

REGULATION OF THE REGENCY OF BANYUWANGI
NUMBER 2 OF 2020
ON
POVERTY REDUCTION

BY THE BLESSINGS OF ALMIGHTY GOD

REGENT OF BANYUWANGI,

- Considering :
- a. that in accordance with the Preamble of the 1945 Constitution of the Republic of Indonesia, the state has the responsibility to promote public welfare and educate the life of the nation;
 - b. that in accordance with the provisions of the 1945 Constitution of the Republic of Indonesia, the state is responsible for caring the poor in order to meet basic human needs;
 - c. that in order to implement Article 12 section (1) of Law Number 23 of 2014 on Local Government as amended several times, and last by Law Number 9 of 2015 on the Second Amendment to Law Number 23 of 2014 on Local Government, social welfare including the problem of poverty is a concurrent affair which is a mandatory affair related to basic services, so that the local government of Banyuwangi Regency has the obligation and responsibility to implement it;
 - d. that Banyuwangi Regency is an integral part of the Unitary State of the Republic of Indonesia and is obligated to carry out state responsibilities in its capacity as a local

government as referred in point b and point c in a planned, directed, and sustainable manner;

- e. that based on the considerations as referred to in point a, point b, point c and point d, it is necessary to issue a Regulation of Regency of Banyuwangi on Poverty Reduction.

- Observing : 1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 16 of 1950 on Establishment of Large Municipal Regions within the Provinces of East Java, Central Java, West Java, and the Special Region of Yogyakarta (State Gazette of the Republic of Indonesia of 1955 Number 53, Supplement to the State Gazette of the Republic of Indonesia Number 859);
 3. Law Number 39 of 1999 on Human Rights (State Gazette of the Republic of Indonesia of 1999 Number 165, Supplement to the State Gazette of the Republic of Indonesia Number 3886);
 4. Law Number 25 of 2004 on National Development Planning System (State Gazette of the Republic of Indonesia of 2004 Number 104, Supplement to the State Gazette of the Republic of Indonesia Number 4421);
 5. Law Number 33 of 2004 on Financial Balance between the Central Government and Local Government (State Gazette of the Republic of Indonesia of 2004 Number 126, Supplement to the State Gazette of the Republic of Indonesia Number 4438);
 6. Law Number 40 of 2004 on National Social Assurance System (State Gazette of the Republic of Indonesia of the Republic of Indonesia Number 150 of 2004, Supplement to the State Gazette of the Republic of Indonesia Number 4456);
 7. Law Number 11 of 2005 on Ratification of International Covenant On Economic, Social and Cultural Rights (State Gazette of the Republic of Indonesia of 2005 Number 118, Supplement to the State Gazette of the Republic of Indonesia Number 4557);

8. Law Number 17 of 2007 on National Long-Term Development Plan 2005-2025 (State Gazette of the Republic of Indonesia of 2007 Number 33, Supplement to the State Gazette of the Republic of Indonesia Number 4700);
9. Law Number 25 of 2009 on Public Services (State Gazette of the Republic of Indonesia of 2009 Number 112, Supplement to the State Gazette of the Republic of Indonesia Number 5038);
10. Law Number 11 of 2009 on Social Welfare (State Gazette of the Republic of Indonesia of 2009 Number 12, Supplement to the State Gazette of the Republic of Indonesia Number 4967);
11. Law Number 36 of 2009 on Health (State Gazette of the Republic of Indonesia of 2009 Number 144, Supplement to the State Gazette of the Republic of Indonesia Number 5063);
12. Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234);
13. Law Number 13 of 2011 on Handling of the Poor (State Gazette of the Republic of Indonesia of 2011 Number 83, Supplement to the State Gazette of the Republic of Indonesia Number 5235);
14. Law Number 23 of 2014 on Local Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as last amended by Law Number 9 of 2015 on the Second Amendment to Law Number 23 of 2014 on Local Government (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
15. Government Regulation Number 39 of 2012 on Implementation of Social Welfare (State Gazette of the Republic of Indonesia of 2012 Number 68, Supplement to

- the State Gazette of the Republic of Indonesia Number 5294);
16. Government Regulation of Republic Indonesia Number 63 of 2013 on Implementation of Handling Efforts of the Poor through a Regional Approach (State Gazette of the Republic of Indonesia of 2012 Number 68, Supplement to the State Gazette of the Republic of Indonesia Number 5294);
 17. Presidential Regulation Number 15 of 2010 on Acceleration of Poverty Reduction, as amended by Presidential Regulation Number 96 of 2015 on Amendment to Presidential Regulation Number 15 of 2010 on Acceleration of Poverty Reduction;
 18. Regulation of the Minister of Home Affairs Number 13 of 2006 on Guidelines for Regional Financial Management as amended by Regulation of the Minister of Home Affairs Number 21 of 2011;
 19. Regulation of the Minister of Home Affairs Number 42 of 2010 on the Coordination Team for Poverty Reduction at Provinces and Regencies/Municipalities;
 20. Presidential Regulation of Republic of Indonesia Number 166 of 2014 on Program for Acceleration of Poverty Reduction;
 21. Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 80 of 2015 on the Formation of Regional Legal Products as amended by Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 120 of 2018;
 22. Regulation of the Minister of Social Affairs Number 28 of 2017 on General Guidelines for Integrated Data Verification and Validation for Handling of the Poor and Disabled People;
 23. Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 15 of 2018 on Integrated Service and Referral Systems for Handling of the Poor and Needy;
 24. Regulation of the Minister of Villages, Development Disadvantaged Regions, and Transmigration of the

- Republic of Indonesia Number 11 of 2019 on Priority for the Use of Village Funds of 2020;
25. Regulation of the Regency of Banyuwangi Number 8 of 2016 on Formation and Composition of Regional Apparatus of the Regency of Banyuwangi as amended by Regulation of the Regency of Banyuwangi Regency Number 10 of 2019 on Amendment to Regional Regulation Number 8 of 2019 on the Formation and Composition of Regional Apparatus of the Regency of Banyuwangi, (Regency Gazette of Banyuwangi of 2019 Number 68);
 26. Regulation of the Regency of Banyuwangi Number 15 of 2011 on Regional the Long-Term Development Plan of the Regency of Banyuwangi 2005-2025;
 27. Regulation of the Regency of Banyuwangi Number 7 of 2016 on Regional Medium-Term Development Plan of the Regency of Banyuwangi 2016-2021 as amended by Regulation of the Regency of Banyuwangi Number 5 of 2019 on Amendment to Regional Regulation Number 7 of 2016 on Regional Medium-Term Development Plan of the Regency of Banyuwangi 2016-2021;

With the Joint Approval of
THE REGIONAL HOUSE OF REPRESENTATIVE
And
THE REGENT OF BANYUWANGI

HAS DECIDED:

To issue : REGIONAL REGULATION ON POVERTY REDUCTION.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means the Regency of Banyuwangi;
2. Local Government means the Government of the Regency of Banyuwangi;

3. Regent means the Regent of Banyuwangi;
4. Regional House of Representative, hereinafter abbreviated as DPRD, means a regional people representative institution in this case is DPRD of the Regency of Banyuwangi which has a position as an element in administering the Local Government;
5. Local Government means the administration of government affairs by the Local Government and the Regional House of Representative according to the principles of autonomy and assistance tasks with the broadest possible autonomy principle in the system and principles of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia;
6. The poor means people who have absolutely no source of livelihood and/or have a source of livelihood but do not have the ability to fulfill basic needs that are adequate for the life of themselves and/or their families;
7. Handling of the poor means a directed, integrated and sustainable effort carried out by the Government, local government and/or the public in the form of policies, programs and activities for empowerment, assistance and facilitation to meet the basic needs of every citizen;
8. Basic needs mean the needs for food, clothes, housing, health, education, work, and/or social services;
9. Poor means a condition in which a person is unable to fulfill basic rights, including food, health services, education services, job and business, housing, clean water and sanitation, land, natural resources, security and participation;
10. Poverty means a socio-economic condition of a person or group of people having an inability to fulfill basic needs in maintaining and developing a dignified life;
11. Family means the smallest unit in society which consists of husband and wife or husband and wife with their children, or father and child, or mother and child, or blood family in a straight line up or down to the third degree;

12. Basic rights means community rights that must be protected by the local government in the framework of maintaining and developing a dignified life, especially economic, social and cultural rights;
13. Poor people mean individuals or groups of people who are unable to fulfill their basic needs and/or rights;
14. Target Households (*Rumah Tangga Sasaran*), hereinafter also referred to as RTS, mean households that fall into the poor category;
15. Poverty Reduction means government and local government's policies and programs that are carried out systematically, well-planned, and in synergy with the business world and public to reduce the number of poor people in the context of increasing the welfare of the people;
16. Poverty Reduction Programs mean activities carried out by the government, local governments, business world, and the public to improve the welfare of the poor through social assistance, community empowerment, and empowerment of micro and small economic enterprises;
17. Poverty Reduction Coordination Team (*Tim Koordinasi Penanggulangan Kemiskinan*) of Regency of Banyuwangi, hereinafter abbreviated as TKPK Regency of Banyuwangi, means a cross-sectoral and cross-stakeholder coordination forum for poverty reduction;
18. Poverty Reduction Coordination Team of the Sub-District (*Tim Koordinasi Penanggulangan Kemiskinan Kecamatan*), hereinafter abbreviated as TKPKKec, means a cross-sectoral and cross-stakeholder coordination forum for the acceleration of poverty reduction at the sub-district level;
19. Poverty Reduction Task Force of Village/Urban Village (*Satuan Tugas Penanggulangan Kemiskinan Desa/Kelurahan*), hereinafter abbreviated as PKDes/Kel Task Force means a task force for accelerating poverty in villages/urban villages;
20. Stakeholders mean parties that directly or indirectly implement policies on poverty reduction program.
21. Poverty reduction area means the entire area of the Regency of Banyuwangi; and

22. Regional Apparatus Work Unit (*Satuan Kerja Perangkat Daerah*), hereinafter abbreviated as SKPD, means a regional apparatus within the Government of Regency of Banyuwangi as an assistant element to the regent in the implementation of regional governance.

CHAPTER II

SCOPE

Article 2

The scope of Poverty Reduction includes:

- a. Principles, Targets, Criteria and Indications;
- b. Rights and Responsibilities of the Poor;
- c. Data collection;
- d. Implementation of Poverty Handling;
- e. Poverty Reduction Acceleration Strategies and Programs;
- f. Institutional;
- g. Implementation of Coordination;
- h. Employment relation;
- i. Fostering;
- j. Public and Business Actors Participation;
- k. Public Complaints;
- l. Monitoring and Evaluation;
- m. Funding;
- n. Prohibition;
- o. Investigation Provisions;
- p. Criminal provisions; and
- q. Closing Provisions.

CHAPTER III

PRINCIPLES, TARGETS, CRITERIA AND INDICATIONS

Part One

Principles

Article 3

Poverty Handling is based on:

- a. humanity;
- b. social justice;
- c. non-discrimination;
- d. welfare;
- e. solidarity; and
- f. empowerment.

Part Two

Targets

Article 4

- (1) Poverty handling targets are aimed to:
 - a. individuals;
 - b. family;
 - c. group; and/or
 - d. public.
- (2) The target locations for handling as referred to in section (1) include:
 - a. Rural Area;
 - b. Urban Area;
 - c. Coastal Area;
 - d. Plantation Area.

Part Three

Criteria

Article 5

The criteria for determining the qualifications of the poor are carried out in accordance with the Legislation.

Part Four

Indications

Article 6

Indications for poor families include:

1. Ownership Status of Residential Buildings;
2. Floor area of residential buildings;

3. Floor type of the widest residential building;
4. Wall type of the widest residential building;
5. Facilities for defecating;
6. Drinking Water Source;
7. Household Lighting Sources;
8. Types of fuel for everyday cooking;
9. Frequency of Eating in a Day;
10. Protein consumption;
11. Ownership of Clothing;
12. Capability of Health Facilities;
13. There are school-age children in the household;
14. Per capita monthly income;
15. Occupation;
16. Ownership of Asset;
17. Smoker;
18. Ownership of Cell Phone;

CHAPTER IV

RIGHTS AND RESPONSIBILITIES OF THE POOR

Part one

Rights

Article 7

The poor have rights to:

- a. obtain sufficient food, clothes and housing;
- b. get health services;
- c. obtain education that can enhance their dignity;
- d. get social protection in building, developing and empowering themselves and their families according to their cultural character;
- e. get social services through social security, social empowerment, and social rehabilitation in building, developing and empowering oneself and their families;
- f. obtain a decent degree of life;
- g. obtain a healthy living environment;
- h. improve the sustainable welfare conditions; and
- i. get a job and business opportunity.

Part two
Responsibilities

Article 8

The poor have responsibilities consisting of:

- a. protecting themselves and their families from actions that can damage their health, social life and economy;
- b. increasing social awareness and resilience in society;
- c. empowering themselves to be independent and improve the level of welfare and participate in efforts to handle poverty; and
- d. trying and working according to the abilities of those who have potential.

CHAPTER V
DATA COLLECTION

Article 9

Initial data sources are obtained from the results of data collection conducted by the Statistics (BPS) Regency of Banyuwangi.

Article 10

- (1) The poor who have not been registered and/or recorded can be proposed to the urban village head or village head.
- (2) The head of a family who has been registered as poor is obligated to report any changes in the data of his or her family members to the urban village head or village head.
- (3) The urban village head or village head is obligated to submit registration or changes as referred to in section (1) and section (2) to the regent through the sub-district head.
- (4) Members of the community listed in the integrated data as poor are given an identity card indicating that they are poor.
- (5) Further provisions regarding the mechanism and procedure for issuing identity cards for the poor as

referred to in section (4) are regulated in a Regent Regulation.

Article 11

- (1) The TKPK Regency conducts data changes as the Implementer of the Integrated Data Verification and Validation for Poverty Handling.
- (2) The data Changes as referred to in section (1) are determined by a Regent Decision.
- (3) The changed data that has been determined by the Regent is submitted to the Governor as the representative of the central government in the regions.
- (4) The data as referred to in section (3) is used as the basis for poverty reduction and/or distribution of other assistance from the government.
- (5) The Verification and Validation as referred to in section (1) are carried out actively and periodically at least 2 (two) times a year or once in 6 (months).
- (6) The Verification and validation as referred to in section (1) are exempted in the event of certain situations and conditions which either directly or indirectly affect a person to become poor.
- (7) Data collection which includes integrated data verification and validation is intended that program recipient data is valid, right on target, and on time.

Article 12

- (1) The Implementer of the Integrated Data Verification and Validation for Poverty Handling as referred to in Article 11 section (1) consists of:
 - a. head of regional social service;
 - b. head of the population and civil registration service;
 - c. sub-district head; and
 - d. village head/urban village head.
- (2) The Data collection as referred to in Article 9 and Article 11 is carried out through a manual process and digitization.

- (3) The Implementers of Verification and Validation as referred to in section (1) is determined by a Regent Decision.
- (4) Results of Integrated Verification and Validation are used for all poverty reduction programs.

CHAPTER VI POVERTY REDUCTION IMPLEMENTATION

Article 13

In the implementation of poverty handling, local governments are tasked with:

- a. facilitating, coordinating and disseminating the implementation of policies, strategies and programs for handling poverty, taking into account provincial and national policies;
- b. carrying out stakeholder empowerment in poverty handling;
- c. carrying out supervision and control of policies, strategies, and programs in poverty handling;
- d. evaluating policies, strategies and programs;
- e. providing means and infrastructure for poverty handling; and
- f. allocating sufficient and adequate funds in the regional budget to carry out poverty handling.

Article 14

- (1) The direction of poverty reduction policies is guided by the Regional Long-Term Development Plan.
- (2) The mechanism for setting the policy direction as referred to in section (1) is further regulated by a Regent Regulation.

CHAPTER VII
STRATEGIES AND PROGRAMS OF POVERTY REDUCTION

Part One
Poverty Reduction Strategies

Article 15

The strategies for accelerating poverty reduction are carried out by:

- a. increasing the ability and income of the poor;
- b. developing and ensuring the sustainability of Micro Enterprises;
- c. synergizing poverty reduction policies and programs;
- d. reducing the burden of expenses for the poor; and
- e. providing convenience for sustainable education and health.

Part Two
Poverty Reduction Programs

Article 16

Every poverty reduction program is an elaboration of the policy direction and poverty reduction strategy which consists of:

- a. The family-based integrated social assistance program group, aims to fulfill basic rights, reduce the burden of life, and improve the quality of life of the poor;
- b. Community empowerment-based poverty reduction program groups, aiming to develop the potential and strengthen the capacity of poor community groups to be involved in development based on the principles of community empowerment;
- c. The poverty reduction program group based on empowerment of micro and small economic enterprises, aims to provide access to and economic strengthening for micro and small scale business actors; and
- d. Other programs, either directly or indirectly, can improve economic activity and the welfare of the poor.

CHAPTER VIII
INSTITUTIONAL

Article 17

The Regent in implementing the acceleration of poverty reduction forms the TKPK Regency of Banyuwangi.

Article 18

The structure of TKPK Regency as referred to in article 17 consists of at least:

- a. Person in charge;
- b. Head;
- c. Vice Head;
- d. Secretary;
- e. Vice Secretary;
- f. Head Secretariat;
- g. Work group;
- h. Program group;

Article 19

- (1) In an effort to improve coordination of poverty reduction at regency level, a TKPK Regency of is formed;
- (2) In order to effectively coordinate poverty reduction at the sub-district level, a TKPK Sub-District is formed and a task force is formed in a village/urban village level;
- (3) TKPK Regency of Banyuwangi as referred to in section (1) consists of elements from the regency government, the community, the business world and other stakeholders;
- (4) The membership of the TKPK Regency of Banyuwangi is determined by a Regent Decision;
- (5) The TKPK Regency of Banyuwangi participates in regency level development planning; and
- (6) The TKPK Regency of Banyuwangi is responsible to the regent.

Article 20

- (1) In an effort to improve coordination of poverty reduction at sub-district level as referred to in Article 19 section (2),

a sub-district Coordination Team for poverty reduction (TKPKKec) is formed.

- (2) The TKPKKec referred to in section (1) consists of elements from the Sub-District Government, the community, the business world and other stakeholders.
- (3) The membership of the TKPKKec is determined by a Sub-District Decision.
- (4) The TKPKKec is tasked with coordinating the planning, organizing the implementation and control of poverty reduction programs at the sub-district level.
- (5) The TKPKKec is responsible to the sub-district head.

Article 21

- (1) In an effort to improve coordination of poverty reduction at Village/Urban Village level as referred to in article 19 section (2), a Village/Urban Village poverty reduction task force (SATGAS PKDes/Kel) is formed.
- (2) The Satgas PKDes/Kel as referred to in section (1) consists of elements from the village/urban village government, the community, the business world and other stakeholders.
- (3) The Satgas PKDes/Kel is tasked with coordinating planning, organizing, implementing and controlling poverty reduction programs at the village level.
- (4) The Satgas PKDes/Kel is responsible to the village head.

Article 22

The TKPK Regency as referred to in Article 17 has the following duties:

- a. coordinating poverty reduction; and
- b. controlling the implementation of poverty reduction.

Article 23

- (1) The TKPK Regency of Banyuwangi in carrying out the duties as referred to in Article 22 point a, carries out the following functions:

- a. coordinating the preparation of the Regional Work Unit (SKPD) of Banyuwangi Regency as the basis for the preparation of the Regional Medium-Term Development Plan of Banyuwangi Regency in the field of poverty reduction;
 - b. coordinating Regional Work Unit or a combination of Regional Work Unit in the field of poverty reduction in the formulation of Regional Work Unit strategic plans;
 - c. coordinating Regional Work Unit or combined Regional Work Unit in the field of poverty reduction in terms of drafting the Regional Development Work Plan;
 - d. coordinating Regional Work Unit or a combination of Regional Work Unit in the field of poverty reduction in the formulation of Regional Work Unit work plans; and
 - e. coordinating evaluation of the implementation of the formulation of regional development plan documents in the field of poverty reduction.
- (2) The TKPK Regency of Banyuwangi in carrying out the duties as referred to in Article 22 point b, carries out the following functions:
- a. controlling, monitoring, supervision and follow-up on the achievement of poverty reduction program and objectives activity that they are in line with regional development policies;
 - b. control of monitoring the implementation of the poverty reduction program group by Regional Work Unit which includes realization of target achievement, absorption of funds and obstacles faced;
 - c. compiling the results of periodic monitoring of the implementation programs and or activities of poverty reduction;
 - d. controlling the evaluation of the implementation programs and or activities of poverty reduction;

- e. controlling the handling of public complaints in the field of poverty reduction; and
- f. preparing reports on the implementation and achievement of poverty reduction programs to the Regent and The TKPK Province.

Article 24

Further provisions regarding the reporting mechanism as referred to in Article 23 section (2) point f are regulated in a Regent Regulation.

Article 25

- (1) To assist the duties execution of the Poverty TKPK Regency of Banyuwangi as referred to in Article 23, a Secretariat of TKPK Regency of Banyuwangi is established.
- (2) The Secretariat of TKPK Regency of Banyuwangi as referred to in section (1) has the duty of providing technical administrative support and material policy support to the TKPK Regency of Banyuwangi.
- (3) The Secretariat of TKPK Regency as referred to in section (1) is domiciled at the Regional Development Planning Agency.

Article 26

The Secretariat of TKPK Regency in carrying out the duty as referred to in Article 25 section (2) is responsible to the Head of TKPK Regency Banyuwangi.

Article 27

- (1) To assist the duties execution of The Secretariat of TKPK Regency of Banyuwangi as referred to in Article 25 section (2), a Working Group is formed;
- (2) The Working Group as referred to in section (1) consists of:
 - a. Working Group of Data Collection and Information System;

- b. Working Group of Partnership Development; and
- c. Working Group of Public Complaints.

Article 28

- (1) The Working Group of Data Collection and Information System as referred to in Article 27 section (2) point a has the duty of carrying out part of the duties of the Secretary of TKPK Regency of Banyuwangi in managing poverty reduction data and information systems.
- (2) In carrying out the duties as referred to in section (1), the Working Group of Data Collection and Information System carries out the following functions:
 - a. management and development of poverty data;
 - b. development of regional poverty indicators;
 - c. development of poverty information system; and
 - d. provision of data and information on early warning systems on poverty conditions and problems.
- (3) The Working Group of Partnership Development as referred to in Article 27 section (2) point b has the duty of carrying out part of the duties of the Secretary of TKPK Regency of Banyuwangi in facilitating the management and development of partnerships in poverty reduction.
- (4) The Working Group of Partnership Development in carrying out the duties as referred to in section (3), carries out the following functions:
 - a. formulation of fostering relations between the community and local government; and
 - b. formulation of business relations with local governments.
- (5) The Working Group of Public Complaints as referred to in Article 27 section (2) point c has the duty of carrying out part of the duties of the Secretary of TKPK Regency of Banyuwangi in facilitating the handling of public complaints on poverty reduction programs.
- (6) In carrying out the duties as referred to in section (5), the Working Group of Public Complaints carries out the following functions:

- a. formulating and preparing the handling of public aspirations and complaints related to poverty reduction activities;
- b. formulating and preparing campaign materials for handling public aspirations and complaints related to the implementation of poverty reduction activities; and
- c. formulating and preparing dissemination materials regarding the need for community assistance in submitting complaints on the implementation of poverty reduction activities.

Article 29

- (1) The TKPK Regency of Banyuwangi in carrying out the duties as referred to in Article 22 is assisted by the poverty reduction program group.
- (2) The poverty reduction program group as referred to in section (1) consists of:
 - a. family-based integrated social assistance program groups;
 - b. community empowerment-based poverty reduction program groups;
 - c. empowerment of micro economic enterprises-based poverty reduction program group; and

Article 30

- (1) The Family-based integrated social assistance program group as referred to in Article 29 section (2) point a, carries out part of the duties of TKPK Regency of Banyuwangi in coordinating poverty reduction in the field of family-based integrated social assistance.
- (2) The community empowerment-based poverty reduction program groups as referred to in Article 29 section (2) point b, carries out part of the duties of TKPK Regency of Banyuwangi in coordinating poverty reduction in the community empowerment sector.

- (3) The empowerment of micro economic enterprises-based reduction program group as referred to in Article 29 section (2) point c, carries out part of the duties of TKPK Regency of Banyuwangi in coordinating poverty reduction in the empowerment of micro and small economic enterprises.

Article 31

In carrying out their duties the program groups as referred to in Article 30 is responsible to the Head of TKPK Regency of Banyuwangi.

CHAPTER IX IMPLEMENTATION OF COORDINATION

Article 32

- (1) The TKPK Regency of Banyuwangi coordination meetings are held at least 3 (three) times in 1 (one) year or any time as needed.
- (2) The coordination meetings as referred to in section (1) are chaired by the Head TKPK.
- (3) The coordination meetings as referred to in section (1) discuss:
 - a. Formulation of Regional Poverty Reduction Strategies for Banyuwangi Regency;
 - b. Preparation of poverty reduction programs in the Regional Medium-Term Development Plan and Regional Development Work Plan of Banyuwangi Regency; and
 - c. Implementation of accelerated poverty reduction.

CHAPTER X EMPLOYMENT RELATION

Article 33

The implementation of the duties of TKPK Regency of Banyuwangi is carried out in a coordinated manner in a single

poverty reduction policy along with the TKPK Province of East Java, and the National Team for the Acceleration of Poverty Reduction.

CHAPTER XI GUIDANCE AND SUPERVISION

Article 34

- (1) The Regent provide guidances and supervision on the implementation of poverty reduction.
- (2) The regent may delegate guidance and supervision on the implementation of poverty reduction to the head of the agency in charge of social affairs.
- (3) Further provisions regarding the guidance and supervision on the implementation of poverty reduction are regulated in a Regent Regulation.

CHAPTER XII PUBLIC AND BUSINESS ACTORS PARTICIPATION

Article 35

- (1) The public is given the widest possible opportunity to play an active role in accelerating poverty reduction implemented by the local government and business actors in the planning, implementation, supervision, monitoring and evaluation processes.
- (2) The public as referred to in section (1) includes individuals, families, groups, social organizations, foundations, non-governmental organizations, religious organizations, professional organizations, business actors and social organizations.
- (3) Poverty reduction acceleration program carried out by the public and business actors as referred to in section (1) and section (2) must be aligned with strategies and programs for accelerating poverty reduction and coordinating with the of TKPK Regency of Banyuwangi.

Article 36

- (1) The Business Actors as referred to in Article 35 section (1) and (2) are required to take an active role in poverty reduction.
- (2) The form of poverty reduction as referred to in section (1) may be in the form of Corporate Social Responsibility in coordination through SATGAS PKDEs/Kel/TKPKN Regency.

CHAPTER XIII
PUBLIC COMPLAINTS

Article 37

- (1) The public may submit complaints regarding to the implementation of poverty reduction acceleration programs implemented by the Government, Provincial Government and Local Government.
- (2) The Public complaints as referred to in section (1) are submitted in writing to the TKPK Regency of Banyuwangi by including the complainant's identity, clear data and problems.
- (3) The TKPK Regency of Banyuwangi as referred to in section (2) must follow up and provide an answer to public complaints within 14 (fourteen) work days from the date the complaint was received.
- (4) If within 14 (fourteen) work days as referred to in section (3) there is no follow-up or response, then the complaint is deemed accepted and followed up.

CHAPTER XV
MONITORING AND EVALUATION

Article 38

- (1) In the context of implementing Poverty Reduction, the Local Government establishes an integrated monitoring and evaluation system.

- (2) The TKPK Regency of Banyuwangi conducts monitoring and evaluation and compiles periodic reports on the implementation of Poverty Reduction down to the Village level.

CHAPTER XVI

FUNDING

Article 39

Funding for the implementation of poverty reduction programs comes from:

- a. Regional Budget;
- b. Village Budget; and
- c. Sources of funds from third parties that are not binding in accordance with the provisions of legislation.

CHAPTER XVII

PROHIBITION

Article 40

- (1) Every person in implementing poverty reduction is prohibited from:
 - a. intentionally providing description and information that is not in accordance with the actual conditions;
 - b. performing data falsification; and
 - c. hindering programs and activities in poverty reduction.
- (2) Every officer appointed in the implementation of poverty reduction is prohibited from:
 - a. committing abuse of authority;
 - b. performing data falsification; and
 - c. hindering programs and activities in the context of poverty reduction.

CHAPTER XVIII
INVESTIGATION PROVISIONS

Article 41

- (1) Investigations of violations of this Regional Regulation are carried out by Civil Servant Investigators (PPNS), who have the authority in accordance with the Law which forms the legal basis for their respective appointments.
- (2) In carrying out investigative duties, a Civil Servant Investigator is authorized to:
 - a. receive a report or complaint from someone regarding to a criminal act for violating legislation;
 - b. take the first action and inspection at the scene;
 - c. order someone to stop and check the suspect's identification; confiscate objects or letters;
 - d. take fingerprints and take a picture of someone;
 - e. summon people to be heard and examined as suspects or witnesses;
 - f. bring in the necessary experts in connection with the case examination;
 - g. to terminate the investigation after the investigator receives an indication that there is insufficient evidence or the incident does not constitute a criminal act and thereafter; and
 - h. the investigator informs the public prosecutor, the suspect or his or her family; and take other actions according to law that can be accounted for.

CHAPTER XIX
CRIMINAL PROVISIONS

Article 42

- (1) Every person who violates the provisions as referred to in Article 40 section (1) is subject to imprisonment for a maximum of 3 (three) months or a maximum fine of Rp50,000,000,- (fifty million rupiah).

- (2) Violation of the provisions as referred to in in Article 38 section (2) are subject to sanctions in accordance with the provisions of the prevailing legislation.
- (3) The criminal act referred to in section (1) is a violation.

CHAPTER XX
CLOSING PROVISIONS

Article 43

The Regent Regulation as the implementation of this Regional Regulation must be issued not later than 6 (six) months as of the date of this Regional Regulation's promulgation.

Article 44

This Regional regulation comes into force on the date of its promulgation.

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

Issued in Banyuwangi
on 11 June 2020

REGENT OF BANYUWANGI,

signed

H. ABDULLAH AZWAR ANAS

Promulgated in Banyuwangi
on 11 June 2020

REGIONAL SECRETARY
OF THE REGENCY OF BANYUWANGI,

signed

H. MUJIONO

REGENCY GAZETTE OF BANYUWANGI OF 2020 NUMBER 2
REGISTRATION NUMBER OF REGULATION OF THE REGENCY OF
BANYUWANGI NUMBER 69-2/2020

Jakarta, 27 November 2020

Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,



WIDODO, PK, TJAHJANA

ELUCIDATION OF
REGULATION OF THE REGENCY BANYUWANGI
NUMBER 2 OF 2020
ON
POVERTY REDUCTION

I. GENERAL

The condition of poverty in Banyuwangi Regency is a common problem, however, as mandated by the Preamble to the 1945 Constitution of the Republic of Indonesia, that the aim of the state is to protect the entire Indonesian nation and all Indonesian blood, promote public welfare, educate the nation's life, and participate in implementing it. world order based on freedom, eternal peace and social justice.

Therefore, in order to advance general welfare, educate the nation's life, and social justice for all Indonesian people, the State in this case represented by the Government of the Regency of Banyuwangi is obligated to prosper the people of Banyuwangi and simultaneously free them from poverty. Therefore, in a more coordinated and systematic way to respect, protect and fulfill the rights to the basic needs of the Banyuwangi people, this Regional Regulation was formed.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear.

Article 3

Point a

The term principle of "humanity" means that in the handling of the poor, it must provide protection, respect for human rights, as well as the dignity and worth of every citizen and population of Indonesia.

Point b

The term principle of "social justice" means that in the handling of the poor, it must provide justice proportionally to every citizen without exception.

Point c

The term principle of "non-discrimination" means that the handling of the poor must be carried out on the basis of equality without distinction of origin, ethnicity, religion, race, and between groups.

Point d

The term "principle of solidarity" means that the implementation of social welfare must be based on social care to help people who need help with empathy and compassion.

Point e

The term principle of "solidarity" means that the handling of the poor must be based on social care to help people who need help with empathy and compassion.

Point f

The term principle of "empowerment" means that in handling the poor, it must be done through increasing the capacity and capacity of human resources to increase independence.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

The term indications for poor families mean.

Point 1

Ownership Status of Residential Buildings, among others:

- a. superstructure;
- b. contract/lease;
- c. one's own.

Point 2

Floor Areas of Residential Buildings include:

- a. less than 8 m²/capita;
- b. 8 x 12 m²/capita;
- c. more than 12 m²/capita.

Point 3

The floor types of the widest residential building include:

- a. soil;
- b. masonry/cement;
- c. ceramics.

Point 4

The wall types of the widest residential building include:

- a. bamboo;
- b. masonry (semi permanent);
- c. Wall.

Point 5

Defecation facilities (MCK) include:

- a. do not have/river/in other places;
- b. common property;
- c. one's own.

Point 6

Sources of drinking water include:

- a. Source unprotected;
- b. Protected wells/sources/HIPPAM;
- c. Public drinking water company/bottled.

Point 7

Household sources of lighting include:

- a. non electricity/electricity is not own;
- b. 450 watts;
- c. own electricity (> 450 watts).

Point 8

Types of fuel for everyday cooking include:

- a. wood and the likes;
- b. gas 3 kg;
- c. gas > 3 kg.

Point 9

The frequency of eating in a day includes:

- a. one time;
- b. twice;
- c. three times/more.

Point 10

Consumption of protein (meat/milk) in a week includes:

- a. never;
- b. one time;
- c. twice/more.

Point 11

Clothing ownership includes:

- a. never bought;
- b. one set;
- c. two or more sets.

Point 12

Health Facility Capabilities include:

- a. Not treated/to a traditional healer;
- b. Government Puskesmas/Hospital;
- c. Private doctor practice/private hospital.

Point 13

In the household, there are school age children, among others:

- a. Elementary level.
 - 1. All of them do not schools;
 - 2. Some attend school and some do not (drop out of school/did not finish);
 - 3. All of them attend school.
- b. Junior high school level.
 - 1. All of them do not attend schools;
 - 2. Some attend school and some do not (drop out of school/did not finish);
 - 3. All of them attend school.
- c. Senior High School level and above.
 - 1. All of them do not attend schools;
 - 2. Some attend school and some do not (drop out of school/did not finish);
 - 3. All of them attend school.

Point 14

Monthly Per capita income includes:

- a. Less than Rp. 250,000/capita/month;
- b. Rp. 250,000 to 375,000/capita/month;
- c. More than 375,000/capita/month.

Point 15

The work includes:

- a. Not working/earning income;
- b. Temporary work (informal);
- c. Permanent work (formal).

Point 16

Asset Ownership includes:

1. Savings.
 - a. Do not have;
 - b. <500,000;
 - c. > 500,000;
2. Gold.
 - a. Do not have;
 - b. <500,000;
 - c. > 500,000.
3. Color TV.
 - a. Do not have;
 - b. <500,000;
 - c. > 500,000.
4. Livestock.
 - a. Do not have;
 - b. <500,000;
 - c. > 500,000.
5. Motorized Vehicles.
 - a. Do not have;
 - b. <500,000;
 - c. > 500,000.
6. Rice fields/fields (tegal).
 - a. Do not have;
 - b. <500,000;
 - c. > 500,000.

Point 17

Smokers include:

- a. Do not smoke;
- b. Smoke.

Point 18

Cell Phone ownership includes:

- a. don't have a cell phone;
- b. Have a cell phone.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Sufficiently clear.

Article 12

Sufficiently clear.

Article 13

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Means and infrastructures include:

1. Banyuwangi Call Center Response
2. Complaints (Whatsapp and SMS center);
3. Online SPM;

Point f

Sufficiently clear.

Article 14

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Sufficiently clear.

Article 17

Sufficiently clear.

Article 18

Sufficiently clear.

Article 19

Sufficiently clear.

Article 20

Sufficiently clear.

Article 21

Sufficiently clear.

Article 22

Sufficiently clear.

Article 23

Sufficiently clear.

Article 24

Sufficiently clear.

Article 25

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Sufficiently clear.

Article 28

Sufficiently clear.

Article 29

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Article 30

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Article 31

Sufficiently clear.

Article 32

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Article 33

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Article 34

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Article 35

Sufficiently clear.

Article 36

Sufficiently clear.

Article 37

Sufficiently clear.

Article 38

Sufficiently clear.

Article 39

Sufficiently clear.

Article 40

Sufficiently clear.

Article 41

Sufficiently clear.

Article 42

Sufficiently clear.

Article 43

Sufficiently clear.

Article 44

Sufficiently clear.