

**PRESIDENT
REPUBLIC OF INDONESIA**

**LAW OF THE REPUBLIC OF INDONESIA
NUMBER 11 OF THE YEAR 2006
REGARDING
GOVERNING OF ACEH**

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REGARDING

GOVERNING OF ACEH

BY THE GRACE OF THE SUPREME GOD

THE PRESIDENT OF THE REPUBLIK INDONESIA,

- Considering : a. whereas the governing system of the Unitary State of the Republic of Indonesia according to the 1945 Constitution of the Republic of Indonesia acknowledges and respects the regional government units which are specific or special characteristic as stipulated by the law;
- b. whereas based on the course of history of state administrative of the Republic of Indonesia, Aceh is a regional government unit which is specific or special characteristic relating to one of the special characteristics in the history of the struggle of Aceh's people having high tenacity and struggling power;
- c. whereas such high tenacity and struggling power are deriving from the viewpoint of life based on Islamic syari'at which generates strong Islamic culture, therefore Aceh becomes the asset region for the struggle to seize and defend the independence of the Unitary State of the Republic of Indonesia;
- d. whereas the administering of government and the realization of development in Aceh are not entirely capable of materializing people's prosperity, justice as well as advancement, fulfillment and protection of human rights, therefore Aceh Government needs to be developed and administered based on the principles of good governance;
- e. whereas natural disaster of earthquake and tsunami which occurred in Aceh have generated solidarity of the entire potentials of the Indonesian nation to rebuild Aceh community and territory as well as to settle the conflict in a peaceful, comprehensive, sustainable and with dignity in the framework of the Unitary State of the Republic of Indonesia;
- f. whereas based on the considerations as meant in letter a, letter b, letter c, letter d, and letter e, it is necessary to formulate the Law regarding the Governing of Aceh;
- In view of : 1. Article 1 clause (1), Article 5 clause (1), Article 18, Article 18A, Article 18B and Article 20 of the 1945 Constitution of the Republic of Indonesia;

2. Law Number 24 of the Year 1956 regarding the Formation of Autonomous Region of Atjeh Province and the Amendment to the Regulation of North Sumatra Province (State Gazette of the Republic of Indonesia of the Year 1956 Number 64, Supplement to the State Gazette of the Republic of Indonesia Number 1103);
3. Law Number 44 of the Year 1999 regarding the Administering of Distinctiveness of Aceh Special Region Province as Aceh Special Region Province (State Gazette of the Republic of Indonesia of the Year 1999 Number 172, Supplement to the State Gazette of the Republic of Indonesia Number 3893);
4. Law Number 37 of the Year 2000 regarding the Stipulation of Government Regulation in Lieu of Law Number 2 of the Year 2000 regarding Sabang Free Trade and Free Port Area to become a Law (State Gazette of the Republic of Indonesia of the Year 2000 Number 525, Supplement to the State Gazette of the Republic of Indonesia Number 4054);
5. Law Number 31 of the Year 2002 regarding Political Party (State Gazette of the Republic of Indonesia of the Year 2002 Number 138, Supplement to the State Gazette of the Republic of Indonesia Number 4251);
6. Law Number 12 of the Year 2003 regarding General Election for the Members of the House of People's Representatives, the Regional Representatives Board, the Provincial Regional House of People's Representatives and District/City Regional House of People's Representatives (State Gazette of the Republic of Indonesia of the Year 2003 Number 37, Supplement to the State Gazette of the Republic of Indonesia Number 4277);
7. Law Number 10 of the Year 2004 regarding the Formulation of Statutory Regulations (State Gazette of the Republic of Indonesia of the Year 2004 Number 53, Supplement to the State Gazette of the Republic of Indonesia Number 4389);
8. Law Number 32 of the Year 2004 regarding the Regional Government (State Gazette of the Republic of Indonesia of the Year 2004 Number 125, Supplement to the State Gazette of the Republic of Indonesia Number 4437) as amended by Law Number 8 of the Year 2005 regarding the Amendment to Law Number 32 of the Year 2004 regarding Regional Government (State Gazette of the Republic of Indonesia of the Year 2005 Number 108, Supplement to the State Gazette of the Republic of Indonesia Number 4548);
9. Law Number 33 of the Year 2004 regarding the Financial Equilibrium between the Central Government and the Regional Government (State Gazette of the Republic of

Indonesia of the Year 2004 Number 126, Supplement to the State Gazette of the Republic of Indonesia Number 4438);

By Mutual Approval of

THE HOUSE OF PEOPLE'S REPRESENTATIVES OF THE REPUBLIC OF INDONESIA

and

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

HAS DECIDED:

To Stipulate : LAW REGARDING THE GOVERNING OF ACEH.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Law, what is meant by:

1. Central Government which hereinafter will be referred to as the Government is the President of the Republic of Indonesia holding the governing authorities of the Republic of Indonesia as meant by the 1945 Constitution of the Republic of Indonesia.
2. Aceh is a provincial territory constituting legal community unit having specific characteristic and provided with special authorities for self governing and administering in the governmental affairs and for the interest of the local community in accordance with the statutory regulations in the system and principle of the Unitary State of the Republic of Indonesia based on the 1945 Constitution of the Republic of Indonesia, lead by a Governor.
3. District/City is a part of a provincial region as a legal community unit having the authority to self-organize and administer the governmental affairs and the interest of local community in accordance with the statutory regulations in the system and principles of the Unitary State of the Republic of Indonesia lead by a regent/mayor.
4. Aceh Government is a provincial regional government in the system of the Unitary State of the Republic of Indonesia based on the 1945 Constitution of the Republic of Indonesia administering governmental affairs performed by the Aceh Regional Government and Aceh House of People's Representatives in accordance with their respective functions and authorities.
5. Governing of District/city is the administering of governmental affairs performed by District/city government and District/City Regional House of People's Representatives in accordance with their respective functions and authorities.

6. Aceh Regional Government which hereinafter will be referred to as Aceh Government is the administering element of Aceh government consisting of governor and Aceh regional apparatus.
7. Governor is the head of Aceh Government elected through a democratic process conducted based on the principle of direct, public, free, confidential, fair and just.
8. District/city regional government is the administering element of District/city regional government consisting of regent/mayor and District/city regional apparatus.
9. Regent/mayor is the head of District/city regional government elected through a democratic process conducted based on the principle of direct, public, free, confidential, fair and just.
10. Aceh Regional House of People's Representatives which hereinafter will be referred to as Aceh House of People's Representatives (Dewan Perwakilan Rakyat Aceh/DPRA) is the administering element of Aceh Regional Government whose members are elected through general election.
11. District/City Regional House of People's Representatives which hereinafter will be referred to as District/City House of People's Representatives (Dewan Perwakilan Rakyat Kabupaten/Kota/DPRK) is the administering element of District/city regional government whose members are elected through general election.
12. Election Independent Commission which hereinafter will be referred to as KIP are Aceh KIP and District/city KIP which are divisions of General Election Committee (Komisi Pemilihan Umum/KPU) granted with authorities by this law to convene the election for the President/Vice President, the members of the House of People's Representatives, the members of the Regional Representatives Board, the members of DPRA/DPRK, the governor/deputy governor, the regent/deputy regent, and the mayor/deputy mayor.
13. Political party is political organization voluntarily formed by a group of citizen of the Republic of Indonesia based on the similarity of aspiration and ideals in order to strive for the interests of its members, the community, the nation and the state through general election.
14. Local Political Party is a political organization voluntarily formed by a group of Indonesian citizen domiciled in Aceh Region based on the similarity of aspiration and ideals to strive for the interests of its members, the community, the nation and the state through general election for the members of DPRA/DPRK, the governor/deputy governor, regent/deputy regent, and mayor/deputy mayor.
15. Aceh Syar'iyah Court and District/City Syar'iyah Court are courts as the executor of judiciary authorities in the environs of religious affairs judiciary which is a part of the national judiciary system.
16. Ulama Consultative Assembly which hereinafter will be abbreviated as MPU is an assembly whose members are consisting of ulama and Moslem intellectuals who are the working partners of Aceh Government and DPRA.

17. Wali Nanggroe Institution is an indigenous leadership institution as the uniting instrument of the community and the preserving instrument of indigenous life of customs and culture.
18. District is the working area of district head (camat) as the District/city regional apparatus in the governing of district.
19. Mukim is a legal community unit under the district consisting of the union of several gampong having certain territorial borders lead by imum mukim or by any other names and positioned directly under head of district (camat).
20. Gampong or by any other names is a legal community unit positioned under mukim lead by keuchik or by any other names which is entitled to administer its own domestic affairs.
21. Aceh Qanun is a statutory regulation similar to provincial regional regulation stipulating the administering of government and life of Aceh community.
22. District/City Qanun is a statutory regulation similar to District/city regional regulation stipulating the administering of government and life of District/city community in Aceh.
23. Aceh Regional Revenue and Expenditure Budget which hereinafter will be referred to as Aceh Revenue and Expenditure Budget (Anggaran Pendapatan dan Belanja Aceh/APBA) is the annual financial plan of the Regional Government of Aceh Province stipulated by Aceh Qanun.
24. District/City Regional Revenue and Expenditure Budget which hereinafter will be referred to as District/City Revenue and Expenditure Budget (Anggaran Pendapatan dan Belanja Kabupaten/Kota/APBK) is the annual financial plan of District/city regional government stipulated by District/city Qanun.

CHAPTER II

DIVISION OF ACEH REGION AND SPECIFIC AREA

Article 2

- (1) Aceh Region is divided into regencies/cities.
- (2) District/city is divided into districts.
- (3) District is divided into mukim.
- (4) Mukim is divided into sub-districts and gampong.

Article 3

Aceh Region has the following borders:

- a. Towards the north is bordered by Malacca Strait,
- b. Towards the south is bordered by North Sumatra Province,

- c. Towards the east is bordered by Malacca Strait, and
- d. Towards the west is bordered by Indonesian Ocean.

Article 4

- (1) The Government may stipulate special area in Aceh and/or District/city to administer certain governmental functions which are special in characteristic.
- (2) In the formation of such special area as meant in clause (1) the Government is obliged to include Aceh Government and/or District/city government.
- (3) Aceh Government together with District/city government may propose such special area as meant in clause (1) upon obtaining approval from DPRA/DPRK.
- (4) The special area for free trade and/or free port will be stipulated by law.
- (5) Special area other than as meant in clause (4) and the division of authority among the Government, Aceh/District/city government and the managing institution of such special area will be further stipulated by Government Regulation.
- (6) The procedures for the stipulation of specific area as meant in clause (1) and clause (2) are conducted in accordance with statutory regulations.

Article 5

The formation, elimination, and amalgamation of region will be conducted in accordance with the statutory regulations.

CHAPTER III

URBAN AREA

Article 6

- (1) Urban area may be in the form of:
 - a. City as autonomous region;
 - b. Part of District having urban characteristics; and
 - c. Part of two or more regencies/cities directly bordering and having urban characteristics.
- (2) Urban area as meant in clause (1) letter a will be managed by city government.
- (3) Urban area as meant in clause (1) letter b will be managed by District government.
- (4) Urban area as meant in clause (1) letter c can be jointly managed by the related District/city government.
- (5) District/city government may form development management body in gampong area which is planned and developed to become an urban area.

- (6) District/city government includes the community in the planning, management, implementation and supervision of urban area development.
- (7) The implementation of urban area as meant in clause (1), clause (2), clause (3), clause (4), clause (5), and clause (6) will be further stipulated by Aceh Qanun.

CHAPTER IV

THE AUTHORITIES OF ACEH AND DISTRICT/CITY GOVERNMENT

Article 7

- (1) Aceh government and District/city government are authorized to manage and administer governmental affairs in all public sectors except for governmental affairs which become the authorities of the Government.
- (2) Government authority as meant in clause (1) covers governmental affairs having the characteristics of national affairs, foreign affair politics, defense, security, judicial, monetary, national fiscal, and certain affairs in religious sector.
- (3) In administering government authorities which become its authorities as meant in clause (2), the Government may:
 - a. Implement them by itself;
 - b. Transfer part of the Government authorities to Aceh and District/city Government;
 - c. Delegate part of the authorities to the Governor as the representative of the Government and/or Government institution; and
 - d. Assign part of the affairs to Aceh/District/city Government and gampong based on assisting task principle.

Article 8

- (1) The plan for international agreements directly relating to Aceh Government made by the Government will be conducted in consultation with and with the consideration of DPRA.
- (2) The plan to establish legislation by the House of People's Representatives directly relating to Aceh Government is conducted in consultation with and with the consideration of DPRA.
- (3) Administrative policy directly relating to Aceh Government to be established by the Government will be conducted in consultation with and with the consideration of the Governor.
- (4) Further stipulation regarding the procedures for consultation and conferring consideration as meant in clause (1), clause (2), and clause (3) is stipulated by Presidential Regulation.

Article 9

- (1) Aceh Government may engage in cooperation with foreign institution or agency except for cooperation which becomes the authorities of the Government.
- (2) Aceh Government may directly participate in international art, cultural and sport activities.
- (3) In the case being organized a cooperation as meant in clause (1), in the text of the cooperation will be inserted a phrase “Aceh Government as a part of the Unitary State of the Republic of Indonesia.”
- (4) Further stipulation regarding the the cooperation as meant in clause (1) is stipulated by Presidential Regulation.

Article 10

- (1) Aceh Government and District/city Government may form institution, agency and/or commission according to this law with the approval of DPRA/DPRK except for those which become the authorities of the Government.
- (2) Further stipulation regarding the formation of institution, agency and/or commission as meant in clause (1) is stipulated by Qanun.

CHAPTER V

GOVERNMENTAL AFFAIRS

Article 11

- (1) The Government stipulates the norms, standards, and procedures as well as conduct supervision over the implementation of affairs conducted by Aceh and District/city Government.
- (2) The norms, standards and procedures as meant in clause (1) do not decrease the authorities possessed by Aceh Government and District/city Government as meant in Article 7 clause (1).
- (3) In performing supervision as meant in clause (1), the Government may:
 - a. Implement it by itself; and/or
 - b. Delegate it to the Governor as the representative of the Government in performing supervision towards District/city.

Article 12

- (1) Aceh and District/city Government administers governmental affairs which become its authorities except for those which become the authorities of the Government as meant in Article 7 clause (2).

- (2) The administering of governmental affairs as meant in clause (1) will be self managed and handled by Aceh and District/city Government.

Article 13

- (1) The division of governmental authorities relating to Islamic syari'at between Aceh Government and District/city government are stipulated by Aceh Qanun.
- (2) The division of governmental affairs as meant in clause (2) can be facilitated by the Government.

Article 14

- (1) The division and implementation of governmental affairs, both at Aceh Government and District/city government, will be conducted based on the criteria of externality, accountability, and efficiency with regard to the harmony of inter-governmental relationship in Aceh.
- (2) Governmental affairs which become the authorities of Aceh and District/city Government administered based on the criteria as meant in clause (1) are consisting of mandatory affairs and optional affairs.
- (3) The administration of mandatory governmental affairs is guided by minimum service standard conducted gradually and stipulated by the Government.

Article 15

- (1) Governmental affairs transferred to Aceh Government and District/city government are supplemented by funding, transfer of facilities and infrastructures, as well as officials which are conducted in accordance with the decentralized affairs.
- (2) Governmental affairs delegated to the Governor are supplemented by funding which are conducted in accordance with the deconcentrated affairs.
- (3) Governmental affairs assigned to Aceh Government, District/city government, and gampong are supplemented by funding which are conducted in accordance with the assisting task principle.

Article 16

- (1) Mandatory affairs which become the authorities of Aceh Government as meant in Article 14 clause (3) are affairs in Aceh scale which cover:
 - a. The planning, utilization and supervision of lay out;
 - b. The planning and control of development;
 - c. The administering of public order and community tranquility;

- d. The providing of public facilities and infrastructures;
 - e. The handling of health sector;
 - f. The administering of education and allocation of potential human resources;
 - g. The overcoming of cross-District/city-border social issues;
 - h. The cross-District/city-border service in the sectors of providing working field and manpower;
 - i. The facilitation of cooperatives, small and medium scale business development including the cross-District/city-border;
 - j. The environmental control;
 - k. The land affairs service including the cross-District/city-border;
 - l. The population affairs service and civil register;
 - m. The government general administration service;
 - n. The capital investment administration services including the cross-District/city-border; and
 - o. The administering of other basic services which are yet to be conducted by District/city government.
- (2) Other mandatory affairs which become the authorities of Aceh Government are the implementation of Aceh special characteristics which among others cover:
- a. Administering religious life in the form of implementing Islamic syari'at for its worshippers in Aceh by maintaining the inter-religious community harmony of life;
 - b. Administering indigenous life based on Islam;
 - c. Administering good quality education as well as increasing local content subject matter in accordance with Islamic syari'at;
 - d. Role of ulama in the stipulation of Aceh policy; and
 - e. Administering and management of hajj in accordance with statutory regulations.
- (3) Aceh Government Affairs which are optional in nature cover governmental affairs which are obviously having the potential of improving the community welfare in accordance with the condition, special characteristics and exceptional potential of Aceh.
- (4) The implementation of provisions as meant in clause (1), clause (2), and clause (3) will be stipulated further in Aceh Qanun guided by the statutory regulations.

Article 17

- (1) Mandatory affairs which become the authorities of District/city government are affairs having District/city scale which cover:
- a. The planning, utilization and supervision of lay out;

- b. The planning and controlling of development;
 - c. The administering of public order and community tranquility;
 - d. The providing of public facilities and infrastructures;
 - e. The handling of health sector;
 - f. The administering of education;
 - g. The overcoming of social issues;
 - h. The service in the sector of providing working field and manpower;
 - i. The facilitation for the development of cooperatives, small and medium scale businesses;
 - j. The environmental control and supervision;
 - k. The land affairs services;
 - l. The population affairs service and civil register;
 - m. The governmental general administration service; and
 - n. The capital investment administration services including the administering of other basic services.
- (2) Other mandatory affairs which become the special authorities of District/city Government are the implementation of Aceh's special characteristics which among others cover:
- a. The administering of religious life in the form of implementing Islamic syari'at for its worshippers in Aceh by maintaining inter-religious community harmony of life;
 - b. The administering of indigenous life based on Islam;
 - c. The administering of good quality education as well as increasing local content subject matter in accordance with Islamic syari'at; and
 - d. The role of ulama in the stipulation of District/city policy.
- (3) Governmental affairs of District/city which are optional in nature cover governmental affairs which are obviously existing and having the potential of improving community welfare including the recovery of psychosocial in accordance with the condition, specific characteristics and exceptional potential of the relevant District/city.
- (4) The implementation of the provisions as meant in clause (1), clause (2), and clause (3) will be further stipulated in District/city Qanun guided by the statutory regulations.

Article 18

In addition to the authorities as meant in Article 17, District/city government has the authority to administer madrasah ibtidaiyah and madrasah tsanawiyah education by continue adhering to education national standard in accordance with the statutory regulations.

Article 19

- (1) District/city government will be entitled to manage public seaport and airport.
- (2) Public seaport and airport as meant in clause (1) are public seaport and airport managed by the Government prior to the promulgation of this Law.
- (3) Aceh government conducts coordination with District/city government in the management of public seaport and airport as meant in clause (2).
- (4) The management as meant in clause (2) may be conducted by regional government owned enterprise.

CHAPTER VI

PRINCIPLES AS WELL AS FORM AND STRUCTURE OF GOVERNMENT ADMINISTRATOR

Article 20

The administering of Aceh government and District/city government is guided by general governance principles which are consisting of:

- a. Islamic principle;
- b. Legal certainty principle;
- c. Public interest principle;
- d. Government administering order principle;
- e. Disclosure principle;
- f. Proportionality principle;
- g. Professionalism principle;
- h. Accountability principle;
- i. Efficiency principle;
- j. Effectiveness principle;
- k. Equality principle; and

Article 21

- (1) The administrator of Aceh government is consisting of Aceh government and DPRA.
- (2) The administrator of District/city government is consisting of District/city government and DPRK.
- (3) The organizational structure and working order of Aceh government and District/city government will be stipulated further in Qanun.

CHAPTER VII

DPRA AND DPRK

First Section

General

Article 22

- (1) DPRA and DPRK have legislation, budgetary and supervisory functions.
- (2) DPRA and DPRK have the right to form DPRA/DPRK apparatus in accordance with the special characteristics of Aceh.
- (3) The total number of members of DPRA at the most is 125% (one hundred and twenty five percent) of those stipulated by Law.

Second Section

Tasks and Authorities

Article 23

- (1) DPRA has the following tasks and authorities:
 - a. Formulating Aceh Qanun which is discussed with the Governor for joint approval;
 - b. Implementing supervisory over the implementation of Aceh Qanun and other statutory regulations;
 - c. Implementing supervisory over the policy of Aceh Government in implementing Aceh development program, management of natural resources and other economic resources, capital investment and international cooperation;
 - d. Proposing the appointment and dismissal of the Governor/Deputy Governor to the President through the Minister of Home Affairs;
 - e. Notifying the Governor and KIP regarding the expiry of the term of o of the Governor/Deputy Governor;
 - f. Electing Deputy Governor in the case of vacant position as Deputy Governor;
 - g. Giving approval to the plan of international cooperation which will be conducted by Aceh Government;
 - h. Providing consideration towards the plan of international cooperation made by the Government directly relating to Aceh;
 - i. Providing consideration towards the plan for legislation sector of the House of People's Representatives directly relating to Aceh Government;
 - j. Giving approval to the plan of inter-regional cooperation and/or cooperation with third party which will be burdening the community and the region;

- k. Requesting accountability explanation report of the Governor in administering the government for the assessment of government performance;
 - l. Proposing the formation of Aceh KIP and Election Supervisory Committee; and
 - m. Supervise and request report on the activity and utilization of budget to Aceh KIP in the holding of the election for the Governor/Deputy Governor.
- (2) DPRA performs other authorities stipulated in the statutory regulations.
- (3) The procedure for the implementation of tasks and authorities as meant in clause (1) and other authorities as meant in clause (2) is stipulated in DPRA order regulation guided by the statutory regulations.

Article 24

- (1) DPRK has the following tasks and authorities:
- a. Forming District/city Qanun which will be discussed with the Regent/Mayor for joint approval;
 - b. Supervising the implementation of District/city Qanun and other statutory regulations;
 - c. Supervising the policy of District/city government in implementing development program of the District/city, the management of natural resources and other economic resources, capital investment and international cooperation;
 - d. Proposing the appointment and dismissal of the Regent/Deputy Regent and the Mayor/Deputy Mayor to the Minister of Domestic Affairs through the Governor;
 - e. Notifying the Regent/Mayor and District/city KIP regarding the expiry of the term of service of the Regent/Deputy Regent and the Mayor/Deputy Mayor;
 - f. Electing the Deputy Regent/Deputy Mayor in the case of vacant position as Deputy Regent/Deputy Mayor;
 - g. Providing opinion, consideration and approval to District/city government towards the plan of international cooperation in the relevant District/city;
 - h. Providing consideration and approval towards the plan of inter-regional cooperation and/or cooperation with third party which will be burdening the community and the District/city;
 - i. Proposing the formation of District/city KIP and forming Election Supervisory Committee;
 - j. Supervising and requesting report on the activity and utilization of budget to District/city KIP in the holding of election for the regent/deputy regent and the mayor/deputy mayor; and
 - k. Requesting accountability explanation report of the regent/mayor in the administering of government for the assessment of government performance.
- (2) DPRK performs other authorities stipulated in the statutory regulations.

- (3) The procedure for the implementation of the tasks and authorities as meant in clause (1) and clause (2) will be stipulated in DPRK order regulation guided by the statutory regulations.

Third Section

Rights, Obligations and Ethic Code

Article 25

- (1) DPRA/DPRK has the rights to:
- a. Make interpellation;
 - b. Make enquiry;
 - c. Present opinion;
 - d. Present the draft qanun
 - e. Make amendment of draft qanun;
 - f. Discuss and approve draft Qanun regarding Aceh and District/city Revenue and Expenditure Budget with the Governor and/or Regent/Mayor;
 - g. Formulate draft expenditure budget in accordance with the functions, tasks and authorities of DPRA/DPRK as part of Aceh and District/city Revenue and Expenditure Budget by using the price standard as agreed by the Governor and DPRA, and the Regent/Mayor and DPRK, as stipulated by Governor and Regent/Mayor Regulation;
 - h. Utilize the budget as has been stipulated in APBA/APBK and administered by the secretary of DPRA/DPRK in accordance with the statutory regulations; and
 - i. Formulate and stipulate order regulation and ethic code for the members of DPRA/DPRK.
- (2) The implementation of the enquiry right as meant in clause (1) letter b is conducted after the submission of the interpellation right as meant in clause (1) letter a and upon obtaining approval from the plenary meeting of DPRA/DPRK attended by at least 3/4 (three fourth) of the total number of members of DPRA/DPRK and the resolution is adopted with the approval of at least 2/3 (two third) of the total number of members of DPRA/DPRK present.
- (3) In using the enquiry right as meant in clause (2) is formed an enquiry committee consisting of DPRA/DPRK elements who will be working within a period of at the most 60 days after submitting the result of its work to DPRA/ DPRK.
- (4) In performing its task, the enquiry committee as meant in clause (3) may summon, hear and examine any person considered knowing or supposedly knowing the issues being investigated as well as to request ask for the presentation of letters or documents relating to the issues being investigated.

- (5) Any person being summoned, heard and examined as meant in clause (4) is obliged to comply with the summoning of the enquiry committee unless there are legitimate grounds according to the statutory regulations.
- (6) In the case a person has been properly summoned consecutively and he/she did not comply with the summoning as meant in clause (5), the enquiry committee forcefully summon with the assistance of the National Police of the Republic of Indonesia in accordance with the statutory regulations.
- (7) All work results of the enquiry committee are confidential.
- (8) The procedure for utilizing the rights as meant in clause (1) letter a, letter b, letter c, letter d, letter e and letter f stipulated in the order regulation of DPRA/DPRK.
- (9) The order regulation as meant in clause (1) letter h will be stipulated in accordance with the statutory regulations.

Article 26

- (1) The members of DPRA/DPRK have the rights to:
 - a. Submit proposal of draft Qanun;
 - b. Present questions;
 - c. Put forward proposal and opinion;
 - d. Protocol affairs;
 - e. Financial and administrative affairs;
 - f. Vote and be elected;
 - g. Defend him/herself; and
 - h. immunity.
- (2) The members of DPRA/DPRK have the obligations to:
 - a. Practice Pancasila, implement the 1945 Constitution of the Republic of Indonesia and comply with any statutory regulations;
 - b. Foster democracy in the administration of Aceh Government and District/City Government;
 - c. Strive for the improvement of people's welfare and prosperity;
 - d. Attend to and forward the aspiration, receive complaints and grievance from the community, as well as facilitating further settlement;
 - e. Comply with order regulation, ethic code and oath/promise of service of the members of DPRA/DPRK;
 - f. Prioritize the interest of the state above their personal interest, the interest of the group and class;

- g. Give accountability over their tasks and performance as the members of DPRA/DPRK as the realization of moral and political responsibility towards their election area; and
 - h. Maintain the norms and ethics in the working relation with related institutions.
- (3) The implementation of the rights and obligations as meant in clause (1) and clause (2) be stipulated in the Order Regulation of DPRA/DPRK.

Article 27

- (1) DPRA/DPRK will be obliged to formulate ethic code to maintain the dignity and honor of the members of DPRA/DPRK in performing their tasks and authorities.
- (2) Ethic code as meant in clause (1) will cover at least:
- a. The definition of ethic code;
 - b. The purpose of ethic code;
 - c. The arrangement of attitude, working order and relationship among regional government administrator and among members as well as between the members of DPRA/DPRK and other parties;
 - d. The good and decent matters to be conducted by the members of DPRA/DPRK;
 - e. The ethic in presenting opinion, response, replies, rebuttal; and
 - f. Sanctions and rehabilitation.

Fourth Section

Investigation and Prosecution

Article 28

- (1) Members of DPRA/DPRK cannot be prosecuted before the court because of a statement, question and/or opinion presented verbally or in writing in the meeting of DPRA/DPRK, to the extent it is not contradictory to the Order Regulation and Ethic Code of DPRA/DPRK.
- (2) The provision as meant in clause (1) will not applicable in the case the relevant members announce the subject matter which has been agreed in a closed meeting to be kept confidential or matters as meant by the provisions regarding the publication of state secret in the statutory regulations.
- (3) Members of DPRA/DPRK cannot be replaced in an interim manner due to their statement and/or opinion presented in the meeting of DPRA/DPRK.

Article 29

- (1) Investigation towards the members of DPRA is conducted upon written approval from the Minister of Domestic Affairs on behalf of the President or the approval of the Governor on behalf of the Minister of Domestic Affairs for the members of DPRK.
- (2) In the case the written approval as meant in clause (1) is not granted within a period of at the most 60 (sixty) days as of the receipt of such request, the investigation process may be commenced.
- (3) Investigation which is followed up by an arrest requires written approval in the same manner as meant in clause (1) and clause (2).
- (4) Matters exempted from the provision as meant in clause (1) are:
 - a. Caught in hand of conducting criminal offences; or
 - b. Suspected of conducting criminal offences sanctioned with death sentence or criminal offences against the security of the state.
- (5) After the action as meant in clause (4) is conducted, the investigation must be reported to the official granting such permit as meant in clause (1) at the latest 2 (two) times 24 (twenty four) hours.

Fifth Section

DPRA/DPRK Apparatus

Article 30

- (1) DPRA/DPRK apparatus consists of:
 - a. The leadership;
 - b. The commission;
 - c. The negotiating committee;
 - d. The budgeting committee;
 - e. The honorary committee;
 - f. The legislation committee; and
 - g. Other required apparatus.
- (2) The formation, composition, tasks and authorities of the apparatus as meant in clause (1) will be stipulated in the Order Regulation of DPRA/DPRK.

Article 31

- (1) DPRA may form at the minimum 5 (five) commissions and at the maximum 8 (eight) commissions.
- (2) DPRK having members of 20 (twenty) persons up to 34 (thirty four) persons will form 4 (four) commissions, DPRK having 35 (thirty five) or more members will form 5 (five) commissions.

Article 32

- (1) DPRA/DPRK Honorary Committee will be formed and stipulated by the decree of DPRA/DPRK.
- (2) The members of DPRA/DPRK Honorary Committee as meant in clause (1) consist of the members of DPRA/DPRK provided that:
 - a. for DPRA totaling to 5 (five) persons; and
 - b. for DPRK having up to 34 (thirty four) members totaling to 3 (three) persons, and for DPRK having 35 (thirty five) or more members totaling to 5 (five) persons.
- (3) The members of Honorary Committee as meant in clause (2) will be elected by DPRA/DPRK.
- (4) The Leadership of DPRA/DPRK Honorary Committee as meant in clause (2) consists of a Chairman and a Deputy Chairman elected from and by the members of the Honorary Committee.
- (5) The Honorary Committee as meant in clause (1) will be assisted by a secretariat which will be functionally performed by the Secretariat of DPRA/DPRK.
- (6) The implementation of the provisions of clause (1), clause (2), clause (3), clause (4) and clause (5) is stipulated by the Order Regulation of DPRA/DPRK.

Article 33

- (1) The Honorary Committee has the tasks of:
 - a. Observing and evaluating the discipline, ethic and moral of the members of DPRA/DPRK in the framework of maintaining the dignity and honor in accordance with the Ethic Code of DPRA/DPRK;
 - b. Examining the assumption of violation conducted by the members of DPRA/DPRK over the Order Regulation and Ethic Code of DPRA/DPRK as well as the oath/promise of service;
 - c. Conducting investigation, verification and clarification over the report of the leadership and the members of DPRA/DPRK, the community and/or the voters; and
 - d. Conveying conclusion over the result of the investigation, verification and clarification as meant in letter c as the recommendation to be followed up by DPRA/DPRK.
- (2) The working mechanism of the Honorary Committee will be composed by the Honorary Committee and approved by the leadership of DPRA/DPRK.

Article 34

- (1) Legislation Committee will be positioned as Qanun formulation planning center.

- (2) Legislation Committee at DPRA will be formed by DPRA and Legislation Committee at DPRK will be formed by DPRK.
- (3) Legislation Committee as meant in clause (1) and clause (2) is permanent in nature.

Article 35

- (1) The tasks of Legislation Committee as Qanun formulation planning center are:
 - a. formulating regional legislation program containing the list of qanun in chronological order for 1 (one) membership period and priority for each budget year, which is then reported in the Plenary Meeting to be stipulated by the resolution of DPRA/DPRK;
 - b. preparing draft qanun as the initiative proposal of DPRA/DPRK based on the stipulated priority program;
 - c. performing harmonization, integration and consolidation of the conception of draft qanun submitted by the members, commission, and union of commission before such draft qanun is submitted to the Principal of DPRA/DPRK;
 - d. providing consideration towards the submission of draft qanun submitted by the members, commission, and union of commission outside of the draft qanun registered in the regional legislation program or the priority of draft qanun in the running year;
 - e. discussing, making amendment/perfection over the draft qanun which is specifically assigned by the Negotiating Committee;
 - f. distributing and seeking out input for draft qanun being and/or will be discussed and socializing the legalized draft qanun;
 - g. monitoring the development and evaluating the subject matter of the qanun through coordination with the commission;
 - h. receiving input from community, both written and verbally regarding draft qanun;
 - i. providing consideration towards draft qanun being discussed by the Governor and DPRA as well as the regent/mayor and DPRK; and
 - j. making inventory of legal and statutory regulations issues at the end of membership period of DPRA/DPRK to be used as the material by the Legislation Committee for the following membership period.

Sixth Section

Faction

Article 36

- (1) Each member of DPRA/DPRK is obliged to assemble in the faction.
- (2) The total number of members of each faction as meant in clause (1) at least equal to the minimum number of commissions in DPRA/DPRK.
- (3) The members of DPRA/DPRK as meant in clause (1) from political party that is not qualified to form 1 (one) faction, is obliged to join the existing faction or to form coalition of factions.
- (4) The existing factions is obliged to accept members of DPRA/DPRK from other political party/local political party that is not qualified to form 1 (one) faction.
- (5) In the event that the coalition of factions as meant in clause (3) has been formed, then no longer qualified as a coalition of factions, all members of such coalition of factions is obliged to join other faction and/or other qualified coalition of factions.
- (6) Political party/local political party that is qualified to form a faction may only form 1 (one) faction.
- (7) The coalition of factions may be formed by qualified political parties/local political parties as meant in clause (2) and clause (5).

Seventh Section

Prohibitions and Dismissal of the Members of DPRA/DPRK

Article 37

- (1) The members of DPRA/DPRK are prohibited to serve concurrently as:
 - a. State officials;
 - b. Judges in judiciary institutions;
 - c. Civilian government employees, members of the Indonesian National Army and the members of National Police of the Republic of Indonesia, employees at state-owned enterprises, regional government-owned enterprises and/or other institutions whose budgets derive from APBN/APBA/APBK.
- (2) The members of DPRA/DPRK are prohibited to perform works as structural officials at state-owned and privately-owned educational institutions, public accountants, consultants, advocates/lawyers, notaries, practicing doctors, journalists and managers of mass media as well as other works related to the tasks, authorities and rights as the members of DPRA/DPRK.
- (3) The members of DPRA/DPRK are prohibited to do corruption, collusion and nepotism.
- (4) The members of DPRA/DPRK performing works as meant in clause (2) are obliged to relinquish such works during their services as members of DPRA/DPRK.
- (5) The members of DPRA/DPRK who do not fulfill the obligation as meant in clause (4) are proposed for their dismissal based on the examination result of DPRA/DPRK Honorary Committee.

- (6) The implementation of the provisions as meant in clause (1), clause (2), clause (3), clause (4) and clause (5) is stipulated in the Order Regulation of DPRA/DPRK guided by the statutory regulations.

Article 38

- (1) A member of DPRA/DPRK discontinues ad-interim as a member due to:
- a. Being deceased; or
 - b. Resigning upon his/her own written request.
- (2) A member of DPRA/DPRK is dismissed ad-interim due to:
- a. Being proposed by the relevant political party/local political party;
 - b. Unable to perform the tasks continuously or being permanently impeded for 6 (six) months consecutively;
 - c. Being no longer qualified as a member of DPRA/DPRK;
 - d. Being declared of violating the oath/promise of service of office, and/or violating the ethic code of DPRA/DPRK;
 - e. Not performing the obligations as a member of DPRA/DPRK;
 - f. Violating the prohibitions for members of DPRA/DPRK; and
 - g. Being declared guilty based on Court decision having permanent legal force for committing criminal offences sanctioned with a penalty of at the minimum 5 (five) years imprisonment or more.
- (3) The dismissal of a member of DPRA/DPRK who has fulfilled the provisions as meant in clause (1) or clause (2) is conveyed by the leadership of DPRA to the Minister of Home Affairs through the Governor for a member of DPRA or by the leadership of the DPRK to the Governor through the Regent/Mayor for a member of DPRK to validate his/her dismissal.
- (4) The dismissal of a member of DPRA/DPRK as meant in clause (2) letter b, letter c, letter d, letter e and letter f is conducted upon a resolution of DPRA/DPRK based on the recommendation from DPRA/DPRK Honorary Committee.
- (5) The implementation of the provisions as meant in clause (1), clause (2), clause (3) and clause (4) is stipulated in the Order Regulation of DPRA/DPRK guided by the statutory regulations.

CHAPTER VIII

ACEH GOVERNMENT AND DISTRICT/CITY GOVERNMENT

First Section

General

Article 39

- (1) Aceh government will be lead by a Governor as the Head of Aceh Government and assisted by a Deputy Governor.
- (2) The Governor, in performing his/her tasks is assisted by Aceh regional apparatus.
- (3) The Governor is responsible for determining the policy of Aceh Government in all governmental sectors including community service and tranquility as well as public order.
- (4) Further provisions regarding the matters as meant in clause (3) are stipulated in Aceh Qanun guided by the statutory regulations.

Article 40

- (1) The Governor due to his/her position is also the representative of the Government.
- (2) In his position as the representative of the government, the Governor is accountable to the President.

Article 41

- (1) The District/city government is lead by a Regent/Mayor as the Head of District/city Government and assisted by a Deputy Regent/Deputy Mayor.
- (2) The Regent/Mayor, in performing their tasks, is assisted by the apparatus of the District/city.
- (3) The Regent/Mayor is responsible for determining the policy of District/city government in all sectors of public services including tranquility and public order.
- (4) Further provisions regarding the matters as meant in clause (3) is stipulated in District/city qanun guided by the statutory regulations.

Second Section

Tasks and Authorities

Article 42

- (1)The Governor or the regent/mayor has the tasks and authorities:
 - a . To lead the implementation of administration based on the policy jointly determined by the Governor and DPRA or by the regent/mayor and DPRK;
 - b . To submit draft Qanun;
 - c . To determine Qanun that has obtained joint approval from the Governor and DPRA or from the regent/mayor and DPRK;

- d . To formulate and submit draft Qanun regarding APBA to DPRA and APBK to DPRK to be mutually discussed, approved and stipulated;
 - e . To implement and coordinate the implementation of Islamic syari'at integrally;
 - f . To provide accountability explanation report regarding the governing to DPRA or DPRK;
 - g . To provide report regarding the governing of Aceh Government to the Government;
 - h . To provide report regarding the governing of District/city government to the Governor as the representative of the Government;
 - i . To convey information regarding the governing of Aceh/District/city Government to the public;
 - j . To strive for the accomplishment of government's authorities;
 - k . To represent his/her region before or outside the court, and may grant power of attorney to other party as the legal attorney to represent them in accordance with the statutory regulations; and
 - l . To perform other tasks and authorities in accordance with the statutory regulations.
- (2) The Governor will conduct consultation and provide considerations towards the administrative policies stipulated by the Government directly relating to Aceh in accordance with the provisions of this law.

Article 43

- (1) The Governor in his/her position as the representative of the Government as meant in Article 40 has the tasks and authorities to coordinate:
- a . The fostering and supervision of the governing of District/city government;
 - b . The administering of Governmental affairs in Aceh and the District/city;
 - c . The fostering and supervision of the administering of assisting tasks in Aceh and the District/city;
 - d . The fostering in the administering of Aceh special and specific characteristics; and
 - e . The effort and safeguarding of development equilibrium among the regencies/cities in Aceh.
- (2) In implementing the provisions as meant in clause (1), the Governor as the representative of the Government may assign Aceh regional apparatus.
- (3) In performing the tasks and authorities as meant in clause (1), the Governor is entitled to grant reward and/or impose administrative sanction to the regent/mayor in accordance with the statutory regulations.
- (4) The funding for the implementation of the tasks and authorities of the Governor as meant in clause (1) is borne by APBN.
- (5) The financial position of the Governor as meant in clause (1) is stipulated in the Government Regulation.

(6) The further procedure regarding the implementation of the tasks and authorities of the Governor as meant in clause (1) is stipulated in the Government Regulation.

(7) The further procedure regarding the implementation of the tasks and authorities as meant in clause (3) is stipulated by Aceh Qanun.

Article 44

(1) The Deputy Governor has the task to assist the Governor in:

- a. Implementing administration;
- b. coordinating the activities of government institutions in the implementation of Islamic syari'at;
- c. following up reports and/or findings from the supervisory result of supervising apparatus;
- d. the empowerment of women and youth;
- e. the empowerment of customary law;
- f. the effort for the development of culture;
- g. the preservation of environment;
- h. the monitoring and evaluation of administering of District/city government;
- i. the performance of the tasks and authorities of the Governor if the Governor is impeded; and
- j. the performance of other governmental tasks and obligations given by the Governor.

(2) In performing the tasks as meant in clause (1), the Deputy Governor is accountable to the Governor.

(3) The Deputy Governor substitutes the Governor up to the end of his/her term of service if the Governor is deceased, resigning, dismissed or unable to perform his/her obligations for 6 (six) months consecutively in his/her term of service.

Article 45

(1)The deputy regent/deputy mayor has the tasks to assist the regent/mayor in:

- a. implementing administration;
- b. coordinating the activity of government institutions in the implementation of Islamic syari'at;
- c. following up the reports and/or findings of supervisory result from the supervising apparatus;
- d. the empowerment of women and youth;
- e. the empowerment of customary law;
- f. the effort on the development of culture;
- g. the preservation of environment;
- h. the monitoring and evaluation of administering district, mukim and gampong governments;

- i. the performance of the tasks and authorities of the regent/mayor if the regent/mayor is impeded; and
 - j. the performance of other governmental tasks and obligations given by the regent/mayor.
- (2) In performing the tasks as meant in clause (1), the deputy regent/mayor is accountable to the regent/mayor.
- (3) The deputy regent/mayor substitutes the regent/mayor up to the expiry of his/her term of service if the regent/mayor is deceased, resigning, dismissed, or unable to perform his/her obligations for 6 (six) months consecutively in his/her term of service.

Third Section

Obligations and Prohibitions

Article 46

- (1) The Governor/Deputy Governor, the regent/deputy regent, the mayor/deputy mayor, in performing their tasks as meant in Article 42, Article 43, Article 44 and Article 45, have the obligations:
- a. To firmly hold and practice Pancasila, implement the 1945 Constitution of the Republic of Indonesia as well as defend the sovereignty and maintain the unity of the Unitary State of the Republic of Indonesia;
 - b. To practice their religion syari'at;
 - c. To improve the welfare of the people;
 - d. To maintain public tranquility and public order;
 - e. To implement democratic life;
 - f. To implement the principles and order of clean and good governance, free from corruption, collusion, and nepotism;
 - g. To implement and account for the management of Aceh/District/city finance transparently;
 - h. To convey the plan regarding the administering of Aceh/District/city Government before the plenary meeting of DPRA/DPRK; and
 - i. To liaise working relationship with government institution.
- (2) In addition to the obligations as meant in clause (1), the Governor and the regent/mayor have the obligation to submit report on the administering of Aceh/District/city Government to the Government, submit accountability explanation report to DPRA/DPRK, and inform report on the administering of Aceh/District/city Government to the public.
- (3) The further procedure regarding the implementation of the provisions as meant in clause (2) is stipulated by qanun guided by the statutory regulations.

Article 47

The Governor/Deputy Governor, the regent/deputy regent and the mayor/deputy mayor are prohibited from:

- a. Adopting a decision that is specifically benefiting themselves, their family members, cronies, certain class, or their political group that is contradictory to the statutory regulations, impairing public interests, and causing anxiety over a certain group of the community, or discriminating the citizen and/or other community group;
- b. Participating in a company, either state-owned, privately-owned or Aceh government-owned, or in a foundation in any sector whatsoever;
- c. Performing other work relating to their position that is benefiting themselves, both directly and indirectly;
- d. Committing to corruption, collusion, nepotism, and receiving money, goods and/or services from other parties which make influence to the decision or action to be taken;
- e. Becoming the advocates or legal attorneys in court proceedings other than as meant in Article 42 clause (1) letter k.
- f. Misusing their authorities and breaking their oath/promise of service; and
- g. Concurrently serving as other state officials, as the members of the House of People's Representatives, the Regional Representatives Board and DPRA as stipulated in the statutory regulations.

Fourth Section

Dismissal

Article 48

- (1) The Governor and the Deputy Governor, the Regent and the Deputy Regent, the Mayor and the Deputy Mayor discontinue due to:
 - a. Being deceased;
 - b. Their own request; or
 - c. Being dismissed.
- (2) The Governor and the Deputy Governor, the Regent and the Deputy Regent, the Mayor and the Deputy Mayor, as meant in clause (1) letter c are dismissed due to:
 - a. The expiry of their term of service and has inaugurated the new officials.
 - b. Being incapable of performing their tasks continuously or being permanently impeded for 6 (six) months consecutively;
 - c. Being no longer qualified as the Governor and the Deputy Governor, the Regent and the Deputy Regent, the Mayor and the Deputy Mayor;
 - d. Being declared of violating the oath/promise of service as the Governor and the Deputy Governor, the Regent and the Deputy Regent, the Mayor and the Deputy Mayor;

- e. Not performing their obligations as the Governor and the Deputy Governor, the Regent and the Deputy Regent, the Mayor and the Deputy Mayor; or
 - f. Violating the prohibitions for the Governor and the Deputy Governor, the Regent and the Deputy Regent, the Mayor and the Deputy Mayor.
- (3) The dismissal of the Governor and the Deputy Governor, the Regent and the Deputy Regent, the Mayor and the Deputy Mayor, as meant in clause (1) letter a and letter b as well as clause (2) letter a and letter b will be notified by the leadership of DPRA/DPRK to be decided in the plenary meeting and proposed by the leadership of DPRA/DPRK.
- (4) The dismissal of the Governor and the Deputy Governor, the Regent and the Deputy Regent, the Mayor and the Deputy Mayor, as meant in clause (2) letter d and letter e is conducted with procedures:
- a. The dismissal of the Governor and the Deputy Governor, the Regent and the Deputy Regent, as well as the Mayor and the Deputy Mayor is proposed to the President based on the decision of the Supreme Court upon the opinion of DPRA/DPRK, that the Governor and the Deputy Governor, the Regent and the Deputy Regent, as well as the Mayor and the Deputy Mayor are declared of violating their oath/promise of service and/or being incapable of performing the obligations as the Governor and the Deputy Governor, the Regent and the Deputy Regent, the Mayor and the Deputy Mayor;
 - b. The opinion of DPRA/DPRK as meant in letter a is decided through the Plenary Meeting of DPRA/DPRK attended by at least 3/4 (three fourth) of the total number of members of DPRA/DPRK and the resolution adopted based on the approval of at least 2/3 (two third) of the total number of members of DPRA/DPRK present;
 - c. The Supreme Court is obliged to examine, try, and decide the opinion of DPRA/DPRK at the latest 30 (thirty) days after the request of DPRA/DPRK is received by the Supreme Court and its decision is final in nature;
 - d. If the Supreme Court decides that the Governor and the Deputy Governor, the Regent and the Deputy Regent, as well as the Mayor and the Deputy Mayor, are proven of violating their oath/promise of service and/or not performing their obligations, DPRA/DPRK will convene Plenary Meeting of DPRA/DPRK attended by at least 3/4 (three fourth) of the total number of members of DPRA/DPRK and the resolution is adopted, with the approval of at least 2/3 (two third) of the total number of members of DPRA/DPRK present, to decide the proposal for the dismissal of the Governor and the Deputy Governor, the Regent and the Deputy Regent, as well as the Mayor and the Deputy Mayor, to the President; and

e. The President is obliged to process the proposal for the dismissal of the Governor/Deputy Governor, the Regent/Deputy Regent, as well as the Mayor/Deputy Mayor, at the latest 30 (thirty) days as of DPRA/DPRK submit such proposal.

Article 49

- (1) The Governor and the Deputy Governor, the Regent and the Deputy Regent, as well as the Mayor and the Deputy Mayor are suspended by the President without going through the proposal of DPRA/DPRK if they are declared of committing criminal offences sanctioned with imprisonment of at the minimum 5 (five) years or more based on the court decision.
- (2) The Governor and the Deputy Governor, the Regent and the Deputy Regent as well as the Mayor and the Deputy Mayor are dismissed by the President without going through the proposal of DPRA/DPRK if they are proven of committing criminal offences as meant in clause (1) based on the court decision having permanent legal force.

Article 50

- (1) The Governor and the Deputy Governor, the Regent and the Deputy Regent, as well as the Mayor and the Deputy Mayor are suspended by the President without going through the proposal of DPRA/DPRK due to being accused of committing corruption, terrorism, coup d'état, and/or criminal offences against the security of the state.
- (2) The Governor and the Deputy Governor, the Regent and the Deputy Regent, as well as the Mayor and the Deputy Mayor are dismissed by the President without going through the proposal of DPRA/DPRK due to being proven of committing corruption, terrorism, coup d'état, and/or criminal offences against the security of the state and/or other criminal offences which are declared by court decision having permanent legal force.

Article 51

- (1) In the case the Governor and the Deputy Governor, the Regent and the Deputy Regent as well as the Mayor and the Deputy Mayor are facing expanding public trust crisis due to the presumption of committing criminal offences and involving their responsibilities, DPRA/DPRK uses the right to make enquiry to respond to such matter.
- (2) The utilization of the right to make an enquiry as meant in clause (1) is conducted upon obtaining approval from the Plenary Meeting of DPRA/DPRK attended by at least 3/4 (three fourth) of the total number of members of DPRA/DPRK and the resolution is adopted with the approval of at least 2/3 (two third) of the

total number of members of DPRA/DPRK present, to conduct investigation against the Governor and the Deputy Governor, the Regent and the Deputy Regent as well as the Mayor and the Deputy Mayor.

- (3) In the case being discovered the evidence of committing such criminal offences as meant in clause (1), DPRA/DPRK forwards the settlement process to the legal enforcer apparatus in accordance with the statutory regulations.
- (4) If the Governor and the Deputy Governor, the Regent and the Deputy Regent as well as the Mayor and the Deputy Mayor are declared of being guilty for committing criminal offences sanctioned with imprisonment of at the minimum 5 (five) years or more based on the court decision that has not yet obtained permanent legal force as meant in clause (3), DPRA/DPRK proposes the suspension with the resolution of DPRA/DPRK.
- (5) Based on the decision of DPRA/DPRK as meant in clause (4), the President stipulates the suspension of the Governor and the Deputy Governor, the Regent and the Deputy Regent as well as the Mayor and the Deputy Mayor.
- (6) If the Governor and the Deputy Governor, the Regent and the Deputy Regent, as well as the Mayor and the Deputy Mayor are declared of being guilty based on the court decision having permanent legal force as meant in clause (4), the leadership of DPRA/DPRK proposes the dismissal based on the resolution of the Plenary Meeting of DPRA/DPRK and the meeting is attended by at least 3/4 (three fourth) of the total number of members of DPRA/DPRK and the resolution is adopted with the approval of at least 2/3 (two third) of the total number of members of DPRA/DPRK present.
- (7) Based on the resolution of DPRA/DPRK as meant in clause (6), the President dismiss the Governor and the Deputy Governor, the Regent and the Deputy Regent, as well as the Mayor and the Deputy Mayor in accordance with the statutory regulations.

Article 52

- (1) The suspended Governor and Deputy Governor, Regent and Deputy Regent, as well as Mayor and Deputy Mayor as meant in Article 49 clause (1), Article 50 clause (1), and Article 51 clause (5) after going through court proceeding and proven of being not guilty based on the court decision having permanent legal force, at the most 30 (thirty) days, the President rehabilitates and reactivates the relevant Governor and Deputy Governor, Regent and Deputy Regent, as well as Mayor and Deputy Mayor up to the end of their term of services.
- (2) If the suspended Governor and Deputy Governor, Regent and Deputy Regent, as well as Mayor and Deputy Mayor as meant in clause (1), their term of services have expired, the President rehabilitates the relevant

Governor and Deputy Governor, Regent and Deputy Regent, as well as Mayor and Deputy Mayor and does not reactivate them.

Article 53

- (1) If the Governor/Regent/Mayor is suspended as meant in Article 49 clause (1), Article 50 clause (1) and Article 51 clause (5), the Deputy Governor/Deputy Regent/Deputy Mayor performs the tasks and obligations of the Governor/Regent/Mayor until there is a court decision having permanent legal force.
- (2) If the Deputy Governor/Deputy Regent/Deputy Mayor is suspended as meant in Article 49 clause (1), Article 50 clause (1) and Article 51 clause (5), the tasks and obligations of the Deputy Governor/Deputy Regent/Deputy Mayor are performed by the Governor/Regent/Mayor until there is a court decision having permanent legal force.
- (3) If the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor are suspended as meant in Article 49 clause (1), Article 50 clause (1), and Article 51 clause (5), the President determines the functionary Governor/Regent/Mayor, upon the consideration of DPRA through the Minister of Home Affairs and the Regent/Deputy Regent and the Mayor/Deputy Mayor upon the consideration of DPRK through the Governor until there is a court decision having permanent legal force.
- (4) The procedure for the determination, the criteria of the candidates, and the term of service of the functionary official as meant in clause (3) is in accordance with the Government Regulation.

Article 54

- (1) If the Governor/Regent/Mayor is dismissed based on court decision having permanent legal force as meant in Article 49 clause (2), Article 50 clause (2), and Article 51 clause (7), the position as the head of region is substituted by the Deputy Governor/Deputy Regent/Deputy Mayor until the end of his/her term of service and the process for its implementation conducted based on the resolution of the Plenary Meeting of DPRA or DPRK and ratified by the President.
- (2) If the Governor/Regent/Mayor discontinues due to being deceased then the President stipulates and ratifies the Deputy Governor/Deputy Regent/Deputy Mayor to fill in the position as the head of the region until the expiry of his/her term of service.
- (3) If there is a vacant position as the Deputy Governor/Deputy Regent/Deputy Mayor as meant in clause (1) whose term of service is more than 18 (eighteen) months, the Governor/Regent/Mayor proposes 2 (two) candidates for the Deputy Governor/Deputy Regent/Deputy Mayor to be elected by the Plenary Meeting of DPRA or DPRK based on the proposal of the political party or coalition of political party or local political

party or coalition of local political parties or coalition of political party with local political party whose pair of candidates is elected in the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor.

- (4) In the event that the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor discontinue or dismissed concurrently within their term of services, the Plenary Meeting of DPRA or DPRK decides and assigns KIP to convene the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor at the latest 6 (six) months as of the determination of the functionary Governor/Regent/Mayor.
- (5) In the event there is a vacant position of the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor as meant in clause (3), the regional secretary of Aceh and the regional Secretary of the District/city will perform the daily tasks of the Governor/Regent/Mayor until the President appoints the functionary Governor/Regent/Mayor.
- (6) The procedure for the filling in of such vacancies, the requirements and the term of service of the functionary official as meant in clause (5) conducted in accordance with the Government Regulation.

Fifth Section

Initial investigation and further investigation

Article 55

- (1) The initial investigation and further investigation towards the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor are conducted after the presence of written approval from the President upon the request of the examiner.
- (2) If the written approval as meant in clause (1) is not granted by the President within 60 (sixty) days as of the receipt of such request, the initial and further investigation process may be conducted.
- (3) Further investigation followed up by an arrest requires written approval in accordance with the provisions as meant in clause (1) and clause (2).
- (4) Matters exempted from the provisions as meant in clause (1) are:
 - a. Red handed of committing criminal offences; or
 - b. Suspected of having been committing criminal offences sanctioned with death sentence, or having been committing criminal offences against the security of the state.
- (5) The further investigation as meant in clause (4) must be reported to the President at least within 2 (two) times 24 (twenty four) hours.

CHAPTER IX

ELECTION ORGANIZER

First Section

Election Independent Commission

Article 56

- (1) Aceh KIP convenes general election for the President/Vice President, the members of the House of People's Representatives, the members of the Regional Representatives Board, the members of DPRA, and the election for the governor/deputy governor.
- (2) District/City KIP convenes general election for the President/Vice President, the members of the House of People's Representatives, the members of the Regional Representatives Board, the members of DPRA, DPRK, and the election for the governor/deputy governor, the regent/deputy regent, and the mayor/deputy mayor.
- (3) In the case the election of the Governor/Deputy Governor as meant in clause (1), District/City KIP is a part of the organizer on the election for the Governor/Deputy Governor.
- (4) The members of Aceh KIP are proposed by DPRA and stipulated by KPU and officially announced by the Governor.
- (5) The members of District/city KIP are proposed by DPRK, stipulated by KPU and officially announced by the regent/mayor.
- (6) In implementing the provisions as meant in clause (4) and clause (5), DPRA/DPRK forms an ad hoc independent team to conduct the discovering and screening for the candidates of members of KIP.
- (7) The further provisions regarding the procedure of formation, working mechanism, working period, and the procedure for discovering candidates as meant in clause (6) is stipulated by qanun.

Article 57

- (1) The members of Aceh KIP are 7 (seven) persons and the members of District/city KIP are 5 (five) persons deriving from community elements.
- (2) The working period of KIP is 5 (five) years as of the date of inauguration.

Second Section

Tasks, Authorities and Obligations

Article 58

Tasks and authorities of KIP are as follows:

- a. Plan and convene election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor;
- b. Stipulate the procedure for the convening of the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor;
- c. Coordinate, convene and control all implementation stages of the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor;
- d. Stipulate the date and procedure for the campaign as well as the voting for the election of the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor;
- e. Accept the registration of the pair of candidates as the participant of the election;
- f. Examine the requirements of the candidates for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor being nominated;
- g. Determine the qualified pair of candidates;
- h. Accept registration and announce campaign team;
- i. To audit and announce the report on the donation of campaign fund;
- j. Determine the result of vote counting recapitulation and announce the result of the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor in plenary meeting;
- k. Conduct evaluation and provide report to DPRA/DPRK over the convening of the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor; and
- l. Perform other tasks and authorities stipulated in the statutory regulations.

Article 59

KIP is obliged to:

- a. Treat the pair of candidates fairly and equally;
- b. Determine the standardization as well as the needs of goods and services relating to the convening of the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor based on the statutory regulations;
- c. Convey report of each implementation stage of the election to DPRA for Aceh KIP and DPRK for District/city KIP and convey information regarding its activities to the public;
- d. Maintain the election archives and documents as well as managing KIP inventories based on the statutory regulations;

- e. Account for utilization of budget to the Governor, the Regent/Mayor in accordance with the statutory regulations; and
- f. Implement all stages of the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor in a timely manner.

Third Section

Election Supervisory Committee

Article 60

- (1) Aceh and District/city Election Supervisory Committee are formed by the national level supervisory committee and ad hoc in nature.
- (2) The formation of Election Supervisory Committee as meant in clause (1) is conducted upon the promulgation of this law.
- (3) The members of Election Supervisory Committee as meant in clause (1) and clause (2), each are 5 (five) persons, proposed by DPRA/DPRK.
- (4) The working period of Election Supervisory Committee ends 3 (three) months after the inauguration of the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor.

Fourth Section

Tasks and Authorities of Election Supervisory Committee

Article 61

- (1) The tasks and authorities of Election Supervisory Committees are:
 - a. Supervise the implementation of election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor; and
 - b. Perform other tasks and authorities stipulated in the statutory regulations.
- (2) The implementation of the tasks as meant in clause (1) is in accordance with the statutory regulations.

Article 62

The tasks and authorities of the Election Supervisory Committee as meant in Article 61 are be performed through:

- a. Supervising all stages of convening the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor;
- b. Settling dispute arising in the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor;

- c. Forward the unsettled findings and reports to the authorized institutions; and
- d. Arrangement of the coordination relationship between the supervisory committee at all levels.

Article 63

Matters which are not yet stipulated in this Law regarding the supervision over the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor is guided by the provisions of the statutory regulations.

Fifth Section

Monitoring

Article 64

- (1) The monitoring over the convening of the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor can be performed by local monitors, national monitors and foreign monitors.
- (2) The monitors of the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor as meant in clause (2) must:
 - a . Be independent in nature; and
 - b . Have clear funding sources.
- (3) Foreign monitors as meant in clause (1) must comply with the procedures stipulated in the statutory regulations.
- (4) The monitors of the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor as meant in clause (2) and clause (3) must be registered at KIP in accordance with the statutory regulations.

CHAPTER X

THE ELECTION FOR THE GOVERNOR/DEPUTY GOVERNOR, THE REGENT/DEPUTY REGENT AND
THE MAYOR/DEPUTY MAYOR

First Section

General

Article 65

- (1) The Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor are elected in one pair directly by the people once every 5 (five) years through a democratic, free, confidential election as well as conducted in a fair and just manner.
- (2) The Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor occupy the position for 5 (five) years and can be re-elected for the same position only for one time term of service.
- (3) The cost for the election for the Governor/Deputy Governor is borne by APBA.
- (4) The cost for the election of the Regent/Deputy Regent and the Mayor/Deputy Mayor is be borne by APBK and APBA.

Second Section

Election Stages

Article 66

- (1) The stages and schedule for the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor is stipulated by KIP.
- (2) The process for the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor is conducted through the stages of preparation, nomination, convening of election, ratification of election result and inauguration.
- (3) The preparation stage of the election covers:
 - a. The formation and ratification of Aceh KIP and District/city KIP;
 - b. The notification by DPRA to Aceh KIP regarding the expiry of the term of service of the Governor/Deputy Governor;
 - c. The notification by DPRK to District/city KIP regarding the expiry of the term of service of the Regent/Deputy Regent and the Mayor/Deputy Mayor;
 - d. The planning of the convening of the election, which covers the stipulation of the procedure and schedule of the convening stages of the election for the Governor/Deputy Government, the Regent/Deputy Regent and the Mayor/Deputy Mayor;
 - e. The formation of Supervisory Committee, District/City Election Committee, Gampong Election Committee and Voting Organizing Committee; and
 - f. The notification and registration of election monitors.
- (4) The election stage as meant in clause (2) covers:
 - a. Registration and stipulation of the list of voters;

- b. The registration and stipulation of the candidates for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor;
 - c. The campaign;
 - d. The voting;
 - e. The vote counting;
 - f. The determination of the elected pairs of candidates for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor, their ratification and inauguration;
- (5) The registration and stipulation as meant in clause (4) letter b, covers:
- a. The administrative examination of the nominees as pair of candidates by KIP;
 - b. The determination of the nominees as pair of candidates by KIP; and
 - c. The explanation of the vision and mission of the nominees as pair of candidates in the special plenary meeting of DPRA and DPRK;
- (6) The procedure for the convening of election stages as meant in clause (2), clause (3), clause (4) and clause (5) is stipulated by KIP guided by qanun.

Third Section

Nomination

Article 67

- (1) The pair of candidates for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor as meant in article 65 clause (1) is submitted by:
- a. Political party or coalition of political party;
 - b. Local political party or coalition of local political party;
 - c. Coalition of political party and local political party; and/or
 - d. individuals.
- (2) The candidates for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor must fulfill the following requirements:
- a. The citizen of the Republic of Indonesia;
 - b. Practice the syari'at of their religion;
 - c. Loyal to the 1945 Constitution of the Republic of Indonesia;
 - d. Having the education of at the minimum Senior High School or its equivalent;
 - e. Having the age of at the minimum 30 (thirty) years old;

- f. Physically and mentally healthy and free from narcotics and drugs based on the result of comprehensive health examination from the team of doctors;
- g. Has never been sentenced with imprisonment for committing criminal offence sanctioned with imprisonment of at the minimum 5 (five) years based on court decision having permanent legal force, except for coup d'état or political offences which have received amnesty/rehabilitation;
- h. His/her voting right is not being revoked based on court decision having permanent legal force;
- i. Has never commit disgraceful deeds;
- j. Familiar with his/her region and well-known by the community in his/her region;
- k. Submit list of private assets and is willing to have that list publicized;
- l. Not having the status as the functionary Governor/Regent/Mayor; and
- m. Not being liable for a debt either as a person and/or as a legal entity which impaired the state finance.

Article 68

- (1) In addition to the requirements as meant in Article 67 clause (2), the individual candidate must obtain support at least 3% (three percent) of the total number of residents spread out in at least 50% (fifty percent) of the total number of regencies/cities for the election for the governor/deputy governor and 50% (fifty percent) of the total number of districts for the election for the regent/deputy regent or the mayor/deputy mayor.
- (2) The support as meant in clause (1) is supplemented by the evidence of identification document and complemented by written statement.

Article 69

The ratification and inauguration stage of the elected Governor and the Deputy Governor cover:

- a. The delivery of election result by KIP to DPRA and then to be forwarded to the President;
- b. The ratification of the elected Governor and Deputy Governor by the President; and
- c. The inauguration and taking of oath of service for the Governor and the Deputy Governor are conducted by the Minister of Home Affairs on behalf of the President of the Republic of Indonesia before the Chairman of Aceh Syar'iyah Court in the plenary meeting of DPRA.

Article 70

The ratification and inauguration stage of the elected Regent/Deputy Regent and Mayor/Deputy Mayor cover:

- a. The delivery of the election result by District/city KIP to DPRK and then to be forwarded to the Governor;

- b. The ratification of the elected Regent/Deputy Regent and Mayor/Deputy Mayor conducted by the Minister of Home Affairs on behalf of the President; and
- c. The inauguration and the taking of oath of service for the Regent/Mayor and the Deputy Regent/Deputy Mayor are conducted by the Governor on behalf of President of the Republic of Indonesia before the Chairman of Syar'iyah Court in the plenary meeting of DPRK.

Fourth Section

Voter and Voter's Right

Article 71

- (1) Voter for the election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor is Indonesian citizen domiciled in Aceh or in the District/city which on the date of voting has fulfilled the following requirements:
 - a. Having the age of at the minimum 17 (seventeen) years old or has been married/has ever married;
 - b. not mentally disturbed;
 - c. His/her voting right is not being revoked based on court decision having permanent legal force; and
 - d. registered as voter.
- (2) An Indonesian citizen who has been registered in list of voters however no longer qualified as meant in clause (1) cannot use his/her voting right.

Article 72

Voters in Aceh, as meant in Article 71, have the rights to:

- a. Elect the Governor and the Deputy Governor, the Regent and the Deputy Regent, as well as the Mayor and the Deputy Mayor;
- b. Supervise the election process of the Governor and the Deputy Governor, the Regent and the Deputy Regent as well as the Mayor and the Deputy Mayor;
- c. Submit the proposal for the policy on the governing of Aceh/District/City Government;
- d. Submit the proposal regarding the perfecting of and amendment to Qanun; and
- e. Supervise the utilization of budget.

Article 73

The convening of the Election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor as meant in Article 66, Article 67, Article 68, Article 69, Article 70, Article 71 and Article 72 is stipulated further by qanun, guided by the statutory regulations.

Fifth Section

The Settlement of Dispute over the Result of the Election for the Governor/Deputy Governor, the regent/deputy regent and the mayor/deputy mayor

Article 74

- (1) The participants of the election for the Governor/Deputy Governor, the regent/deputy regent or the mayor/deputy mayor are entitled to submit objection towards the result of the election stipulated by KIP.
- (2) The objection as meant in clause (1) can only be submitted by the pair of candidates to the Supreme Court at least within 3 (three) working days after the result of the election is stipulated.
- (3) The objection as meant in clause (1) is only against the result of vote counting which affects the pair of candidates being elected or not.
- (4) The Supreme Court will decide the dispute over the result of the vote counting as meant in clause (1), clause (2), and clause (3) at the latest 14 (fourteen) days as of the receipt of petition for objection.
- (5) The Supreme Court forwards the decision on the dispute over the vote counting as meant in clause (4) to:
 - a. KIP;
 - b. The pair of candidates;
 - c. DPRA/DPRK;
 - d. The Governor/regent/mayor; and
 - e. Political party or coalition of political party, local political party or coalition of local political party, or coalition of political party and local political party, nominating the candidates.
- (6) The decision of the Supreme Court as meant in clause (4) and clause (5) is final and binding.

CHAPTER XI

LOCAL POLITICAL PARTY

First Section

Formation

Article 75

- (1) Resident in Aceh may form local political party.

- (2) Local political party is established and formed by at least 50 (fifty) Citizens of the Republic of Indonesia having the age of 21 (twenty one) years old which have permanently domiciled in Aceh by heeding the representation of women at least 30% (thirty percent).
- (3) Local political party as meant in clause (2) is established by means of notarial deed containing articles of association and rules of association as well as its organizational structure.
- (4) The management of a local political party is domiciled in the Capital City of Aceh.
- (5) The management of a local political party as meant in clause (4) by heeding the representation of women of at least 30% (thirty percent).
- (6) Local political party has name, crest, and symbol which essentially or entirely do not have any resemblance to the name, crest, and symbol of other political party or local political party.
- (7) Local political party has permanent office.
- (8) In order to be registered and legalized as legal entity, in addition to fulfilling the requirements as meant in clause (2), clause (3), clause (4), clause (5), clause (6) and clause (7), local political party must have a management of at least 50% in the District/city and 25% (twenty five percent) of the total number of districts in each of the relevant District/city.

Article 76

- (1) Local Political Party which has fulfilled the requirements as meant in Article 75 is registered and legalized as legal entity at the Regional office of the Department in Aceh whose scope of work is in the Law and Human Rights sector, through an extension of authority from the authorized Minister.
- (2) The legalization of local political party as meant in clause (1) is published in the State Gazette.
- (3) The amendment to the articles of association, rules of association, name, crest, symbol and management of local political party is registered at the Regional Office of the department in Aceh whose scope of work is in the law and human rights sector.

Second Section

Principles, Objectives and Functions

Article 77

- (1) The principles of local party may not contradict to Pancasila and the 1945 Constitution of the Republic of Indonesia.

- (2) Local political party may incorporate certain characteristics which are reflecting the aspiration, religion, traditional customs and philosophy of live of Aceh people.

Article 78

- (1) The general objectives of local political party are:
- a. Materializing the national ideal of the Indonesian nation as meant in the Preamble of the 1945 Constitution of the Republic of Indonesia;
 - b. Developing democratic life based on Pancasila by holding in the highest regard the sovereignty of the people in the Unitary State of the Republic of Indonesia; and
 - c. Materializing the welfare for all Aceh community.
- (2) The specific objectives of local political party are:
- a. Improving political participation of Aceh community in the framework of administering the regional government; and
 - b. Striving for the ideal of local political parties in the life of the community, the nation and the state in accordance with the specific characteristics and specialty of Aceh.
- (3) The objectives of local political party as meant in clause (1) and clause (2) is materialized constitutionally.

Article 79

Local political party is functioning as the facility for:

- a. political education for its members and the community;
- b. the creation of conducive circumstances for the unity and integrity of Indonesian nation for the welfare of the people;
- c. absorbing, collecting and conveying political aspiration of the people; and
- d. political participation of the people.

Third Section

Rights and Obligations

Article 80

- (1) Local political party is entitled to:
- a. Receive same, equal, and fair treatment from Aceh and District/city Government;
 - b. Independently manage and administer domestic affairs of the organization;

- c. Obtain copyright over the name, crest and symbol of the party from the department having scope of works in law and human rights sector;
 - d. Participate in the general election to elect members of DPRA and DPRK;
 - e. Nominate the candidate to fill in the membership of DPRA and DPRK
 - f. Propose the dismissal of its members in DPRA and DPRK;
 - g. Propose the interim replacement of its members in DPRA and DPRK;
 - h. Propose the pair of candidates for the Governor and the Deputy Governor, the candidates for the Regent and the Deputy Regent, as well as the candidates for the Mayor and the Deputy Mayor in Aceh; and
 - i. Make an affiliation or cooperation in other forms with fellow local political parties or national political parties.
- (2) The implementation of the provisions as meant in clause (1) letter d, letter e, letter f, letter g, and letter h is stipulated by Aceh Qanun.

Article 81

Local political party is be obliged to:

- a. practice Pancasila, implement the 1945 Constitution of the Republic of Indonesia and other statutory regulations;
- b. maintain the unity of the Unitary State of the Republic of Indonesia;
- c. participate in the development of Aceh and the national development;
- d. respect the supremacy of law, democracy, and human rights;
- e. conduct political education and convey the political aspiration of its members;
- f. to make the general election at the regional and national level successful;
- g. conduct data collection and maintain the data of its members;
- h. maintain bookkeeping, list of donators and amount of donation received, as well as publicize them for the information of the community and the government;
- i. prepare periodic financial report; and
- j. have special account for the funding of the party.

Fourth Section

Prohibitions

Article 82

- (1) Local political party is prohibited to use name, crest, or symbol which is similar to:

- a. the state flag or crest of the Republic of Indonesia;
 - b. the crest of the state or the crest of the Government;
 - c. the crest of the region of Aceh;
 - d. the name, flag, or crest of other states or international institutions/agencies;
 - e. the name and picture of a person; or
 - f. having similarity in the essence or in its entirety to other political party or local political party.
- (2) Local political party is prohibited to:
- a. Conduct activity which is contradictory to Pancasila, the 1945 Constitution of the Republic of Indonesia or other statutory regulations;
 - b. Conduct activity which is endangering the unity of the Unitary State of the Republic of Indonesia;
 - c. Receive or give donation to foreign party in any form whatsoever, which is contradictory to the statutory regulations;
 - d. Receive donation, either in the form of goods or money, from any party whomsoever without clearly mentioning the identity;
 - e. Receive donation from an individual and/or a company/business entity exceeding the limit stipulated by the statutory regulations; or
 - f. Request or receive fund from state owned enterprise, regional government owned enterprise, village owned enterprise or by any other names, cooperatives, foundation, non governmental organization, mass organization, and humanity organization.
- (3) Local political party is prohibited to establish business entity and/or own share in a business entity.
- (4) Local political party is prohibited to adhere to, develop, and spread out the teachings of communism and Marxism-Leninism.

Fifth Section

Membership and Sovereignty of Members

Article 83

- (1) Citizen of the Republic of Indonesia who is permanently domiciled in Aceh may become a member of local political party if he/she has reached the age of 17 (seventeen) years old or has been/has ever married.
- (2) The membership of local political party is voluntary in nature, open and non-discriminative to each Citizen of the Republic of Indonesia who permanently domiciled in Aceh and consents to the Articles of Association and Rules of Association of the relevant local political party.
- (3) The membership as meant in clause (2) may concurrently have membership in one of the political parties.

- (4) The membership, sovereignty of the members, the management of local political party is stipulated in the Articles of Association and Rules of Association of the local political party.

Sixth Section

Finance

Article 84

- (1) The finance of local political party is deriving from:
- a. Contribution of the members;
 - b. donation which is rightful according to law; and
 - c. Aid from APBA and APBK
- (2) Donation as meant in clause (1) letter b may be in the form of money, goods, facilities, equipments, and/or services.
- (3) Aid as meant in clause (1) letter c is provided proportionally to political party acquiring seats in the people's representatives institutions of Aceh and the District/City.
- (4) The further procedure for distribution of the aid as meant in clause (3) is stipulated by qanun.

Article 85

Local political party as meant in Article 84 clause (1) letter b may receive aid which is deriving from:

- a. member and non-member at the most the amount of Rp. 200.000.000,00 (two hundred million rupiah) within 1 (one) year.
- b. company and/or business entity at the most the amount of Rp. 800.000.000,00 (eight hundred million rupiah) within 1 (one) year.

Seventh Section

Sanctions

Article 86

- (1) Any person giving donation to local political party exceeding the provision as meant in Article 85 is sanctioned with confinement for at the most 6 (six) months and/or with a fine of at the most Rp. 800.000.000,00 (eight hundred million rupiah).
- (2) Any person influencing or forcing so that the person and/or the company/business entity give donation to political party exceeding the provision as meant in Article 85 is sanctioned with confinement for at the most 6 (six) months and/or a fine of at the most Rp. 800.000.000,00 (eight hundred million rupiah).

(3)The committee of local political party that:

a.receive donation from an individual and/or a company/business entity exceeding the provision as meant in Article 85 is sanctioned with confinement of at the most 6 (six) months and/or a fine of at the most Rp. 800.000.000,00 (eight hundred million rupiah).

b.violates as meant in Article 82 clause (2) letter d and letter f is sanctioned with confinement of at the most 6 (six) months and/or a fine of the most Rp 1.000.000.000,00 (one billion rupiah).

c.uses his/her party to conduct activity as meant in Article 82 clause (4) is prosecuted due to the crime against the State Security based on Article 107 letter c, letter d, and letter e of the Criminal Law Code as well as the party may be dissolved.

(4) The aid received by the local political party from the individuals and/or company/business entity which exceeds the limit provision as meant in Article 85 is seized for the State.

(5)Violation over the provisions as meant in:

a.Article 75 and Article 77 clause (1) is imposed with administrative sanction in the form of rejection of registration as local political party by the Regional Office of the Department whose scope of work is in the field of Law and Human Rights.

b.Article 81 letter h is imposed with administrative sanction in the form of open warning by Aceh KIP.

c.Article 81 letter i and letter j is imposed with administrative sanction in the form of termination of aid from APBA and APBK.

Article 87

(1) Violation of the provisions as meant in Article 82 clause (1) is imposed with administrative sanction in the form of rejection of registration as local political party by the Regional Office of the Department whose scope of work is in the field of Law and Human Rights

(2) Violation of the provisions as meant in Article 82 clause (2) letter a and letter b is imposed with administrative sanction in the form of temporary liquidation of the local political party for at the most 1 (one) year by district court whose legal jurisdiction covers the domicile of the local political party.

(3) Violation of the provisions as meant in Article 82 clause (2) letter c, letter d, letter e and letter f is imposed with administrative sanction in the form of open warning by Aceh KIP.

(4) Violation of the provisions as meant in Article 82 clause (3) is imposed with administrative sanction in the form of prohibition to participate in the subsequent general election by the district court whose legal jurisdiction covers the domicile of the local political party as meant in clause (2).

(5) Before the imposition of the administrative sanction as meant in clause (1), clause (2), clause (3), and clause (4),

the committee of the relevant local political party must first be heard for his/her explanation.

Article 88

- (1) Local political party committing violation of Article 82 clause (4) is dissolved based on the decision of the Constitutional Court.
- (2) Local political party which has been liquidated as meant in Article 87 clause (2) and which has once again committed violation of the provisions as meant in Article 82 clause (2) letter a and letter b is dissolved based on the decision of the Constitutional Court.

Eighth Section

The Requirements to Participate in the General Election for DPRA/DPRK, Election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor

Article 89

- (1) In order to participate in the general election for DPRA/DPRK, a local political party must fulfill the following requirements:
 - a. Has been legalized as a legal entity;
 - b. Has a complete management of at least in 2/3 (two third) of the total number of regencies/cities in Aceh;
 - c. Has complete committee of at least in 2/3 (two third) of the total number of districts in each District/city as meant in letter b;
 - d. Has members of at least 1/1000 (one thousandth) of the total number of residents in each management of local political party as meant in letter c, as proven by the identification card as a member of the local party;
 - e. The committee as meant in letter b and letter c must have permanent office;
 - f. Has submitted the name and symbol to KIP
- (2) Local political party which has been registered, however does not fulfill the requirements as meant in clause (1) can not become a participant of the election for DPRA/DPRK.
- (3) Aceh KIP stipulates the procedure of the examination and perform the examination towards the legality of the requirements as meant in clause (1).
- (4) The stipulation on the procedure for the examination, the performance of examination, and the stipulation of the legality of the comprehensiveness of the requirements as meant in clause (1) is conducted by Aceh KIP and final in nature.

Article 90

In order to participate in the subsequent general election, local political party of the general election participant must:

- a. acquired at least 5% (five percent) of the total number of seats in DPRA; or
- b. acquired at least 5% (five percent) of the total number of seats in DPRK spread out in at least ½ (one half) of the total number of regencies/cities in Aceh.

Article 91

- (1) Local political party or coalition of local political parties or coalition of political party and local political party may propose a pair of candidates for the Election for the Governor/Deputy Governor, the Regent/Deputy Regent, and the Mayor/Deputy Mayor.
- (2) Local political party or coalition of local political parties or coalition of political party and local political party as meant in clause (1) may register its pair of candidates if it fulfills the requirement for the acquirement of at least 15% (fifteen percent) of the total number of seats in DPRA or 15% (fifteen percent) of the accumulation of the acquirement of legitimate votes in the General Election for the members of DPRA in the relevant region.
- (3) Local political party or coalition of local political parties or coalition of political party and local political party as meant in clause (2) is obliged to provide the widest opportunity for the nominees of individual candidates who have fulfilled the requirements as meant in Article 66 clause (1) letter d and Article 67 clause (2).
- (4) Local political party or coalition of local political parties or coalition of political party and local political party, when registering its pair of candidates, is obliged to present:
 - a. nomination letter signed by the leadership of local political party or the leadership of local political parties joining the coalition;
 - b. written agreement among local political parties joining the coalition to nominate the pair of candidates;
 - c. statement letter stating that it will not withdraw the nomination of the pair candidates being nominated which is signed by the leadership of the local political party or the leadership of local political parties joining the coalition;
 - d. statement letter stating the willingness of the relevant persons to be the candidates for the head of the region and the deputy head of the region as a pair;
 - e. statement letter stating that they will not withdraw themselves as a pair of candidates;

- f. statement letter stating their willingness to resign from their positions if they are elected as Governor/Deputy Governor, Regent/Deputy Regent and Mayor/Deputy Mayor in accordance with the statutory regulations;
 - g. statement letter of resigning from their positions as officials for candidates from Civilian Government Employees, members of Indonesian National Army, and members of the National Police of the Republic of Indonesia;
 - h. statement letter stating that they are inactive from their positions, for the leadership of DPRA/DPRK if they become the candidates in the region which region is under their working area;
 - i. notification letter to the leadership, for members of DPR (the House of People's Representatives), DPD (the Regional Representatives Board) and DPRA/DPRK nominating themselves as the candidates for the Governor/Deputy Governor, the Regent/Deputy Regent, and the Mayor/Deputy Mayor;
 - j. comprehensiveness of the requirements as the candidates for the Governor/Deputy Governor, the Regent/Deputy Regent, and the Mayor/Deputy Mayor as meant in Article 67 clause (2); and
 - k. the manuscript regarding the vision, mission, and program of the pair of candidates in writing.
- (5) Local political party or coalition of local political parties or coalition of political party and local political party as meant in clause (4) can only nominate one pair of candidates and such pair of candidates can not be nominated again by other local political parties or other coalition of local political parties.
- (6) In the determination process for the pair of candidates, the local political party or coalition of local political parties observes the opinion and responses from the community.
- (7) The period for the registration of the pair of candidates as meant in clause (4) is at the latest within 7 (seven) days as of the date of publication for the registration of the pair of candidates.

Ninth Section

Supervision

Article 92

Supervision over the implementation of the provisions of this law will cover the following tasks:

- a. conduct administrative and substantive examination over the deed of establishment and the requirements for the establishment of local political party as meant in Article 75 and Article 77;
- b. conduct verification over the management of local political party contained in the deed of establishment of political party and the management as meant in Article 75 and Article 87;
- c. conduct verification over the name, crest and symbol of the political party as meant in Article 82 clause (1);

- d. receive report over the amendment to the articles of association and the rules of association, the name, crest, and symbol of local political party as meant in Article 76 clause (3) and the replacement or substitution of the management of local political party.
- e. request for the audit result of the annual financial statement of the local political party and the audit result of the financial report over the general election campaign fund as meant in Article 81 letter h, letter i, and letter j; and
- f. conduct examination over the possibility of the committing of violation over the prohibitions for local political party as meant in Article 82 clause (2), clause (3) and clause (4).

Article 93

- (1) Supervision as meant in Article 92 is conducted by:
 - a. The Regional Office of the Department having the expertise over law and human rights sector in performing the tasks as meant in Article 92 letter a, letter b, letter c, and letter d;
 - b. Independent Election Commission in performing the tasks as meant in Article 92 letter e; and
 - c. The Governor as the representative of the government in performing the tasks as meant in Article 92 letter f.
- (2) Follow up of the supervision as meant in clause (1) is conducted in accordance with the statutory regulations.

Article 94

The Government, Aceh/District and City Government do not conduct supervision over the implementation of the functions and rights of local political party as meant in Article 79 and Article 80.

Article 95

Further stipulation regarding local political party is stipulated by Government Regulation.

CHAPTER XII

WALI NANGGROE INSTITUTION

Article 96

- (1) Wali Nanggroe Institution is an indigenous leadership as community unifier which is independent, respected and authorized to foster and supervise the administration of the life of indigenous institutions, traditional customs, and the granting of title/degree and other indigenous ceremonies.
- (2) Wali Nanggroe Institution as meant in clause (1) is not a political and governmental institution in Aceh.
- (3) Wali Nanggroe Institution as meant in clause (1) is lead by a Wali Nanggroe who is personal and independent in nature.

- (4) The requirements for the candidates, election procedure, election participants, term of service, protocol position, financial affairs, and other provisions concerning Wali Nanggroe is stipulated by Aceh Qanun

Article 97

Wali Nanggroe is entitled to grant honorary title or indigenous degree to an individual or an institution, both domestic and foreign, which criteria and procedure are stipulated by Aceh Qanun.

CHAPTER XIII

INDIGENOUS INSTITUTIONS

Article 98

- (1) Indigenous institution has function and role as community participation device in administering the Governing of Aceh, in the sectors of security, safety, tranquility, harmony and public order.
- (2) The settlement of community social problems in an indigenous manner is conducted through indigenous institutions.
- (3) Indigenous institutions as meant in clause (1) and clause (2) cover:
- a. Aceh Tradition Assembly (Majelis Adat Aceh);
 - b. imeum mukim or by any other names;
 - c. imeum chik or by any other names;
 - d. keuchik or by any other names;
 - e. tuha peut or by any other names;
 - f. tuha lapan or by any other names;
 - g. imeum meunasah or by any other names;
 - h. keujreun blang or by any other names;
 - i. panglima laot or by any other names;
 - j. pawang glee or by any other names;
 - k. peutua seuneubok or by any other names;
 - l. haria peukan or by any other names; and
 - m. syahbanda or by any other names.
- (4) Further provision regarding the tasks, authorities, rights and obligations of indigenous institutions, the empowerment of customs and traditions as meant in clause (1), clause (2) and clause (3) is stipulated by Aceh Qanun.

Article 99

- (1) The fostering of the customs and traditional life in accordance with the development and specialty of Aceh based on Islamic syari'at values is conducted by Nanggroe Guardian.
- (2) The formulation of generally applicable indigenous provisions in Aceh community is conducted by indigenous institutions with the considerations of Nanggroe Guardian.
- (3) Further provision regarding the matters as meant in clause (1) and clause (2) is stipulated by Aceh Qanun.

CHAPTER XIV

ACEH AND DISTRICT/CITY REGIONAL APPARATUS

First Section

General

Article 100

- (1) Aceh regional apparatus consists of the Aceh Regional Secretariat, DPRA Secretariat, Aceh Service Offices, and Aceh technical institutions is stipulated by Aceh Qanun.
- (2) District/City will consists of District/City Regional Secretariat, DPRK Secretariat, District/City Service Office, District/City technical institutions, Sub-Districts, which will be stipulated by District/City Qanun.

Second Section

Aceh Regional Secretariat

Article 101

- (1) Aceh Regional Secretariat is led by Aceh Regional Secretary.
- (2) Aceh Regional Secretary as meant in clause (1) has the tasks, functions, and authorities to:
 - a. Assist the Governor in formulating the policies;
 - b. Coordinate Aceh Province service offices, institutions, and agencies; and
 - c. Foster Civilian Government Employee in Aceh territory.
- (3) In the performance of the tasks, functions and authorities as meant in clause (2), Aceh Regional Secretary is accountable to the Governor.
- (4) In the case Aceh Regional Secretary is impeded to perform his/her tasks, the tasks of the Regional Secretary are performed by an official appointed by the Governor.
- (5) Further stipulation regarding the organizational structure, functions, tasks and authorities of Aceh Regional Secretariat will is regulated by Aceh qanun guided by the stipulation of law.

Article 102

- (1) Aceh Regional Secretary is appointed from qualified Civilian Government Employee.
- (2) The Governor consults the President before determining a candidate for Aceh Regional Secretary.
- (3) The Governor determines a candidate for Aceh Regional Secretary and conveys such determination to the President to be decided.
- (4) The President decides the candidate as meant in clause (3) to be Aceh Regional Secretary by Presidential Decree.

Article 103

- (1) The Governor consults with the President before Aceh Regional Secretary is dismissed.
- (2) The Governor decides Aceh Regional Secretary to be dismissed and such dismissal will be conveyed to the President.
- (3) The President decides the dismissal of Aceh Regional Secretary as meant in clause (1) by Presidential Decree.

Third Section

District/City Regional Secretariat

Article 104

- (1) District/City Secretariat is led by the District/City Regional Secretary.
- (2) District/City Regional Secretary as meant in clause (1) has the tasks, functions and authorities to:
 - a. Assist the regent/mayor in formulating policies;
 - b. Coordinate district/city service offices, institutions and agencies;
 - c. Foster Civilian Government Employee in the district/city.
- (3) In performing the tasks, functions and authorities as meant in clause (2), the District/City Regional Secretary is accountable to the Regent/Mayor.
- (4) In the case the District/City Regional Secretary is impeded in performing his/her tasks, the tasks of the Secretary are performed by the official appointed by the Regent/Mayor.
- (5) Further stipulation regarding the organizational structure, tasks and functions of District/City Regional Secretariat are regulated by district/city qanun based on the stipulation of law.

Article 105

- (1) District/city regional secretary is appointed from qualified Civilian Government Employee.

- (2) The district/mayor consults with the Governor before determining a candidate for district/city regional secretary.
- (3) The regent/mayor determines a candidate for district/city regional secretary and conveys such determination to the Governor to be decided.
- (4) The Governor decides the candidate as meant in clause (3) to be the district/city regional secretary by the Governor Decree.

Article 106

- (1) The regent/mayor consults with the Governor before the district/city regional secretary is dismissed.
- (2) The regent/mayor determines the district/city regional secretary to be dismissed and such dismissal is conveyed to the Governor.
- (3) The Governor decides the dismissal of the district/city regional secretary as meant in clause (1) by Governor Decree.

Article 107

Further Stipulation regarding the requirements and procedure for the appointment and dismissal of Aceh Regional Secretary and the District/City Regional Secretary is regulated by Government Regulation.

Fourth Section

DPRA Secretariat

Article 108

- (1) DPRA Secretariat is led by DPRA Secretary.
- (2) DPRA Secretary as meant in clause (1) is appointed and dismissed by the Governor in consultation with the leadership of DPRA.
- (3) DPRA Secretary has the tasks of:
 - a. Managing the administration of DPRA secretariat;
 - b. Arranging the budget plan of DPRA Secretariat and manage the financial administration;
 - c. Managing and conducting the administration of the expenditure budget of DPRA;
 - d. Supporting the performance of the tasks and function of DPRA; and
 - e. Providing and coordinating experts required by DPRA in performing its functions in accordance with the financial capability of the region.

- (4) DPRA Secretary in providing the experts as meant in clause (3) letter e is obliged to request consideration from the leadership of DPRA.
- (5) DPRA Secretary in performing his/her tasks is operationally under and accountable to the leadership of DPRA and administratively under the coordination of Aceh Regional Secretary.
- (6) Further Stipulation regarding the organizational structure of DPRA Secretariat is regulated in Aceh Qanun.

Fifth Section

DPRK Secretariat

Article 109

- (1) DPRK Secretariat is led by DPRK Secretary.
- (2) DPRK Secretary as meant in clause (1) will be appointed and dismissed by the Regent/Mayor after consulting the leadership of DPRK.
- (3) DPRK Secretary has the tasks of:
 - a. Managing the administration of DPRK secretariat;
 - b. Arranging the budget plan of DPRK Secretariat and managing the financial administration;
 - c. Managing and conducting administration of expenditure budget of DPRK;
 - d. Supporting the performance of the tasks and functions of DPRK; and
 - e. Providing and coordinating experts required by DPRK in performing its functions in accordance with the financial capability of the District/City.
- (4) DPRK Secretary in providing the experts as meant in clause (3) letter d is obliged to request consideration from the leadership of DPRK.
- (5) DPRK Secretary in performing his/her tasks is operationally under and accountable to the leadership of DPRK and administratively under the coordination of the district/city Regional Secretary.
- (6) Further Stipulation regarding the organizational structure of DPRK Secretariat is regulated by District/City Qanun.

Sixth Section

Aceh and District/City Service Offices, Agencies and Technical Institutions

Article 110

- (1) Aceh and District/City Service Offices are the implementing elements of Aceh Government and District/City Government.

- (2) Aceh and district/city Service Offices are led by the head of service offices appointed from qualified Civilian Government Employee in accordance with the stipulation of law.
- (3) The Head of Aceh Service Offices as meant in clause (2) is appointed and dismissed by the Governor upon the proposal of Aceh Regional Secretary.
- (4) The Head of District/City Service Offices is appointed and dismissed by the Regent/Mayor upon the proposal of the district/city Regional Secretary.
- (5) In undertaking his/her duties, the Head of Aceh Service Offices is accountable to the Governor through Aceh Regional Secretary.
- (6) In undertaking his/her duties, the Head of district/city Service Offices is accountable to the Regent/Mayor through the district/city Regional Secretary.

Article 111

- (1) Aceh technical institutions is the supporting elements of the tasks of the Governor in the formulation and implementation of Aceh policies which are specific in characteristic in the form of agencies or offices.
- (2) The district/city technical institutions are the supporting elements of the tasks of the Regent/Mayor in the formulation and implementation of the district/city policies which are specific in characteristic in the form of agencies or offices.
- (3) Aceh and district/city agencies or offices are led by the Heads of the agencies/offices who are appointed from qualified Civilian Government Employee in accordance with the stipulation of law.
- (4) The head of Aceh agencies or offices as meant in clause (3) are appointed and dismissed by the Governor upon the proposal of Aceh Regional Secretary.
- (5) The heads of district/city agencies or offices as meant in clause (3) are appointed and dismissed by the Regent/Mayor upon the proposal of the district/city Regional Secretary.
- (6) In undertaking their duties, the heads of Aceh agencies or offices are accountable to the Governor through Aceh Regional Secretary.
- (7) In undertaking their duties, the heads of district/city agencies or offices are accountable to the Regent/Mayor through the district/city Regional Secretary.

Seventh Section

Sub-Districts (Kecamatan)

Article 112

- (1) The Sub-District is led by Camat.

- (2) In implementing his/her tasks, camat receives delegation of the authorities of regent/mayor for handling administrative affairs of the district/city.
- (3) In addition to the tasks as meant in clause (2), camat also perform the general tasks of the administration which cover:
 - a. Administering governmental activity at District level;
 - b. Fostering for the administering of Mukim, Sub-district and Gampong administration;
 - c. Performing public service which become his/her scope of work and/or which cannot yet be performed by Mukim, Sub-district and Gampong administration;
 - d. Coordinating:
 - 1) community empowerment activities;
 - 2) the effort for the administering of community tranquility and public order;
 - 3) the implementation and enforcement of stipulation of law; and
 - 4) the maintenance of infrastructures and public service facilities.
- (4) The appointment and dismissal of camat is conducted by the regent/mayor.
- (5) Camat as meant in clause (4) is appointed by the regent/mayor upon the proposal of the district/city regional Secretary from the qualified Civilian Government Employee in accordance with the stipulation of law.
- (6) Camat in performing the tasks as meant in clause (3) is assisted by Districts apparatus and is accountable to the Regent/Mayor through the district/city Regional Secretary.
- (7) District Apparatus as meant in clause (6) is accountable to Camat.
- (8) Further stipulation regarding the implementation of the provisions as meant in clause (1), clause (2), clause (3), clause (4), clause (5), clause (6), and clause (7) is regulated by Regent/Mayor Regulation based on District/City Qanun.

Eighth Section

Cluster of Sub-districts (Kelurahan)

Article 113

- (1) Cluster of Sub-district is formed in district territory by district/city qanun and is based on Government Regulation.
- (2) Cluster of Sub-district as meant in clause (1) is led by Lurah whom in the performance of his/her tasks receives delegation from the Regent/Mayor.
- (3) In addition to the tasks as meant in clause (2), Lurah has the tasks to:
 - a. Perform cluster of sub-district administrative activities;

- b. Empower the community;
 - c. Provide services to the community;
 - d. Foster the establishment of public tranquility and order; and
 - e. Develop as well as maintain infrastructures and public service facilities.
- (4) Lurah as meant in clause (2) is appointed by the Regent/Mayor upon the proposal of Camat from qualified Civilian Government Employee in accordance with the stipulation of law.
 - (5) In performing the tasks as meant in clause (3), Lurah is accountable to Camat.
 - (6) Lurah, in performing the tasks as meant in clause (3), is assisted by cluster of sub-district apparatus.
 - (7) The cluster of sub-district apparatus, as meant in clause (6), in undertaking their duties is is accountable to Lurah.
 - (8) For the effectivity of the tasks of Lurah as meant in clause (2) and clause(3), other institutions may be formed in accordance with the need which will be decided by Regent/Mayor Regulation.
 - (9) Further stipulation regarding the matter as meant in clause (2), clause (3), clause (4), clause (5), clause (6), and clause (7) is regulated by Regent/Mayor Regulation in accordance with the stipulation of law.

CHAPTER XV

MUKIM AND GAMPONG

First Section

Mukim

Article 114

- (1) Mukim which consists of several gampong is formed in the of district/city area.
- (2) Mukim is led by Imelum Mukim as the conductor of the tasks and functions of Mukim whom is assisted by Tuha Peuet Mukim or other names.
- (3) Imelum Mukim is elected through Mukim Council Meeting for 5 (five) years of office terms.
- (4) Further stipulation regarding the organizations, tasks, functions, and comprehensiveness of Mukim is regulated by District/city Qanun.
- (5) Further stipulation regarding the manner of electing the Imelum Mukim will is regulated by Aceh Qanun.

Second Section

Gampong

Article 115

- (1) Gampong or by other names is formed in the district/city area

- (2) Gampong administration consists of keuchik and Gampong Consultative Body named Tuha Peuet or by other names.
- (3) Gampong is be led by a keuchik who is directly elected from and by the members of the community for 6 (six) years office term and may be re-elected only for one successive office term.

Article 116

- (1) In performing his/her tasks, keuchik is assisted by gampong apparatus consisting of gampong secretary and other gampong apparatus.
- (2) Gampong secretary as meant in clause (1) is appointed from qualified Civilian Government Employee in accordance with the stipulation of law.
- (3) In undertaking his/her duties the Gampong Secretary and other Gampong apparatus is accountable to the keuchik.

Article 117

- (1) The formation, amalgamation and/or elimination of Gampong is conducted by heeding of the origin and upon the initiative of the community.
- (2) Further stipulation regarding the position, functions, financing, organization and apparatus of Gampong administration or by other names is regulated by District/City Qanun.
- (3) Further stipulation regarding the means of electing the keuchik is regulated by by Aceh Qanun.

CHAPTER XVI

EMPLOYEE AFFAIRS

Article 118

- (1) Civil servants in Aceh is one unitary national civil servant management unit.
- (2) Civil servant Management in Aceh as meant in clause (1) consists of the decision on the formation, procurement, appointment, transferring, dismissal, stipulation of pension, salary, benefits, welfare, rights and obligations, legal standing, development of competence, and quantity control.
- (3) The managing of Civil servant management as meant in clause (2) may be delegated to Aceh and district/city Government.

Article 119

- (1) The appointment, transferring and dismissal of and from echelon II positions in Aceh Government will be decided by the Governor.
- (2) The appointment, transferring and dismissal of and from echelon II positions in district/city government is decided by the Regent/Mayor.

Article 120

- (1) The transferring of Civil servants among regencies/cities in Aceh will be decided by the Governor.
- (2) The transfer of Civil servants among districts/cities between provinces and among provinces is decided by the Minister of Domestic Affairs.
- (3) The transferring of Civil servants from Aceh/district/city to a Department/Non-Departmental Government Institution or vice versa is decided by the Minister of Domestic Affairs.
- (4) The transferring of Civil servants as meant in clause (1), clause (2), clause (3), is based on the norms, standards, procedures decided by the Head of the State Employee Affairs Agency.

Article 121

The decision of the formation of Civil servants of a region for every budgetary year will be proposed by the Governor to the Minister of State Apparatus Empowerment through the Minister of Domestic Affairs.

Article 122

Carrier development of Aceh/District/City Civil servants is conducted by heeding the integrity and morality, education and training, ranks, mutation of positions, mutation among regions, and competence.

Article 123

- (1) The salary and benefits of Civil servants in the region is imposed to APBA/APBK deriving from the basic allocation in the general allocation fund.
- (2) The calculation and adjustment of basic allocation unit as meant in clause (1) due to the appointment, dismissal, and/or transferring of Civil servants in the region is conducted each year.
- (3) The calculation of basic allocation as meant in clause (1) and clause (2) is based on the Law regarding Fiscal Balance between the Central Government and the Regional Government.

For the calculation of basic allocation adjustment as meant in clause (30), The Government conducts update of data regarding the appointment, dismissal and transferring of Aceh Government and/or district/city Civil servants.

Article 124

- (1) The fostering and supervision of Aceh/district/city Civil servants at the national level are coordinated by the Minister of Domestic Affairs and coordinated by the Governor for Aceh Government and/or district/city level.
- (2) The standards, norms and procedure for the fostering and supervision of Aceh Government and/or district/city Civil servants is regulated in by Government Regulation.

CHAPTER XVII

ISLAMIC SYARI'AT AND ITS IMPLEMENTATION

Article 125

- (1) Islamic Syari'at implemented in Aceh consists of aqidah, syari'ah and moral character (akhlak).
- (2) Islamic Syari'at as meant in clause (1) consists of religious service, ahwal al-syakhshiyah (family law), mu'amalah (civil law), jinayah (criminal law), qadha' (judiciary), tarbiyah (education), dakwah (Islamic religious proselytizing), syiar (dissemination of Islamic teaching) and Islamic defense.
- (3) Further stipulation regarding the implementation of Islamic syari'at as meant in clause (1) is regulated by Aceh Qanun.

Article 126

- (1) Each Moslem in Aceh will be obliged to comply with and practice Islamic Syari'at.
- (2) Every individual residing or present in Aceh are obliged to respect the implementation of Islamic Syari'at.

Article 127

- (1) Aceh Government and district/city government are responsible for the administering the implementation of Islamic syari'at.
- (2) Aceh Government and district/city government ensures the freedom, foster the harmony, honor the religious values adhered to by religious community and protect other religious community to perform religious service in accordance with the religion to which they adhere.
- (3) The Government, Aceh Government and district/city government will allocate fund and other resources for the implementation of Islamic syari'at.
- (4) The establishment of place of worship in Aceh must acquire permit from Aceh Government and/or district/city Government.
- (5) Further stipulation regarding the granting of permit as meant in clause (4) will be further stipulated by Qanun which heeds to the stipulation of law.

CHAPTER XVIII
SYAR'IYAH COURT

Article 128

- (1) Islamic Syari'at Judiciary in Aceh is a part of national judiciary system in the environs of religious affair judiciary performed by syar'iyah court which is free from the influence of any party.
- (2) Syar'iyah Court is the court for every person who embraces Islam and is in Aceh.
- (3) Syar'iyah Court is authorized to examine, try, provide ruling, and settle cases which consists the fields of ahwal al-syakhsiyah (family law), mu'amalah (civil law) and jinayah (criminal law) based on Islamic syari'at.
- (4) Further stipulation regarding the fields of ahwal al-syakhsiyah (family law), mu'amalah (civil law) and jinayah (criminal law) as meant in clause (3) is regulated by Aceh Qanun.

Article 129

- (1) In the case a jinayah (violation of law) deed conducted by two persons or more collectively which among them are non-Moslems, then the non-Moslem perpetrators may voluntarily choose and submit themselves to jinayah law.
- (2) Every non-Moslem conducting jinayah deed which is not regulated in the Criminal Code or the criminal stipulation outside the Criminal Code will imposed to jinayah law
- (3) Aceh citizen conducting jinayah deed outside Aceh are imposed to the Criminal Code

Article 130

Syar'iyah Court as meant in Article 128 clause (1) consist of district/city Syar'iyah Court as the first level court and Aceh Syar'iyah Court as the appellate level court.

Article 131

- (1) An appeal to the Supreme Court toward the decision of Aceh Syar'iah Court as meant in Article 128 clause (1) may be requested.
- (2) The appeal cases as meant in clause (1) which concerns marriage, talak (divorce formula), divorce and reconciliation are settled by the Supreme Court at the latest 30 (thirty) days as of the registration at the registrar office of the Supreme Court.

- (3) Toward the decision of Aceh Syar'iyah Court or Syar'iyah Court which has obtained permanent legal force, the relevant party may submit judicial review to the Supreme Court if there are certain matters or conditions stipulated in the stipulation of law.
- (4) Judicial review cases as meant in clause (3) which concerns marriage, talak (divorce formula), divorce and reconciliation are settled at the latest 30 (thirty) days as of the cases are registered at the registrar office of the Supreme Court.

Article 132

- (1) The procedural law applied in the syar'iah court is the procedural law regulated in Aceh Qanun.
- (2) Prior to the formation of Aceh Qanun regarding procedural law as meant in clause (1):
 - a. The applicable procedural law in syar'iah court to the extent concerning ahwal al-syakhsiyah and muamalah is the Procedural Law as applied in the court in the environs of religious affair judiciary unless specifically regulated in this Law.
 - b. The applicable procedural law in Syar'iah Court to the extent concerning jinayah is the procedural law as applied in the court in the environs of public judiciary unless specifically regulated in this Law.

Article 133

The investigation and examination duties for the enforcement of Islamic syari'at which become the authority of Syar'iyah Court to the extent concerning jinayah is conducted by the National Police of the Republic of Indonesia and the Civil Servant Investigator.

Article 134

- (1) The planning, procurement, education and training as well as the technical fostering towards Civil Servant Investigator as meant in Article 133 are facilitated by Aceh National Police of the Republic of Indonesia in accordance with the stipulation of law.
- (2) Further stipulation regarding the procedure for the appointment, requirements and education for Civil Servant Investigator as meant in clause (1) is regulated by Aceh Qanun.

Article 135

- (1) Syar'iyah Court Judges are appointed and dismissed by the President upon the proposal of the Chairman of the Supreme Court.

- (2) In the case there is a certain case which requires special expertise; the Chairman of the Supreme Court may suggest the appointment of ad hoc judges in Syar'iyah Court to the President.
- (3) The Chairman and Deputy Chairman of Aceh Syar'iyah Court are appointed by the Chairman of the Supreme Court by heeding their experience as appellate judges in Aceh Syar'iyah Court.
- (4) The Chairman and Deputy Chairman of district/city Syar'iyah Court are appointed by the Chairman of the Supreme Court upon the proposal of the Chairman of Aceh Syar'iyah Court.

Article 136

- (1) Technical training for judiciary, organization, administration and financial of Syar'iyah Court are performed by the Supreme Court.
- (2) The providing of facilities and infrastructures as well as the administering of Syar'iyah Court activities are funded from APBN, APBA and APBK.

Article 137

Authority Disputes between Syari'ah Court and courts in the environs of other judiciaries are the authority of the Supreme Court for the first level and the final level.

CHAPTER XIX

ULAMA CONSULTATIVE ASSEMBLY

Article 138

- (1) Ulama Consultative Assembly (MPU) is formed in Aceh/district/city whose members will be consisting of ulama and Moslem intellectuals whom comprehend Islamic religion, by heeding to women representation.
- (2) MPU as meant in clause (1) is independent in nature and the membership is elected in the ulama council meeting.
- (3) MPU is positioned as the partner of Aceh Government, district/city Government, DPRA and DPRK.
- (4) Further stipulation regarding the organizational structure, working order, protocol position, and other matters related to MPU are regulated by Aceh Qanun.

Article 139

- (1) MPU functions to decide legal guidance which can become one of the considerations against regional administrative policies in the sectors of administration, development, fostering of community and economic.

- (2) Further stipulation regarding the procedure for considerations as meant in clause (1) is regulated by Aceh Qanun.

Article 140

- (1) In order to perform the duties as meant in Article 139 clause (1), MPU has the following tasks and authorities:
 - a. Providing legal guidance either requested or not requested towards governmental issues, development issues, community fostering issues and economic issues; and
 - b. Providing directions for difference of opinion in the community concerning religious affairs.
- (2) In performing the tasks as meant in clause (1), MPU may include experts in the related fields of knowledge.

CHAPTER XX

DEVELOPMENT AND LAY OUT PLANNING

Article 141

- (1) The development planning of Aceh/district/city is arranged comprehensively as a part of national development planning system in the framework of the Unitary State of the Republic of Indonesia, by heeding:
 - a. Islamic values;
 - b. Social culture;
 - c. Sustainability and environmental perspective;
 - d. Justice and fair distribution; and
 - e. The necessity.
- (2) The planning of Aceh/district/city development as meant in clause (1) is arranged to ensure the inter-relation and consistency between the planning, budgeting, implementation, and supervision.
- (3) The community is entitled to be involved in providing input both verbally and in writing regarding Aceh and district/city development planning arrangement through bottom to top aspiration filtering.

Article 142

- (1) The government has the authorities to decide the norms, standards and lay out procedures in the arrangement of Aceh, district/city Territory Lay Out Plan by heeding the sustainable development and the preservation of environmental functions.
- (2) The planning, decision and utilization of Aceh lay out is based on Aceh specialty and specific characteristics and the inter-relation between national lay out and district/city lay out.

- (3) The authority of Aceh government in the planning, arrangement, decision and utilization of Aceh lay out is cross-district/city-border in nature.
- (4) The authority of district/city government in the planning, arrangement, decision and utilization of district/city lay out takes into consideration:
 - a. Local indigenous culture;
 - b. The providing of land for social and public facilities, road infrastructure network, irrigation and utilities;
 - c. The inclination towards poor community;
 - d. Disaster-prone affected areas;
 - e. The providing of conservation zone and green open spaces as well as for the preservation of national park;
 - f. The granting of incentives and disincentives;
 - g. The imposition of sanctions; and
 - h. The space utilization control.
- (5) The community is entitled to provide suggestion both verbally and written in the planning, utilization and supervision over Aceh and District/City lay out.
- (6) Further stipulation regarding the provisions as meant in clause (3) and clause (4) is regulated with Qanun.

Article 143

- (1) Aceh and district/city development is conducted sustainably with the objective to improve the level of life and prosperity for the people.
- (2) The Government, Aceh Government and district/city Government in arranging and performing the sustainable development is obliged to heed, respect, protect and fulfill as well as enforce the rights of people of Aceh.
- (3) The community is entitled to involve actively in the establishment of sustainable development.
- (4) The community is entitled to obtain lay out information which decided by Aceh and district/city governance.
- (5) Aceh and district/city Governance is obliged to publicize the decided lay out information.
- (6) Further stipulation regarding the procedure for community involvement in the establishment of sustainable development in Aceh is regulated with Qanun.

Article 144

- (1) In the case of providing land for social and public facilities, road infrastructure network, irrigation and utilities, the relinquishment of rights over land may be conducted according to this law.
- (2) The relinquishment of rights over land as meant in clause (1) must be conducted by giving decent compensation which has been mutually agreed as a compensation for the revocation of such rights.

- (3) For conducting such relinquishment, the Governor forms Rights Revocation and Compensation Assessment Team in accordance with the stipulation of law.
- (4) Further stipulation regarding the procedure for the relinquishment of rights over land and the amount of decent compensation as meant in clause (2) is regulated by Aceh Qanun.

Article 145

Any development activities which is conducted on the land as meant in Article 143 must fulfill the requirements:

- a. In accordance with the regulated lay out plan;
- b. Free from any disputes over individual rights and social community rights over land; and
- c. Free from land status which allotment is to be used for the interest of religious affairs.

Article 146

- (1) To ensure the implementation of sustainable development in Aceh, Aceh and district/city Governance is obliged to provide land for the development of administration and other public facilities.
- (2) To implement the provision as meant in clause (1), Aceh and district/city Governance may own assets in the form of lands which management rights is conducted in accordance with the stipulation of law.

Article 147

The implementation of development in Aceh and district/city is conducted by referring to the national development plan guided by the principles of sustainable development, preservation of environmental functions, the benefits and justice.

Article 148

- (1) The Government, Aceh Government and district/city Government is obliged to respect, protect and fulfill as well as enforce societal rights toward environment management by providing special attention to the fragile group.
- (2) The community is entitled involve actively in the environment management.
- (3) Further stipulation regarding the procedure for community involvement in the environment management is regulated in Qanun.

Article 149

- (1) Aceh Government and district/city Government is obliged to conduct integrated environment management by heeding the lay out, protecting biological natural resources, non biological natural resources, artificial resources, conservation of biological natural resources and their ecosystem, cultural preservation, and biological diversity by heeding the rights of indigenous community and as much as possible for the welfare of the citizens.
- (2) The Government, Aceh Government and district/city Government is obliged to protect, safeguard, maintain and preserve National Park and conservation zone.
- (3) Aceh and district/city Government are obliged to manage conservation zone to protect biological and ecological diversity.
- (4) Aceh and district/city Government are obliged to involve qualified non governmental organization in the management and protection of environment.
- (5) The settlement of environmental disputes may be undertaken through the court or outside the court.
- (6) Further stipulation regarding the implementation of the provisions as meant in clause (1), clause (2), clause (3), clause (4) and clause (5) is conducted in accordance with the stipulation of law.

Article 150

- (1) The Government assigns Aceh Government to conduct the management of Leuser ecosystem in Aceh territory in form of protection, security precaution, preservation, recovery of functions of the zone and the utilization naturally.
- (2) The Government, Aceh Government, district/city Government is not allowed to issue forest exploitation permit in the Leuser ecosystem as meant by clause (1).
- (3) In implementing the provisions as meant in clause (1), Aceh Government coordinates with district/city Government and cooperates with regional government and other parties.
- (4) In order to implement the provisions as meant in clause (1), the government is obliged to provide the budget, facilities and infrastructures for such implementation.

CHAPTER XXI

COMMUNICATION AND INFORMATION

Article 151

- (1) In order to implement the governmental authority in the communication and information sector, the district/city Government has the authority to conduct Postal administration which consists of:
 - a. The granting of permit for the establishment of delivery service;

- b. The granting of permit for delivery service for branch office; and
 - c. The control of delivery service for branch office.
- (2) Aceh Government is authorized to conduct Telecommunication sector affair which consists:
- a. Providing technical guidance in the telecommunication facility sector, telecommunication service, telecommunication operational performance, special telecommunication and universal telecommunication service with territorial scale;
 - b. Granting permit for establishment of special telecommunication for the government necessity and legal entities in Aceh territory to the extent it does not use radio frequency spectrum;
 - c. Supervising telecommunication service;
 - d. Providing recommendation toward the local permanent network (wire line end to end) with a provincial scope permit proposal;
 - e. Providing coordination in order to establish universal service obligation development in the field of communication;
 - f. The supervision/control toward the establishment of telecommunication in Aceh territory; and
 - g. The granting of branch office permit and operator service counter.
- (3) Aceh Government is authorized to regulate the guide for the construction of tower and the granting of permit for excavation work for the necessity of cross-district/provincial roadway telecommunication cable retraction.
- (4) Other authorities in Postal, Telecommunication and Information sectors for Aceh, district/city Government as meant in clause (1), clause (2) and clause (3) is guided to the stipulation of law.

Article 152

- (1) The Government has the obligation to prioritize rural area telecommunication infrastructure development in Aceh.
- (2) The funding of the development as meant in clause (1) derives, among others, from non tax state revenue from telecommunication sector.

Article 153

- (1) Aceh Government has the authority to regulate stipulations in the Press and Broadcasting sector based on Islamic values.
- (2) In order to implement the stipulation as meant in clause (1), Aceh Government coordinates with Indonesian Broadcasting Commission for Aceh Region to regulate the guide for broadcasting ethic and the standard of broadcasting program.

- (3) Further stipulation regarding matters as meant in clause (1) is regulated with Aceh Qanun.
- (4) Other authorities in Press and Broadcasting sector for Aceh government besides those stipulated in clause (1) and clause (2) are conducted by the guide from the stipulation of law.

CHAPTER XXII

ECONOMIC

First Section

Basic Principles

Article 154

- (1) Economic in Aceh is an open economic and unhindered in the investment as a part of national economic system.
- (2) Economic in Aceh is established based on the philosophy of family relationship and the philosophy of economic democracy with the principles of togetherness, efficiency, justice, sustainable and environmental perspective as well as maintaining balance of progress of districts/cities existing in Aceh.
- (3) The economic efforts in Aceh is established based on the principle of sustainable development and preservation of environment, respect over the rights of local people, providing of opportunity and access of funding as much as possible to the economic businesses of women groups, as well as the giving of legal assurance for entrepreneur and worker.

Second Section

Direction of Economy

Article 155

- (1) Aceh economy is aimed at improving the productivity and competing force for the materialization of prosperity and welfare of the people, by holding in the highest regard the Islamic values, justice, even distribution, people's participation and efficiency in a sustainable development pattern.
- (2) Economic in Aceh as meant in clause (1) is conducted by utilizing natural resources and human resources through the process for the creation of value added as great as possible.
- (3) Aceh Government and the District/City Government conducts simplification of regulations for the creation of conducive business climate for the growth of investment and other economic activities in accordance to the authority.

Third Section

Management of Natural Resources

Article 156

- (1) Aceh Government and district/city Government manage natural resources in Aceh both inland and in Aceh territorial sea in accordance with their authorities.
- (2) The management as meant in clause (1) consists the planning, implementation, utilization and supervision over business activities which can be in the form of exploration, exploitation and cultivation.
- (3) Natural resources as meant in clause (1) covers mining sector which consist of the mining of mineral, charcoal, geothermal, forestry sector, agriculture, fishery and sea faring, which will be conducted by applying the principles of transparency and sustainable development.
- (4) In implementing the stipulation as meant in clause (1), clause (2) and clause (3), Aceh Government may:
 - a. Establish regional government owned enterprise; and
 - b. Conduct equity participation in the State Owned Enterprise;
- (5) Business activities as meant in clause (2) and clause (3) may be conducted by State Owned Enterprise, Region Owned Enterprise, Cooperatives, local, national and foreign private enterprise.
- (6) The implementation of the stipulation as meant in clause (4) and clause (5) is guided by the standard, norm and procedure regulated by the Government.
- (7) In conducting business activities as meant in clause (2) and clause (5), the conductor of such business activities involves local human resources and utilize other resources existing in Aceh.

Article 157

- (1) Every businessman as meant in Article 156 is responsible for reclamation and rehabilitation of the explored and exploited land.
- (2) Prior to conducting business activities, the businessmen are obliged to provide available reclamation and rehabilitation guarantee fund which amount will be calculated at the time of negotiating the exploration and exploitation working contract.

Article 158

The Government and Aceh, district/city Governments develops a populist economy, education and balanced health as the compensation for the exploitation of non renewable natural resources.

Article 159

- (1) Every businessman in the mining sector performing mining business activities in Aceh is obliged to prepare community development fund.

- (2) The community development fund as meant in clause (1) is regulated based on an agreement between Aceh, district/city Governments and the businessmen which amount is at least 1% (one percent) of the total production price of the sale each year.
- (3) The plan for the utilization of community development fund to finance the program which is collectively arranged by heeding of the necessity of the community around the business activities and the community in other area as well as involving the relevant businessmen are further regulated in Aceh Qanun.
- (4) The financing of community development program with the community development fund as meant in clause (2) and clause (3) is self-managed by the relevant businessman.

Fourth Section

The Management of Oil and Gas Natural Resources

Article 160

- (1) The Government and Aceh Government manages together oil and gas natural resources located inland and in the territorial sea of Aceh.
- (2) For the management as meant in clause (1), the Government and Aceh Government may appoint or form an implementing agency which will be decided together.
- (3) Cooperation contract with other party to conduct exploration and exploitation in the framework of oil and gas management may be conducted if the entire content of the cooperation contract agreement is agreed by the Government and Aceh Government.
- (4) Prior to conducting discussion with the Government regarding the cooperation contract as meant in clause (3), Aceh Government must obtain approval from DPRA.
- (5) Further stipulation regarding the matters as meant in clause (1), clause (2), and clause (3) is regulated by Government Regulation.

Article 161

Cooperation agreement between the Government and other parties which exist at the time this law is promulgated may be extended after obtaining agreement between the Government and Aceh Government in accordance with the stipulation as meant in Article 160 clause (3).

Fifth Section

Fishery and Sea Faring

Article 162

- (1) Aceh Government and District/City Government are authorized to manage natural resources existed in Aceh territorial sea.
- (2) The authority to manage natural resources existed in the sea as meant in clause (1) consists of:
 - a. conservation and management of natural resources in the sea;
 - b. The administrative regulation and licensing for the catching and/or breeding of fish;
 - c. The regulation of lay out for territorial sea, coastal area and small islands;
 - d. The legal enforcement towards the regulations issued over territorial sea under its authority;
 - e. The maintenance of indigenous law of the sea and assist sea safety; and
 - f. The participation in the maintenance of the sovereignty of the Unitary State of the Republic of Indonesia.
- (3) Aceh Government and district/city Government have the authority to issue fish catching permit and other sea resources manufacturing licenses in the sea around Aceh in accordance with their authorities.
- (4) The management of natural resources in the sea territory as meant in clause (1), clause (2) and clause (3) is conducted by heeding of the principles of sustainable development and preservation of environment.

Sixth Section

Trade and Investment

Article 163

- (1) The Government, Aceh Government and district/city Government ensures that the implementation of internal trade within Aceh is free from any restrictions.
- (2) Aceh residents may conduct free trade within the territory of the Unitary State of the Republic of Indonesia through land, sea and air unhindered by tax, tariff or other trade restrictions, except for trade from any region separated from Indonesian customs area.

Article 164

Every businessman in Aceh may form organization, professional association, and business association having a local and independent basis.

Article 165

- (1) Residents in Aceh may conduct trade and investment internally and internationally in accordance with the stipulation of law.
- (2) Aceh Government and district/city Government in accordance with their authorities, may attract foreign tourists and issue licenses related to investment in the form of domestic capital investment, foreign capital

investment, export and import, by heeding of the nationally applicable norms, standards, procedures, and criteria.

- (3) Aceh Government and District/City Government in accordance with their authorities based on the nationally applicable norms, standards, procedures and criteria, are entitled to issue:
 - a. License for the exploration and exploitation of general mining;
 - b. License for forest zone conversion;
 - c. License for the fish catching at the most 12 sea miles is measured from the coastal line up to the open sea and or towards the island water territory for province and one third from the territory of the provincial regional authority for district/city area;
 - d. License for the operational utilization of fishing ship in any type and any size;
 - e. License for the utilization of surface water and sea water;
 - f. License related to the management and exploitation of forest; and
 - g. License for local operator in telecommunication sector.
- (4) The issuing of licenses as meant in clause (2) and clause (3) must refer to the principles of public service which are fast, accurate, cheap and simple in its procedure.
- (5) Further stipulation regarding the issuing of licenses as meant in clause (2), clause (3) and clause (4) is further regulated with Qanun.

Article 166

The Government in accordance with the stipulation of law may provide taxation facilities in the form of tax relief, exemption of import duty, exemption of taxes in the framework of import of capital goods and raw materials into Aceh and export of finished goods from Aceh, investment facilities, and other fiscal facilities proposed by Aceh Government.

Seventh Section

Sabang Free Trade and Free Port Zone

Article 167

- (1) Sabang Free Trade and Free Port Zone will be a zone located in the legal territory of the Unitary State of the Republic of Indonesia which is separated from customs office area, therefore it will be free from:
 - a. Business administration;
 - b. Imposition of import duty;
 - c. Value added tax; and

- d. Sales tax on luxury goods.
- (2) Stipulation regarding free from business administration as meant in clause (1) letter a will not cover goods imposed with quarantine rules and the types of goods/services which are strictly prohibited by the law as well as trade between Sabang zone and Indonesian customs office area and vice versa.
 - (3) To implement the provisions as meant in clause (1), the Government and Aceh Government are obliged to construct and prepare economic infrastructure required for the effectiveness of trade in Sabang free trade zone.

Article 168

The Governor as the representative of the Government is authorized to prohibit certain types of goods to be entered into or exported from Sabang zone.

Article 169

- (1) The Government together with Aceh Government develops Sabang Trade Zone as the center of regional economic growth through activities in the sectors of trade, services, industry, mining and energy, transportation and maritime, post and telecommunication, banking, insurance, tourism, processing, packaging, and warehousing of agricultural, plantation, fishery and industrial products from the surrounding area.
- (2) The development of Sabang Zone is be aimed at trade and investment activities as well as the effective flow of goods and services except for the types of goods and services which are strictly prohibited by the law.

Article 170

- (1) To facilitate the development activities of Sabang Zone as meant in Article 169 the Government transfers authority in the area of the issuing of licenses and other necessary authorities to the Sabang Zone Board.
- (2) In addition to the authority as meant in clause (1) the Sabang Zone Board receives the delegation of authority in the area of the issuing of licences and other necessary authorities to develop Sabang Zone, from Aceh Government and Aceh Besar District Government and Sabang City Government.
- (3) Delegation of authority as meant in clause (1) is conducted at most 6 (six) months and the delegation of authority as meant in clause (2) is conducted at the most 1 (one) year from when this Law is passed.
- (4) The authority of the Sabang Zone Board as meant in clause (1) and clause (2) will be done by the Sabang Zone Business Agency to issue business permits, investment permits and other necessary permits for entrepreneurs to establish and run business in Sabang Zone.

Eighth Section

Land Allotment and Space Utilization

Article 171

- (1) Aceh Administration and District/City Administration are authorized to decide land allotment and space utilization for development interests guided by the stipulation of law.
- (2) Further stipulation regarding land allotment and space utilization of Aceh as meant in clause (1) is regulated by Aceh Qanun.
- (3) Further stipulation regarding land allotment and space utilization of district/city as meant in clause (1) is regulated by District/City Qanun.

Ninth Section

Economic Infrastructures

Article 172

- (1) The Government, Aceh Government and/or district/city Government may develop public sea port and air port in Aceh.
- (2) The management of sea port and air port developed by Aceh Government and/or district/city Government as meant in clause (1) is performed by Aceh Government and/or city/district Government.
- (3) Further stipulation regarding the development and management of sea port and air port as meant in clause (1) and clause (2) is regulated with Qanun by heeding the prevailing norms, standards and procedures.

Article 173

- (1) Public Sea Port and Air Port managed by State Owned Enterprise (BUMN) this Law is promulgated, the management will be in cooperation with Aceh Government and/or district/city Government.
- (2) Management cooperation as meant in clause (1) may be in the form of joint venture company conducted in accordance with the prevailing norms, standards and procedures.
- (3) The implementation of shipping safety and flight safety functions for Public Sea Port and Air Port as meant in clause (1) and clause (2) is performed by the Government in accordance with the stipulation of law.
- (4) The implementation of cooperation in the management of public sea port and air port which managed by state-owned enterprises (BUMN) as meant in clause (1) is conducted in accordance with the prevailing norms, standards and procedures.

CHAPTER XXIII

MANPOWER

Article 174

- (1) Aceh Government and district/city Government are authorized to issue license for business concerning recruitment services for manpower to be sent to overseas, based on the stipulation of law.
- (2) Every worker is entitled to receive protection and welfare based on the stipulation of law.
- (3) Every enterprise engaging in manpower recruitment service to be sent overseas are obliged to conduct education and skills training in accordance with the needs of the work place.
- (4) The Government, Aceh Government and district/city Government provides protection for workers originating from Aceh and district/city whom are working overseas in cooperation with the government of the country of destination.
- (5) Further stipulation regarding manpower recruitment to be sent overseas and the procedure for their protection is regulated in Qanun based on the stipulation of law.

Article 175

- (1) Every worker wilhasl have the same right to obtain decent work in Aceh.
- (2) Aceh Government and district/city Government gives work opportunities and protection to workers in Aceh, and may cooperate with the government of the province and district/city wherein the relevant worker originating from.
- (3) All workers in Aceh as meant in clause (2) must be registered at the institution responsible for manpower sector in each District/City.
- (4) Further stipulation regarding the procedure for worker registration dan protection is regulated with Qanun.

Article 176

- (1) Expatriates may work in Aceh upon obtaining license in accordance with the stipulation of law.
- (2) License as meant in clause (1) may only be issued after the employer prepares expatriate utilization plan in accordance with the stipulation of law which is legalized by the institution of Aceh Government which is responsible for manpower sector.
- (3) License as meant in clause (1) may only be issued for certain position and for a certain period upon obtaining recommendation from Aceh Government.
- (4) Further stipulation regarding issuing of license for certain position and certain period as well as the mechanism to issue recommendation as meant in clause (3) is regulated in Aceh Qanun.

Article 177

- (1) Every worker is entitled to form and become a member of worker union/labor union in accordance with the stipulation of law.
- (2) Aceh Government and district/city government may facilitate means regarding the organization and membership in worker/labor union.
- (3) Further stipulation regarding the procedure for the formation and the requirements of membership in worker/labor organization as meant in clause (2) will be regulated by Aceh Qanun and District/City Qanun.

CHAPTER XXIV

FINANCE

First Section

General

Article 178

- (1) The administering of government affairs in Aceh and District/City as meant in article 7 is followed by the providing a source of financing to Aceh and District/City government.
- (2) The establishment of government affairs which become the authorities of Aceh and District/City in the framework of decentralization is financed from and at the expense of APBA and APBK.
- (3) The establishment of government affairs which are delegated to Aceh Governor as the representative of the government is accompanied by funding from APBN in the framework in order to implement de-concentration.
- (4) The establishment of government affairs which are assigned to Aceh Government, district/city government, and gampong will be accompanied by funding from APBN in the framework of implementing assisting tasks.

Second Section

Income Sources and Management

Article 179

- (1) Aceh and District/City Income consists from Regional Revenue and Financing.
- (2) Regional Revenue as meant in clause (1) derives from:
 - a. Regional Original Revenue;
 - b. Fiscal Balance Fund;
 - c. Special Autonomy Fund; and
 - d. Other legitimate revenues.

Article 180

- (1) Sources of Aceh Regional Original Revenue (PAD) and district/city PAD as meant in Article 179 clause (2) letter a, will consist of:
 - a. Regional tax;
 - b. Regional retribution;
 - c. Proceeds from the management of separated regional assets which are owned by Aceh/District/City and the proceeds from the equity participation of Aceh/District/City;
 - d. Zakat (Islamic tithe); and
 - e. Other legitimate Aceh original revenues and district/city original revenues.
- (2) Management of the sources of Aceh PAD and district/city PAD as meant in clause (1) letter a and letter b will be conducted under the guidance the stipulation of law.

Article 181

- (1) Fiscal balance as meant in Article 179 clause (2) letter b consists of:
 - a. Tax Profit Sharing Fund, i.e.:
 - 1) Portion from Land and Building Tax (PBB) income as much as 90% (ninety percent);
 - 2) Portion from Land and Building Acquisition Tax (BPHTB) income as much as 80% (eighty percent); and
 - 3) Portion from Income Tax (Income Tax Article 25 and Article 29 for domestic individual tax payer and Income Tax Article 21) as much as 20% (twenty percent).
 - b. Profit Sharing Fund will derive from hydrocarbon and other natural resources, i.e.:
 - 1) Portion from forestry as much as 80% (eighty percent);
 - 2) Portion from fishery as much as 80% (eighty percent);
 - 3) Portion from general mining as much as 80% (eighty percent);
 - 4) Portion from geothermal mining as much as 80% (eighty percent);
 - 5) Portion from oil mining as much as 15% (fifteen percent); and
 - 6) Portion of gas mining as much as 30% (thirty percent).
 - c. General Allocation Fund.
 - d. Special Allocation Fund.
- (2) Division of Fiscal Balance as meant in clause (1) will be conducted in accordance with the stipulation of law.
- (3) In addition to Profit Sharing Fund as meant in clause (1) letter b, Aceh Government receives additional oil and gas Profit Sharing Fund which is a portion of Aceh Government income, i.e.:
 - a. Portion from oil mining as much as 55% (fifty five percent); and

- b. Portion from gas mining as much as 40% (forty percent).

Article 182

- (1) Aceh Government is authorized to manage additional oil and gas Profit Sharing Fund as meant in Article 181 clause (3).
- (2) Fund as meant in clause (1) is revenue in APBA.
- (3) At least 30% (thirty percent) of the revenue as meant in clause (2) is allocated for financing education in Aceh.
- (4) At the most 70% (seventy percent) of the revenue as meant in clause (2) is allocated for financing development program mutually agreed between Aceh Government and district/city government.
- (5) Mutually agreed development program as meant in clause (3) and clause (4) is performed by Aceh Government.
- (6) Further stipulation regarding the procedure for fund allocation as meant in clause (3) and clause (4) is regulated in Aceh Qanun.
- (7) Aceh Government submits periodical report regarding the implementation of allocation and utilization over additional Profit Sharing Fund as meant in clause (1) to the Government.

Article 183

- (1) Special Autonomy Fund as meant in Article 179 clause (2) letter c is Aceh Government income aimed for financing development especially development and maintenance of infrastructures, economic empowerment of the people, eradicating poverty, as well as funding of education, social and health.
- (2) Special Autonomy Fund as meant in clause (1) is valid for a period of 20 (twenty) years, with the details that for the first year up to the fifteenth year the amount of which is equal to 2% (two percent) of the ceiling of National General Allocation Fund and for the sixteenth year up to the twentieth year the amount of which is equal to 1% (one percent) of the ceiling of National General Allocation Fund.
- (3) The provisions as meant in clause (1) is applicable for Aceh region in accordance with Aceh territory as meant in Article 3.
- (4) Development program as meant in clause (1) is set out in provincial and district/city development program in Aceh by heeding the balance of development progress between district/city to be used as the basis for the utilization of special autonomy fund, which management is administered to Aceh Provincial Government.
- (5) The utilization of Special Autonomy Fund as meant in clause (2) is conducted for every Budget Year which is regulated further in Aceh Qanun.

Article 184

To coordinate additional Profit Sharing Fund as meant in Article 181 clause (3) and Special Autonomy Fund as meant in Article 183 clause (2), the Governor may form working unit.

Article 185

Financing as meant in Article 179 clause (1) derives from:

- a. Excess amount from the calculation of budget of the preceding budget year;
- b. The liquidation of reserve fund;
- c. Proceeds from the selling of separated regional assets;
- d. Loan income; and
- e. income from the repayment of granted loan.

Article 186

- (1) Aceh Government and district/city government may obtain loan from the Government which fund is deriving from foreign sources or from sources other than from foreign loan with the approval of the Minister of Finance upon obtaining consideration from the Minister of Domestic Affairs.
- (2) Aceh Government and district/city government may obtain loan from domestic source which is not deriving from the government with the consideration of the Minister of Domestic Affairs.
- (3) Further stipulation regarding the provisions regarding loan fund from domestic and/or foreign sources and foreign aids as meant in clause (1) and clause (2) is regulated with Aceh Qanun which is guided by the stipulation of law.
- (4) Aceh government and district/city government may receive foreign grants with the obligation to notify DPRA/DPRK.
- (5) The receipt of grants as meant in clause (4) has the characteristics:
 - a. is not be politically tied to either the government or the Aceh district/city government;
 - b. is not influenced the policy of the Aceh, regent/city government;
 - c. is not be prohibited by stipulation of law; and
 - d. is not be in contradiction with state ideology.
- (6) In grant matters as meant in clause (4), the existing conditions of which must be met by Government such as grants connected to loans and their existing conditions of associated funding, must be done through government and informed to DPRA/DPRK.

Article 187

Aceh government and district/city government may publish regional bonds in accordance with the stipulation of law.

Article 188

Aceh government and district/city government may make available a set aside reserved fund to accommodate necessity which requires relatively large amount of fund which cannot be fulfilled within one budget year.

Article 189

- (1) Aceh government and district/city government may conduct capital participation/cooperation at/with State/Regional Government Owned Enterprise and/or private enterprises based on mutually benefiting principle.
- (2) Capital participation/cooperation as meant in clause (1) may be increased, decreased, sold to other party, and/or may be divested or transferred to regional government owned enterprise.
- (3) Capital participation/cooperation as meant in clause (1) will be conducted in accordance with stipulation of law and will be regulated by qanun.
- (4) Budget arising due to capital participation/cooperation as meant in clause (1) will be stated in APBA/APBK

Article 190

- (1) Aceh government and district/city government manage APBA/APBK in an orderly manner, comply with stipulation of law, efficiently, economically, effectively, transparently, and accountably by heeding of the sense of justice, decency and benefit for the community.
- (2) The management of APBA and APBK is conducted through a system materialized in APBA and APBK which is stipulated every year in qanun.
- (3) The allocation of expenditure budget for public service in APBA/APBK is greater than the allocation of expenditure budget for apparatus.
- (4) In certain conditions, Aceh/District/City Government may formulate different APBA/APBK with the stipulation as meant in clause (3).

Article 191

- (1) Zakat (Islamic tithe), wakaf assets and religious assets are managed by Aceh Baitul Mal and district/city Baitul Mal.

- (2) Further stipulation regarding the implementation of the stipulation as meant in clause (1) is regulated by Aceh Qanun.

Article 192

Zakat (Islamic tithe) which is paid become the subtraction factor towards the total amount of outstanding income tax of the tax payer.

Article 193

- (1) Budget for the organizing of education is at least 20% (twenty percent) of APBA/APBK and is allocated at school level.
- (2) The management of education fund as meant in clause (1) is accountable by Aceh Government and district/city government in the accountability of APBA/APBK.
- (3) Allocation and management of education fund as meant in clause (1) and clause (2) between Aceh Government and district/city Government is regulated with Qanun.

Article 194

- (1) The government implements the transparency principle in the collection and allocation of revenue deriving from Aceh.
- (2) In implementing the transparency as meant in clause (1), Aceh Government may employ independent auditor designated by Finance Audit Agency to conduct examination in accordance with the stipulation of law.
- (3) Finance Audit Agency submits examination result as meant in clause (2) to the Government and Aceh Government.

Article 195

- (1) Aceh Government and district/city government is authorized to arrange the procedure for the Procurement of Goods and Services by using APBA and APBK funds guided by the stipulation of law.
- (2) Aceh Government regulates finance accounting system guided by Government Accounting Standard.
- (3) Finance accounting system as meant in clause (2) is stipulated by Governor Regulation.

Article 196

- (1) Aceh Government is authorized to regulate the requirements for bank financial institution and non bank financial institution in the channeling of credit in Aceh to the extent it will not be contradictory to the stipulation of law.
- (2) Aceh Government may regulate certain interest rate upon obtaining agreement with related bank financial institution and non bank financial institution.
- (3) Aceh Government may bear the burden of interest due to the interest rate as meant in clause (2) for certain development programs which have been agreed with DPRA.
- (4) Foreign Bank may open branches or representatives in Aceh in accordance with the stipulation of law.

Article 197

The procedure for the planning, budgeting, implementation, amendment, calculation, accountability and supervision of APBA/APBK is regulated in qanun guided by the stipulation of law.

Article 198

- (1) Every delegation of authority from the Government to the Governor as the representative of the government in Aceh is accompanied by funding.
- (2) De-concentration activities in Aceh is performed by Regional Apparatus Working Unit which is regulated by the Governor.
- (3) Aceh Governor notifies the government working and budget plan related to the transferred tasks in the framework of de-concentration to DPRA.

Article 199

- (1) All goods obtained from de-concentration funds becomes state owned goods.
- (2) State owned goods as meant in clause (1) may be granted to Aceh Government.

Article 200

- (1) Every assisting task from the Government to Aceh, district/city, mukim/gampong Governments is accompanied by funding.
- (2) Assisting tasks activities is performed by Regional Apparatus Working Unit which is regulated by the Governor/Regent/Mayor.
- (3) The Governor/Regent/Mayor notifies the Government working and budgeting plan related to the assisting tasks to the DPRA/DPRK.

Article 201

- (1) All goods obtained from assisting tasks fund becomes state owned goods.
- (2) State owned goods as meant in clause (1) may be granted to Aceh government, district/city government, and mukim/gampong Governments.

CHAPTER XXV

INDONESIAN NATIONAL ARMY

Article 202

- (1) Indonesian National Army is responsible for organizing state defense and other tasks in Aceh in accordance with the stipulation of law.
- (2) State defense as meant in clause (1) covers the maintaining, protection and defending of the unity and sovereignty of the Unitary State of the Republic of Indonesia and other tasks in Aceh in accordance with the stipulation of law.
- (3) The performance of other tasks as meant in clause (2) among others are the overcoming of natural disaster, development of transportation facilities and infrastructures, and other humanitarian tasks performed upon consultation with Aceh Governor.
- (4) The Soldiers of Indonesian National Army assigned in Aceh constantly uphold the universal principles of human rights and respect Aceh culture and traditions.

Article 203

- (1) Criminal offences committed by the soldiers Indonesian National Army in Aceh are trialed in accordance with the stipulation of law.
- (2) Judgement over the soldiers of Indonesian National Army as meant in clause (1) is conducted openly and publicly, unless the Law regulates otherwise.

CHAPTER XXVI

POLICE

Article 204

- (1) Police Department in Aceh is a part of National Police of the Republic of Indonesia.
- (2) Police Department in Aceh has the task to maintain security and public order, uphold the law, protect, shelter and serve the community and undertake other tasks as given in law.

- (3) The policy on societal tranquility and order in Aceh is coordinated by the Head of Aceh Police to the Governor.
- (4) The performance of police tasks in the sector of community tranquility and public order as meant in clause (3) are accountable by the Head of Aceh Police to the Governor.
- (5) The Head of Aceh Police is accountable to the Head of National Police of the Republic of Indonesia for the fostering of police department in Aceh in order to perform the tasks of National Police of the Republic of Indonesia.

Article 205

- (1) The appointment of the Head of Aceh Police is conducted by the Head of National Police of the Republic of Indonesia upon obtaining approval from the Governor.
- (2) The approval of the Governor as meant in clause (1) is made in writing and delivered at the latest 14 (fourteen) days as of the receipt of approval request letter.
- (3) In the case the Governor does not give any response within the period as meant in clause (2), then the Head of National Police of the Republic of Indonesia appoints the Head of Police in Aceh.
- (4) In the case the Governor refuses to give any approval then the Head of National Police of the Republic of Indonesia presents other candidate for one more time.
- (5) The dismissal of the Head of Aceh Police is conducted by the Head of National Police of the Republic of Indonesia.

Article 206

In urgent condition, for the interest of the security, the Head of National Police of the Republic of Indonesia may appoint temporary Official for the Head of Police in Aceh while waiting for the approval of the Governor.

Article 207

- (1) The selection to be bintara (soldier in the lowest rank) and perwira (officer) of the National Police of the Republic of Indonesia in Aceh is conducted by Aceh Police by heeding the legal provisions, Islamic syari'at and culture, tradition and the policy of Aceh Governor.
- (2) Basic education for candidates of bintara and general training for bintara of Aceh Police is provided with local subject matter curriculum and with the emphasis on the human rights.
- (3) Education and fostering for perwira of the National Police of the Republic of Indonesia originally coming from Aceh are conducted nationally by the National Police of the Republic of Indonesia.

- (4) The placement of bintara and perwira of the National Police of the Republic of Indonesia from outside of Aceh to Aceh Police is conducted upon the Decision of the Head of National Police of the Republic of Indonesia by heeding the legal provisions, syari'at, culture and tradition.

CHAPTER XXVII

ATTORNEY GENERAL

Article 208

- (1) Aceh Attorney General is a part of the Attorney General of the Republic of Indonesia.
- (2) Attorney General in Aceh performs the tasks and technical policy in the law enforcement sector including the implementation of Islamic Syari'at.

Article 209

- (1) The appointment of the Head of Aceh High Attorney General is conducted by the Attorney General with the approval of the Governor.
- (2) The approval of the Governor as meant in clause (1) is made in writing and will be delivered at the latest 14 (fourteen) days as of the receipt of the approval request letter.
- (3) In the case that the Governor does not reply in the time as meant in clause (2) the Attorney General appoints the Head of Aceh High Attorney General.
- (4) In the case the Governor refuses to give approval the Attorney General submits other candidates on more time.
- (5) The dismissal of the Head of High Attorney General in Aceh is conducted by the Supreme District Attorney of the Republic of Indonesia.

Article 210

The selection and placement of District Attorney in Aceh is conducted by Attorney General by heeding to the legal provisions, Islamic syari'at, culture, Aceh tradition.

CHAPTER XXVIII

POPULATION AFFAIRS

Article 211

- (1) Acehnese is every individual born or having Aceh blood line both present in Aceh or outside of Aceh and acknowledges himself/herself as Aceh people.

- (2) The Government, Aceh Government and district/city government acknowledges, respect and protect the ethnic diversity of Aceh.
- (3) Aceh Government and district/city government acknowledge and protect the rights of every ethnic group existing in Aceh to be treated equally in political, economic, social and cultural sectors.

Article 212

- (1) Aceh resident is every person permanently residing in Aceh without discriminating the ethnic groups, race, religion, and ancestor.
- (2) Every Aceh resident having the age of 17 (seventeen) years old and/or having been married is provided with resident identity card.
- (3) Aceh Government and district/city government manages population data in accordance with their authorities.
- (4) Further stipulation regarding the provisions regarding the population affairs and identity as meant in clause (2) and clause (3) is regulated with Qanun and district/city qanun guided by the stipulation of law.

CHAPTER XXIX

LAND AFFAIRS

Article 213

- (1) Every Indonesian citizen who is present in Aceh has right over land in accordance with the stipulation of law.
- (2) Aceh Government and/or District/city are authorized to regulate and manage the allotment, utilization and legal relationship in relation to the right over land by acknowledging, honoring and protecting the existing rights including the indigenous rights in accordance with the nationally prevailing norms, standards and procedures.
- (3) Right over land as meant in clause (2) covers the authorities of Aceh Government, District/City to grant right to build and right of exploitation in accordance with the prevailing norms, standards and procedures.
- (4) Aceh Government and/or District/City are obliged to conduct legal protection towards wakaf lands, religious assets and other sacred needs.
- (5) Further stipulation regarding the procedure for granting rights over land as meant in clause (1), clause (2) and clause (3) is regulated with Qanun which heeds the stipulation of law.

Article 214

- (1) Aceh Government is authorized to grant the right to build and right of exploitation for domestic capital investment and foreign capital investment in accordance with the prevailing norms, standards and procedures.

- (2) Further stipulation regarding the procedure for the granting of license as meant in clause (1) is regulated with Aceh Qanun.

CHAPTER XXX

EDUCATION

Article 215

- (1) Education organized in Aceh is one unity with the education system adjusted with the characteristics, potential and the needs of local community.
- (2) Education is organized by empowering all community components including women group through participation in the organization of education and control over the quality of the service.

Article 216

- (1) Every Aceh resident is entitled to acquire high quality and Islamic education in line with the development of science and technology.
- (2) Education as meant in clause (1) is conducted based on the principles of democracy and justice by holding in the highest regard the human rights, Islamic value, culture and nations plurality.

Article 217

- (1) Aceh resident having the age of 7 (seven) up to 15 (fifteen) years old is obliged to attend basic education free of charge.
- (2) The Government, Aceh Government and District/City Government allocates fund to finance basic and intermediate education.
- (3) Aceh Government and district/city Government provides special service education for Aceh residents present in remote or underdeveloped regions.
- (4) Aceh Government and district/city government provides special education service for Aceh residents having physical, emotional, mental, intellectual, and/or social difference as well as having the potential of special intelligence and talent.

Article 218

- (1) Aceh Government and district/city government decides the policy regarding the organizing of formal education, dayah (fostering) education and other non formal education through the decision on core curriculum and quality standard for all types and levels of education in accordance with the stipulation of law.
- (2) Education fund allocation through APBA/APBK is allocated only for education at school level.

- (3) Aceh Government and district/city Government provides wide opportunity to religious institution, community organization, non governmental organization (community self-supporting institution) and the business community to organize and develop good quality education in accordance with the stipulation of law.

Article 219

- (1) The Government, Aceh Government and district/city government facilitate the recruitment of foreign professional education staff in accordance with the stipulation of law.
- (2) The organizing of education in Aceh may cooperate with domestic and foreign educational institution in accordance with the stipulation of law.

Article 220

- (1) Aceh Government improves the function of Regional Education Assembly which is one of the place for community participation in education.
- (2) Further stipulation regarding the procedure for the formation, composition and function of Regional Education Assembly as meant in clause (1) is regulated by Aceh Qanun guided by the stipulation of law.

CHAPTER XXXI

CULTURE

Article 221

- (1) The Government, Aceh Government and District/City Government protect, foster, and develop Aceh culture and art based on Islamic values.
- (2) In the implementation of the provision as meant in clause (1), the Government, Aceh Government and district/city Government involves the community and social institution.
- (3) The Government, Aceh Government and district/city government acknowledge, honor and protect the cultural and art heritage of ethnic groups in Aceh in accordance with the stipulation of law.
- (4) Regional language is taught in school education as local content.
- (5) Further regulation regarding the implementation of the provision which becomes the authorities of Aceh Government and district/city government as meant in clause (1), clause (2), clause (3) and clause (4) is regulated with Qanun.

Article 222

- (1) The Government and Aceh Government strive to return missing or removed historical objects and provide maintenance as Aceh culture heritage in accordance with the stipulation of law.
- (2) Further stipulation regarding the implementation of the provision which become the authorities of Aceh Government and district/city government as meant in clause (1) is regulated with Aceh qanun.

CHAPTER XXXII

SOCIAL

Article 223

- (1) The Government, Aceh Government and district/city government are obliged to:
 - a. provide basic social protection and service to social problem bearer;
 - b. provide access to ease the livelihood of Aceh residents who bear social problem;
 - c. strive for the handling/overcoming of (natural and social) disaster victim; and
 - d. rehabilitate public facilities and assist the rehabilitation of individual assets which are destroyed due to disaster.
- (2) Aceh Government and district/city government establish social rehabilitation center for social problem bearers.
- (3) Aceh Government and district/city government provide role to the community including non governmental organization in performing the activities as meant in clause (1) and clause (2).
- (4) Further stipulation regarding the implementation the authorities of Aceh Government and district/city government as meant in clause (1), clause (2) and clause (3) is regulated with Qanun.

CHAPTER XXXIII

HEALTH

Article 224

- (1) Every Aceh resident has equal right in obtaining health services in the framework of materializing the optimum degree of health.
- (2) Every Aceh resident is obliged to participate in the maintaining and improving individual, family and environmental degree of health.
- (3) The improvement of the degree of health as meant in clause (2) is conducted in accordance with the minimum service standard.
- (4) Every orphan and, the poor and the needy, are entitled to obtain integral health service free of charge.
- (5) The stipulation regarding the provisions regarding the implementation of the health efforts as meant in clause (2), clause (3) and clause (4) is regulated with Qanun.

Article 225

- (1) Aceh Government and district/city government is obliged to provide health service based on the minimum service standard in accordance with the stipulation of law to the extent of not contradicting Islamic Syari'at.
- (2) Aceh Government and district/city government may involve community social institution to have a role in health sector.
- (3) Further stipulation regarding the implementation as meant in clause (1) and clause (2) is regulated with Qanun.

Article 226

- (1) Aceh Government and district/city government may involve community social institution to participate in the improvement and recovery program over psychosocial and mental health due to conflict and natural disaster.
- (2) The planning and implementation of the program as meant in clause (1) are conducted by heeding to Aceh culture and by maximizing the role of local community.
- (3) Further stipulation regarding the program as meant in clause (1) and clause (2) is regulated with Qanun.

CHAPTER XXXIV

HUMAN RIGHTS

Article 227

- (1) Every resident is entitled to:
 - a. Equality before the law;
 - b. the freedom of speech, the freedom of press and publication, the freedom to make union, the freedom to gather, to move from one place to another, to demonstrate peacefully, and the right to establish and join in labor union and the right to conduct a strike;
 - c. the freedom to conduct academic research, art, literature creation and other cultural activities which are not contradictory to Islamic syari'at;
 - d. vote and be elected to the extent fulfilling the requirements regulated by the stipulation of law; and
 - e. obtain legal service and aid, facilitation through court, choose lawyer/legal advisor for the protection, when required, over legal rights and their interests before the court.
- (2) Residents are not justified to:
 - a. conduct any form of arbitrary search or illegal search over the body, residence, clothing, revocation or expropriation of rights or restriction over the freedom of every person;

- b. Conduct any arbitrary torture and revocation of the right to live in a manner which is against the law; and
- c. be arrested, prosecuted, and imprisoned in a manner which is against the law.

Article 228

- (1) Human Right Court in Aceh is formed to examine, try, decide and settle Human Rights violation cases taking place after this Law is promulgated.
- (2) The decision of Human Rights Court in Aceh as meant in clause (1) contains among others the giving of compensation, restitution and/or rehabilitation for the victim of human rights violation.

Article 229

- (1) This Law forms the Commission for Truth and Reconciliation in Aceh to seek for the truth and make reconciliation.
- (2) The Commission for Truth and Reconciliation in Aceh as meant in clause (1) is an inseparable part of the Commission for Truth and Reconciliation.
- (3) The Commission for Truth and Reconciliation in Aceh works based on the stipulation of law.
- (4) In settling human rights violation cases in Aceh, the Commission for Truth and Reconciliation in Aceh may consider the indigenous principles living in the community.

Article 230

Further stipulation regarding the procedure for the election, stipulation of members, organization and working order, term of service and the cost for the organizing of the Commission for Truth and Reconciliation in Aceh is regulated by Aceh Qanun guided by the stipulation of law.

Article 231

- (1) The Government, Aceh Government and district/city government as well as Aceh residents are obliged to promote and protect the rights of women and children as well as to conduct the empowerment effort with dignity.
- (2) Further stipulation regarding the implementation of the provision as meant in clause (1) which is the authorities of Aceh Government and district/city government is regulated in qanun.

CHAPTER XXXV

QANUN, GOVERNOR REGULATION AND DISTRICT/CITY REGULATION

Article 232

- (1) Aceh Qanun is enacted by the Governor upon obtaining mutual approval from DPRA.
- (2) District/city Qanun is enacted by the regent/mayor upon obtaining mutual approval from DPRK.

Article 233

- (1) Qanun is formed in the framework of administering Aceh Governance, district/city governance and the assisting task.
- (2) Qanun as meant in Article 232 will enter into force upon being promulgated in Aceh Region Gazette or District/ City regional Gazette.

Article 234

- (1) In the case the draft qanun which has been mutually approved by DPRA and the Governor or DPRK and the regent/mayor is not legalized by the Governor or the regent/mayor within 30 (thirty) days as of the draft qanun being approved, then such draft qanun is valid to be a qanun and must be promulgated by publishing it in the Gazette of Aceh Region or Gazette of District/City Region.
- (2) In the case the enactment of draft qanun is as meant in clause (1), the wording of its enactment is “this Qanun is declared lawful”.
- (3) The wording of enactment as meant in clause (2), along with the date of which it becomes lawful must be affixed to the last page of qanun, prior to the promulgation of qanun text in the Gazette of Aceh Region or the Gazette of District/City Region.

Article 235

- (1) Government supervision over Aceh, district/city Qanun is conducted in accordance with the stipulation of law.
- (2) The Government may annul qanun which is contradictory with:
 - a. Public Interest;
 - b. Inter-Qanun
 - c. Higher level Stipulation of law, except if regulated otherwise in this Qanun.
- (3) Qanun may be evaluated by the Supreme Court in accordance to the stipulation of law.
- (4) Qanun as meant in clause (3) which regulates the implementation of syari`at Islam may only be annulled through judicial review by the Supreme Court.
- (5) The government evaluated qanun draft regarding APBA and the Governor evaluated APBK draft, before approved mutually between the Governor, DPRA, Regent/ Major and DPRK.

- (6) The evaluation result as meant in clause (5) has the binding characteristic to the Governor and Regent/ Major to be implemented.

Article 236

Qanun is formed based on the principle for the formulation of stipulation of law which consists:

- a. Clarity of objectives;
- b. Appropriate formulating institution or organ;
- c. Conformity between the type and subject matter of the content;
- d. Applicability;
- e. Efficiency and effectiveness;
- f. Clarity of formulation; and
- g. Openness.

Article 237

- (1) Subject matter of the content of Qanun contains the principles of:
 - a. guardianship;
 - b. humanity;
 - c. nationality;
 - d. familial relationship;
 - e. diversity;
 - f. justice;
 - g. non discrimination;
 - h. equality before the law and the government;
 - i. legal order and legal certainty; and/or
 - j. Equilibrium, harmony, equality and conformity.
- (2) In addition to the principles as meant in clause (1), qanun may contain other principles in accordance with the substance of the relevant qanun.

Article 238

- (1) The community is entitled to provide verbal or written input in the framework of the preparation and discussion of draft qanun.

- (2) In each stage of preparation and discussion of qanun must be ensured the existence of space of public participation.

Article 239

- (1) Draft qanun may come from DPRA or the Governor and DPRK or the Regent/Mayor.
- (2) If in one meeting session, DPRA or the Governor and DPRK or the Regent/Mayor submit draft Qanun regarding the same subject matter then the one being discussed is draft Qanun submitted by DPRA/DPRK, whereas draft of qanun submitted by the Governor and the Regent/Mayor is used as comparison material.
- (3) Further stipulation regarding the procedure to prepare draft qanun deriving from the Governor and the Regent/Mayor is regulated with Qanun.

Article 240

- (1) The dissemination of draft qanun deriving from DPRA/DPRK is conducted by the DPRA/DPRK Secretariat.
- (2) The dissemination of draft qanun deriving from the Governor, the Regent/Mayor is conducted by Aceh Regional Secretariat and district/city Regional Secretariat.

Article 241

- (1) Qanun may contain stipulation regarding the imposition of legal enforcement compelling cost, either entirely or partially, to the violator in accordance with the stipulation of law.
- (2) Qanun may contain criminal sanction in the form of detention of at the most 6 (six) months and/or fine of at the most Rp. 50.000.000,- (fifty million rupiah).
- (3) Qanun may contain other criminal sanction or fine as meant in clause (2) in accordance with those regulated in the stipulation of law.
- (4) Qanun regarding jinayah is exempted from the stipulation of clause (1), clause (2) and clause (3)

Article 242

In the case being required for the implementation of qanun, the Governor and the regent/mayor may stipulate Governor Regulation/Decree, regent/mayor regulation/decree.

Article 243

- (1) Qanun is promulgated in the Aceh Regional Gazette or District/City Regional Gazette.

- (2) Governor Regulation, Regent/Mayor Regulation are promulgated in the Report of Aceh Region or Report of District/City Region.
- (3) The promulgation of qanun and Governor Regulation are conducted by the Aceh Region Secretary.
- (4) The promulgation of qanun and regent/mayor regulation are conducted by District/City Regional Secretary.
- (5) Aceh Government is obliged to disseminate qanun and Governor Regulation which have been promulgated in the Gazette of Aceh Region and the Report of Aceh Region.
- (6) The district/city government is obliged to disseminate qanun and regent/mayor regulation which have been promulgated in the Gazette of District/City Region and the Report of District/City Region.

Article 244

- (1) The Governor, the Regent/Mayor, in enforcing qanun in the organizing of public order and community tranquility, may form Civil Service Police Unit.
- (2) The Governor, regent/mayor in enforcing syar'iyah qanun in implementing Islamic syariat may form a Wilayatul Hisbah Police Unit as part of the Civil Service Police Unit.
- (3) Further stipulation regarding the formation and arrangement of the Civil Service Police Unit organization as meant in clause (1) is regulated by qanun guided by the stipulation of law.

Article 245

- (1) Members of Civil Service Police Unit are appointed as Civilian Government Employee Investigator.
- (2) The investigation and prosecution towards violation over qanun are conducted by investigator and public prosecutor in accordance with the stipulation of law.

CHAPTER XXXVI

FLAG, CREST AND HYMNE

Article 246

- (1) The Red and White Flag is the national flag of the Unitary State of the Republic of Indonesia based on the 1945 Constitution of the Republic of Indonesia.
- (2) In addition to the Red and White Flag as meant in clause (1), Aceh Government may determine and stipulate Aceh regional flag as the symbol reflecting the specialty and specific characteristic.
- (3) Aceh regional flag is the symbol as meant in clause (2), it will not be a symbol of sovereignty and will not be treated as sovereignty flag in Aceh.

- (4) Further stipulation regarding the form of flag as the symbol as meant in clause (2) is regulated with Aceh Qanun guided by the stipulation of law.

Article 247

- (1) Aceh Government may determine a crest as the symbol of specialty and specific characteristic.
- (2) Further stipulation regarding the provisions regarding crest as a symbol as meant in clause (1) is regulated in Aceh Qanun.

Article 248

- (1) The song Indonesia Raya is national anthem having national characteristic in the Unitary State of the Republic of Indonesia.
- (2) Aceh Government may determine Aceh Hymn as the reflection of specialty and specific characteristic.
- (3) Further regulation regarding the provisions regarding Aceh Hymn as meant in clause (2) is regulated by Aceh Qanun.

CHAPTER XXXVII

FOSTERING, SUPERVISION AND DISPUTE SETTLEMENT

Article 249

The fostering and supervision over the administering of Aceh government and district/city Government are performed by the Government in accordance with the stipulation of law.

Article 250

- (1) The Governor settles dispute if such dispute takes place in the administering of government functions among regencies/cities in one province.
- (2) The Minister of Domestic Affairs settles dispute if there is any dispute among provinces, between province and district/city in its territory, as well as between province and district/city outside of its territory.
- (3) The decision dispute settlement as meant in clause (1) and clause (2) will be final and binding.

CHAPTER XXXVIII

MISCELLANEOUS PROVISIONS

Article 251

- (1) Aceh name as provincial region in the system of the Unitary State of the Republic of Indonesia is based on the 1945 Constitution of the Republic of Indonesia and the title of the elected government official will be determined by DPRA after the general election of the year 2009.
- (2) Before the provision as meant in clause (1) can be conducted, Nanggroe Aceh Darussalam Province remains to be used as the name of the province.
- (3) The name and title as meant in clause (1) is decided by Government Regulation based on the proposal of DPRA and Aceh Governor.
- (4) The members of Regional House of People's Representatives of Nanggroe Aceh Darussalam Province and the members of Regional House of People's Representatives of District/City as the result of general election of the year 2004 continue performing their tasks up to the expiry of their service period in accordance with the stipulation of law.

CHAPTER XXXIX

TRANSITIONAL PROVISIONS

Article 252

- (1) Agreement between the Government and foreign country or other party, which among others relating to oil and gas profit sharing agreement located in Aceh is declared as still valid up to the expiry of the term of the agreement.
- (2) Profit sharing agreement as meant in clause (1) may be re-reviewed and/or its validity period may be shortened if there is any agreement between both of the parties entering into the agreement.

Article 253

- (1) The Regional Office of National Land Agency in Aceh Provincial Region and the Office of District/City National Land Agency become Aceh and District/City Regional apparatus at the latest in the beginning of the Budget Year of 2008.
- (2) Further stipulation regarding the implementation of those meant in clause (1) is regulated by Presidential Regulation.

Article 254

- (1) The transfer of authorities for the management of public sea port and air port from the Government to Aceh, District/City Regional Government as meant in Article 19 is implemented at the latest in the beginning of the Budget Year of 2008.

- (2) The management of public sea port and air port which have already existed when this Law is promulgated is cooperated between State Owned Enterprise and Aceh, district/city Regional Government as meant in Article 173 will be implemented at the latest in the beginning of the Budget Year of 2008.

Article 255

Provisions regarding Election Supervisory Committee as meant in Article 60 is implemented at the latest 3 (three) months as of the promulgation of this Law.

Article 256

Provisions regulating individual candidates in the election for the Governor/vice Governor, the Regent/vice Regent, and the Mayor/vice Mayor as meant in Article 67 clause (1) letter d is valid only and only conducted for the first election as of the promulgation of this Law.

Article 257

Government Regulation regarding Local Political Party as meant in Article 95 is published at the latest in February 2007.

Article 258

- (1) The management of additional oil and gas profit sharing fund as meant in Article 181 clause (3) and Article 182 is effective as of the budget year of 2008.
- (2) The special autonomy fund as meant in Article 183 clause (2) for the first year is effective as of the budget year of 2008.

Article 259

The Human Rights Court in Aceh as meant in Article 228 clause (1) is formed at the latest 1 (one) year as of the promulgation of this Law.

Article 260

The Commission for Truth and Reconciliation in Aceh as meant in Article 229 is effective at the latest 1 (one) year as of the promulgation of this Law.

Article 261

- (1) The election establishment for the Regent/vice Regent and the Mayor/vice Mayor whose term of office has expired when this Law is promulgated, is conducted concurrently with the election for the Governor/vice Governor.
- (2) The election establishment for the Regent/Deputy Regent and the Mayor/Deputy Mayor whose term of office has expired in August 2006 up to January 2007, is conducted concurrently with the election for the Governor/Deputy Governor.
- (3) The convening of election for the Governor/vice Governor, the Regent/vice Regent and the Mayor/vice Mayor for the first time is organized by Aceh Provincial KIP and District/City KIP which have already been formed.
- (4) The procedure on the election for the Governor/vice Governor, the Regent/vice Regent and the Mayor/vice Mayor after this Law is promulgated may be guided by the stipulation of law to the extent it does not contradict to and has not been amended in accordance with this Law and other stipulation of law.

Article 262

In the case there is a license for forest exploitation in Leuser Ecosystem Zone in the territory of Aceh Province which has been issued, is declared as still valid and will be reviewed again and/or adjusted by this Law at the latest 6 (six) months as of the promulgation of this Law.

Article 263

The delivery of infrastructures, funding, personnel, and documents relating to madrasah ibtidaiyah and madrasah tsanawiyah education from the Government to district/city government in Aceh are conducted at the latest in the beginning of the budget year of 2008.

Article 264

The delivery of infrastructures, funding, personnel and documents relating to public sea port and air port from the Government to district/city government are conducted at the latest in the beginning of the budget year 2008.

Article 265

The Election Independent Commission which has already existed when this law is promulgated remains performing its tasks until the expiry of its service period.

Article 266

- (1) For the first time, the formation of Aceh Election Supervisory Committee is conducted by DPRA.

- (2) The formation of district/city Election Supervisory Committee is conducted by Aceh Election Supervisory Committee.

Article 267

- (1). Clusters of Sub-districts in Aceh is gradually erased into Gampong or by other names in district/ city.
- (2). The erase of sub-district cluster as meant in clause (1) and reallocation of funds, facilities, employee affairs, and sub-district documents is conducted at least 2 (two) years after this law is promulgated.
- (3). Relocation of sub-district employees as meant in clause (2) can be positioned as gamping secretaries, district officers, district/ city officers, or provincial officers.
- (4). The implementation of the stipulation as meant in clause (1) and clause (2) is conducted with district/ city Qanun.
- (5). The implementation of the stipulation as meant in clause (3) is conducted with regent/ major decision or Governor Decision.

Article 268

The funding for the activities in the election for the Governor/Deputy Governor, the Regent/Deputy Regent, the Mayor/Deputy Mayor which will be conducted for the first time as of the promulgation of this Law will be borne by APBN, APBA, and APBK.

CHAPTER XL

CLOSING PROVISIONS

Article 269

- (1) Stipulation of law existing by the time this Law is promulgated remains valid to the extent of not contradicting this Law.
- (2) Stipulation of law under laws relating directly to special autonomy for Aceh Provincial Region and district/city are adjusted to this Law.
- (3) In the case there is any plan for the amendment to this Law, it will be conducted by firstly consult with and obtain consideration from DPRA.

Article 270

- (1) Government authority of a national nature and implementation of this Law relating to Government authorities are further stipulated by stipulation of law.
- (2) Aceh Government authority relating to the implementation of this Law is regulated with Aceh Qanun.

(3) District/city government authority relating to the implementation of this Law is regulated with District/City Qanun.

Article 271

The implementing provisions of this Law which become the authorities of the Government is formed at the latest 2 (two) years as of the promulgation of this Law.

Article 272

With the coming into force of this law, law Number 18 of 2001 regarding Special Autonomy for Aceh Special Region as Nanggroe Aceh Darussalam Province is revoked and declared null and void.

Article 273

This law will come into force as of the date of promulgation.

For public cognizance, this law is promulgated by publishing it in the State Gazette of the Republic of Indonesia

Enacted in Jakarta.

on

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta

On.....2006

THE MINISTER OF LAW AND HUMAN RIGHTS,

HAMID AWALUDDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF THE YEAR.....NUMBER.....

ELUCIDATION OF
LAW OF THE REPUBLIC OF INDONESIA
NUMBER 11 OF THE YEAR 2006
REGARDING
THE GOVERNING OF ACEH

BY THE GRACE OF THE SUPREME GOD
THE PRESIDENT OF THE REPUBLIC OF INDONESIA

I. GENERAL

The Governing System of the Unitary State of the Republic of Indonesia according to the 1945 Constitution of the Republic of Indonesia acknowledges and respects regional government units having special characteristic or specific characteristic. The state administrative journey of the Republic of Indonesia has put Aceh as a regional government unit having special and specific characteristics, relating to the typical character of Aceh community struggling history which possesses high tenacity and struggling power.

The life of Aceh community is very much articulated in the modern perspective in democratic as well as responsible state life and governmental life. Such social order is the materialization of the idiom of *Bhinneka Tunggal Ika*. Such high tenacity and struggling power are deriving from the way of life based on Islamic *syari'at* which has given birth to strong Islamic culture therefore Aceh become one of capital region for the struggle to take over and defend the liberty of the Unitary State of the Republic of Indonesia based on *Pancasila* and the 1945 Constitution.

Such life requires the presence of formal implementation of Islamic *syari'at* enforcement. That is a part of the backgrounds of *Syar'iyah* Court establishment which becomes one of the parts of Aceh special anatomy. The enforcement of Islamic *syari'at* is be conducted by Islamic personality principle towards every person in Aceh without discriminating citizenship, position, and status in the territory in accordance with the borders of Aceh Province region.

The dynamic aspiration of Aceh community is not only in indigenous, cultural, social and political life which adopt Aceh specialty, but also it gives an assurance of legal certainty in all affairs because the religious basis of life of Aceh community has formed the attitude, high struggling power and strong Islamic culture. Such things have become the primary consideration in the administering of specialty for the Province of Aceh Special Region with Law Number 44 of the Year 1999.

The formation of special zone of Sabang with Law Number 37 of the Year 2000 is a set of efforts to improve the welfare of Aceh community, and become the motivator of economic growth and development in Aceh zone as well as the capital for the acceleration of development for other region.

In the journey of administering the specialty of the Province of Aceh Special Region, it is considered not enough to give life in justice or justice in life. Such condition could not halt the community upheaval in the Province of Aceh Special Region which is manifested in various forms of reaction. The responses of the Government and the House of People's Representatives has given birth to a political solution for the settlement of Aceh problems in the form of Law Number 18 of the Year 2001 which stipulate the administering of special autonomy for the Province of

Aceh Special Region as the Province of Nanggroe Aceh Darussalam. In its implementation, that law is not adequate in accommodating the aspiration and the interest of economic development. Such matters have motivated the issuance of Law on the Governing of Aceh with autonomy as great as possible. The granting of autonomy as great as possible in the political sector to Aceh community and in the management of regional government in accordance with the principles of good governance, i.e., transparency, accountability, professionalism, efficiency, and effectiveness, are intended as great as possible for the welfare of community in Aceh. In administering autonomy as great as possible, Aceh community has a role including in formulating, stipulating, implementing and evaluating the policies of regional government.

Natural disasters, earthquake, and tsunami that happened in Aceh have given rise to solidarity of all potential of the nation to rebuild Aceh community and territory. Additionally, has also arisen strong awareness that the Government and Free Aceh Movement have settled the conflict peacefully, integrally, in a sustainable manner as well as with dignity in a permanent manner in the framework of the Unitary State of the Republic of Indonesia. Such matters are absolute necessity.

The Memorandum of Understanding between the Government and Free Aceh Movement signed in August 15, 2005 has marked a new flash of history in the journey of Aceh Province and the life of its community towards a peaceful, fair, prosperous, welfare and dignified condition. The matter that should be understood is that the Memorandum of Understanding is a form of reconciliation with dignity towards social, economic and politic development in Aceh in a sustainable manner.

The ideal anatomy in the above framework gives philosophical, juridical and sociological considerations to the formulation of the Law on the Governing of Aceh. This Law assertively stipulates that Aceh Government is an inseparable part of the Unitary State of the Republic of Indonesia and the autonomy order as great as possible which is applied in Aceh based on this Law is a sub-system in the national government system. Therefore, autonomy as great as possible is basically not only a right, but moreover, it is a constitutional obligation to be utilized as great as possible for the welfare in Aceh.

Therefore, the stipulation in qanun which is very much mandated in this Law is the materialization of concrete form for the organizing of such constitutional obligation in the administering of Aceh and district/city government, and it is a reference with dignity to manage government affairs independently as a part of the territory of the sovereignty of the Unitary State of the Republic of Indonesia.

The stipulation of the authorities which are granted to Aceh and district/city Government in this Law is the manifestation of the trust of the House of People's Representatives and the Government to accelerate the materialization of justice in welfare and welfare in justice in Aceh.

The provisions in this Law regarding the need of norms, standards, procedures, and nationally strategic affairs which become the authorities of the Government, is not meant to diminish the authority of Aceh and Regent/City Government, but it is a form of fostering, facilitation, stipulation and administering the Governmental affairs which are national in nature.

The stipulation of financial equilibrium between the central government and the regional government is reflected through the granting of authority for the utilization of existing funding sources. Cooperation in the management of natural resources in Aceh follows by a transparent and accountable management of financial sources in the framework of planning, implementing and supervising. Then, in the framework of supporting the economic growth of Aceh community, will be conducted development of infrastructure, the creation of working fields, and the elimination of poverty, and the advancement of education quality, the utilization of special autonomy fund which is an inseparable part of the growth of national economy.

II. ARTICLE PER ARTICLE		
Article 1 Sufficiently clear.	- Norm is a rule or provision used as the order for the administering of regional autonomy.	Sufficiently clear. Article 23 Clause (1)
Article 2 Sufficiently clear.	- Standard is the reference used as the benchmark in the implementation of regional autonomy.	Letter a Sufficiently clear.
Article 3 Sufficiently clear.	- Procedure is the method or course of action for administering of regional autonomy.	Letter b Sufficiently clear.
Article 4 Sufficiently clear.	Clause (2) Sufficiently clear.	Letter c Sufficiently clear.
Article 5 Sufficiently clear.	Clause (3) Sufficiently clear.	Letter d Sufficiently clear.
Article 6 Sufficiently clear.	Article 12 Sufficiently clear.	Letter e Sufficiently clear.
Article 7 Clause (1) Sufficiently clear.	Article 13 Sufficiently clear.	Letter f Sufficiently clear.
Clause (2) What meant by Government affairs of national nature in this provision includes the policy in national planning sector, policy in national development control sector, financial equilibrium, state administration, state economic institution, the fostering and empowerment of human resources, strategic high technology, as well as national conservation and standardization.	Article 14 Sufficiently clear.	Letter g Sufficiently clear.
What meant by policy is the Government authority over the fostering, facilitation and implementation of Government affairs of national nature.	Article 15 Sufficiently clear.	Letter h Sufficiently clear.
Clause (3) Sufficiently clear.	Article 16 Sufficiently clear.	Letter i Sufficiently clear.
Article 8 Clause (1) Sufficiently clear.	Article 17 Sufficiently clear.	Letter j Sufficiently clear.
Clause (2) Sufficiently clear.	Article 18 Sufficiently clear.	Letter k Accountability explanation report is a report on the progress of the implementation of governing and it is not aimed to overthrow the Governor.
Clause (3) Which meant by the Administrative policy in this provision is the policy directly related to Aceh Government, for example, matters which are stipulated in this Law such as the expansion of territory, the formation of special zone, the planning, formulating and amendment to statutory regulations directly related to Aceh region.	Article 19 Clause (1) Sufficiently clear.	Letter l Sufficiently clear.
Clause (4) Sufficiently clear.	Clause (2) What meant by sea port in this provision covers all sea port managed by the Government, including crossing sea port in Aceh territory, except those managed by State Owned Enterprises at the time of the promulgation of this Law.	Letter m Sufficiently clear.
Article 9 Sufficiently clear.	What is meant by public air port in this provision covers all public air port managed by the Government, including pioneering public air port in Aceh territory, except those managed by State Owned Enterprises at the time of the promulgation of this Law.	Clause (2) Sufficiently clear.
Article 10 Clause (1) Such formation of institution includes the formation of the disaster overcoming center.	Clause (3) Sufficiently clear.	Clause (3) Sufficiently clear.
Clause (2) Sufficiently clear.	Clause (4) Sufficiently clear.	Article 24 Clause (1)
Article 11 Clause (1) What is meant by:	Article 20 Sufficiently clear.	Letter a Sufficiently clear.
	Article 21 Clause (1) The governing of Aceh consists of Aceh Government who perform executive tasks and DPRA who will perform legislative tasks.	Letter b Sufficiently clear.
	Clause (2) Sufficiently clear.	Letter c Sufficiently clear.
	Clause (3) Sufficiently clear.	Letter d Sufficiently clear.
	Article 22	Letter e Sufficiently clear.
		Letter f Sufficiently clear.
		Letter g Sufficiently clear.
		Letter h Sufficiently clear.
		Letter i Sufficiently clear.
		Letter j Sufficiently clear.
		Letter k Sufficiently clear.

Accountability explanation is a report on the progress of the implementation of governing and it is not aimed to overthrow the regent/mayor. Clause (2)	Sufficiently clear.	What meant as Concurrent membership in this provision, opens the space for participation of local political party members in national elections. Clause (4)
Clause (3)	Sufficiently clear.	Sufficiently clear.
Article 25	Sufficiently clear.	Article 84 Sufficiently clear.
Article 26	Sufficiently clear.	Article 85 Sufficiently clear.
Article 27	Sufficiently clear.	Article 86 Sufficiently clear.
Article 28	Sufficiently clear.	Article 87 Sufficiently clear.
Article 29	Sufficiently clear.	Article 88 Sufficiently clear.
Article 30	Sufficiently clear.	Article 89 Sufficiently clear.
Article 31	Sufficiently clear.	Article 90 Sufficiently clear.
Article 32	Sufficiently clear.	Article 91 Sufficiently clear.
Article 33	Sufficiently clear.	Article 92 Sufficiently clear.
Article 34	Sufficiently clear.	Article 93 Sufficiently clear.
Article 35	Sufficiently clear.	Article 94 Sufficiently clear.
Article 36	Sufficiently clear.	Article 95 Sufficiently clear.
Article 37	Sufficiently clear.	Article 96 Sufficiently clear.
Article 38	Sufficiently clear.	Article 97 Sufficiently clear.
Article 39	Sufficiently clear.	Article 98 Sufficiently clear.
Article 40	Sufficiently clear.	Article 99 Sufficiently clear.
Article 41	Sufficiently clear.	Article 100 Sufficiently clear.
Article 42 Clause (1)	Sufficiently clear.	Article 101 Sufficiently clear.
Clause (2)	See elucidation of clause (3) of Article 8	Article 102 Clause (1) Sufficiently clear.
Article 43	Sufficiently clear.	Clause (2) Sufficiently clear.
Article 44	Sufficiently clear.	Clause (3) The word determine in this provision is not be conducted by Governor Decree but by a letter from the Governor to the President.
Article 45	Sufficiently clear.	Clause (4) Sufficiently clear.
Article 46 Clause (1)	Sufficiently clear.	Article 103 Clause (1) Sufficiently clear.
Letter a	Sufficiently clear.	Clause (2) Sufficiently clear.
Letter b	Sufficiently clear.	Article 102. Clause (3) See elucidation of clause (3) of
Letter c	Sufficiently clear.	Article 104 Sufficiently clear.
Letter d	Sufficiently clear.	Article 105 Clause (1) Sufficiently clear.
Letter e	Sufficiently clear.	Clause (2) Sufficiently clear.
Letter f	Sufficiently clear.	Clause (3) The word determine in this provision is conducted not by regent/mayor decree but by a letter from the regent/mayor to the Governor.
Letter g	Sufficiently clear.	Clause (4) Sufficiently clear.
Letter h	Sufficiently clear.	Article 106 Clause (1) Sufficiently clear.
Letter i What meant by government institution in this provision is the apparatus of the department and/or non-departmental government institution that manage the government affairs which are not transferred to the region in certain territory in the framework of de-concentration. Clause (2)	Sufficiently clear.	Clause (2) See elucidation of clause (3) of
Clause (3)	Sufficiently clear.	Article 105. Clause (3) Sufficiently clear.
Article 47	Sufficiently clear.	Article 107 Sufficiently clear.
Article 48	Sufficiently clear.	Article 108 Sufficiently clear.
Article 49	Sufficiently clear.	Article 109 Sufficiently clear.
Article 50	Sufficiently clear.	Article 110 Sufficiently clear.
Article 51	Sufficiently clear.	Article 111

Article 112	Sufficiently clear.	Article 141	Sufficiently clear.	Government, among others the appointment or formation of implementing agency, negotiation procedures, the preparation of cooperation agreement, the determination of the amount of oil and gas production for lifting and cost recovery, profit sharing, supervision, community development, reclamation obligation, and appointment of independent auditor.
Article 113	Sufficiently clear.	Article 142	Sufficiently clear.	Article 161
Article 114	Sufficiently clear.	Article 143	Sufficiently clear.	Sufficiently clear.
Article 115	Sufficiently clear.	Article 144	Sufficiently clear.	Article 162
Article 116	Sufficiently clear.	Article 145	Sufficiently clear.	Sufficiently clear.
Article 117	Sufficiently clear.	Letter a	Sufficiently clear.	Article 163
Article 118	Sufficiently clear.	Letter b	Sufficiently clear.	Sufficiently clear.
Article 119	Sufficiently clear.	Letter c	Sufficiently clear.	Article 164
Article 120	Sufficiently clear.	What meant by the phrase allotment used for the interest of religious affairs in this provision is such as wakaf land which is used for among others mosque, madrasah, or land used for house of worship of other religions.		Sufficiently clear.
Article 121	Sufficiently clear.	Article 146	Sufficiently clear.	Article 165
Article 122	Sufficiently clear.	Article 147	Sufficiently clear.	Sufficiently clear.
Article 123	Sufficiently clear.	Article 148	Sufficiently clear.	Article 166
Article 124	Sufficiently clear.	Article 149	Sufficiently clear.	Sufficiently clear.
Article 125	Sufficiently clear.	Article 150	Sufficiently clear.	Article 167
Article 126	Sufficiently clear.	Clause (1)	Sufficiently clear.	Sufficiently clear.
Article 127	Sufficiently clear.	Clause (2)	Sufficiently clear.	Article 168
Article 128	Sufficiently clear.	Clause (3)	Sufficiently clear.	Sufficiently clear.
Clause (1)	Sufficiently clear.	What meant by the phrase cooperate with regional government in this provision is the regional government whose legal territory is bordering with Aceh territory.		Article 169
Clause (2)	Sufficiently clear.	Clause (4)	Sufficiently clear.	Clause (1)
What meant by every person who is embracing Islam in this provision is any person having religion of Islam without discriminating the citizenship, position and status.		Article 151	Sufficiently clear.	What meant by the phrase transportation and maritime in this provision is also meant for making Sabang Free Sea Port Zone as main port (hub port) which functions as export import sea port (international) and also as national transshipment.
Clause (3)	Sufficiently clear.	Article 152	Sufficiently clear.	Clause (2)
Clause (4)	Sufficiently clear.	Article 153	Sufficiently clear.	Sufficiently clear.
Article 129	Sufficiently clear.	Clause (1)	Sufficiently clear.	Article 170
Article 130	Sufficiently clear.	What meant by authorities to stipulate the provisions in the Press and Broadcasting sector is maintaining the content or circulation of press and broadcasting products to ensure that they are not contradict to Islamic values.		Clause (1)
Article 131	Sufficiently clear.	Clause (2)	Sufficiently clear.	What meant by other authorities in this provision among other things is layout system, business management cooperation in domestic as well as overseas.
Clause (1)	Sufficiently clear.	Clause (3)	Sufficiently clear.	Clause (2)
Clause (2)	Sufficiently clear.	Clause (4)	Sufficiently clear.	What meant by delegation of authority is the authority of Aceh Government, Aceh Besar District Government, and Sabang City Government, which implementation is delegated to Sabang Zone Exploitation Agency. In the case the implementation of such delegation generates income; such income will be the income of APBA/APBK.
Clause (3)	Sufficiently clear.	Article 154	Sufficiently clear.	Clause (3)
What meant by statutory regulations in this provision are certain matters or conditions according to statutory regulations including Aceh Qanun regarding jinayah.		Article 155	Sufficiently clear.	Provisions as meant in Clause (1) and Clause (2) are meant for the matters of government, Aceh Government, Aceh Besar District Government and Sabang City Government authority have not yet been assigned and/or delegated in the time limit which has already been stipulated, then the Sabang Zone Exploitation Agency has the right to undertake such authority after obtaining the approval from the Sabang Zone Council and permits already issued is declared valid along with Government Regulations stipulating the assignment of authority and qanun stipulating the delegation of authority that does not apply retroactively.
Clause (4)	Sufficiently clear.	Article 156	Sufficiently clear.	Clause (4)
Article 132	Sufficiently clear.	Article 157	Sufficiently clear.	Sufficiently clear.
Article 133	Sufficiently clear.	Clause (1)	Sufficiently clear.	Article 171
Article 134	Sufficiently clear.	Clause (2)	Sufficiently clear.	Sufficiently clear.
Article 135	Sufficiently clear.	What meant by working contract in this provision among others contains the amount of reclamation and rehabilitation guarantee fund as well as the validity period of the guarantee for the implementation of post mining reclamation.		Article 172
Article 136	Sufficiently clear.	Article 158	Sufficiently clear.	Sufficiently clear.
Article 137	Sufficiently clear.	Article 159	Sufficiently clear.	Article 173
Article 138	Sufficiently clear.	Article 160	Sufficiently clear.	Clause (1)
Clause (1)	Sufficiently clear.	Clause (1)	Sufficiently clear.	Cooperation which meant in this provision covers all management authorities which at the time this Law is promulgated have not yet been transferred to Aceh Government and/or district/city. This provision does not cover authorities regarding flight and shipping safety among others flight navigation and ship guidance and/or aircraft parking.
Clause (2)	Sufficiently clear.	The provisions regarding land and sea are inclusive in it.		All management authorities which have been transferred to district/city government which covers public transportation parking, advertising publication and levies of the business activities in the terminal which is not subject to cooperation.
Clause (3)	Sufficiently clear.	Clause (2)	Sufficiently clear.	Clause (2)
What meant by partner in this provision is the togetherness and equality in giving considerations relating to the policy in administering the governing of Aceh		Clause (3)	Sufficiently clear.	Sufficiently clear.
Clause (4)	Sufficiently clear.	Clause (4)	Sufficiently clear.	Clause (3)
In performing its tasks and functions, MPU will receive financial support from APBA/APBK and other legitimate resources according to the law.		Clause (5)	Sufficiently clear.	Sufficiently clear.
Article 139	Sufficiently clear.	What is contained in the Government Regulation as meant in this provision are matters which have been mutually agreed by the Government and Aceh		Clause (4)
Article 140	Sufficiently clear.			Sufficiently clear.
				Article 174
				Sufficiently clear.
				Article 175

Sufficiently clear.	will be working for and on behalf of Finance Audit Agency.	Sufficiently clear.
Article 176	Clause (3)	Article 212
Sufficiently clear.	Sufficiently clear.	Sufficiently clear.
Article 177	Article 195	Article 213
Sufficiently clear.	Sufficiently clear.	Clause (1)
Article 178	Article 196	What meant by every person is any person, an individual, a group of people or legal entity.
Sufficiently clear.	Sufficiently clear.	Clause (2)
Article 179	Article 197	Sufficiently clear.
Sufficiently clear.	Sufficiently clear.	Clause (3)
Article 180	Article 198	Sufficiently clear.
Sufficiently clear.	Sufficiently clear.	Clause (4)
Article 181	Article 199	What meant by religious assets in this provision are assets in the form of land being used for the interest of the religion.
Sufficiently clear.	Article 200	Article 214
Article 182	Article 201	Sufficiently clear.
Clause (1)	Article 202	Article 215
Sufficiently clear.	Article 203	Sufficiently clear.
Clause (2)	Article 204	Article 216
Sufficiently clear.	Clause (1)	Sufficiently clear.
Clause (3)	Clause (2)	Sufficiently clear.
30% (Thirty percent) of funds in this provision may be used such as for improving the capacity of the apparatus, educator staffs, scholarships in domestic as well as in overseas, and other educational activities in accordance with the priority scale.	Sufficiently clear.	Clause (2)
Clause (4)	Clause (3)	What meant by Basic and intermediate education in this provision also cover education for financially incapable community group and neglected children.
Sufficiently clear.	Clause (4)	Clause (3)
Clause (5)	Clause (5)	What meant by special service education in this provision is the education allocated for Aceh residents who are in remote or under-developed area with the standard and curriculum adjusted to the statutory regulations.
Sufficiently clear.	Clause (6)	Clause (4)
Clause (6)	Clause (7)	What meant by special education in this provision is the education allocated for Aceh residents having physical, emotional, mental, intellectual, and/or social differences, as well as provided for those having the potential of special intelligence and talent adjusted to the statutory regulations.
Sufficiently clear.	Article 183	Article 218
Clause (7)	Clause (1)	Clause (1)
Sufficiently clear.	Clause (2)	What meant by formal education includeing madrasah ibtidaiyah and tsanawiyah. Especially for the curriculum of dayah education is further stipulated by qanun.
Sufficiently clear.	Clause (3)	Clause (2)
Sufficiently clear.	Clause (4)	Sufficiently clear.
Sufficiently clear.	Clause (5)	Clause (3)
Sufficiently clear.	Clause (6)	Sufficiently clear.
Sufficiently clear.	Clause (7)	Article 219
Sufficiently clear.	Article 184	Sufficiently clear.
Sufficiently clear.	Article 185	Article 220
Sufficiently clear.	Article 186	Sufficiently clear.
Sufficiently clear.	Article 187	Article 221
Sufficiently clear.	Article 188	Clause (1)
Sufficiently clear.	Article 189	This provision is also intended to foster, develop and preserve the diversity of regional culture and art in the effort to conserve the identity and to form the personality of Aceh community.
Sufficiently clear.	Article 190	Clause (2)
Sufficiently clear.	Clause (1)	Sufficiently clear.
Sufficiently clear.	Clause (2)	Clause (3)
Sufficiently clear.	Clause (3)	Sufficiently clear.
Sufficiently clear.	Clause (4)	Clause (4)
Sufficiently clear.	Clause (5)	Sufficiently clear.
Sufficiently clear.	Clause (6)	Clause (5)
Sufficiently clear.	Clause (7)	Sufficiently clear.
Sufficiently clear.	Article 191	Article 222
Sufficiently clear.	Article 192	Clause (1)
Sufficiently clear.	Article 193	What meant by preservation of the historical things in this provision including tsunami mark.
Sufficiently clear.	Clause (1)	Clause (2)
Sufficiently clear.	Clause (2)	Sufficiently clear.
Sufficiently clear.	Clause (3)	Article 223
Sufficiently clear.	Clause (4)	Sufficiently clear.
Sufficiently clear.	Clause (5)	Article 224
Sufficiently clear.	Clause (6)	Clause (1)
Sufficiently clear.	Clause (7)	Sufficiently clear.
Sufficiently clear.	Article 194	Clause (2)
Sufficiently clear.	Clause (1)	Sufficiently clear.
Sufficiently clear.	Clause (2)	Clause (3)
Sufficiently clear.	Clause (3)	The minimum service standard in this provision covers the standard of management, administration and information, service and medicine, financing, infrastructure and facilities, as well as medical staff qualifications and competence.
Sufficiently clear.	Clause (4)	Clause (4)
Sufficiently clear.	Clause (5)	Sufficiently clear.
Sufficiently clear.	Clause (6)	Sufficiently clear.
Sufficiently clear.	Clause (7)	Sufficiently clear.
Sufficiently clear.	Article 200	Sufficiently clear.
Sufficiently clear.	Article 201	Sufficiently clear.
Sufficiently clear.	Article 202	Sufficiently clear.
Sufficiently clear.	Article 203	Sufficiently clear.
Sufficiently clear.	Article 204	Sufficiently clear.
Sufficiently clear.	Clause (1)	Sufficiently clear.
Sufficiently clear.	Clause (2)	Sufficiently clear.
Sufficiently clear.	Clause (3)	Sufficiently clear.
Sufficiently clear.	Clause (4)	Sufficiently clear.
Sufficiently clear.	Clause (5)	Sufficiently clear.
Sufficiently clear.	Clause (6)	Sufficiently clear.
Sufficiently clear.	Clause (7)	Sufficiently clear.
Sufficiently clear.	Article 205	Sufficiently clear.
Sufficiently clear.	Clause (1)	Sufficiently clear.
Sufficiently clear.	Sufficiently clear.	Sufficiently clear.
Sufficiently clear.	Clause (2)	Sufficiently clear.
Sufficiently clear.	Clause (3)	Sufficiently clear.
Sufficiently clear.	Clause (4)	Sufficiently clear.
Sufficiently clear.	Clause (5)	Sufficiently clear.
Sufficiently clear.	Clause (6)	Sufficiently clear.
Sufficiently clear.	Clause (7)	Sufficiently clear.
Sufficiently clear.	Article 206	Sufficiently clear.
Sufficiently clear.	Article 207	Sufficiently clear.
Sufficiently clear.	Article 208	Sufficiently clear.
Sufficiently clear.	Article 209	Sufficiently clear.
Sufficiently clear.	Clause (1)	Sufficiently clear.
Sufficiently clear.	Sufficiently clear.	Sufficiently clear.
Sufficiently clear.	Clause (2)	Sufficiently clear.
Sufficiently clear.	Approval of the Governor as meant in clause (3) is made in writing and is delivered at the latest 14 (fourteen) days as of the receipt of approval request letter.	Sufficiently clear.
Sufficiently clear.	Clause (3)	Sufficiently clear.
Sufficiently clear.	Sufficiently clear.	Sufficiently clear.
Sufficiently clear.	Clause (4)	Sufficiently clear.
Sufficiently clear.	Sufficiently clear.	Sufficiently clear.
Sufficiently clear.	Clause (5)	Sufficiently clear.
Sufficiently clear.	The Attorney General of the Republic of Indonesia is fully authorized to dismiss the Head of Aceh High Attorney General without requesting approval from Aceh Governor and in certain matters, the Governor may give considerations to Attorney General of the Republic of Indonesia to dismiss the Head of Aceh High Attorney General.	Sufficiently clear.
Sufficiently clear.	Article 210	Sufficiently clear.
Sufficiently clear.	Sufficiently clear.	Sufficiently clear.
Sufficiently clear.	Article 211	Sufficiently clear.

Clause (5) Sufficiently clear.	Article 234 Sufficiently clear.	Article 258 Sufficiently clear.
Article 225 Clause (1) Sufficiently clear.	Article 235 Sufficiently clear.	Article 259 Sufficiently clear.
Clause (2) What meant by community social institution in this provision covers religious institution, education institution, indigenous institution, social organisations, women organization, profession organization, non governmental organization, as well as qualified business community.	Article 236 Sufficiently clear.	Article 260 Sufficiently clear.
Clause (3) Sufficiently clear.	Article 237 Sufficiently clear.	Article 261 Clause (1) Sufficiently clear.
Article 226 Clause (1) What meant by community social institution in this provision covers religious institution, education organisations, indigenous institution, social institution, women organization, profession organization, non governmental organization, as well as qualified business community.	Article 238 Sufficiently clear.	Clause (2) Sufficiently clear.
Clause (2) Sufficiently clear.	Article 239 Sufficiently clear.	Clause (3) Sufficiently clear.
Clause (3) Sufficiently clear.	Article 240 Sufficiently clear.	Clause (4) What meant by statutory regulation is the Nanggroe Aceh Darussalam Province Qanun Number 2 of the Year 2004 regarding the Election for the Governor/Deputy Governor, the Regent/Deputy Regent and the Mayor/Deputy Mayor in Nanggroe Aceh Darussalam Province as amended by Nanggroe Aceh Darussalam Province Qanun Number 3 of the Year 2005 regarding the Amendment to Nanggroe Aceh Darussalam Province Qanun Number 2 of the Year 2004.
Article 227 Sufficiently clear.	Article 241 Sufficiently clear.	Article 262 Sufficiently clear.
Article 228 Sufficiently clear.	Article 242 Sufficiently clear.	Article 263 Sufficiently clear.
Article 229 Clause (1) Sufficiently clear.	Article 243 Sufficiently clear.	Article 264 Sufficiently clear.
Clause (2) Sufficiently clear.	Article 244 Sufficiently clear.	Article 265 Sufficiently clear.
Clause (3) What meant by statutory regulations in this provision is the provisions in Law Number 27 of the Year 2004 regarding the Commission for the Truth and Reconciliation.	Article 245 Sufficiently clear.	Article 266 Sufficiently clear.
Article 230 See elucidation of Article 229 clause (3).	Article 246 Sufficiently clear.	Article 267 Sufficiently clear.
Article 231 Sufficiently clear.	Article 247 Sufficiently clear.	Article 268 Sufficiently clear.
Article 232 Sufficiently clear.	Article 248 Sufficiently clear.	Article 269 Sufficiently clear.
Article 233 Sufficiently clear.	Article 249 Sufficiently clear.	Article 270 Sufficiently clear.
	Article 250 Sufficiently clear.	Article 271 Sufficiently clear.
	Article 251 Sufficiently clear.	Article 272 Sufficiently clear.
	Article 252 Sufficiently clear.	Article 273 Sufficiently clear.
	Article 253 Sufficiently clear.	
	Article 254 Sufficiently clear.	
	Article 255 Sufficiently clear.	
	Article 256 Sufficiently clear.	
	Article 257 Sufficiently clear.	