

REGULATION OF THE REGENCY OF BATANG  
NUMBER 6 OF 2019  
ON  
PERSONS WITH DISABILITIES  
BY THE BLESSINGS OF ALMIGHTY GOD  
THE REGENT OF BATANG,

- Considering :
- a. that Persons with Disabilities in Regency of Batang are citizens who have the same rights, obligations, roles and positions based on the 1945 Constitution of the Unitary State of the Republic of Indonesia;
  - b. that in social and state life, Persons with Disabilities still experience various forms of discrimination so that their rights have not been fulfilled, it is necessary to obtain optimal protection and services so that Persons with Disabilities can be independent and participate in accordance with human dignity;
  - c. that based on the considerations as referred to in point a and point b, it is necessary to issue a Regional Regulation on Persons with Disabilities;

- Observing :
1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
  2. Law Number 9 of 1965 on the Establishment of the Second Level Region of Batang by amending Law Number 13 of 1950 the Establishment of Regency Areas within the Province of Central Java (State Gazette of the Republic of Indonesia of 1965 Number 52, Supplement to the State Gazette of the Republic of Indonesia Number 2757);
  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 13 of 2003 on Manpower (State Gazette of the Republic of Indonesia of 2003 Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279);
5. Law Number 20 of 2003 on National Education System (State Gazette of the Republic of Indonesia of 2003 Number 78, Supplement to the State Gazette of the Republic of Indonesia Number 4301);
6. 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);
7. Law Number 22 of 2009 on Road Traffic and Transportation (State Gazette of the Republic of Indonesia of 2009 Number 96, Supplement to the State Gazette of the Republic of Indonesia Number 5025);
8. 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);
9. Law Number 19 of 2011 on Ratification of the Convention On the Right of Persons with Disabilities (Convention Regarding the Rights of Persons with Disabilities) (State Gazette of the Republic of Indonesia of 2011 Number 107, Supplement to the State Gazette of the Republic of Indonesia Number 5251);
10. Law Number 5 of 2014 on State Civil Apparatus (State Gazette of the Republic of Indonesia of 2014 Number 6, Supplement to the State Gazette of the Republic of Indonesia Number 5494);
11. 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 amended several times, most recently by Law Number 9 of 2015 on the Second Amendment to the Law -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);
12. Law Number 8 of 2016 on Persons with Disabilities (State Gazette of the Republic of Indonesia of 2016 Number 69, Supplement to the State Gazette of the Republic of Indonesia Number 5871);
13. Government Regulation Number 21 of 1988 on Changes to Municipal Territory Boundaries of Pekalongan Level II Region, Pekalongan Regency Level II Region and

Batang II Level Region Regency (State Gazette of the Republic of Indonesia of 1988 Number 42, Supplement to the State Gazette of the Republic of Indonesia Number 3381);

14. Government Regulation Number 27 of 2019 on Facilitation of Access to Creation for Persons with Disabilities in Reading and Using Braille Fonts, Audio Books, and Other Facilities (State Gazette of the Republic of Indonesia of 2019 Number 70, Supplement to the State Gazette of the Republic of Indonesia Number 6334);
15. Regional Regulation of Central Java Province Number 11 of 2014 on Fulfillment of the Rights of Persons with Disabilities (Regional Gazette of of the Province Central Java of 2014 Number 11);
16. Regency of Batang Regional Regulation Number 4 of 2014 on the Implementation of Social Welfare (Regional Gazette of the Regency of Batang of 2014 Number 4);

With the joint Approval of  
THE REGIONAL HOUSE OF REPRESENTATIVES  
and  
THE REGENT OF BATANG

HAS DECIDED:

To Issue : REGIONAL REGULATION OF PERSONS WITH DISABILITIES

CHAPTER I  
GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means the Regency of Batang.
2. Local Government means the Regent and Regional Apparatus as an element of the local government administrator in the implementation of government affairs which are the authority of the autonomous region.
3. Regent means the regent of Batang.

4. The Regional House of Representatives , hereinafter abbreviated as DPRD, means the the Regional House of Representatives of the Regency of Batang.
5. Regional Apparatus means Regional Work Unit within the Regency of Batang Government.
6. Person with Disabilities means any person with long-term physical, intellectual, mental, and/or sensory limitations who may, in interacting with the environment, experience any barriers and difficulties to fully and effectively participate with other citizens on the basis of equal rights.
7. Social protection means an effort directed at preventing and addressing with risks from shocks and vulnerabilities of persons with disabilities so that the survival can be met in accordance with basic needs.
8. Social Rehabilitation means a process of refunctionalization and development to enable Persons with Disabilities to be able to carry out their social functions reasonably in society.
9. Social empowerment means an effort to develop the independence of persons with disabilities so that they are able to carry out their social roles as members of society on an equal basis with other citizens.
10. Social aid means an effort to provide assistance to Persons with Disabilities in order to be able to increase the social welfare.
11. Accessibility means any convenience provided to Persons with Disabilities in order to realize the equal opportunities
12. Service for persons with disabilities means an effort to fulfil the rights and needs of persons with disabilities.
13. Special Education System means an education system for students with disabilities whose function is to provide educational services for students who have difficulties in participating in the learning process due to physical, emotional, mental, intellectual and/or social abnormalities with the aim of developing the potential of students optimally according to ability.
14. Inclusive Education System means an education implementation system that provides opportunities for all students who have disabilities and have potential intelligence and/or special talents to participate in education or learning in an educational environment together with students in general.

15. Implementation of Education means the activity of implementing components of the education system in educational units or programs in the path, level and type of education so that the educational process can take place in accordance with national education goals.
16. Workforce means any person who is able to do work to produce goods and/or services both to meet their own needs and for the public.
17. Job fair means an activity to bring together employers or employers with persons with disabilities of working age, in the context of direct recruitment of workers in a short time.
18. Company means:
  - a. any form of business that is a legal entity or not, belongs to an individual, belongs to a partnership or belongs to a legal entity, both privately owned and state owned, which employs workers/laborers by paying them wages or other forms of compensation; or
  - b. social enterprises and other businesses that have administrators and employ other people by paying wages or other forms of compensation.
19. Health Service Effort means activities and/or a series of activities carried out in an integrated, integrated and continuous manner to maintain and improve the degree of public health in the form of disease prevention, health promotion, disease treatment and health restoration by the Local Government and/or the public.
20. Health Service Facility means a tool and/or place that is used to provide promotive, preventive, curative and rehabilitative health services carried out by the Local Government and/or the public.
21. Rehabilitation means a re-functionalization and development process to enable Persons with Disabilities to be able to carry out their normal social functions in community life.
22. Accessibility means any convenience provided to Persons with Disabilities in order to realize the Equal Opportunities in all aspects of life and livelihood.

CHAPTER II  
PRINCIPLES AND OBJECTIVES

Article 2

Implementation and fulfilment of the rights of persons with disabilities based on:

- a. Respect for inherent dignity;
- b. individual autonomy;
- c. non- discrimination;
- d. full participation;
- e. human diversity and humanity;
- f. equality of opportunities;
- g. equality;
- h. accessibility
- i. the growing capacities and identities of the children with disabilities ;
- j. inclusive; and
- k. special treatment and more protection.

Article 3

The exercise and fulfilment of the rights of persons with disabilities aims to:

- a. respect, promote, Protect and Fulfil the full and equal human rights and fundamental freedoms for Persons with Disabilities;
- b. ensure to Respect, promote, Protect and Fulfil the rights as the inherent dignity of Persons with Disabilities;
- c. realize that life of Persons with Disabilities is more qualified, fairly, well-being, independent, and dignified;
- d. protect Persons with Disabilities from any neglect and exploitation, harassment and all discriminatory acts, as well as violations of human rights; and
- e. ensure to Respect, promote, Protect and Fulfil the rights of Persons with Disabilities to develop their life skills and utilize all of their capabilities in accordance with their talents and interests to enjoy, participate and contribute optimally, safely, freely, and in a dignified manner in all aspects of the life of the people, the nation, and the society.

CHAPTER III  
TYPES OF PERSONS WITH DISABILITIES

Article 4

The scope of this Regional Regulation includes:

- (1) protection and fulfilment of the rights of various persons with disabilities include:
  - a. persons with physical disabilities
  - b. persons with intellectual disabilities;
  - c. persons with mental disabilities;
  - d. persons with sensory disabilities.
- (2) Such types of Persons with Disabilities as referred to in section (1) may be experienced in a single, double or multiple manner in the long term as determined by medical personnel in accordance with the provision of legislation.

CHAPTER III  
PROTECTION AND FULFILLMENT OF THE RIGHTS OF  
PERSONS

Part One

General

Article 5

- (1) Persons with disabilities have the right of:
  - a. life;
  - b. being stigma free;
  - c. maintaining privacy;
  - d. justice and legal protection;
  - e. education;
  - f. employment, to join and/or establish entrepreneurship, and to participate and/or develop cooperatives;
  - g. obtaining health services;
  - h. engaging in political activities;

- i. freedom of religion;
  - j. sports;
  - k. engaging in cultural affairs and tourism;
  - l. social welfare;
  - m. accessibility;
  - n. public service;
  - o. Protection from disasters;
  - p. habilitation and rehabilitation;
  - q. obtaining Concession;
  - r. data collection;
  - s. living independently and be involved in society;
  - t. expressing themselves, communicate, and obtain information;
  - u. choosing a place to settle and change citizenship; and
  - v. being free from discrimination, abandonment, torture and exploitation.
- (2) In addition to the rights of persons with disabilities as referred to in section (1), women with disabilities have the rights to:
- a. receiving services related to reproductive health;
  - b. accepting or refuse the use of contraceptives;
  - c. obtaining more protection from layered discrimination; and
  - d. obtaining more protection from acts of violence, including sexual violence and exploitation.
- (3) In addition to the rights of persons with disabilities as referred to in section (1), children with disabilities have the following rights to:
- a. obtaining special protection from discrimination, neglect, harassment, exploitation, as well as sexual violence and crimes;
  - b. obtaining care and fostering from their family or a substitute family for optimal growth;
  - c. being protected in any decision making;
  - d. obtaining treatment humanely in accordance with the dignity and rights of the child;
  - e. obtaining fulfilment of special needs;



- f. obtaining equal treatment with other children to achieve social integration and individual development; and
  - g. obtaining social assistance.
- (4) The implementation of granting rights for disabilities in the regions is in accordance with the regional financial capacity.

#### Article 6

The implementation of each type and form of service for the protection and fulfilment of the rights of persons with disabilities is aligned with the programs/activities of the regional apparatus and the regional financial capacity based on the needs of persons with disabilities.

#### Part Two

#### Implementation

#### Article 7

- (1) The implementation of granting rights for disabilities in the regions is in accordance with the regional financial capacity.
- (2) The exercise of the rights as referred to in section (1) covers the fields of:
- a. education;
  - b. employment and employment;
  - c. health;
  - d. social;
  - e. arts, culture, tourism and sports;
  - f. news;
  - g. political;
  - h. law;
  - i. residence;
  - j. accessibility; and
  - k. disaster risk management.

Paragraph 1

Education

Article 8

- (1) Every person with disabilities has the same rights and opportunities to obtain education in every unit, path, type and level of education without discrimination.
- (2) The provision of education as referred to in section (1) is carried out by the Local Government and/or the community.
- (3) Education providers as referred to in section (2) may impose special qualifications for candidates and/or students as long as they are not discriminatory.
- (4) If the education provider violates the discriminatory requirements for candidates and/or students as referred to in section (3), administrative sanctions are imposed in the form of a written warning and/or making statements of apology which are announced in the regional mass media for 3 (three) days consecutive.

Article 9

The provision of education for persons with disabilities is carried out by the local government and/or the community through an inclusive education system.

Article 10

- (1) The local government facilitates the implementation of inclusive education in early childhood education, elementary schools, junior high schools.
- (2) The implementation of inclusive education as referred to in section (1) is in accordance with the needs of students with disabilities.
- (3) Inclusive education is held at least 1 (one) unit in each sub-district.
- (4) The facilitation of inclusive education providers as referred to in section (1) is realized by the availability of inclusive education resources.

### Article 11

- (1) The local government provides facilitation according to the needs for the education unit as referred to in Article 10 section (1).
- (2) The facilitation as referred to in section (1) can be done through:
  - a. inclusive education working group;
  - b. abroad.
  - c. professional organization working groups;
  - d. non-governmental organization; and
  - e. related partner institutions both domestically and
- (3) The types of facilitation as referred to in section (1) may be in the form of:
  - a. planning, implementation, monitoring and evaluation;
  - b. acceptance, identification and assessment, prevention, intervention, compensatory and student advocacy services;
  - c. curriculum modification, individual education programs, learning, assessment, learning media and resources as well as accessible facilities and infrastructure.

### Article 12

- (1) Education providers are obligated to provide information to the public regarding the inclusive education system.
- (2) Every education provider as referred to in section (1) is obligated to provide quality education services in accordance with the conditions and potential of students with disabilities.

### Article 13

- (1) To ensure the fulfilment of accessible teaching and learning facilities and adequate accommodation, education providers must involve parents of students with disabilities in the school committee.
- (2) Education providers are prohibited from using inclusive education funds other than for the education of students with disabilities.

Article 14

- (1) Each education provider as referred to in Article 13, provides adequate facilities, infrastructure and teaching staff according to the needs of students with disabilities.
- (2) The provision of facilities, infrastructure and teaching staff as referred to in section (1) can be carried out in stages and must be completed within a period of 2 (two) years from the issuance of this Regional Regulation.
- (3) The fulfilment of educators who have the competence to manage the learning system in schools providing inclusive education can be done through:
  - a. training in regular school teacher working group activities;
  - b. training in subject teacher deliberations;
  - c. training in regular principal working group activities;
  - d. training conducted specifically for regular school educators;
  - e. assistance of special supervising teachers from the Local Government;
  - f. special education certification program for regular school educators;
  - g. study assignments in special education programs for regular school educators; and
  - h. appointment of special tutors.

Article 15

Regional apparatuses having main duties and functions in the field of education provide public service information regarding the inclusive education system for Persons with Disabilities, their families and the community.

Article 16

- (1) The Local Government establishes an Inclusive Education Resource Center as a support system for implementing inclusive education.
- (2) The Inclusive Education Resource Center as referred to in section (1) is an ad hoc institution within the Regional Apparatuses having the main task of coordinating, facilitating, strengthening and accompanying the

implementation of the support system for implementing inclusive education.

- (3) Further provisions regarding the establishment of an Inclusive Education Resource Center as referred to in section (1) and section (2) are regulated by a Regent Regulation.

#### Article 17

The Local Government guarantees the provision of equal opportunities and treatment to obtain education through inclusive education for Persons with Disabilities.

#### Article 18

- (1) The Local Government monitors and evaluates the implementation of the obligation to fulfil the right to education for Persons with Disabilities.
- (2) To carry out the monitoring and evaluation as referred to in section (1), the Local Government forms a Coordination Team consisting of elements from the Regional Government.
- (3) If the results of the monitoring and evaluation carried out by the Coordination Team as referred to in section (2) find negligence by the Regional Apparatus having the main task in the field of education, the Regent imposes an administrative sanction in the form of a written warning.

#### Paragraph 2

Employment, Entrepreneurship, and Cooperatives

#### Article 19

Right to employment, to join and/or establish entrepreneurship, and to participate and/or develop cooperatives for persons with disabilities include:

- a. obtaining employment administered by the Government, the Local Governments, or private sectors without Discrimination;
- b. receiving equal wages as that received by any non-disabled workers who have the same types of works and responsibilities;
- c. obtaining reasonable accommodation at work;

- d. not being dismissed for reasons of disability;
- e. obtaining the return-to-work program;
- f. obtaining a fair, proportionate, and dignified work placement;
- g. obtaining the opportunity to develop their career paths and all inherent normative rights; and
- h. promote business, be self-employed, own business develop cooperatives, and start their own business.

#### Article 20

The Local Government guarantees the existing processes of recruitment, acceptance, job training, job placement, job continuity, and career development, and without discrimination to persons with disabilities.

#### Article 21

- (1) Regional apparatuses having main tasks and functions in the field of manpower are obligated to provide and disseminate information regarding the potential of human resources for persons with disabilities and information regarding employment opportunities.
- (2) The information as referred to in section (1) at least contains:
  - a. the number of persons with disabilities of working age;
  - b. types of disabilities; and
  - c. competence.
- (3) The information as referred to in section (2) must always be updated, and can be accessed easily by persons with disabilities in an accessible way, including through official social sites.

#### Article 22

- (1) Regional apparatuses having main tasks and functions in the field of manpower, Independent Small Medium Enterprises, and cooperatives are obligated to organize accessible job fairs.
- (2) Information regarding the organization of job fairs is disseminated to persons with disabilities through print, electronic and other media accessible to persons with disabilities.

### Article 23

Regional Apparatuses having main tasks and functions in the field of manpower are obligated to:

- a. coordinate the planning, development, expansion, and placement of workers with disabilities;
- b. coordinate the recruitment process for workers with disabilities; And
- c. facilitate the establishment of independent businesses for persons with disabilities.

### Article 24

Regional apparatuses having main tasks and functions in the field of manpower are obligated to facilitate the implementation of social programs and awareness of the right to work for persons with disabilities to local governments, business actors and the public.

### Article 25

Local government, regional companies and private companies in the regions are obligated to provide accessible work facilities according to the needs of workers with disabilities.

### Article 26

- (1) Any person with disabilities has the right and opportunity to receive job training to equip and improve their competence according to individual conditions and needs.
- (2) The types of job training as referred to in section (1) are adjusted to market needs.
- (3) The job training as referred to in section (1) is organized by:
  - a. local government;
  - b. organizer of social rehabilitation;
  - c. community institutions engaged in job training; and
  - d. companies that employ workers with disabilities.

Article 27

Persons with disabilities can take part in job training as referred to in Article 26 section (1) together with non-disabled participants in a training environment and in an accessible manner.

Article 28

Organizers of job training as referred to in Article 26 section (3) point b, point c, and point d are institutions that have been registered with the Local Government.

Article 29

- (1) The organizers of job training as referred to in Article 26 section (3) are obligated to provide certificates as proof of graduation and equality.
- (2) The graduation certificate as referred to in section (1) must contain the competency level that has been mastered by persons with disabilities.

Article 30

- (1) The Local Government carries out monitoring and assistance after job training on the implementation and results of job training.
- (2) In carrying out monitoring, the Local Government can cooperate with the Disability Committee and/or Disability Organizations.

Article 31

- (1) Local government, State-Owned Enterprises, Local-Owned Enterprises employ persons with disabilities at least 2% (two percent) of the total number of employees or workers.
- (2) Private companies in the region are obligated to employ persons with disabilities at least 1% (one per hundred) of the number of employees or workers.

Article 32

The obligations of Local-Owned Enterprises and/or regional private companies as referred to in Article 31 are carried out if they have at least 100 (one hundred) employees.



Article 33

- (1) Regional companies and/or private companies are obligated to provide adequate accommodation and facilities that are easily accessible to workers with disabilities.
- (2) Regional companies and/or private companies are obligated to open a complaint mechanism for the non-fulfilment of the rights of persons with disabilities.
- (3) The local government is obligated to socialize the provision of proper accommodation and facilities that are easily accessible to workers with disabilities.
- (4) Regional companies and/or private companies that do not provide adequate accommodation and easily accessible facilities for workers with disabilities are subject to administrative sanctions in the form of:
  - a. written warning;
  - b. cessation of operational activities;
  - c. suspension of business licenses; and
  - d. revocation of business license.

Article 34

- (1) The Local Government, regional companies and/or private companies employing workers with disabilities are obligated to:
  - a. provide proper accessibility and accommodation, as well as safe and healthy working conditions;
  - b. provide equal treatment to workers with disabilities, including in terms of providing wages for workers with disabilities in accordance with wage requirements; and
  - c. provide work contract documents or letters of appointment as workers to every worker with a disability.
- (2) Local governments, regional companies and/or private companies consult with district disability committees and/or disability organizations in providing proper accessibility and accommodation, as well as safe and healthy working conditions.

### Article 35

Regional Apparatuses having main tasks and functions in the field of employment are obligated to mediate in the event of unilateral termination of employment on the basis of disability.

### Article 36

- (1) The Local Government gives awards to companies/employers that employ persons with disabilities.
- (2) The awards as referred to in section (1) can be in the form of tax breaks.

### Article 37

Regional apparatuses having main tasks and functions in the field of manpower, regional companies and private companies in the regions are obligated to provide equal protection and treatment in terms of remuneration for workers with disabilities in accordance with wage requirements.

### Article 38

- (1) The Local Government, regional companies and private companies are required to provide work contract documents or letters of appointment as workers to every worker with disabilities.
- (2) In the event that regional companies and private companies do not provide work contracts as referred to in section (1) they will be subject to administrative sanctions in the form of:
  - a. written warning; and/or
  - b. administrative fine.

### Article 39

- (1) The Local government expands job opportunities for workers with disabilities in the form of productive and sustainable independent businesses.
- (2) Local governments having main tasks and functions in the fields of manpower, agriculture, plantation, fishery, trade industry and cooperatives facilitate the expansion of job opportunities as referred to in section (1) by:

- a. efforts to strengthen and develop economic enterprises for persons with disabilities through cooperation and partnerships with business actors; and/or
- b. involving entrepreneurs with disabilities in product exhibitions.

#### Article 40

The Local government facilitates independent business actors with disabilities to obtain equal rights and opportunities in obtaining access to capital at banking financial institutions and/or non-banking financial institutions owned by the local government or private sector.

#### Paragraph 3

##### Health

#### Article 41

The right of health for persons with disabilities includes the right to:

- a. obtain information and communications that are easily accessible in health services;
- b. get equality and opportunity in terms of access to health resources;
- c. get equality and opportunity to obtain safe, qualified, and affordable health services;
- d. get equality and opportunity in an independent and responsible manner in determining the types of health services as they need;
- e. obtain health aids based on their needs;
- f. obtain good medicine with low side effects;
- g. obtain protection from any medical experiments; and
- h. obtain Protection from any health research and development that includes human beings as subjects.

#### Article 42

Every person with disabilities has the right to get quality health services in accordance with the conditions and needs of individuals with disabilities.

Article 43

Persons with disabilities cannot be interpreted as individuals who are physically and mentally unhealthy.

Article 44

The Local Government is obligated to provide quality Health Service Efforts in accordance with the conditions and needs of persons with disabilities who need them.

Article 45

Efforts to provide health services for persons with disabilities are based on the principles of convenience, safety, comfort, speed and quality.

Article 46

Health service efforts as referred to in Article 45 include those which are:

- a. promotive;
- b. preventive;
- c. curative; and
- d. rehabilitative.

Article 47

Health Service Efforts in the form of promotive activities as referred to in Article 46 point a include:

- a. dissemination of information about disabilities;
- b. dissemination of information on disability prevention;
- c. counselling on early detection of disabilities; and
- d. counselling on general health issues.

Article 48

Health Service Efforts in the form of preventive activities as referred to in Article 47 point b include efforts to prevent a health problem that is given to persons with disabilities throughout their lives by creating a healthy living environment by involving community participation.

Article 49

- (1) Efforts to provide health services in the form of curative activities as referred to in Article 47 point c are carried out through the provision of health services and treatment.
- (2) The health and medical services as referred to in section (1) can be carried out through home care and mobile health centers which are carried out by designated health workers in their working areas.
- (3) The health and treatment services as referred to in section (1) must comply with medical indications for persons with disabilities.
- (4) The health services as referred to in section (1) must be carried out with quality service standards and the existence of family and community support.

Article 50

- (1) Efforts to provide rehabilitative health services are carried out through home care at community health centers according to medical indications.
- (2) Special services can be served at regional public hospitals and private hospitals according to medical indications.
- (3) Regional public hospitals and private hospitals as referred to in section (2) must enter into a cooperation agreement with the guarantee agency.

Article 51

Efforts to provide health services in the form of rehabilitative activities as referred to in Article 46 point d are supported by the full participation of the family and community.

Article 52

The Local Government is obligated to ensure the availability of personnel, equipment and medicines in order to provide safe and quality health services for Persons with Disabilities.

Article 53

The Local Government coordinates with private health providers to ensure the availability of health service facilities.

Article 54

Health service facilities as referred to in Article 54, include:

- a. first level health services, in the form of basic health services provided by community health centers, primary clinics and individual practicing doctors;
- b. second-level health services, in the form of specialist health services provided by class C and class D regional public hospitals; And
- c. third-level health services, in the form of sub-specialty health services provided by class A and class B hospitals.

Article 55

Every Person with Disabilities has the right and opportunity to receive reproductive health education from Regional Officials and/or institutions that have duties and functions in the health sector.

Article 56

- (1) Every Person with Disabilities has the right to obtain quality health services.
- (2) Persons with Disabilities who are poor and vulnerable to poverty have the right to receive health services in accordance with applicable health insurance provisions.
- (3) Persons with Disabilities who are poor and vulnerable to poverty as referred to in section (2) are guaranteed special health insurance in accordance with the provisions of legislation.

Article 57

- (1) The Special Health Insurance as referred to in Article 56 section (3) covers the special needs of Persons with Disabilities.
- (2) The special needs as referred to in section (1) must be adapted to medical indications.

Article 58

Further provisions regarding the Special Health Insurance as referred to in Article 57 section (1) are regulated by a Regent Regulation.

Paragraph 4

Political

Article 59

- (1) Persons with Disabilities have equal rights and opportunities to express opinions in the field of government, development and/or society orally, in writing and/or through sign language.
- (2) In political life persons with disabilities have equal rights and opportunities to be elected and vote.

Article 60

- (1) The Local Government organizes periodic, planned, directed and sustainable political education for persons with disabilities including accessible socialization of general elections/regional head elections and the provision of accessible socialization aids.
- (2) The Local Government facilitates outreach and provides information, technical and/or assistance regarding the implementation of accessible general elections.

Article 61

- (1) Persons with disabilities have the right to establish and/or participate in organizations without discrimination based on disability.
- (2) The Local Government is obligated to carry out organizational assistance as referred to in section (1) through increasing the capacity of human resources and institutional development.

Article 62

The Local Government is obligated to facilitate Persons with Disabilities to:

- (1) participate in development program planning activities at the village level, sub-district level, and regional level; and
- (2) participate in decision-making in the fields of governance, development and society.

Article 63

- (1) The Local Government organizes regular, planned, directed and sustainable political education for persons with disabilities.
- (2) The local government facilitates persons with disabilities to obtain information, accessibility, reasonable accommodations, and/or assistance in holding general elections according to the variety of disabilities and their needs.

Article 64

Persons with disabilities have the right to exercise their right to vote in an accessible way.

Article 65

Forms of accessibility, reasonable accommodation, and/or assistance as referred to in Article 63 section (2), include among others:

- a. provision of accessible and disability-appropriate election socialization tools;
- b. provision of sign language interpreters;
- c. provision of templates (punching aids for the blind);
- d. accessible voting booths; And
- e. Provision of mobile voting booths for persons with disabilities who have mobility problems.

Paragraph 5

Right to Freedom of Religion

Article 66

Right to Freedom of Religion for persons with disabilities include right to:

- a. embrace their respective religions and beliefs and to worship according to their religions and beliefs;
- b. obtain ease of access in utilizing the place of worship;
- c. get holy books and other religious literature that are easily accessible based on their needs;
- d. obtain services in accordance with their needs during worship according to their religions and beliefs; and
- e. take active roles in religious organizations.



Article 67

The Local Government protects persons with disabilities from pressure and discrimination by any party to embrace their own religion and beliefs and worship according to their religion and beliefs.

Article 68

The Local Government conducts religious guidance and counselling for persons with disabilities.

Paragraph 6

Rights to Participation in Sport

Article 69

Rights to Participation in Sport for persons with disabilities include right to:

- a. perform sports activities;
- b. get the same award in sports activities;
- c. obtain services in sports activities;
- d. obtain sports facilities and infrastructures that are easily accessible;
- e. choose and participate a type or sport;
- f. receive direction, support, guidance, coaching, and development in sports;
- g. become sportspersons ;
- h. develop the sports industry;
- i. improve performance and participate in championships at all levels.

Article 70

- (1) The Local government develops a sports system for persons with disabilities including:
  - a. educational sports;
  - b. recreational sports;
  - c. achievement sports.
- (2) The development of a sports system for persons with disabilities as referred to in section (1) is carried out based on specific types of sports for persons with

disabilities that are suitable for their conditions and the types of disabilities.

#### Article 71

The Local Government fosters and develops sports for persons with disabilities which are carried out and directed at improving health, self-confidence and sports achievements.

#### Paragraph 7

##### Right to Participate in Cultural Life and Tourism

#### Article 72

- (1) The Local Government guarantees accessibility for persons with disabilities to obtain cultural and tourism services.
- (2) Tourism services that are easily accessible for persons with disabilities as referred to in section (1) include:
  - a. availability of tourism information in audio, visual and tactile forms; And
  - b. the availability of tour guides who have the ability to describe tourist attractions for tourists with hearing disabilities with sign language, and have the skills to provide mobility assistance.

#### Article 73

- (1) The Local Government provides incentives to tourism companies that provide travel services that are easily accessible to persons with disabilities.
- (2) Provisions regarding the forms and procedures for granting incentives as referred to in section (1) are regulated by a Regent Regulation.

#### Article 74

- (1) The Local Government develops the potential and artistic and cultural abilities of persons with disabilities.
- (2) The development of cultural arts potential and abilities as referred to in section (1) includes:
  - a. facilitating and including persons with disabilities in cultural arts activities;

- b. developing special cultural arts activities for persons with disabilities; And
- c. giving awards to artists with disabilities for the best works of art.

Article 75

Persons with disabilities have the right to receive recognition and support for their cultural and linguistic identity.

Article 76

- (1) The local government protects the intellectual property rights of persons with disabilities.
- (2) The local government protects and promotes a community culture that upholds the value of equal rights for persons with disabilities.

Paragraph 8

Social welfare

Article 77

Social welfare rights for persons with disabilities include the rights to social rehabilitation, social security, social empowerment, and social protection.

Article 78

- (1) The Local Government organizes social welfare for persons with disabilities.
- (2) The social welfare providers as referred to in section (1) include:
  - a. social rehabilitation;
  - b. social security;
  - c. social empowerment; And
  - d. social protection.

Article 79

The local government guarantees access for persons with disabilities to social rehabilitation, social security, social empowerment and social protection.

Article 80

- (1) The social rehabilitation as referred to in Article 79 is provided by the local government in the form of:
  - a. psychosocial motivation and diagnosis;
  - b. care and fostering;
  - c. vocational training and entrepreneurship guidance;
  - d. spiritual mental guidance;
  - e. physical guidance;
  - f. social and psychosocial counselling;
  - g. accessibility services;
  - h. social assistance;
  - i. resocialization guidance;
  - j. further guidance; and
  - k. reference.
- (2) The social rehabilitation as referred to in section (1) is carried out in a persuasive, motivative and coercive manner by the family, community and social institutions.

Article 81

The social rehabilitation as referred to in Article 80 section (2) is carried out within the family and community environment through:

- a. dissemination and increasing public awareness about disability;
- b. changing the paradigm of society and remove the negative stigma against Persons with Disabilities;
- c. consultation and facilitation regarding the development of social skills of persons with disabilities; and
- d. provision of adaptive aids to support the mobility, function and social participation of persons with disabilities.

Article 82

- (1) The social security as referred to in Article 79 is provided by the Local Government for persons with disabilities who are poor or do not have income.

- (2) The social security as referred to in section (1) is provided in the form of social welfare insurance, continuous direct assistance, and special assistance.
- (3) The special assistance as referred to in section (2) includes training, counselling, temporary care, or other related assistance.

#### Article 83

- (1) The social empowerment as referred to in Article 79 is carried out by the Local Government including:
  - a. increasing of willingness and ability;
  - b. exploration of potential and resources;
  - c. exploration basic values;
  - d. grant of access; and
  - e. provision business assistance.
- (2) The social empowerment as referred to in section (1) is given in the form of:
  - a. diagnosis and provision of motivation;
  - b. training and mentoring;
  - c. provision of stimulants;
  - d. increased access to marketing of business results;
  - e. institutional strengthening and follow-up guidance partnerships.

#### Article 84

Social protection as referred to in Article 79 is carried out by the Local Government through:

- a. social aid;
- b. social advocacy; and
- c. legal assistance.

#### Article 85

Further provisions regarding social rehabilitation, social security, social empowerment and social protection are regulated in regional regulations.

Paragraph 9

Accessibility

Article 86

- (1) The Local Government and the public are obligated to facilitate the fulfilment of the accessibility of public facilities for persons with disabilities.
- (2) Efforts to realize the accessibility of using public facilities as referred to in section (1) must comply with the principles of convenience, security/safety, comfort, health and independence in terms of going to, reaching, entering and utilizing public facilities.

Article 87

The accessibility as referred to in Article 86 section (1) includes:

- a. physical accessibility; And
- b. non-physical accessibility.

Article 88

Physical accessibility as referred to in Article 87 point a includes accessibility to:

- a. public buildings;
- b. public facilities;
- c. traffic means; and
- d. public transportation.

Article 89

Non-physical accessibility as referred to in Article 87 point b includes ease of service:

- a. information; and
- b. special.

Article 90

The public buildings as referred to in Article 88 point a are buildings used for public purposes along with facilities inside and outside the building.

Article 91

The public facilities as referred to in Article 88 point b are facilities used for public purposes.

Article 92

Traffic facilities as referred to in Article 88 point c are public roads equipped with facilities in the form of:

- a. traffic signs;
- b. road markings;
- c. sidewalk;
- d. traffic signalling devices;
- e. street lighting apparatus;
- f. road user control and safety devices;
- g. road monitoring and security tools; And
- h. facilities for cyclists, pedestrians and persons with disabilities.

Article 93

- (1) The public transportation as referred to in Article 88 point d is a service in the form of:
  - a. land transportation;
  - b. rail transportation;
  - c. water transportation; and
  - d. air transport.
- (2) The public transportation as referred to in section (1) is adjusted to the conditions and financial capacity of the region.

Article 94

Information services as referred to in Article 89 point a are in the form of explaining through media that are appropriate to the conditions and needs of persons with disabilities in terms of public services, using existing facilities in public buildings, traffic facilities, communication facilities, and public transportation.

Article 95

Special services as referred to in Article 89 point b are in the form of assistance specifically sought for persons with disabilities according to their conditions and needs in terms of public services, using existing facilities in public buildings, traffic facilities, communication facilities and public transportation.

Paragraph 10

Announcement

Article 96

- (1) The Local Government is obligated to protect Persons with Disabilities from negative reporting and/or discriminatory treatment by partnering with the mass media.
- (2) The protection from negative news and/or discriminatory treatment as referred to in section (1) is carried out by means of:
  - a. conducting training to increase sensitivity/sensitivity regarding persons with disabilities for media workers and arts workers;
  - b. coordinating and facilitating disability education for media workers and arts workers; And
  - c. coordinating and facilitating efforts to develop positive stigma and report on achievements of Persons with Disabilities.

Paragraph 11

Law

Article 97

Persons with disabilities have equal rights and status before the law.

Article 98

- (1) The local government facilitates services for persons with disabilities who are involved in legal issues.
- (2) The local government provides companions who are able to communicate with persons with disabilities who



are involved in legal issues/understand sign language for persons with disabilities with hearing impairments and/or speech impairments who face the law.

#### Paragraph 12

##### Residence

#### Article 99

- (1) Every person with disabilities has the right to have a decent place to live.
- (2) The Local Government facilitates access for persons with disabilities in obtaining proper housing.

#### Paragraph 13

##### Disaster Risk Management

#### Article 100

Every person with disabilities has the right and obligation to participate in every stage of the disaster management process which includes:

- a. pre-disaster;
- b. emergency response; and
- c. post disaster.

#### Article 101

Every person with disabilities has the right to access priority services and service facilities at every stage of the disaster management process according to their needs.

#### Article 102

- (1) Regional apparatus and institutions having tasks and functions in the field of disaster management conducts training and simulations for rescuing persons with disabilities in emergency situations for the community.
- (2) The training and rescue simulations as referred to in section (1) are also given to persons with disabilities.

Article 103

- (1) A Regional Apparatus having main tasks and functions in the field of disaster management prepare operational policies in the form of standard operations and procedures for evacuation and rescue in emergency situations which provide special protection for persons with disabilities.
- (2) Further provisions regarding operational policies as referred to in section (1) are regulated by a regent regulation.

Article105

Implementation of an emergency response is an effort to protect persons with disabilities by giving priority to rescue, evacuation, security, health services, psychosocial, and fulfilment of basic needs.

Article105

The protection efforts as referred to in Article 104 are carried out by related agencies and/or institutions coordinated by Regional Apparatuses having duties and functions in the field of disaster management with a pattern of assistance and facilitation.

Article 106

Regional apparatus and institutions engaged in disaster management provide accessibility and fulfilment of special needs at evacuation sites and temporary shelter locations.

Article 107

Regional apparatus and institutions engaged in disaster management are obligated to carry out rehabilitation and reconstruction for persons with disabilities who experience the effects of disasters in accordance with the provisions of legislation.

CHAPTER V

PROTECTION AND COMPLIANCE COMMITTEE

RIGHTS OF PERSONS WITH DISABILITIES

Article 108

- (1) Coordination and communication regarding the implementation of the protection and fulfilment of the rights of Persons with Disabilities in the Regions is carried out through the Committee for Persons with Disabilities.
- (2) The Committee for Persons with Disabilities as referred to in section (1) is formed by regent regulation.
- (3) The composition of the membership of the Committee for Persons with Disabilities as referred to in section (2) consists of at least the following elements:
  - a. local government;
  - b. law enforcer;
  - c. elements of organizations of persons with disabilities;
  - d. non-governmental organization;
  - e. business world; and
  - f. elements of society.
- (4) Further provisions regarding the Committee for Persons with Disabilities are regulated by a Regent Regulation.

Article 109

- (1) The Committee for persons with Disabilities as referred to in Article 108 section (1) has the following functions:
  - a. mediation of communication and information from persons with disabilities to local government or vice versa;
  - b. receiving complaints of persons with disabilities who experience cases of discrimination; And
  - c. following up on complaints from persons with disabilities.
- (2) The Committee for Persons with Disabilities has duties to:
  - a. encourage active participation of persons with disabilities, their families and society in general in empowering and improving the welfare of persons with disabilities;
  - b. receive, accommodate and analyse complaints and coordinate litigation and/or non-litigation defences;

- c. channel the aspirations of persons with disabilities to related parties; and
- d. build networks with various parties in an effort to develop programs related to the protection and fulfilment of the rights of persons with disabilities.

#### Article 110

- (1) In carrying out its duties the Committee for Persons with Disabilities coordinates with the committee for the protection and fulfilment of the rights of Persons with Disabilities in the Batang Region.
- (2) The Committee for Persons with Disabilities reports the results of the implementation of activities to the Regent.

### CHAPTER VI

#### CRIMINAL PROVISIONS

#### Article 111

- (1) Any person in charge of a regional company and/or private company who does not meet the quota for workers with disabilities as referred to in Article 31 is subject to imprisonment for a maximum of 3 (three) months or a fine for a minimum of Rp1,000,000.00 (one million rupiah) and / or a maximum of Rp50,000,000.00 (fifty million rupiah).
- (2) The crime referred to in section (1) is a violation.
- (3) The fine as referred to in section (1) is deposited into the State Treasury.

### CHAPTER VII

#### CLOSING PROVISIONS

#### Article 112

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 Regional Gazette of the Regency of Batang.

Issued in Batang  
on 29 July 2019  
REGENT OF BATANG,  
signed  
WIHAJI

Promulgated in Batang  
on 29 July 2019  
REGIONAL SECRETARY OF THE REGENCY OF BATANG,  
ACHMAD TAUFIQ  
REGIONAL GAZETTE OF THE REGENCY OF BATANG OF 2019 NUMBER 6

Jakarta, 11 January 2024  
Has been translated as an Official Translation  
on behalf of the Minister of Law and Human Rights  
of the Republic of Indonesia  
DIRECTOR GENERAL OF LEGISLATION,



ELUCIDATION  
OF  
REGULATION OF REGENCY OF BATANG  
NUMBER 6 OF 2019  
ON  
PERSONS WITH DISABILITIES

I. GENERAL

People with disabilities often do not enjoy the same opportunities as others. This happens because of the lack of access to basic services, so (they) need to get protection. By providing protection to persons with disabilities, the constitutional rights of persons with disabilities are guaranteed and protected so that persons with disabilities can be independent and participate optimally in accordance with human dignity and are protected from acts of violence and discrimination.

Various facts show that there is unfair treatment and discriminatory attitudes that are still often experienced by persons with disabilities when meeting their basic needs. Among them, the refusal of children with disabilities to enter public schools, the absence of information facilities or job selection tools that can be accessed for participants with disabilities, the refusal to access employment opportunities, the lack of public service facilities that can be accessed by persons with disabilities, the lack of opportunity and government support in participation sports for persons with disabilities, negative stigma towards the existence of persons with disabilities and various other obstacles faced by persons with disabilities. Negative stigma has interpreted persons with disabilities to be synonymous with people who are sick, weak, have no abilities and will only burden other people. So that persons with disabilities are seen as part of the problem and cannot participate in development.

The lives of persons with disabilities are still a cause for concern. Most people with disabilities live in families whose life needs have not been met. Poverty and disability are indeed two problems that are difficult to separate. A mother who comes from a poor family in several cases does not fulfil her nutritional

needs during pregnancy and after giving birth her children also experience malnutrition which will result in the child becoming disabled. People with disabilities face many obstacles and restrictions in various ways, making it difficult to access adequate education and decent work. It is difficult for people with disabilities to get a job as a source of livelihood so that many of their needs cannot be fulfilled and they even have to depend on other people.

Persons with disabilities also experience many obstacles in physical mobility and accessing information which have further consequences on hindering persons with disabilities to be involved and participate in social, political and economic life. For example, wheelchair users find it very difficult to move outside the home because their environment is not accessible. Not many people with visual impairments can access various information because knowledge is developing very fast. Therefore, the handling of persons with disabilities must be carried out comprehensively.

Law of the Republic of Indonesia Number 19 of 2011 on Ratification of the Convention on the Rights of Persons with Disabilities (Convention Regarding the Rights of Persons with Disabilities) emphasizes that every person with disabilities must be free from torture or cruel, inhuman, degrading treatment, free from exploitation, violence and arbitrary treatment, and have the right to respect for their mental and physical integrity based on equality with others, including the right to receive social protection and services in the framework of independence, as well as in emergencies.

The state's obligation to realize the rights contained in the Convention, through adjustments to the legislation, legislation of each country, including changing laws and regulations, customs and practices that are discriminatory against persons with disabilities, both women and children, guarantees the participation of persons with disabilities in all aspects of life such as education, health, employment, politics, sports, arts and culture, as well as the use of technology, information and communication.

## II. ARTICLE BY ARTICLE

### Article 1

Sufficiently Clear

### Article 2

#### Point a

The term "respect for inherent dignity" means recognition of persons with disabilities that must be protected, respected, and upheld.

Point b

The term "individual autonomy" means the right of every person with disabilities to act or not act and be responsible for their own choice of action.

Point c

Sufficiently Clear

Point d

Sufficiently Clear

Point e

The term "human diversity and humanity" means respect and acceptance of differences in persons with disabilities as part of human diversity and humanity.

Point f

Sufficiently Clear

Point g

The term "equality" means conditions in various systems in society and the environment, such as services, activities, information, and documentation that are made to accommodate all people, including persons with disabilities.

Point h

Sufficiently Clear

Point i

Sufficiently Clear

Point j

Sufficiently Clear

Point k

Sufficiently Clear

Article 3

Sufficiently Clear

Article 4

Section (1)

Point a



The term " Persons with Physical Disabilities " means impaired movement functions, including amputation, paralysis, withered/stiff, paraplegia, cerebral palsy (CP), due to stroke, due to leprosy.

Point b

The term "Persons with Intellectual Disabilities" means impaired thinking functions due to a below average level of intelligence, including slow learning, black movement disabilities, and down syndrome.

Point c

The term "Persons with Mental Disabilities" means disturbances in the functioning of thought, emotion, and behavior, including:

- a. psychosocial including schizophrenia, bipolar, depression, anxiety, and personality disorders;
- b. developmental disabilities that affect social interaction skills include autism and hyperactivity.

Point d

The term "Persons with Sensory Disabilities" means disturbances in one of the functions of the five senses, including visual disabilities, hearing disabilities, and speech disabilities.

Section (2)

Sufficiently Clear

Article 5

Sufficiently Clear

Article 6

Sufficiently Clear

Article 7

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Article 8

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Article 9

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Article 10

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Article 110

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Article 111

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Article 112

Sufficiently Clear

SUPPLEMENT TO THE REGIONAL GAZETTE OF REGENCY OF BATANG  
NUMBER 6