

REGULATION OF THE PROVINCE OF BANTEN

NUMBER 7 OF 2011

ON

ADMINISTRATION OF ONE-STOP INTEGRATED SERVICES IN THE FIELD
OF INVESTMENT

BY THE BLESSINGS OF ALMIGHTY GOD

THE GOVERNOR OF BANTEN,

- Considering
- a. that in order to improve the quality of public services in the Province of Banten based on the principles of good governance, it is necessary to administer integrated services in the field of Investment;
 - b. that based on the considerations as referred to in point a, it is necessary to establish a Regional Regulation on Administration of One-Stop Integrated Services in the Field of Investment;
- Observing
- 1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
 - 2. Law Number 23 of 2000 on the Establishment of the Province of Banten (State Gazette of the Republic of

- Indonesia of 2000 Number 182, Supplement to the State Gazette of the Republic of Indonesia Number 4210);
3. Law Number 32 of 2004 on Local Government (State Gazette of the Republic of Indonesia of 2004 Number 125, Supplement to the State Gazette of the Republic of Indonesia Number 4437) as amended several times, last by Law Number 12 of 2008 on Second Amendment to Law Number 32 of 2004 on Local Government (State Gazette of the Republic of Indonesia of 2008 Number 59, Supplement to the State Gazette of the Republic of Indonesia Number 4844);
 4. Law Number 25 of 2007 on Investment (State Gazette of the Republic of Indonesia of 2007 Number 67, Supplement to the State Gazette of the Republic of Indonesia Number 4724);
 5. Law Number 25 of 2009 on Public Services (State Gazette of the Republic of Indonesia of 2009 Number 112, Supplement to the State Gazette of the Republic of Indonesia Number 5038);
 6. Government Regulation Number 65 of 2005 on Guidelines for Preparation and Implementation of Minimum Service Standards (State Gazette of the Republic of Indonesia of 2005 Number 150, Supplement to the State Gazette of the Republic of Indonesia Number 4585);
 7. Government Regulation Number 38 of 2007 on the Division of Government Affairs between Government, Provincial Government, and Regency/Municipal Government (State Gazette of the Republic of Indonesia of 2007 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 4737);
 8. Government Regulation Number 45 of 2008 on Guidelines for Providing Incentives and Ease of Investment in the Regions (State Gazette of the Republic of Indonesia of 2008 Number 88, Supplement to the State Gazette of the Republic of Indonesia Number 4861);

9. Presidential Regulation Number 27 of 2009 on One-Stop Integrated Services in the Field of Investment;
10. Regulation of the Minister of Home Affairs Number 24 of 2006 on Guidelines for Administration of One-Stop Integrated Services;
11. Regulation of the Minister of Home Affairs Number 20 of 2008 on Guidelines for Organization and Work Procedures of Integrated Service Units in the Regions;
12. Regulation of the Province of Banten Number 4 of 2008 on Establishment of Organization and Work Procedures of Regional Technical Institutions of the Province of Banten (Regional Gazette of the Province of Banten of 2008 Number 4);

With the Joint Approval of
THE REGIONAL HOUSE OF REPRESENTATIVES OF
THE PROVINCE OF BANTEN
and
GOVERNOR OF BANTEN
HAS DECIDED:

To issue : REGULATION ON ADMINISTRATION OF ONE- STOP INTEGRATED SERVICES IN THE FIELD OF INVESTMENT.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means the Province of Banten.

2. Local Government means the Governor and Regional Apparatus as the administration element of the Local Government of the Province of Banten.
3. Governor means the Governor of Banten.
4. Board means the Investment Coordinating Board of the Province of Banten.
5. Head of Board means the Head of Investment Coordinating Board of the Province of Banten.
6. Investment means any kinds of investing activity, by both domestic investors and foreign investors for running business within the territory of the Republic of Indonesia.
7. One Stop Integrated Service (*Pelayanan Terpadu Satu Pintu*) , hereinafter abbreviated to PTSP, means an activity of administering licensing and non-licensing service under delegation or transfer of authority from the competent agency or institution having the licensing and non-licensing authority, with all stages of the administrative procedure from the application to the issuance of the document carried out in one place.
8. Licensing and Non-Licensing Management means the procedure, formal requirements, and work process that must be fulfilled by the organizer in order to establish licensing and non-licensing decisions.
9. Permit means a document issued by the Local Government based on Regional Regulations or provisions of legislation which is proof of legality, stating that it is legal or permissible for a person or entity to conduct certain businesses or activities.
10. Access to Information means ease of access with the availability of information that can be easily and directly accessed by the public.
11. Licensing means any form of approval for investment issued by the government and local government that has

the authority in accordance with the provisions of legislation.

12. Non-licensing means any form of ease of service, fiscal facilities, and information regarding investment, in accordance with the provisions of legislation.
13. Minimum Service Standards (*Standar Pelayanan Minimal*), hereinafter abbreviated to SPM, mean provisions regarding types and quality of basic services which are mandatory regional affairs that every citizen is entitled to obtain at a minimum.

Article 2

The purpose of this Regional Regulation is to improve services to the public and Business Entities that will conduct investment activities in the Province of Banten.

Article 3

The objectives of this Regional Regulation are:

- a. providing quickness, accuracy, simplicity, transparency, and legal certainty in conducting business activities in the Province of Banten;
- b. providing certainty of time for completion of licensing and non- licensing in the field of investment to the public.

Article 4

Administration of One-Stop Integrated Services In the Field of Investment is based on:

- a. legal certainty
- b. transparency;
- c. accountability;
- d. equal treatment
- e. fairness-based efficiency;

CHAPTER II

SCOPE

Article 5

- (1) The scope of One Stop Integrated Services In the Field of Investment includes:
 - a. investment;
 - b. industry and trade;
 - c. culture and tourism;
 - d. education;
 - e. cooperative;
 - f. manpower and transmigration;
 - g. mining and Energy;
 - h. health;
 - i. agriculture and animal husbandry;
 - j. forestry;
 - k. social affairs;
 - l. Water Resources;
 - m. *bina marga* and spatial plan.
- (2) One Stop Integrated Services in the Field of Investment as referred to in section (1) is administered by the Board.

CHAPTER III

TYPES OF ONE-STOP INTEGRATED SERVICES

IN THE FIELD OF INVESTMENT

Article 6

- (1) Types of One-Stop Integrated Services in the Field of Investment include:
 - a. licensing services; and
 - b. non-licensing services.

- (2) The Licensing services as referred to in section (1) point a and point b, are listed in the Annex which is an integral part of this Regional Regulation.
- (3) Further provisions regarding the management of licensing and non- licensing as referred to in section (2) are regulated by a Governor Regulation.

CHAPTER IV

ONE-STOP INTEGRATED SERVICE SYSTEM AND STANDARDS IN THE FIELD OF INVESTMENT

Article 7

One-Stop Integrated Services in the Field of Investment are implemented through:

- a. system of information and investment licensing services electronically;
- b. implementation of work mechanism and management of types of licensing and non-licensing services.

Article 8

One-Stop Integrated Service Standards in Field of Investment are implemented based on Minimum Service Standards.

CHAPTER V

RIGHTS AND OBLIGATIONS

Part One

Rights and Obligations of the Board

Article 9

In the event that the applicant does not complete the licensing requirements as referred to in Article 6 section (3), the Board has the right to reject the license application.

Article 10

The Board in administering One Stop Integrated Services in the Field of Investment is obligated to:

- a. provide services in accordance with the principles and service standards.
- b. develop a system of information and investment licensing services electronically and integrate it with information system of licensing and non-licensing ;
- c. organize training and technical assistance;
- d. conduct human resource development.
- e. be responsible for the security and continued operation of the integrated system during the development stage.

Article 11

(1) The Board is obligated to provide licensing and non-licensing services that are carried out in a timely manner.

(2) The period of completion of licensing and non-licensing services as referred to in section (1), is not later than 15 (fifteen) workdays from the receipt of the application file and all its completeness.

Part Two

Rights and Obligations of the Public

Article 12

Every person or legal entity has rights to:

- a. obtain services based on service principles, service standards, and the right to be considered in filing objections to activities or plans for activities of other parties that are feared or that interfere with life.
- b. gain access to on-line system information.
- c. access to data and information on investment licensing and non- licensing.

Article 13

Every person or legal Entity applying for licensing and non-licensing in the field of investment is obligated to comply with the licensing and non-licensing requirements as referred to in Article 6 section (3).

CHAPTER VI

COORDINATION IN THE FIELD OF INVESTMENT

Article 14

- (1) In order to improve licensing and non-licensing services in the field of investment, the Board coordinates with the Government, other Regional Apparatus within the Provincial Government and Regency / Municipal governments at the planning and supervision stages.
- (2) The coordination as referred to in section (1) is carried out by a Head of the Board and is responsible to the Governor.

CHAPTER VII

HUMAN RESOURCES

Article 15

- (1) Employees assigned to the Board must have competence.

- (2) Employees who carry out the task of one-stop integrated services in the field of investment as referred to in section (1) may be given a special allowance in accordance with regional financial capacity the amount of which is determined by a Governor Decision.

CHAPTER VIII

INFORMATION TRANSPARENCY

Article 16

- (1) The Board provides information that is accurate, correct, and not misleading to any person or Legal Entity.
- (2) The information as referred to in section (1) in the forms of:
 - a. types of licensing and non-licensing services;
 - b. licensing and non-licensing requirements;
 - c. time certainty;
 - d. amount of costs;
 - e. licensing and non-licensing service procedures; and
 - f. procedures for complaints.

Article 17

The Board disseminates information as referred to in Article 16 section (2) to the public and business actors through printed and/or electronic media.

Article 18

The Board operates an information system for licensing and non-licensing services in the field of investment electronically based on information and communication technology that can be accessed by the public and business actors.

CHAPTER IX
COMPLAINT HANDLING

Article 19

- (1) In the event that the Board does not provide services in accordance with the norms, standards and procedures for licensing and non-licensing services, the applicant may file a complaint.
- (2) The complaints as referred to in section (1) are made orally and/or in writing through the media provided not later than 30 (thirty) days after the applicant receives licensing and non-licensing services.
- (3) The Board is obligated to respond and follow up on complaints as referred to in section (2), quickly and appropriately not later than 14 (fourteen) workdays from the receipt of the complaint.
- (4) Procedures and mechanisms for complaints about licensing and non-licensing services are further regulated by a Governor Regulation.

CHAPTER X
COMMUNITY SATISFACTION INDEX

Article 20

- (1) In the event of measuring changes in the level of public satisfaction in receiving licensing and non-licensing services, at least 1 (one) time in 1 (one) year, periodic and continuous surveys are conducted.
- (2) The implementation of the survey as referred to in section (1) is required to be carried out by the Board or may cooperate with other parties.

- (3) The survey results as referred to in section (1) is informed to the public through printed or electronic media.
- (4) In the event that there is a value discrepancy between the survey results and the licensing service standards, guidance and capacity building for the administration of licensing services will be carried out.

CHAPTER XI

GUIDANCE, CONTROL AND SUPERVISION

Part One

Guidance

Article 21

- (1) The Governor provides Guidance in the administration of one-stop integrated licensing services in the field of investment.
- (2) The guidance as referred to in section (1) includes:
 - a. system development;
 - b. human resources;
 - c. direction;
 - d. supervision;
 - e. education and training; and
 - f. evaluation.

Part Two

Control and Supervision

Article 22

- (1) In event of controlling licensing and non-licensing in the field of investment, the Board together with other Regional Apparatus conducts control and supervision.
- (2) The control and supervision as referred to in section (1), regarding:
 - a. the period of expiration of the license;
 - b. license changes;
 - c. changes in business scale.
- (3) The procedures for Control and supervision as referred to in section (1) are further regulated by a Governor Regulation.

CHAPTER XII

REPORTING

Article 23

- (1) The Head of the Board makes a written report on the administration of one-stop integrated services in the field of investment in the region to:
 - a. Governor through the Regional Secretary; and
 - b. relevant technical Ministries.
- (2) The report as referred to in section (1) is at least 1 (one) time every 3 (three) months.

CHAPTER XIII

INCENTIVES

Article 24

- (1) Every potential investor who will invest in the Region may be given incentives and ease.

- (2) The incentives and ease as referred to in section (1) are provided in the forms of:
- a. incentives, which may be in the forms of:
 1. reduction, relief, or exemption from local taxes;
 2. reduction, relief, or exemption of local levies;
 3. provision of stimulant funds; and/or
 4. provision of capital assistance.
 - b. the provision of ease may be in the forms of:
 1. provision of data and information on investment opportunities;
 2. provision of facilities and infrastructure;
 3. provision of land or location;
 4. provision of technical assistance; and/or
 5. acceleration of licensing.
- (3) The procedures for providing incentives and ease as referred to in section (2) are further regulated by a Governor Regulation.

CHAPTER XIV

CLOSING PROVISIONS

Article 25

If there is a delegation of authority in the field of investment from the Government to the Governor, licensing and non-licensing services are carried out by the Board.

Article 26

Implementing regulations of this Regional Regulation must be issued not later than 1 (one) year as of the promulgation of this Regional Regulation.

Article 27

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

In order that everyone may know hereof, it is ordered to promulgate this Regional Regulation by its placement in the Regional Gazette of the Province of Banten.

Issued in Serang

on 2 November 2011

GUBERNOR OF BANTEN,

signed

RATU ATUT CHOSIYAH

Promulgated in Serang

on 3 November 2011

REGIONAL SECRETARY OF THE PROVINCE OF BANTEN,

signed

MUHADI

REGIONAL GAZETTE OF THE PROVINCE OF BANTEN POF 2011 NUMBER 7

Jakarta, 30 July 2024

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

DIRECTOR GENERAL OF LEGISLATION AD INTERIM,



ASEP N. MULYANA

ELUCIDATION OF
REGULATION OF THE PROVINCE OF BANTEN
NUMBER 7 OF 2011
ON
ADMINISTRATION OF ONE-STOP INTEGRATED SERVICES
IN THE FIELD OF INVESTMENT

I. GENERAL

In order to assist investors in obtaining ease of service, fiscal facilities, and information on investment, by accelerating, simplifying services, and reducing or even eliminating the costs of licensing and non-licensing, one-stop integrated services in the field of investment that can create simplification of licensing and accelerate its completion so as to attract the interest of the public and business actors is needed.

The administration of one-stop integrated licensing services in the field of investment aims to realizing licensing management in accordance with the principles of good governance and providing information to recipients of licensing and non-licensing.

Furthermore Regional Regulation on Administration of One-Stop Integrated Services in the Field of Investment is expected to prevent corruption, collusion and nepotism in the issuance of licensing and non-licensing, encourage the growth of investment in the Province of Banten, improve the quality of licensing and non-licensing services, avoid procedural errors, and abuse of authority in the issuance of licensing and non-licensing, synchronize and harmonize licensing and non-licensing among fields.

In order to implement legislation in the field of Investment, such as Law Number 27 of 2009 on Investment and Presidential Regulation Number 27 of 2009 on One-Stop Integrated Services in the Field of Investment, the Government of of the Province of Banten is deemed necessary to have legal instruments regulating the administration of one-stop integrated services in the field of investment to provide legal certainty. The contents of this Regional Regulation include, among others:

1. Scope:
2. Types of One-Stop Integrated Services in the Field of Investment;

3. System and One-Stop Integrated Service Standards in the Field of Investment;
4. Rights and Obligations;
5. Investment coordination;
6. Human Resources;
7. Information Transparency;
8. Complaint Handling
9. Community Satisfaction Index
10. Guidance, Control and Supervision
11. Reporting; and
12. Incentives.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear.

Article 3

Sufficiently clear.

Article 4

Point a

The term "Principle of Legal Certainty" means the principle of being receptive to the public's right to obtain correct, honest, and non-discriminatory information about investment activities.

Point b

The term "Principle of transparency" means the principle of being receptive to the public's right to obtain true, honest, and non-discriminatory information about investment activities.

Point c

The term "Principle of Accountability" means the principle that every activity and final result of the implementation of investment administration must be accountable.

Point d

The term "Principle of equal treatment" means the principle of non-discriminatory treatment in providing services based

on the provisions of legislation, between a domestic investor and a foreign investor as well as between an investor from one foreign country and an investor from another foreign country.

Point e

The term "Principle of fairness-based efficiency" means the principle underlying the implementation of investment by prioritizing fair efficiency in an effort to create a fair, conducive, and competitive business climate.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Sufficiently clear.

Article 12

Sufficiently clear.

Article 13

Sufficiently clear.

Article 14

Section (1)

The term "other Regional Apparatus" means a regional apparatus in the Government of the Province of Banten which originally had function to issue licensing and non-licensing.

Section (2)

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Sufficiently clear.

Article 17

Sufficiently clear.

Article 18

Sufficiently clear.

Article 19

Sufficiently clear.

Article 20

Sufficiently clear.

Article 21

Sufficiently clear.

Article 22

Sufficiently clear.

Article 23

Sufficiently clear.

Article 24

Sufficiently clear.

Article 25

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Sufficiently clear.