implementation of cooperated government affairs is taken into account from the APBD” is by providing financial assistance by the Region if the cooperation is taken over, the amount of assistance from the Region considers,

among other, population, area, and scope of services that are cooperated.

Article 16

Financial assistance of other districts/cities to carry out Mandatory Cooperation through the APBD and implemented by the Regional Apparatus authorized as the regional general treasurer.

Article 17

Sufficiently clear.

Article 18

Sufficiently clear.

Article 19

Point a

Sufficiently clear.

Point b

What is meant by “legal entity” includes state-owned enterprises, regionally-owned enterprises, cooperatives, and private legal entities.

Point c

Sufficiently clear.

Article 20

Sufficiently clear.

Article 21

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Point a

What is meant by “emergency conditions” are conditions beyond human capabilities, including the occurrence of disasters.

Section (4)

Sufficiently clear.

Article 22

Point a

The mapping of government affairs to be cooperated is made in the Cooperation Plan list every year in accordance with the provisions of laws and regulations.

Point b

The Feasibility Study in this arrangement contains at least:

- a. background;
- b. legal basis;
- c. goals and objectives;

- d. object of cooperation;
- e. activities that will be implemented;
- f. timeframe;
- g. benefit and cost analysis; and
- h. conclusions and recommendations.

Article 23

Section (1)

Sufficiently clear.

Section (2)

The Feasibility Study in this arrangement contains at least:

- a. background
- b. legal basis;
- c. aims and objectives;
- d. object of cooperation;
- e. activities that will be implemented;
- f. timeframe;
- g. benefit and cost analysis; and
- h. conclusions and recommendations.

Article 24

Sufficiently clear.

Article 25

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Sufficiently clear.

Article 28

Sufficiently clear.

Article 29

Section (1)

Sufficiently clear.

Section (2)

Is quite clear the object of KSDPL and/or KSDLL is part of mandatory and optional government affairs, which are the authority of the Region.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 30

Point a

What is meant by “twin/brother regional cooperation” is cooperation carried out by the Regional Government with district/city or

equivalent regional government abroad to improve relations between regional governments and their communities.

Point b

What is meant by “other cooperation” is cooperation carried out by the Regional Government with regional governments abroad to focus on a particular scope of cooperation.

Article 31

Sufficiently clear.

Article 32

Sufficiently clear.

Article 33

Section (1)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

What is meant by “not opening representative offices abroad” is not opening offices established/leased abroad by the Regional Government funded by the APBD or other sources of funds including from partners.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Point a

Sufficiently clear.

Point b

What is meant by “complementary” is to utilize the potential or advantages of each party to complement and benefit each other.

Point c

Sufficiently clear.

Article 34

Sufficiently clear.

Article 35

Sufficiently clear.

Article 36

Sufficiently clear.

Article 37

Sufficiently clear.

Article 38

Sufficiently clear.

Article 39
Sufficiently clear.

Article 40
Sufficiently clear.

Article 41
Sufficiently clear.

Article 42
Sufficiently clear.

Article 43

Section (1)

Point a

What is meant by “international organization” is an intergovernmental organization.

Point b

What is meant by “nonprofit institutions with legal entites abroad” include community organizations with legal entites of foreign foundations or other designations and non-governmental organizations with legal entities abroad.

Point c

What is meant by “overseas development partner” is an institution under the auspices of a foreign government.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

What is meant by “overseas institutions” is for example overseas educational instutions established in accordance with applicable regulations.

Article 44

Sufficiently clear.

Article 45

Sufficiently clear.

Article 46

Sufficiently clear.

Article 47

Sufficiently clear.

Article 48

Sufficiently clear.

Article 49
Sufficiently clear.

Article 50
Sufficiently clear.

Article 51
Sufficiently clear.

Article 52
Sufficiently clear.

Article 53
Sufficiently clear.

Article 54
Sufficiently clear.

Article 55

Section (1)

This provision is intended, among others, for government programs or activities that must be carried out as one unit but cover the authority of different levels and structures of government to be carried out through synergies in development planning and implementation.

What is meant by “program support” is for example program support which is the authority of the Region to the central government which is carried out in accordance with the division of government affairs so that the planned program can be implemented properly.

What is meant by “laws and regulations” include laws and regulations regarding planning and budgeting.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 56
Sufficiently clear.

Article 57
Sufficiently clear.

Article 58

Section (1)

What is meant by “good reason” is the reason that occurs when there is a change:

1. Scope;

2. Rights and Obligations;
3. Budget or financing; and/or
4. Conflicting policies or regulations.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 59

Sufficiently clear.

Article 60

Sufficiently clear.

SUPPLEMENT TO THE REGENCY GAZZETE OF TEGAL NUMBER 146