

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

BY THE BLESSING OF ALMIGHTY GOD

REGENT OF TEGAL,

- Considering :
- a. that in order to promote the general welfare, the Local Government is obligated to improve public prosperity, one of which is through the administration of government which focuses on improving services, empowering and participating of community and increasing regional competitiveness based on the 1945 Constitution of the Republic of Indonesia;
 - b. that in order to raise public prosperity, the Region is able to manage cooperation according to considerations of efficiency and effectivity of public services and mutual benefit;
 - c. that the implementation of orderly, directed, useful, and successful regional cooperation is a necessity to provide protection and legal certainty for the parties who are carrying out regional cooperation;
 - d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to issue Regional Regulation on Implementation of Regional Cooperation.
- Observing :
1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;

2. Law Number 13 of 1950 on Establishment of Regency Regions within the Province of Central Java (State Gazette of the Republic of Indonesia of 1950 Number 42)
3. Law Number 23 of 2014 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 last by Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia of 2020 Number 245, Supplement to the State Gazette of the Republic of Indonesia Number 6573);

With the Joint Approval of
THE REGIONAL HOUSE OF REPRESENTATIVES OF THE REGENCY OF TEGAL
and
REGENT OF TEGAL
HAS DECIDED:

To issue : REGIONAL REGULATION ON REGIONAL COOPERATION.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Local Government means an administration of government affairs by the Local Government and the Regional House of Representatives according to the principles of autonomy and assistance tasks with the principle of the widest possible autonomy within the system and principles of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia.
2. Local Government means a Regent as an organizing element of the Local Government who leads the implementation of government affairs which fall under the authority of the Region.

3. Region means Regency of Tegal.
4. Regent means Regent of Tegal.
5. Regional House of Representatives (*Dewan Perwakilan Rakyat Daerah*) hereinafter abbreviated to as DPRD, means a representative institution in the Region as an administrator element of the Local Government.
6. Regional Apparatus means a supporting element of the Regent and DPRD in the implementation of government affairs which fall under the authority of the Region.
7. Regional Cooperation Coordination Team (*Tim Koordinasi Kerja Sama Daerah*), hereinafter abbreviated to TKKSD, means a team formed by the Regent to assist the Regent in preparing Regional Cooperation.
8. Cooperation Secretariat means an institution outside the Regional Apparatus formed to carry out Mandatory Cooperation carried out by the Region with other regions.
9. Local Budget (*Anggaran Pendapatan dan Belanja Daerah*), hereinafter abbreviated to APBD, means an annual financial plan in the Region stipulated by Regional Regulation.
10. Regional Cooperation means a joint venture among Regions and other Regions, between Regions and Third Parties, and/or among Regions and institutions or local government abroad based on considerations of efficiency and effectiveness of public services and mutual benefit.
11. Mandatory Cooperation means Regional Cooperation with other regions implemented by 2 (two) or more bordering regions, for the implementation of government affairs that have cross-regional externalities and the provision of public services that are more efficient if managed together.
12. Voluntary Cooperation means Regional Cooperation with other regions carried out by 2 (two) or more regions that border or do not border for the implementation of government affairs which are the authority of the Region but are deemed more effective and efficient if carried out by working together;

13. Regional Cooperation with Other Regions (*Kerja Sama Daerah Dengan Daerah Lain*), hereinafter abbreviated to KSDD, means a joint effort carried out by the Region with other regions in the context of implementing government affairs which fall under regional authority for the welfare of the community and accelerating the fulfilment of public services.
14. Regional Cooperation with Third Parties (*Kerja Sama Daerah Dengan Pihak Ketiga*), hereinafter referred to as KSDPK, means a joint venture carried out by the Region with Third Parties in the context of implementing government affairs which fall under regional authority to improve the welfare of the community and accelerate the fulfilment of public services.
15. Regional Cooperation with Local Governments Abroad (*Kerja Sama Daerah Dengan Pemerintah Daerah di Luar Negeri*), hereinafter abbreviated to KSDPL means a joint effort made by the Region with Local governments abroad in the context implementing government affairs which fall under regional authority to improve the welfare of the community and accelerate the fulfilment of public services.
16. Regional Cooperation with Institutions Abroad (*Kerja Sama Daerah Dengan Lembaga di Luar Negeri*), hereinafter abbreviated to KSDLL means a joint effort carried out by the Region with institutions abroad in the context of implementing government affairs which fall under regional authority to improve the welfare of the community and accelerate the fulfilment of public services.
17. Mapping means the compilation of potential data on matters related to planning activities.
18. Joint Agreement means a cooperation document between the Region and other regions and/or Regions with Third Parties, which contains an agreement whose contents are general in nature.
19. Cooperation Agreement means a cooperation document between Region and other Regions and/or Region and Third Parties, which contains rights and obligations.

20. Third Party means individuals, business, entities incorporated in accordance with the provisions of legislation and community organizations both incorporated and unincorporated in accordance with the provisions of legislation
21. Cooperation Plan means a document of planned activities to be carried out by the Region with local governments abroad and/or the Region with institutions abroad during the cooperation period.
22. Local Government or institution abroad means local governments or institutions that are part of other countries, in accordance with the provisions of legislation.

Article 2

Regional Cooperation is done according to the following principle:

- a. efficiency;
- b. effectiveness;
- c. synergy;
- d. mutual benefit;
- e. joint agreement;
- f. good faith;
- g. prioritizing national interests and unity of the territory of the Unitary State of the Republic of Indonesia;
- h. equality of position;
- i. transparency;
- j. fairness; and
- k. legal certainty.

Article 3

- (1) Regional Cooperation is carried out in order to improve the welfare of the people which is referred to achieve efficiency, and effectiveness of public services and mutual benefit.
- (2) The implementation of Regional Cooperation as referred to in section (1) is intended to as:
 - a. facility to strengthening the relationship and attachment of the Region with other regions within the

framework of the Unitary State of the Republic of Indonesia;

- b. effort to harmonize development in the Region;
- c. effort to synergize the potential between regions, Region with Third Parties, and Region with local governments and/or institutions abroad;
- d. effort to improve the exchange of knowledge, technology, and regional fiscal capacity; and
- e. effort to reduce inter-regional disparities in the provision of public services.

Article 4

The purpose of organization of Regional Cooperation in this Regional Regulation are:

- a. reducing inter-regional disparities in the provision of public services;
- b. increasing togetherness in solving inter-regional problems;
- c. maximizing the implementation of authority and optimize the utilization of regional resources and potential;
- d. improving the quality of public services;
- e. accelerating the mastery of science and technology;
- f. increasing income in the Region; and
- g. improving the effectiveness and efficiency of resource utilization.

Article 5

- (1) Forms of Regional Cooperation include:
 - a. KSDD;
 - b. KSDPK; and
 - c. KSDPL and KSDLL.
- (2) The objects of Regional Cooperation include all affairs that fall under authority of the Local Government in accordance with the Provisions of Legislation.

Article 6

The scope of this Regional Regulation includes:

- a. Regional Cooperation with other regions;
- b. Regional Cooperation with Third Parties;
- c. Regional Cooperation with local governments and/or institutions abroad;
- d. planning;
- e. Regional Cooperation Coordination Team;
- f. coaching and Supervision;
- g. monitoring and evaluation;
- h. support from Provincial Government and Local Government programs;
- i. Regional associations;
- j. funding; and
- k. Cooperation changes.

CHAPTER II

REGIONAL COOPERATION WITH OTHER REGIONS

Part One

Legal Subject

Article 7

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

Part Two

Categories of Cooperation

Article 8

- (1) KSDD are categorized into:
 - a. Mandatory Cooperation; and
 - b. Voluntary Cooperation

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

Part Three

Objects of Cooperation

Article 9

- (1) The objects of KSDD are government affairs that fall under the authority of the Region to realize public welfare and accelerate the fulfilment of public services.
- (2) The Region determines the priority of the KSDD objects as referred to in section (1) based on development planning in the Region in accordance with the provisions of legislation.
- (3) Region may carry out KSDD whose objects have not been included the development planning in the Region as referred to in section (2) with the provisions for:
 - a. addressing emergency conditions;
 - b. supporting the implementation of national strategic programs; and/or
 - c. carrying out assignments based on the principle of co-administration.
- (4) The objects and implementation of KSDD do not contradict with morality, public order, national interest, and/or the provisions of legislation.

Part Four
Technical Coordination

Article 10

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

Part Five
Stages and Documents of Cooperation

Paragraph 1
General

Article 11

- (1) The implementation of KSDD is done through the following stages:
 - a. preparation;
 - b. offering;

- c. drafting of the Joint Agreement;
 - d. Signing of the Joint Agreement;
 - e. DPRD approval;
 - f. preparation of the Cooperation Agreement;
 - g. signing of the Cooperation Agreement;
 - h. implementation;
 - i. administration; and
 - j. reporting.
- (2) The DPRD approval as referred to in section (1) point e is given in the event that the KSDD plan burdens the community and region and/or KSDD funding has not been budgeted in the local budget for the current fiscal year.
 - (3) The Joint Agreement and cooperation agreement as referred to in section (1) point d and point g are KSDD documents.

Part Six

Institutionalization of Cooperation

Article 12

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

Part Seven
Dispute Resolution

Article 13

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

Part Eight
Termination of Cooperation

Article 14

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

Part Nine
Acquisition of Cooperated Government Affairs

Article 15

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

Part Ten

Inter-Regional Cooperation Assistance

Article 16

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

Article 17

Further provisions regarding the KSDD procedures as referred to in Article 7 to Article 16 are regulated in a Regent Regulation based on legislation.

CHAPTER III
REGIONAL COOPERATION WITH THIRD PARTIES

Part One
Legal Subject

Article 18

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

Article 19

Third Parties that can become partners in KSDPK consist of:

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

Part Two
Types of Cooperation

Article 20

- (1) KSDPK includes:
 - a. cooperation in the provisions of public services;
 - b. cooperation in asset management to increase added value that provides income for the Region;
 - c. investment cooperation; and
 - d. other cooperation that does not conflict with the provisions of legislation.

- (2) KSDPK as referred to in section (1) point a is implemented in accordance with the provisions in this Regional Regulation.
- (3) KSDPK as a referred to in section (1) point b and point c are carried out in accordance with the provisions of legislation.
- (4) KSDPK as referred to in section (1) point d can be in the forms of:
 - a. cooperation with a legal entity in the provision of infrastructure; or
 - b. cooperation in the procurement of goods and services, implement in accordance with the provisions of legislation.

Part Three

Objects of Cooperation

Article 21

- (1) The object of KSDPK includes government affairs that fall under the authority of the Region in the context of efficiency and effectiveness of public services and mutual benefits.
- (2) The Region determines the priority of the KSDPK objects as referred to in section (1) based on development planning in the Region in accordance with the provisions of legislation.
- (3) Region may carry out KSDPK whose objects have not been included in the development planning in the Region as referred to in section (2) with the provisions of:
 - a. addressing emergency conditions;
 - b. supporting the implementation of national strategic programs; and/or
 - c. carrying out assignments based on the principle of co-administration.
- (4) The object and implementation of KSDPK cannot conflict with decency, public order, national interest, and/or the provisions of legislation.

Part Four
Feasibility Study

Article 22

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

- a. mapping of government affairs according to the potential and characteristics of the Region as well as needs of the Region; and
- b. preparation of feasibility studies in accordance with the provisions of legislation.

Article 23

- (1) In the event that initiative KSDPK comes from Third Party, KSDPK must fulfil criteria:
 - a. integrated in technically with plan master plan at sector;
 - b. economically and financially viable; and
 - c. the Third Party that submits the initiative has sufficient financial capacity to finance the implementation of cooperation.
- (2) The Third party that becomes the proponent must prepare a feasibility study of the proposed cooperation.

Part Five
Stages and Documents of Cooperation

Article 24

- (1) Provisions regarding the stages and documents of cooperation as referred to in Article 11 applies mutatis mutandis to the stages and documents of cooperation in the implementation of KSDPK.
- (2) Particularly for cooperation documents in the form of contracts/ Cooperation Agreements, at least contain:
 - a. rights and obligations of the parties;

- b. period of cooperation;
- c. dispute resolution; and
- d. sanctions for parties who do not fulfil the agreement.

Part Six

Results of KSDPK

Article 25

- (1) KSDPK results may in the forms of money and/or goods.
- (2) The results of KSDPK which become the rights of the Region in the form of money are deposited into the Regional treasury as revenue of the Region in accordance with the provisions of legislation.
- (3) The results of KSDPK which become the rights of the Region in the form of goods are recorded as Local Government assets in accordance with the provisions of legislation.

Part Seven

Dispute Resolution

Article 26

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

Part Eight

Termination of Cooperation

Article 27

- (1) The provisions regarding the end of cooperation as referred to in Article 14 applies mutatis mutandis to the end of cooperation in the implementation of KSDPK.
- (2) Other than based on the provisions as referred to in section (1), KSDPK ends because:
 - a. a court decision that has obtained permanent legal force; or
 - b. the Third Party is declared bankrupt according to the provisions of legislation.

Article 28

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

CHAPTER IV REGIONAL COOPERATION WITH LOCAL GOVERNMENTS ABROAD AND REGIONAL COOPERATION WITH INSTITUTIONS ABROAD

Part One

General

Article 29

- (1) In implementation KSDPL and KSDLL, Region represented Regent who acts for and on behalf of the Region.
- (2) The objects of KSDPL and KSDLL as referred to in section (1) consist of:
 - a. development of science and technology;
 - b. cultural exchange;
 - c. improvement of technical capabilities and government management;
 - d. promotion of Regional potential; and
 - e. other objects of cooperation that do not conflict with the provisions of legislation.
- (3) KSDPL and KSDLL as referred to in section (2) are set forth in a Cooperation Document.

- (4) KSDPL and KSDLL as referred to in section (3) are implemented after obtaining approval from the central government and guided by the provisions of legislation.

Article 30

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

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

Article 31

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

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

Article 32

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

Part Two

Requirements

Article 33

- (1) The implementation of KSDPL and KSDLL must fulfil the following requirements of:
 - a. having diplomatic relations;
 - b. the concern of the Local Government;
 - c. Local Government does not open representative offices abroad;

- d. local governments abroad and/or overseas institutions do not open representative office abroad;
 - e. according to the national and Regional development policies and plans.
- (2) In addition to meeting the requirements as referred to in section (1), cooperation in the field of science and technology must be transferable to Indonesian human resources.
- (3) In addition to meeting the requirements as referred to in section (1), KSDPL must fulfil the requirements of:
- a. equality of administrative status and/or equality of area;
 - b. complementary; and
 - c. improvement of inter-community relations.

Article 34

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

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

Part Three Initiative

Article 35

- (1) KSDPL initiatives may come from:
- a. Local Government;
 - b. overseas local governments; or
 - c. local governments abroad through the Minister and/or the minister who organizes government affairs in the field of foreign relations.
- (2) KSDLL initiatives may originate from:

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

Part Four
Organizing KSDPL

Paragraph 1
General

Article 36

KSDPL as referred to in Article 30 is implemented based on the approval of the central government in accordance with the provisions of legislation.

Paragraph 2
Cooperation Plan

Article 37

- (1) KSDPL as referred to in Article 30 must obtain DPRD approval.
- (2) The Regent submits a letter requesting approval by attaching the Cooperation Plan to the DPRD.
- (3) The Cooperation Plan as referred in section (2) minimally contains the following matters:
 - a. subject of cooperation;
 - b. background;
 - c. aims, objectives, and targets;
 - d. object of cooperation;
 - e. scope of cooperation;
 - f. source of financing; and
 - g. period of implementation
- (4) DPRD approval as referred to in section (2) of the Cooperation Plan is given within a maximum period of 45 (forty-five) workdays from receiving the application letter from the Regent.
- (5) The form of approval of the DPRD as referred to in section (4) is in accordance with the provisions of legislation governing the code of conduct of the DPRD.

Article 38

- (1) The Cooperation Plan as referred to in Article 37 which has been approved by the DPRD is submitted by the Local Government to the minister administering government home affairs for consideration.
- (2) The Regent follows up the results of the consideration as referred to in section (1) in the form of:
 - a. revision the Cooperation Plan; or
 - b. drafting the Cooperation Document.

Paragraph 3

Preparation of Draft KSDPL Document

Article 39

Preparation of draft Cooperation Document as referred to in Article 38 section (2) point b is submitted to Minister for approval.

Paragraph 4

Signing of the Cooperation Document

Article 40

Regent signs Cooperation Document which has obtained approval as referred to in Article 39.

Paragraph 5

Dispute Resolution

Article 41

If occurs dispute in the implementation of KSDPL, the resolution is done through negotiation and consultation.

Article 42

Further provisions regarding KSDPL procedures are carried out in accordance with in the provisions of legislation.

Part Five

Implementation of KSDLL

Paragraph 1

General

Article 43

- (1) KSDLL on the basis of forwarding central government cooperation as referred to in Article 31 point a, is carried out by the Region with:
 - a. international organizations;
 - b. non-profit incorporated organizations abroad; and

- c. overseas development partners.
- (2) KSDLL as referred to in section (1) is carried out by placing the Region as the benefit receiver.
- (3) The institution as referred to in section (1) point b does not include political parties.
- (4) KSDLL as referred to in section (1) is implemented in accordance with the provisions of legislation.
- (5) KSDLL organized based on the approval of the central government as referred to in Article 31 point b, is carried out by the Region with institutions abroad except the institutions as referred to in section (1).

Paragraph 2
Cooperation Plan

Article 44

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

Paragraph 3
Preparation of Draft KSDLL Document

Article 45

Provisions regarding the preparation of the draft Cooperation Document as referred to in Article 39 applies mutatis mutandis to the preparation of the Cooperation Document in the implementation of KSDLL.

Paragraph 4
Signing of the Cooperation Document

Article 46

The provisions regarding the signing of the Cooperation Document as referred to in Article 40 applies mutatis mutandis

to the signing of the Cooperation Document in the implementation of KSDLL.

Paragraph 5
Dispute Resolution

Article 47

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

Article 48

Further provisions regarding KSDLL procedures are carried out in accordance with the provisions of legislation.

Part Six

Reporting of the Implementation of KSDPL and/or KSDLL

Article 49

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

Part Seven

Termination of KSDPL and/or KSDLL

Article 50

KSDPL and/or KSDL terminates in the event that:

- a. agreement of the parties through the procedures set out in the Cooperation Document;
- b. the objectives of the Cooperation Document have been achieved;

- c. occurrence changes policy based on the provisions of legislation; and
- d. KSDPL and/or KSDLL objects are lost or destroyed.

CHAPTER V
PLANNING

Article 51

- (1) Regional Cooperation Planning is carried out by the Regional Apparatus in charge of cooperation together with the regional apparatus in charge of planning in each year before the next year's budget planning.
- (2) The planning as referred to in section (1) carried out by doing inventory the needs of Regional Cooperation based on:
 - a. proposal of the Regional Apparatus;
 - b. identification of the potential for Regional Cooperation carried out by the Regional Apparatus in charge of Regional Cooperation together with the regional apparatus in charge of planning; and/or
 - c. prioritization of Regional Cooperation objects based on development planning in the Region in accordance with the provisions of legislation.
- (3) The proposal as referred to in section (2) point a, is verified by the Regional Apparatus in charge of Regional Cooperation together with the following regional apparatus in charge of planning, based on the level of need and benefits obtained by the Region.
- (4) The identification as referred to in section (2) point b pays attention to opportunities for cooperation with bordering regions and potential problems arising from Regional Cooperation.
- (5) The results of the inventory as referred to in section (2) are described on the List of Regional Cooperation Program and Activity Plans for a period of 1 (one) year.

CHAPTER VI
REGIONAL COOPERATION COORDINATION TEAM

Article 52

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

CHAPTER VII
GUIDANCE AND SUPERVISION

Article 53

- (1) Guidance and supervision of Regional Cooperation by the Regent is carried out by the Regional Apparatus in charge of regional cooperation.
- (2) Further provisions regarding guidance and supervision as referred to in section (1), are carried out in accordance with the provisions of legislation governing the guidance and supervision of local government administration.

CHAPTER VIII
MONITORING AND EVALUATION

Article 54

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

CHAPTER IX
SUPPORT FROM CENTRAL AND LOCAL GOVERNMENT
PROGRAMS

Article 55

- (1) The implementation of government affairs that requires the support of Central Government and Local Government programs is carried out in the form of synergies in development planning and implementation according to the provisions of legislation.
- (2) The program support as referred to in section (1) is not related to the provision of financial assistance and financial assistance as referred to in Article 16.
- (3) The funding in the context of synergizing development planning and implementation as referred to in section (1) is charged to the budget according to the provisions of legislation.
- (4) The synergy of development planning and implementation as referred to in section (1) is set out in agreement document that binds the parties.
- (5) Further provisions regarding the synergy of development planning and implementation as referred to in section (1) are implemented according to the provisions of legislation.

CHAPTER X
REGIONAL ASSOCIATION

Article 56

- (1) Regions can establish associations to support Regional Cooperation.
- (2) The establishment of the association as referred to in section (1) is carried out according to the provisions of legislation.

CHAPTER XI
FUNDING

Article 57

- (1) All fees which incurred in organizing work cooperation region are charged by:
 - a. APBD; and/or
 - b. other legitimate sources of funding.
- (2) The financing as referred to in section (1) is implemented in accordance with the provisions of legislation.

CHAPTER XII

AMENDMENT TO REGIONAL COOPERATION

Article 58

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

CHAPTER XIII

TRANSITIONAL PROVISIONS

Article 59

- (1) Regional Cooperation Contracts/Agreements that have been jointly signed prior to the issuance of this Regional

Regulation, remain in effect until the end of the cooperation.

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

CHAPTER XIV CLOSING PROVISIONS

Article 60

This Regional Regulation 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 Tegal.

Issued at Slawi
on 22 March 2021
REGENT OF TEGAL,
signed
UMI AZIZAH

Promulgated in Slawi
on 22 March 2021
REGIONAL SECRETARY OF TEGAL REGENCY,
signed
WIDODO JOKO MULYONO

REGIONAL GAZETTE OF THE REGENCY OF TEGAL OF 2021 NUMBER 1

Jakarta, 19 June 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,

ASEP N. MULXANA



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

I. GENERAL

In term of the administration of Local Government according to the mandate of the 1945 Constitution of Republic of Indonesia, the Local Government has authority to regulate and manage its own government affairs according to the principles of autonomy and assistance tasks. The delegation of this authority is purposed to accelerate the realization of public prosperity through improvement, service, empowerment, and public participation, as well as increasing regional competitiveness by considering the principles of democracy, equity, justice, privileges, and specificity of a region within the system of the Unitary State of the Republic of Indonesia, Local Government must be able and be creative to find, map, and utilize the existing potential and opportunities for cooperation. In order to improve public prosperity, Region can arrange cooperation based on considerations of efficiency and effectiveness of public services and mutual benefit.

By the enactment of Law Number 23 of 2014 on Local Government as amended several times last by Law Number 9 of 2015 on Second Amendment to Law Number 23 of 2014 on Local Government which replaces Law Number 32 of 2004 on Local Government has emphasized that Regional Cooperation is carried out to improve public prosperity. Regional Cooperation can be carried out with other regions, third parties, and local governments or institutions abroad.

The implementation of Regional Cooperation is also referred to as facility to strengthening the relationship and attachment of one region to

another within the framework of the Unitary State of the Republic of Indonesia, harmonize regional development, synergize the potential between regions, regions, with third parties, and regions with local governments and/or institutions abroad and increase the exchange of knowledge, technology, and fiscal capacity in the Region. Regional Cooperation with local governments and/or institutions abroad is international cooperation and is carried out after obtaining approval from the central government and guided by the provisions of existing legislation. In addition, Regional Cooperation is expected to reduce inter-regional disparities in the provision of public services.

In general, this Regional Regulation regulates the implementation of Regional Cooperation with other regions, Regional Cooperation with Third Parties, and Regional Cooperation with the government. Regions and/or institutions abroad as well as guidance and supervision of Regional Cooperation. This Regional Regulation affirms that the implementation of government affairs that require the support of central government and Local government programs is carried out in the form of synergy of development planning and implementation in accordance with the provisions of legislation. For legal certainty, contracts/Cooperation Agreements between the Local Government and the central government that have been jointly signed before the enactment of this Regional Regulation, remain valid until the end of the cooperation and can be continued in the form of synergy of development planning and implementation.

Regarding to the explanation above, it is necessary to issue Regional Regulation of the Regency of Tegal on Regional Cooperation. This Regional Regulation is needed to provide a legal basis and guidelines for the Local Government in organizing Regional Cooperation according to the conditions and need of the Region while still complying with higher legislation and reviewing the implementation of the Regional Cooperation continuously with the aim of realizing effective, efficient and transparent Regional Cooperation.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently Clear

Article 2

Point a

The term “efficiency” means an effort by the Local Government through cooperation to reduce costs to obtain a certain result or use the same costs but can achieve maximum results.

Point b

The term “effectiveness” means an effort by the Local Government through cooperation to encourage the optimal and responsible utilization of the parties’ resources for the welfare of the public.

Point c

The term “synergy” means an effort to realize harmony between the Local Government, the public and the private sector to carry out cooperation for the realization of public welfare.

Point d

The term “mutual benefit” means that the implementation of cooperation must be able to provide benefits to each party and can provide benefits to the public.

Point e

The term “joint agreement” means the agreement of the parties to cooperate.

Point f

The term “good faith” means the willingness of the parties to genuinely carry out the cooperation.

Point g

The term “prioritizing national interest and the territorial integrity of the Unitary State of the Republic of Indonesia” means that the entire implementation of Regional Cooperation must be able to have a positive impact on efforts to realize prosperity, public welfare and strengthen the Unitary State of the Republic of Indonesia.

Point h

The term “equality of position” means equality and legal position for the parties conducting Regional Cooperation.

Point i

The term “transparency” means the process of openness in Regional Cooperation.

Point j

The term “fairness” means the equality of rights and obligations and treatment of the parties in implementing Regional Cooperation.

Point k

The term “legal certainty” means that the cooperation carried out can be legally binding for the parties carrying out Regional Cooperation.

Article 3

Sufficiently Clear

Article 4

Sufficiently Clear

Article 5

Sufficiently Clear

Article 6

Sufficiently Clear

Article

Sufficiently Clear

Article 8

Section (1)

Sufficiently Clear

Section (2)

The term “having cross-regional externalities” means government affairs whose implementation has cross-regional impacts/effects.

Section (3)

Sufficiently Clear

Article 9

Section (1)

Sufficiently Clear

Section (2)

Sufficiently Clear

Section (3)

Point a

The term “emergency conditions” means conditions beyond human capabilities, including the occurrence of disasters.

Point b

Sufficiently Clear

Point c

Sufficiently Clear

Section (4)

Sufficiently Clear

Article 10

Sufficiently Clear

Article 11

Sufficiently Clear

Article 12

Section (1)

Sufficiently Clear

Section (2)

Point a

Sufficiently Clear

Point b

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

Point c

Sufficiently Clear

Section (3)

Sufficiently Clear

Section (4)

Sufficiently Clear

Section (5)

Sufficiently Clear

Article 13

Sufficiently Clear

Article 14

Section (1)

Sufficiently Clear

Section (2)

The term “cannot end despite a change of leadership” means that the Regional Cooperation is still organized according to the agreement as referred to in the cooperation document and it is not affected by a change of the Regent or not affected by a change of the authorized officer who is given authority to sign the cooperation document.

Article 15

Section (1)

Sufficiently Clear

Section (2)

Sufficiently Clear

Section (3)

The term “the cost of taking over the implementation of cooperated government affairs is taken into account from Local Budget” means by providing financial assistance by the Region if the cooperation is taken over, the amount of assistance from the Region considers, among other, population, width of areas, and scope of services that are cooperated.

Article 16

Financial assistance of other regencies/municipalities to carry out Mandatory Cooperation through Local Budget and implemented by the Regional Apparatus granted authority as the regional general treasurer.

Article 17

Sufficiently Clear

Article 18

Sufficiently Clear

Article 19

Point a

Sufficiently Clear

Point b

The term “legal entity” includes state-owned enterprises, local-owned enterprises, cooperatives, and private legal entities.

Point c

Sufficiently Clear

Article 20

Sufficiently Clear

Article 21

Section (1)

Sufficiently Clear

Section (2)

Sufficiently Clear

Section (3)

Point a

The term “emergency conditions” means conditions beyond human capabilities, including the occurrence of disasters.

Point b

Sufficiently Clear

Point c

Sufficiently Clear

Section (4)

Sufficiently Clear

Article 22

Point a

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

Point b

A Feasibility Study in this arrangement contains at least:

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

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

Article 23

Section (1)

Sufficiently Clear

Section (2)

A Feasibility Study in this arrangement contains at least:

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

Article 24

Sufficiently Clear

Article 25

Sufficiently Clear

Article 26

Sufficiently Clear

Article 27

Sufficiently Clear

Article 28

Sufficiently Clear

Article 29

Section (1)

Sufficiently Clear

Section (2)

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

Section (3)

Sufficiently Clear

Section (4)

Sufficiently Clear

Article 30

Point a

The term “twinning/ sibling Regional cooperation” means cooperation carried out by the Local Government with regencies/ municipalities or equivalent local government abroad to improve relations among local governments and their people.

Point b

The term “other cooperation” means cooperation carried out by the Local Government with local governments abroad to focus on a particular scope of cooperation.

Article 31

Sufficiently Clear

Article 32

Sufficiently Clear

Article 33

Section (1)

Point a

Sufficiently Clear

Point b

Sufficiently Clear

Point c

The term “does not open representative offices abroad” means not opening offices established/leased abroad by the Local Government funded by Local Budget or other sources of funds including from partners.

Point d

Sufficiently Clear

Point e

Sufficiently Clear

Section (2)

Sufficiently Clear

Section (3)

Point a

Sufficiently Clear

Point b

The term “complementary” means to utilize the potential or advantages of each party to complement and benefit each other.

Point c

Sufficiently Clear

Article 34

Sufficiently Clear

Article 35

Sufficiently Clear

Article 36

Sufficiently Clear

Article 37

Sufficiently Clear

Article 38

Sufficiently Clear

Article 39

Sufficiently Clear

Article 40

Sufficiently Clear

Article 41

Sufficiently Clear

Article 42

Sufficiently Clear

Article 43

Section (1)

Point a

The term “international organization” means an intergovernmental organization.

Point b

The term “non-profit incorporated organizations abroad” include community organizations with legal entities of foreign foundations or other designations and non-governmental organizations with legal entities abroad.

Point c

The term “overseas development partner” means an institution under the auspices of a foreign government.

Section (2)

Sufficiently Clear

Section (3)

Sufficiently Clear

Section (4)

Sufficiently Clear

Section (5)

The term “institutions abroad” means for example educational institutions abroad established in accordance with applicable regulations.

Article 44

Sufficiently Clear

Article 45

Sufficiently Clear

Article 46

Sufficiently Clear

Article 47

Sufficiently Clear

Article 48

Sufficiently Clear

Article 49

Sufficiently Clear

Article 50

Sufficiently Clear

Article 51

Sufficiently Clear

Article 52

Sufficiently Clear

Article 53

Sufficiently Clear

Article 54

Sufficiently Clear

Article 55

Section (1)

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

The term “program support” means for example program support which is the authority of the Region to the central government

which is carried out in accordance with the division of government affairs so that the planned program can be implemented properly. The term “legislation” include legislation regarding planning and budgeting.

Section (2)

Sufficiently Clear

Section (3)

Sufficiently Clear

Section (4)

Sufficiently Clear

Section (5)

Sufficiently Clear

Article 56

Sufficiently Clear

Article 57

Sufficiently Clear

Article 58

Section (1)

The term” strong reasons” means the reason that occurs when there is a change:

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

Section (2)

Sufficiently Clear

Section (3)

Sufficiently Clear

Section (4)

Sufficiently Clear

Section (5)

Sufficiently Clear

Article 59

Sufficiently Clear

Article 60

Sufficiently Clear

SUPPLEMENT TO REGIONAL GAZETTE OF THE REGENCY OF TEGAL NUMBER
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