

REGULATION OF THE REGIONAL HOUSE OF REPRESENTATIVES
OF THE REGENCY OF BANYUWANGI
NUMBER 3 OF 2015

ON

RULES OF PROCEDURE OF THE HONORARY BOARD
OF THE REGIONAL HOUSE OF REPRESENTATIVES
OF THE REGENCY OF BANYUWANGI

BY THE BLESSINGS OF ALMIGHTY GOD

LEADERSHIP OF THE REGIONAL HOUSE OF REPRESENTATIVES
OF THE REGENCY OF BANYUWANGI,

Considering : a. that the position of Members of the Regional House of Representatives of the Regency of Banyuwangi as representatives of the people is an honorable position, so that in carrying out their duties and obligations they must be accountable to Almighty God, the state and the public;

b. that in order for the Members of the Regional House of Representatives of the Regency of Banyuwangi to carry out their functions and duties based on the provisions of legislation and to maintain their position, the Honorary Board the Regional House of Representatives of the Regency of Banyuwangi has been established;

c. that based on Regulation of the Regional House of Representatives of the Regency of Banyuwangi Number 1 of 2015 on Rules of Procedure of the Regional House of Representatives of the Regency of Banyuwangi for the 2014-2015 Period, it is stated that the Rules of Procedure of the Honorary Board of the Regional House of Representatives of the Regency of Banyuwangi is stipulated by a Regulation of the Regional House of Representatives of the Regency of Banyuwangi;

d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to issue Regulation of the Regional House of Representatives of the Regency of

Banyuwangi on Rules of Procedure of the Honorary Board of the Regional House of Representatives of the Regency of Banyuwangi;

Observing : 1. Law Number 12 of 1950 on Establishment of Banyuwangi Regency within the Province of East Java (State Bulletin of the Republic of Indonesia of 1950 Number 4801) as amended by Law Number 2 of 1965 (State Gazette of the Republic of Indonesia of 1965 Number 19, Supplement to the State Gazette of the Republic of Indonesia Number 2730);
2. Law Number 28 of 1999 on Implementation of a Clean State and Free from Corruption, Collusion and Nepotism (State Gazette of the Republic of Indonesia of 1999 Number 75, Supplement to the State Gazette of the Republic of Indonesia Number 3851);
3. Law Number 2 of 2008 on Political Parties (State Gazette of the Republic of Indonesia of 2008 Number 2; Supplement to the State Gazette of the Republic of Indonesia Number 4801), as amended by Law Number 2 of 2011 on Amendment to Law Number 2 of 2008 on Political Parties (State Gazette of the Republic of Indonesia of 2011 Number 8 Supplement to the State Gazette of the Republic of Indonesia Number 5189);
4. 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);
5. Law Number 15 of 2011 on Administration of General Elections (State Gazette of the Republic of Indonesia of 2011 Number 101, Supplement to the State Gazette of the Republic of Indonesia Number 5246);
6. Law Number 8 of 2012 on General Election of the House of Representatives, the Regional Representative Council, and the Regional House of Representatives (State Gazette of the Republic of Indonesia of 2012 Number 117, Supplement to the State Gazette of the Republic of Indonesia Number 5316);
7. Law Number 17 of 2014 on the People's Consultative Assembly, the House of Representatives, the Regional Representative Council, and the Regional House of Representatives (State Gazette of the Republic of Indonesia of 2014 Number 182, Supplement to the State Gazette of the Republic of Indonesia Number 5568);
8. Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587);

9. Government Regulation Number 24 of 2004 on Protocolary Status and Financial Rights of the Leaders and Members of the Regional House of Representatives (State Gazette of the Republic of Indonesia of 2004 Number 90, Supplement to the State Gazette of the Republic of Indonesia Number 4416) as amended by Government Regulation Number 21 of 2007 on the Third Amendment to Government Regulation Number 24 of 2004 on Protocolary Status and Financial Rights of the Leaders and Members of the Regional House of Representatives (State Gazette of the Republic of Indonesia of 2007 Number 47, Supplement to the State Gazette of the Republic of Indonesia Number 4712);
10. Government Regulation of the Republic of Indonesia Number 79 of 2005 on Guidelines for the Development and Supervision of the Administration of Local Government (State Gazette of the Republic of Indonesia of 2005 Number 165, Supplement to the State Gazette of the Republic of Indonesia Number 4593);
11. Government Regulation of the Republic of Indonesia Number 16 of 2010 on Guidelines for the Formulation of Regional House of Representatives Regulations on Rules of Procedure of the Regional House of Representatives (State Gazette of the Republic of Indonesia of 2010 Number 22, Supplement to the State Gazette of the Republic of Indonesia Number 5104);
12. Regulation of the Minister of Finance Number 113/PMK.05/2012 on Official Domestic Travel for State Officials, Civil Servants, and Non-Permanent Employees (State Bulletin of the Republic of Indonesia of 2012 Number 678);
13. Regulation of the Minister of Home Affairs Number 1 of 2014 on Formation of Regional Legal Products (State Bulletin of the Republic of Indonesia of 2014 Number 32);
14. Decision of the Minister of Home Affairs Number 116 of 2003 on Granting of Permission to Travel Abroad for Important Reasons for State Officials and Members of the Regional House of Representatives within the Provincial and Regency/Municipal Governments.
15. Decision of the Governor of East Java dated 12 August 2014 Number 171.429/422/011/2014 on Inauguration of the Appointment of Members of the the Regional House of Representatives of the Regency of Banyuwangi for the 2014–2019 Membership Period;
16. Regulation of the Regional House of Representatives of the Regency of Banyuwangi Number 1 of 2015 on Rules of Procedure of the Regional House of Representatives of the Regency of Banyuwangi for the 2014–2019 Period;

17. Regulation of the Regional House of Representatives of the Regency of Banyuwangi Number 2 of 2015 on Code of Ethics of the Regional House of Representatives of the Regency of Banyuwangi.

HAS DECIDED:

To issue : REGULATION OF THE REGIONAL HOUSE OF REPRESENTATIVES OF THE REGENCY OF BANYUWANGI ON RULES OF PROCEDURE OF THE HONORARY BOARD OF THE REGIONAL HOUSE OF REPRESENTATIVES OF THE REGENCY OF BANYUWANGI.

CHAPTER I GENERAL PROVISIONS

Article 1

In this Regulation:

1. Region means the Regency of Banyuwangi;
2. Local Government means the administration of government affairs by the local government and the Regional House of Representatives in accordance with the principles of autonomy and assistance tasks, based on the principle of broad autonomy within the system and principles of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia;
3. Regional House of Representatives (Dewan Perwakilan Rakyat Daerah), hereinafter referred to as the DPRD, means the Regional House of Representatives of the Regency of Banyuwangi as the administrator of local government;
4. Leadership of the Regional House of Representatives, hereinafter referred to as the DPRD Leadership, means the Chairperson and Deputy Chairpersons of the Regional House of Representatives of the Regency of Banyuwangi;
5. Faction Leadership means the Chairperson, Deputy Chairperson, and Secretary of the Faction within the DPRD of the Regency of Banyuwangi;
6. DPRD Members, hereinafter referred to as Members, mean the people's representatives who have sworn or pledged in accordance with the legislation and, in carrying out their duties, earnestly consider the interests of the people;
7. Honorary Board means a permanent DPRD Complementary Organ tasked with handling and resolving alleged violations of the Code of Ethics committed by the Members;

8. Leadership of Honorary Board means the Chairperson and Deputy Chairperson of the DPRD Honorary Board;
9. Rules of Procedure mean the Rules of Procedure of the DPRD of the Regency of Banyuwangi;
10. Code of Ethics of DPRD, hereinafter referred to as the Code of Ethics, means a provision on ethical conduct serving as a reference for the DPRD's Performance in carrying out its duties and functions;
11. Ethical Opinion means the opinion of the Leadership and all members of the Honorary Board regarding an Ethical issue;
12. Ethical Case Registration Book means a Book used to record incoming complaint reports within the Honorary Board;
13. Confidential means matters that, by their nature or form, cannot or should not yet be disclosed to other parties;
14. Rehabilitation means a statement restoring the good name of the DPRD Leadership and/or Members who are not proven to have violated the Rules of Procedure, Code of Ethics, or Oath of Office as alleged;
15. Report means a report from the DPRD Leadership, the public, and/or constituents, made in writing and accompanied by initial evidence regarding an act and/or event reasonably suspected to constitute a violation of the Rules of Procedure, Code of Ethics, or Oath of Office committed by a Member;
16. Violation means an act that contravenes norms or rules regarding matters required, prohibited, or considered improper according to the Oath of Office, Rules of Procedure, or Code of Ethics by a Member;
17. Defense means the opportunity given to the Leadership and/or Members of the House to present their defense in connection with a complaint regarding a violation;
18. Sanction means a penalty imposed on the Leadership and/or Members in connection with a violation;
19. Complainant means the DPRD Leadership, Leadership of Complementary Organs, Members, or the Public, whether individually or collectively, or Voters;
20. Reported Party means the DPRD Leadership, Leadership of complementary organs, or Members who are complained about, reported, caught in the act of a violation, or suspected of committing a violation that is widely known to the public;
21. Examined Party means a Member who is examined before a session of the Honorary Board due to suspected violations;

22. Witness means any person who can provide information for the purposes of an investigation regarding an event related to the examined case, except for:
 - a. Wife, Husband, Former Wife, Former Husband, and family in a direct line of ascendants or descendants within the third degree by blood or marriage.
 - b. Persons obliged to maintain confidentiality due to their position (clergy, doctors, and notaries).
 - c. Persons with memory impairments.
23. Expert Witness means a person with specific expertise who can provide information for the purposes of an investigation;
24. Companion means a Member from the same Faction or another Faction who assists in providing a defense;
25. Clarification means the initial face-to-face examination process conducted to ascertain the truth of a report or information regarding an alleged violation;
26. Verification means the cross-examination process of parties who have knowledge of the alleged violation, through face-to-face meetings, other evidentiary tools, or testimony that clarifies the event;
27. Investigation means a series of actions aimed at seeking and obtaining information, both in the form of evidence and testimony, regarding an event suspected of being a violation, in order to determine whether the violation is proven or not;
28. Crony means a close friend or companion.

CHAPTER II DUTIES AND AUTHORITIES OF THE HONORARY BOARD

Article 2

The Honorary Board is a permanent DPRD complementary organ, established to implement and uphold the Code of Ethics, as determined by a DPRD Decision.

Article 3

The Honorary Board of DPRD has the following duties:

- a. to monitor and evaluate discipline and/or compliance with morals, the Code of Ethics, and/or Rules of Procedure in order to maintain the dignity, honor, image, and credibility of the DPRD;
- b. to examine alleged violations committed by Members against the Rules of Procedure and/or the Code of Ethics;
- c. to conduct investigations, verifications, and clarifications regarding complaints from the DPRD Leadership, Members, and/or the public;

- d. to report the decisions of the Honorary Board on the results of investigations, verifications, and clarifications as referred to in point c to the DPRD plenary session; and
- e. to rehabilitate the good name of Members who are proven innocent.

Article 4

In carrying out its duties, the Honorary Board has the authority to:

- a. summon the concerned member to provide explanations and a defense regarding the alleged violation committed; and
- b. request statements from the complainant, witnesses, and/or other relevant parties, including requesting documents or other evidence.

Article 5

- (1) The Honorary Board imposes sanctions on Members proven to have violated the Code of Ethics and/or Rules of Procedure based on the results of investigations, verifications, and clarifications conducted by the Honorary Board;
- (2) The Members found to have violated the provisions of the DPRD Code of Ethics may be subjected to the following sanctions:
 - a. Verbal warning;
 - b. Written warning;
 - c. Dismissal from leadership positions within DPRD complementary organs;
 - d. temporary suspension as a Member; or
 - e. Dismissal as a Member.
- (3) Decisions of the Honorary Board concerning the imposition of sanctions in the form of a verbal warning, written warning, dismissal from Leadership positions within DPRD Complementary Organs, or temporary suspension as a Member conveyed by the DPRD Leadership to the concerned Member, the Faction Leadership, and the Leadership of the relevant Political Party.
- (4) Decision of the Honorary Board concerning the imposition of sanctions in the form of dismissal as a Member is processed in accordance with the provisions of legislation.

CHAPTER III
COMPLAINT AND HANDLING MECHANISM
OF CODE OF ETHICS VIOLATIONS

Part One
General

Article 6

- (1) The mechanisms for filing/reporting violations are:
 - a. complaints regarding violations may be submitted by individuals, groups, organizations, Members, and/or other sources.
 - b. complaints/reports concerning alleged violations are submitted in writing to the DPRD Leadership and include the clear identity of the complainant, with a copy to the Honorary Board;
 - c. complaints/reports as referred to in point a are disregarded if they do not include the clear identity of the complainant;
 - d. the DPRD leadership forwards the complaints/reports to the Honorary Board for follow-up;
 - e. if within 7 (seven) working days from the receipt of the complaints/reports as referred to in point a, the DPRD Leadership does not forward them, the Honorary Board may take the initiative to follow up.
- (2) Regarding violations committed by the Members that are not reported as referred to in section (1), and if the developments of such violations are widely known to the public, the Honorary Board takes the initiative to handle them.
- (3) The mechanisms for examination and investigation are:
 - a. the examination and investigation mechanism conducted through investigation, verification, and clarification;
 - b. the process of investigation, verification, and clarification carried out by requesting statements and explanations from the complainant, witnesses, and/or the concerned member, as well as reviewing documents and other evidence;
 - c. the Honorary Board draws conclusions from the examination and investigation, accompanied by official minutes of the examination and investigation.

Article 7

- (1) The handling of violations may be carried out based on reports, developments in the community, and findings.

(2) Violations identified by the Honorary Board that do not require a report include violations related to the absence of DPRD Members from DPRD Meetings to which they are obligated.

Article 8

(1) The handling of violations commences upon the occurrence of:

- a. a complaint report regarding a violation;
- b. a violation that has become widely known to the public
- c. a violation of attendance in meetings that exceeds the provisions set forth in the Rules of Procedure.

(2) The term “widely known to the public” as referred to in section (1) point b means that the information has been reported in print or electronic media.

(3) If the conditions as referred to in section (1) are met, an initial examination is then conducted by the Honorary Board.

(4) If the initial examination yields strong indications of a violation, the Honorary Board immediately proceeds to the violation hearing stage.

(5) The Honorary Board hearing is conducted in a single level, and the decision is rendered final.

Part Two
Procedures for Filing Reports

Article 9

(1) The reports are submitted in writing in Bahasa Indonesia.

(2) The submitted reports are required to be signed/thumb-printed by the Complainant.

Article 10

(1) In the event that the Complainant is unable to write, the report may be submitted orally.

(2) In the event that the report is submitted orally as referred to in section (1), the Secretariat transcribes the oral report.

(3) The report as referred to in section (2) is read back to the Complainant, and is signed or thumb-printed by the Complainant.

Article 11

The reports are submitted to the DPRD Leadership with a copy to the Honorary Board as referred to in Article 6 section (1) through the Secretariat on working days.

Article 12

- (1) Upon receiving a Report, the Secretariat verifies the completeness of the report, including:
 - a. the current identity of the Complainant;
 - b. the identity of the Reported Party;
 - c. the matter being reported; and
 - d. evidence related to the facts/events reported.
 - e. a description of the basis of the report.
- (2) The description as referred to in section (1) point e includes:
 - a. The position of the Complainant and their direct relevance to the subject matter of the report.
 - b. The reasons of the Complainant must be clearly and thoroughly explained in writing, showing that the Reported Party is reasonably suspected of violating prohibitions, obligations, and/or propriety under the Oath/Promise of Office, DPRD Rules of Procedure, or the DPRD Code of Ethics;
 - c. The Report must be accompanied by reasons and/or other supporting evidence;
- (3) To verify the administrative and substantive elements of the Report, the Honorary Board is assisted by the Secretariat and may be supported by Experts.
- (4) The Secretariat as referred to in section (2) verifies the administrative completeness of the Report.
- (5) The experts as referred to in section (2) verify the substantive content of the report.
- (6) The Secretariat and Experts report the results of the verification as referred to in section (3) and section (4) to the Honorary Board no later than 5 (five) working days.
- (7) In the event that the report is found administratively complete and in compliance with the Rules of Procedure and Code of Ethics, the complaint is accepted by the Secretariat, and an acknowledgment of receipt is issued for the Complainant, after which the report submitted to the Honorary Board meeting.
- (8) In the event that the report is incomplete, the Secretariat notifies the Complainant of the deficiencies, and the Complainant is requested to complete the report no later than seven (7) working days from the receipt of the notice of incompleteness.
- (9) If the completeness of the report as referred to in section (8) is not fulfilled, the Complaint is not registered in the registration book.
- (10) The reports that are deemed unacceptable and not completed within the time period as referred to in section (8) may not be resubmitted, except if new evidence is found.
- (11) The complaints are submitted without any charge.

Article 13

The violations that are widely known to the public and violations of attendance in meetings that exceed the provisions set forth in the Rules of Procedure, as referred to in Article 8 point b and point c are handled without the need for a complainant.

Article 14 Dismissal of Violation Issues

Violation issues are dismissed if:

- a. the Examined Party has passed away;
- b. the Examined Party resigns as a DPRD Member; or
- c. the provisions suspected to have been violated are declared no longer valid.

Article 15

The Honorary Board is obligated to keep complaints confidential, particularly the identity of the Reported Party, until the case is concluded.

Article 16

The Honorary Board is obligated to examine and verify the completeness of administrative documents and supporting evidence for the complaint, as referred to in Article 6 of this Regulation, as well as other evidence, which may include information related to the basis of the complaint.

Article 17

- (1) The DPRD Leadership, the Honorary Board, and staff handling the reports are obligated to keep the identity of the Complainant confidential.
- (2) If necessary, the Honorary Board may request law enforcement authorities to provide security protection to the Complainant.

Part Three Registration of Complaint Reports

Article 18

Complaint reports that are complete and meet the requirements are recorded in the Ethical Case Registration Book and assigned a case number.

Article 19

The Honorary Board provides a copy of the complaint report to the Reported Party, accompanied by the case number, through an official letter.

Article 20

In the event that a complaint report recorded in the Ethical Case Registration Book is withdrawn by the Complainant, the Honorary Board issues a Registration Cancellation Letter for the submitted complaint report and notifies the Complainant, along with returning the complaint report file.

Part Four Preliminary Examination

Article 21

In the Preliminary Examination, the Honorary Board have the following obligations:

- a. to examine the completeness of the complaint report;
- b. to request and collect evidence;
- c. to request explanations from the Complainant regarding the content of the complaint report and the main points of the request;
- d. to examine and assess the evidence submitted by the Complainant;
- e. to request explanations from the Reported Party.

Article 22

After the Preliminary Examination has been conducted, the Honorary Board hold a meeting to determine whether the complaint report can proceed to the hearing process.

Part Five Procedures for Investigation and Examination

Article 23

- (1) The Honorary Board conduct proceedings regarding complaints of violations that meet the material and administrative requirements.
- (2) The types of violations as referred to in section (1) consist of:
 - a. Violations of prohibitions;
 - b. Violations of obligations; and
 - c. Violations of propriety.
- (3) The Honorary Board hold hearings to:
 - a. examine whether there has been a violation of the Oath of Office, Rules of Procedure, and/or Code of Ethics.
 - b. determine if the Examined Party is proven to have committed a violation.
 - c. impose sanctions as regulated in the Code of Ethics.
 - d. provide rehabilitation to Members if they are proven not to have committed a violation.

- (4) In the context of investigation and examination, the Honorary Board may:
 - a. summon Members to provide statements as the Examined Party.
 - b. summon witnesses and expert witnesses to provide testimony for the purposes of the violation hearing.
 - c. pose direct questions to the examined party regarding matters necessary and related to the violation.
- (5) The Honorary Board coordinate to:
 - a. prepare the conduct of the hearing by studying and reviewing the case files of the violation;
 - b. determine the schedule and subject matter of the hearing.
 - c. identify witnesses whose statements need to be heard.
- (6) The Leadership of the Honorary Board is obligated to:
 - a. preside over the hearing.
 - b. explain the reasons and objectives of the hearing.
 - c. consider suggestions and opinions from the Members of the Honorary Board to formulate the hearing decision.
 - d. sign the Minutes and the decision of the hearing.
 - e. read the decision of the hearing to the Examined Party.

CHAPTER IV SCHEDULING OF MEETINGS AND HEARINGS

Article 24

- (1) The reporting materials that have been administratively registered cannot be withdrawn, except as determined otherwise by the Honorary Board.
- (2) To complete the Report, the Honorary Board meeting may invite the Complainant to present the issues being reported.

Article 25

- (1) In the event that the materials and initial evidence are declared complete in the Honorary Board meeting, the reporting materials are submitted to the Reported Party and the Reported Party's Faction Leadership via official letter, no later than fourteen (14) working days from the date the report materials are declared complete.
- (2) If the evidence is incomplete, the Honorary Board seek the additional data within the timeframe determined in the Meeting.

- (3) Once the additional data is obtained, the Honorary Board Meeting schedules the next steps in accordance with the applicable provisions.
- (4) The Reported Party's Faction Leadership as referred to in section (1) is obligated to keep the report confidential until the case is concluded.

Article 26

The Leadership of the Honorary Board immediately sets the date for the first hearing after the case is declared to proceed.

Article 27

- (1) The Honorary Board deliver an official and proper summons to the Reported Party, with a copy to the Reported Party's Faction Leadership, at least 3 (three) days prior to the Honorary Board Hearing.
- (2) The Honorary Board summon the Reported Party if the initial data is deemed sufficient by the meeting.
- (3) The summons as referred to in section (1) may be issued for a maximum of 3 (three) times.
- (4) The Reported Party must personally attend/comply with the summons during the examination conducted by the Honorary Board and may not authorize another person to attend on their behalf.
- (5) In the event that the Reported Party fails to comply with the summons as referred to in section (2) up to 3 (three) times, the Honorary Board may proceed to discuss the case without the presence of the Reported Party
- (6) The Reported Party may be excused from attending the Hearing as referred to in section (1) due to illness requiring intensive treatment or hospitalization, evidenced by a medical certificate, or for other reasonable and accountable reasons.

CHAPTER V

EVIDENCE AND PROOF

Part One

Evidence

Article 28

- (1) The types of evidence used in examinations conducted by the Honorary Board are:
 - a. witness statements;
 - b. expert testimony;
 - c. written evidence;
 - d. indications or clues;
 - e. statements from the parties involved;

- f. other evidence in the form of information spoken, sent, received, or stored electronically using optical devices or similar means; and
- g. documents, including any recorded data or information that can be seen, read, and/or heard, which can be produced with or without the assistance of any medium, whether on paper, any physical object other than paper, or electronically recorded, consisting of writings, sounds, images, maps, designs, photographs, letters, signs, numbers, or perforations having meaning.

(2) The evidence as referred to in section (1) must be legally accountable by the Honorary Board.

Article 29

The examinations as referred to in Article 11 include:

- a. examination of the main points of the complaint report;
- b. examination of evidence;
- c. listening to the Complainant's statement;
- d. listening to the Examined Party's statement;
- e. listening to witness statements;
- f. listening to expert testimony;
- g. listening to statements from Related Parties;
- h. examination of data sequences, statements, actions, conditions, and/or events corresponding to other evidence that may serve as indications;
- i. examination of other evidence in the form of information spoken, transmitted, received, or stored electronically or in a similar manner.

Article 30

(1) In the event that the Complainant requests withdrawal of the report during the examination process, the Honorary Board meeting may grant the request and instruct the DPRD Secretariat to record it in the Ethical Case Registration Book.

(2) If the case as referred to in section (1) involves a sufficiently strong indication of a violation, the Honorary Board continue the examination and subsequent process.

Part Two

Proof

Article 31

(1) The evidence as referred to in Article 18 that cannot be legally accounted for are not considered valid evidence.

(2) The Honorary Board determine the validity of evidence in the Honorary Board hearings.

(3) The Honorary Board evaluate the evidence presented during the examination by considering the consistency between one piece of evidence and another.

Article 32

- (1) Examination of documentary or written evidence must be legally accountable.
- (2) Examination of documentary or written evidence in the form of photocopies must be legalized and/or compared with the original document.
- (3) In the event that the requirements as referred to in section (1) and section (2) are met, the Chairperson of the hearing declare the evidence valid in the Honorary Board hearing.

Article 33

- (1) Witnesses may be presented by the Complainant, the Examined Party, Related Parties, or determined by the Honorary Board.
- (2) Examination of witnesses begins by asking for their identity (name, place and date of birth/age, religion, occupation, and address) and willingness to take an oath or pledge according to their religion to testify about what they have seen, heard, and personally experienced.
- (3) Before giving their testimony, the witness takes an oath or pledge according to their religion.

Article 34

- (1) Expert witnesses may be presented by the Complainant, the Examined Party, Related Parties, or determined by the Honorary Board.
- (2) Examination of expert witnesses begins by asking for their identity (name, place and date of birth/age, religion, occupation, and address), background, expertise, and willingness to take an oath or pledge according to their religion to provide testimony within their expertise.
- (3) Before giving their testimony, the expert witness takes an oath or pledge according to their religion.
- (4) Testimony of an expert Witness may be considered by the Honorary Board if the witness does not have a personal interest with the Complainant, the Examined Party, Related Parties, or the reported case.

Article 35

If necessary to establish certainty in proving a case, the Honorary Board may conduct investigations in specific regions or institutions.

CHAPTER VI
RIGHTS AND OBLIGATIONS OF THE COMPLAINANT
AND THE EXAMINED PARTY

Part Three
Rights and Obligations of the Complainant

Article 36

- (1) The Complainant is entitled to:
 - a. present further explanations based on evidence before the Honorary Board hearing.
 - b. be accompanied by a lawyer, provided that the lawyer has no right to speak during the Honorary Board Hearing.
- (2) The Complainant is obligated to provide reports and statements truthfully.

Part Four
Rights and Obligations
of the Examined Party

Article 37

- (1) The Examined Party is entitled to:
 - a. defense him/herself.
 - b. be accompanied by one up to 3 (three) persons from their Faction or other members appointed by the Examined Party.
 - c. present witnesses.
 - d. receive and review the main points of the case submitted by the Honorary Board in writing, either individually or together with the Companion, at least 3 (three) days before the Honorary Board hearing.
 - e. be informed of and receive the results of the Honorary Board hearing.
 - f. submit written objections with supporting new evidence within 7 (seven) days after receiving the Honorary Board hearing decision.
 - g. receive rehabilitation if proven not guilty.
- (2) The Examined Party is obligated to:
 - a. attend all summonses from the Honorary Board, except in cases of illness requiring intensive care or hospitalization, proven by a doctor's certificate;
 - b. participate in the Honorary Board hearing, either individually or with a companion;
 - c. answer all questions posed by members of the Honorary Board;
 - d. provide truthful statements;
 - e. comply with all hearing procedures.

CHAPTER VII DEFENSE

Article 38

- (1) The Honorary Board hearing must consider the defense arguments submitted by the parties.
- (2) The Honorary Board hearing may accept or reject part or all of the defense arguments.
- (3) The Honorary Board hearing includes the accepted defense arguments as referred to in section (2) in the Honorary Board Decision.

VERIFICATION OF THE LEADERSHIP AND/OR MEMBERS OF THE HONORARY BOARD

Article 39

- (1) In the event that the Leader and/or Member of the Honorary Board is involved in a violation, they are prohibited from participating in the hearing process as a member of the Honorary Board.
- (2) In the event that the Reported Party is a Leader and/or Member of the Honorary Board, the Report is notified by the Honorary Board to the DPRD Leadership and the Faction Leadership to which their member is the Reported Party.
- (3) Upon receiving the notification as referred to in section (2), the DPRD Leadership requests the Faction Leadership to which their member is the Reported Party to propose temporary candidates for the Leader and/or Members of the Honorary Board as replacements.
- (4) The temporary Leader and/or Members of the Honorary Board are appointed in a special meeting attended by the DPRD Leadership, Honorary Board, and the leadership of the Factions.

CHAPTER VIII RULES OF PROCEDURE FOR THE HEARING

Article 40

- (1) The Honorary Board hearing is valid if attended by at least three members, including the leadership.
- (2) The hearing is chaired by the Chairperson and/or Deputy Chairperson of the Honorary Board.
- (3) If the Chairperson and Deputy Chairperson are unable to lead the hearing due to other unavoidable duties or impediments, the hearing may be led by a member who receives written authorization from the Chairperson or Deputy Chairperson.

Article 41

The Honorary Board hearing is conducted at the DPRD office or other designated locations if deemed necessary.

Article 42

Hearings are conducted in closed sessions of the Honorary Board.

Article 43

The Honorary Board and the Reported Party's Faction Leadership are obligated to maintain the confidentiality of information obtained from the Complainant, the Reported Party, Witnesses, or Related Parties until the case is decided.

Article 44

- (1) Hearings are conducted solemnly and orderly, reflecting the honor of the DPRD profession.
- (2) During the hearing, all participants are dressed neatly and appropriately.
- (3) Hearing procedures.
 - a) The Chairperson opens the hearing by stating: "The DPRD Honorary Board hearing examining an alleged Code of Ethics violation by: ... [name], position: ... [position], is officially opened and not open to the public," followed by a gavel strike.
 - b) The Chairperson instructs officers to summon the Examined Party and their companions into the hearing room.
 - c) The Chairperson verifies the Examined Party's identity, including full name, age, address, position, and DPRD complementary organ according to case files, and readiness to attend the hearing.
 - d) The Chairperson reads the report on the alleged violation to the Examined Party and reasons for submission to the Honorary Board hearing.
 - e) The Chairperson manages the examination mechanism during the hearing.
 - f) If the Examined Party does not answer questions, the Chairperson continues the hearing and warns the Examined Party that non-response may be detrimental.
 - g) The hearing may summon witnesses and/or the complainant to complete the examined party's statement.
 - h) If a session must be postponed, the Chairperson states: "The hearing is adjourned and will continue on ... [date], at ... [time], at ... [location]," followed by a gavel strike.

- i) The Chairperson resumes the hearing by stating: "The hearing is now continued ...," followed by a gavel strike.
- j) If examination by the Honorary Board is deemed sufficient, the Chairperson gives an opportunity to the Examined Party to present an oral/written defense, or the Examined Party may present defense through a companion, and present witnesses.
- k) If the examined party presents witnesses, the Honorary Board Hearing continues to hear their testimony.
- l) If the examined party presents companions, the Honorary Board Hearing continues to hear their testimony.
- m) The Honorary Board hearing decision is taken deliberatively in closed session and signed by the Chairperson and all Members.
- n) The Decision format of the Honorary Board hearing includes considerations and the dictum or ruling.
- o) The Chairperson reads the Honorary Board hearing decision during the session.
- p) The hearing decision is communicated to the Examined Party.
- q) If the Chairperson considers the examination complete, the Chairperson closes the hearing by stating: "The DPRD Honorary Board hearing examining the Examined Party, Name ..., Position ..., is officially closed," followed by a gavel strike.

CHAPTER IX HEARINGS WITHOUT THE PRESENCE OF THE EXAMINED PARTY

Article 45

- (1) The Honorary Board hearing may proceed without the Examined Party according to the mechanisms stipulated in this Regulation.
- (2) The Honorary Board may issue a decision even if the Examined Party does not attend.

CHAPTER X DECISION-MAKING

Article 46

- (1) The Honorary Board decision-making meeting is chaired by the Chairperson or Deputy Chairperson of the Honorary Board.

- (2) The Honorary Board decision-making meeting is conducted in a closed and confidential session.
- (3) In the event that the Chairperson of the Honorary Board is unable to lead, the decision-making meeting is chaired by the Deputy Chairperson.
- (4) In the event that both the Chairperson and the Deputy Chairperson are unable to attend, the meeting is chaired by a member appointed by the meeting/ad hoc committee lead.

Article 47

The decision-making meetings first verify:

- a. hearing minutes or transcripts;
- b. ethical opinions from the Chairperson and all members of the Honorary Board.

Article 48

The Honorary Board decisions are taken after considering:

- a. principles in the Code of Ethics;
- b. facts revealed in the hearing;
- c. facts from the evidence;
- d. facts from the defense; and
- e. provisions in DPRD Rules of Procedure, the Code of Ethics, and other legislation.

CHAPTER XI DECISIONS

Article 49

- (1) Honorary Board decisions are preferably taken by deliberation to reach consensus.
- (2) In the event that consensus is not achieved, decision-making is postponed until the next meeting.
- (3) If consensus is still not reached in the next meeting, the decision is made by majority vote.
- (4) The interval between the first and next Meeting is 2 (two) to 7 (seven) days.
- (5) In respecting the opinions of members of the Honorary Board that are different from the decision as referred to in section (3), these opinions may be included in the decision of the Honorary Board, unless the member of the Honorary Board concerned does not wish it.

Article 50

Every decision of the Honorary Board must include:

- a. opening phrase: "BY THE BLESSINGS OF ALMIGHTY GOD";
- b. Complainant identity;
- c. Examined Party identity;

- d. summary of the complaint;
- e. consideration of facts from the hearing;
- f. consideration of facts from the evidence;
- g. consideration of facts from the defense;
- h. legal considerations;
- i. decision;
- j. differing ethical opinions from members of the Honorary Board; and
- k. date, names, and signatures of all attending Leadership and Members of the Honorary Boards.

Article 51

The decision as referred to in Article 50 point i contains:

- a. declaring the complaint inadmissible, granting the complaint, or rejecting the complaint;
- b. stating whether the Examined Party is proven not to violate the DPRD Code of Ethics and/or Rules of Procedure and receives Rehabilitation or is proven to violate DPRD Code of Ethics and/or Rules of Procedure and is sanctioned

Article 52

The Honorary Board Hearing decision is binding

Article 53

Copies of the Honorary Board decision are sent to the Complainant and Examined Party not later than 15 (fifteen) working days after the decision is made in an Honorary Board decision-making meeting.

Article 54

- (1) The Honorary Board hearing decision may be publicly announced.
- (2) Copies of the Honorary Board hearing decision are sent to:
 - a. DPRD Leadership;
 - b. DPRD Secretary;
 - c. relevant Faction Leadership; and
 - d. Head of the relevant political party.

Article 55

- (1) Supervision of implementation of the Honorary Board hearing decision is the responsibility of DPRD Leadership, which must process it administratively in accordance with the legislation.
- (2) The cost of conducting the Honorary Board hearing is charged to the Local Budget.

CHAPTER XII

IMPOSITION OF SANCTIONS

Article 56

The procedure for imposing Sanctions is as follows:

- a. The Honorary Board determines the type of sanction based on the results of the Honorary Board hearing;
- b. The Honorary Board reports the Honorary Board Decision in accordance with the mechanism in Article 6 of this Regulation;

Article 57

A sanction in the form of a verbal warning as referred to in Article 5 section (2) point a is delivered by the Honorary Board to the Reported Party in an Honorary Board Meeting, not later than 5 (five) working days from the date of the decision.

Article 58

- (1) A sanction in the form of a written warning as referred to in Article 5 section (2) point b is delivered by the Honorary Board to the DPRD Leadership and the Reported Party's Faction Leadership, not later than 5 (five) working days from the date of the Decision.
- (2) The DPRD Leadership delivers the written warning as referred to in section (1) to the concerned DPRD Member not later than 7 (seven) working days from the receipt of Decision from the Honorary Board.

Article 59

- (1) A sanction in the form of dismissal from the Leadership of a DPRD Complementary Organ, as referred to in Article 5 section (2) point c, is delivered by the Honorary Board to the DPRD Leadership and copied to the Leadership of the relevant Faction not later than 5 (five) working days from the date of the Decision.
- (2) The dismissal as referred to in section (1) is announced in the first Plenary DPRD Session after the Honorary Board Decision is received by the DPRD Leadership.

Article 60

- (1) A sanction in the form of temporary suspension as a DPRD Member, as referred to in Article 5 section (2) point e, is delivered by the Honorary Board to the DPRD Leadership and copied to the relevant Faction Leadership and Political Party Leadership, not later than 5 (five) working days from the date of the Decision.
- (2) The temporary suspension as referred to in section (1) is read in the first Plenary DPRD Session after the

Honorary Board Decision is received by the DPRD Leadership.

- (3) After the Honorary Board's decision, the DPRD Leadership forwards the temporary suspension as referred to in section (1) to the Governor through the Regent.
- (4) If after 7 (seven) days from the receipt of the Decision of the Honorary Board regarding Temporary Suspension as referred to in section (1) the DPRD Leadership does not forward the decision regarding temporary suspension as referred to in section (3), the DPRD Secretary may forward the proposal for temporary suspension to the Regent.
- (5) The Regent, based on the proposal of the DPRD secretary as referred to in section (4), submits the proposal for temporary suspension to the Governor.
- (6) The Governor temporarily suspends a member upon the recommendation of the Regent as referred to in section (3) or section (5).
- (7) The temporary suspension as referred to in section (1) takes effect from the date the concerned member is designated as a defendant.

Article 61

- (1) A sanction in the form of dismissal as a DPRD member, as referred to in Article 5 section (2) point e, is delivered by the Honorary Board to the DPRD Leadership and copied to the relevant Faction Leadership and Political Party Leadership, not later than 5 (five) working days from the date of the Decision.
- (2) The dismissal as referred to in section (1) is read in the first DPRD Plenary Session after the Honorary Board Decision is received by the DPRD Leadership.
- (3) If within 30 (thirty) days after the Honorary Board Decision is received, the relevant Faction/Political Party does not deliver the decision, the DPRD Leadership forwards the Honorary Board decision to the Governor through the Regent.

Article 62

Sanctions for violations for failing to do the obligations as referred to in Article 23 section (2) and the absence of Members as referred to in Article 7 section (2) are decided in the Honorary Board meeting.

CHAPTER XIII REHABILITATION

Article 63

- (1) Rehabilitation is required to be granted to the examined party and/or sanctioned individual proven not to have violated the Code of Ethics, Rules of Procedure, or Oath/Promise of Office.
- (2) To the decision, if new evidence arises that may annul a previously issued Honorary Board decision, the Honorary Board will reconvene to examine the alleged violation.
- (3) Regarding new evidence as referred to in section (2), the Honorary Board will issue a decision on whether it is accepted or not.
- (4) In the event that the new evidence is accepted, the Honorary Board grants rehabilitation.
- (5) The Honorary Board decision on Rehabilitation, if deemed necessary, may be announced in a DPRD plenary session and published via print and/or electronic media.

CHAPTER XIV MISCELLANEOUS PROVISIONS

Article 64

- (1) The Honorary Board examines the attendance lists of all DPRD meetings.
- (2) The Honorary Board compiles the attendance records of all DPRD meetings, assisted by the DPRD Secretariat.
- (3) The Honorary Board and DPRD Secretariat are not permitted to add or remove entries from the attendance lists.

Article 65

The Honorary Board clarify with Members who fail to attend similar meetings without explanation 3 (three) times consecutively on different days.

CHAPTER XV AMENDMENTS TO HONORARY BOARD PROCEDURES

Article 66

- (1) Proposals to amend the Rules of Procedure for DPRD Members may be submitted by at least 5 (five) DPRD Members from 2 (two) different Factions.
- (2) Member-submitted proposals are submitted in writing to the DPRD Leadership, including the names and signatures of the proposers and their Factions.

- (3) The proposals as referred to in section (2) are presented by the DPRD Leadership in a Plenary DPRD Session for a Decision.
- (4) In the event that the proposal is approved in the Plenary Session, the DPRD Leadership submits it to a Special Committee or other DPRD complementary organ for discussion.
- (5) The results of the discussion as referred to in section (4) are presented in a Plenary DPRD Session for DPRD approval.

BAB XVI CLOSING PROVISIONS

Article 67

Matters related to developments that require further regulation regarding the Honorary Board Procedures, particularly concerning technical implementation, are regulated by the DPRD Leadership Decision.

Article 68

At the time this Regulation of the DPRD of the Regency of Banyuwangi on Rules of Procedure of the Honorary Board of Regency of DPRD of the Regency of Banyuwangi comes into force, Regulation of the Regional House of Representatives of the Regency of Banyuwangi Number 3 of 2011 on Rules of Procedure of the Honorary Board of Regency of Banyuwangi DPRD is repealed and declared ineffective.

Article 69

This DPRD Regulation comes into force on the date of its promulgation.

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

Issued in Banyuwangi
on 3 March 2015

THE REGIONAL HOUSE OF REPRESENTATIVES
THE REGENCY OF BANYUWANGI
SPEAKER

signed

I MADE CAHYANA NEGARA

Promulgated in Banyuwangi
on 3 March 2015

REGIONAL SECRETARY
OF THE REGENCY OF BANYUWANGI

signed

Drs. H. SLAMET KARIYONO, M. Si
Madya Main Supervisor
NIP. 19561008 198409 1 001

REGIONAL BULLETIN OF THE REGENCY OF BANYUWANGI NUMBER 3 OF 2015

Jakarta, 23 October 2025
Has been translated as an Official Translation
on behalf of Minister of Law
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,

