



KEMENTERIAN HUKUM
REPUBLIK INDONESIA
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Perundang-undangan

31 Desember 2024

**Kepada Yth.
Sekretaris Daerah
Kabupaten Rembang
Jl. P. Diponegoro No. 90
Rembang 59212**

Menindaklanjuti surat Sekretaris Daerah Kabupaten Rembang Nomor 100.3.1.1/112/2024 tanggal 26 Juni 2024, Perihal Permohonan Penerjemahan Resmi Perda Kab. Rembang No. 9 Th. 2022, bersama ini kami sampaikan hasil Peraturan Daerah Kabupaten Rembang Nomor 9 Tahun 2022 tentang Penyelenggaraan Perumahan dan Kawasan Pemukiman, yang telah disetujui dan ditandatangani oleh Direktur Jenderal Peraturan Perundang-undangan Kementerian Hukum Republik Indonesia.

Atas perhatiannya diucapkan terima kasih.

Direktur Jenderal
Peraturan Perundang-undangan,

Dr. Dhahana Putra

Tembusan Kepada Yth.:

1. Menteri Hukum Republik Indonesia;
2. Wakil Menteri Hukum Republik Indonesia;
3. Sekretaris Jenderal Kementerian Hukum; dan
4. Inspektur Jenderal Kementerian Hukum.

REGULATION OF THE REGENCY OF REMBANG
NUMBER 9 OF 2022
ON
MANAGEMENT OF HOUSING AND RESIDENTIAL AREA

BY THE BLESSINGS OF ALMIGHTY GOD

REGENT OF REMBANG

- Considering :
- a. that every person has the right to live in physical and spiritual prosperity, to have a place to live and to have a good and healthy living environment which is a basic human need;
 - b. that in order to fulfill the need for housing as a place to live and basic needs, the Local Government has a strategic role in organizing Housing and Residential Areas, especially for low-income communities, as one of the efforts to realize prosperity for the people in the Region;
 - c. that in the context of carrying out affairs in the field of housing and residential areas which are the authority of the Region as referred to in Law Number 23 of 2014 on Local Government as amended several times, last by Law Number 11 of 2020 on Job Creation, and in accordance with the provisions of Article 98 Law Number 1 of 2011 on Housing and Residential Areas as amended by Law Number 11 of 2020 on Job Creation , local governments need to establish regional policies as stipulated in Regional Regulations;
 - d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to establish Regional Regulations on Management of Housing and Residential Areas;
- Observing :
1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
 2. Law Number 13 of 1950 on Establishment of the Regency Areas within the Province of Central Java;
 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 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) ;
4. Government Regulation Number 14 of 2016 on Management of Housing and Residential Areas (State Gazette of the Republic of Indonesia of 2016 Number 101, Supplement to the State Gazette of the Republic of Indonesia Number 5883) as amended by Government Regulation Number 12 of 2021 on Amendments to the Government Regulation Number 14 of 2016 on Management of Housing and Residential Areas (State Gazette of the Republic of Indonesia 2021 Number 22, Supplement to the State Gazette of the Republic of Indonesia Number 6624) ;

With the Joint Approval of
Regional House of Representative of the Regency of Rembang

And

Regent of Rembang

Has Decided:

To issue : Regional Regulations On Management of Housing And Residential Areas.

CHAPTER I General Provisions

Article 1

In this Regional Regulation:

1. Region means Region of the Regency of Rembang.
2. Local Government means the Regent as the organizing element of Local Government which leads the implementation of government affairs which fall under regional authority.
3. Regent means the Regent of Rembang.
4. Local Apparatus means a supporting element for the Regent and the Regional House of Representative in carrying out government affairs which fall under regional authority.
5. Management of Housing and Residential Areas mean planning, development, utilization and control activities, including institutional development, funding and financing systems, as well as the coordinated and integrated role of the community.
6. Housing and Settlement Areas mean a unified system consisting of development, housing management, residential area management, maintenance and repair, prevention and improvement of the quality of slum housing and slum settlements, land provision, funding and financing systems, as well as the role of the community.

7. Residential Areas mean parts of the living environment outside protected areas, whether in the form of urban or rural areas, which function as residential or residential environments and places of activities that support life and livelihoods.
8. Residential means part of a Housing Environment which consists of more than one housing unit that has infrastructure, facilities, public utilities, and supports other functional activities in urban or rural areas.
9. Housing means a collection of houses as part of settlements, both urban and rural, which are equipped with infrastructure, facilities and public utilities as a result of efforts to provide livable houses.
10. House means a building that functions as a habitable residence, a means of family development, a reflection of the dignity of its occupants, and an asset for its owner.
11. Balanced Housing means Housing or Residential Environment that is built in a balanced manner between simple Houses, middle-class Houses and luxury Houses.
12. Prevention means an action taken to avoid the growth and development of new Slum Housing and Slum Settlements.
13. Improving the Quality of Slum Housing and Slum Settlements means an effort to improve the quality of buildings, as well as Public Infrastructure, Facilities and Utilities.
14. Maintenance means an activity to maintain the reliability of Housing and Settlements along with Public Infrastructure, Facilities and Utilities so that they remain functionally functional.
15. Repair means a handling pattern with an emphasis on activities such as Repair and construction of Facilities and Infrastructure of environment includes several aspects of governance building.
16. Restoration means an activity carried out for Repair and/or rebuild Housing and Settlements into habitable Housing and Settlements.
17. Rejuvenation means a comprehensive basic overhaul and restructuring activity covering houses and Settlement Infrastructure, Facilities and Public Utilities.
18. Resettlement means the activity of moving affected communities from Slum Housing locations or Slum Settlements that are impossible to rebuild because they do not comply with the spatial plan and/or are prone to disasters.
19. Local Wisdom means a noble value that applies in community living arrangements to create Housing and Settlements that are healthy, safe, harmonious and orderly.
20. Housing Environment means a part of a Residential Area which consists of more than one residential unit.
21. Conversion Funds mean funds in the form of management funds or grant funds obtained from development actors as an alternative to the obligation to build subsidized simple Houses in the development of

- Housing with Balanced Occupancy which are calculated based on the conversion calculation formula.
22. Preliminary Sale and Purchase Agreement System, hereinafter referred to as the PPJB, (*Perjanjian Pendahuluan Jual Beli*) System, means a series of agreement processes between Each Person and development actors in marketing activities which are outlined in the preliminary sale and Purchase Agreement or Sale and Purchase Agreement before the sale and purchase deed is signed.
 23. Preliminary Sale and Purchase Agreement or Sale and Purchase Binding Agreement, hereinafter referred to as PPJB , (*Perjanjian Pendahuluan Jual Beli*) means an agreement between the construction actor and any person to carry out the sale and purchase of a House or Unit of flat which can be carried out by the construction actor before construction for Unit of flat or during the construction process for a single House and a House series made before a notary.
 24. Marketing means an activity planned by development actors to introduce, offer, determine prices and disseminate information regarding Houses or Housing and Unit of flats or Condominium units carried out by development actors before or in the process before signing the PPJB.
 25. Infrastructure means the basic physical equipment of a Residential Environment that meets certain standards for the needs of a decent, healthy, safe and comfortable place to live.
 26. Facilities mean facilities in a Residential Environment that function to support the implementation and development of social, cultural and economic life.
 27. Public Utilities mean supporting equipment for Residential Environment services.
 28. Settlement Area Plan, hereinafter referred to as RKP (*Rencana Kawasan Permukiman*), means a plan document as a guideline for meeting the needs of the Residential Environment in urban and rural areas as well as supporting activities as outlined in short-term, medium-term and long-term plans.
 29. Housing Development and Development Plan, hereinafter referred to as RP3 (*Rencana Pembangunan dan pengembangan Perumahan*), means a plan document as a guideline for meeting the needs for housing provision along with Housing Infrastructure, Facilities and Public Utilities as part of the realization of spatial planning utilization which refers to the RKP.
 30. City Regional Spatial Planning Plan, hereinafter referred to as the City RTRW (*Rencana Tata Ruang Wilayah Kota*), means a general spatial planning plan for the City area , which is an elaboration of the provincial regional spatial planning plan, and which contains objectives, policies, city area spatial planning strategies, regional spatial structure plans, Cities , City area spatial pattern plans, determination of strategic city areas, directions for the

use of city area space, and provisions for controlling the use of city area space.

31. Detailed City Spatial Plan, hereinafter referred to as RDTR (*Rencana Detail Tata Ruang Kota*), means a detailed plan regarding the spatial layout of the city area which is equipped with city zoning regulations.
32. Zoning Regulations mean provisions that regulate space utilization requirements and control provisions and are prepared for each block/allotment zone where the zoning is determined in a detailed spatial planning plan.
33. Slum Housing means housing that has experienced a decline in the quality of its function as a place to live.
34. Slum Settlements mean settlements that are unfit for habitation due to the irregularity of the buildings, high levels of building density, and the quality of the buildings and Facilities and Infrastructure that do not meet the requirements.
35. Ready to Build Area, hereinafter referred to as Kasiba (*Kawasan Siap Bangun*), means a plot of land whose physical Infrastructure, Facilities and Utilities have Generally been prepared for the development of a large-scale Residential Environment in accordance with the spatial plan.
36. Ready to Build Environment, hereinafter referred to as Lisiba (*Lingkungan Siap Bangun*), means a plot of land whose physical infrastructure, Facilities and Utilities have Generally been prepared for Housing development with clear plot boundaries and is part of Kasiba in accordance with the detailed spatial plan.
37. Land Consolidation means the restructuring of control, ownership, use and utilization of land in accordance with regional spatial planning in an effort to provide land for the purposes of housing and Settlement development in order to improve environmental quality and maintain natural resources with the active participation of the community.
38. Urban Areas mean areas that have primary non-agricultural activities with the structure of the area's functions as a place for urban Settlements, concentration and distribution of government services, social services and economic activities.
39. Rural Areas mean areas that have the main activity of agriculture, including the management of natural resources with the function of the area as a place for rural settlements, government services, social services and economic activities.
40. Housing and Settlement Area Planning means a process of planning urban Residential Environments, rural Residential Environments, activity support places, Settlements, Housing, Houses, and Public Infrastructure, Facilities and Utilities to produce RKP documents.
41. Housing and Settlement Area development means a process to create housing and Settlement Areas in accordance with the RKP through construction implementation.

42. Utilization of Housing and Settlement Areas means a process for utilizing Housing and Settlement Areas in accordance with the established plans, including regular maintenance, upkeep and inspection activities.
43. Control of Housing and Settlement Areas means a process to realize the orderly Management of housing and Settlement Areas which is carried out at the planning, development and utilization stages.
44. Business Licensing means the legality given to business actors to start and run their business and/or activities.
45. Building Approval, hereinafter referred to as PBG (*Persetujuan Bangunan Gedung*), means a permit given to building owners to build new, change, expand, reduce, and/or maintain buildings in accordance with building technical standards.
46. Every Person means an individual or Legal Entity.
47. Communities mean individuals whose activities are in the field of housing and residential areas, including customary law communities and expert communities, who have an interest in the Management of housing and Residential Areas
48. Legal Entity means a legal entity established by Indonesian citizens whose activities are in the field of Housing and residential Area management.

Part One Meaning

Article 2

This Regional Regulation is intended to provide a basis for managing housing and residential areas as well as preventing and improving the quality of slum housing and slum settlements.

Part Two Objective

Article 3

This Regional Regulation aims to:

- a. provide legal certainty in the administration of housing and residential areas;
- b. prevent the growth and development of new slum housing and slum settlements and maintain the quality of housing and settlements that have been built; and
- c. improve the quality of slum housing and slum settlements in creating livable housing and residential areas in a healthy, safe, harmonious and orderly environment.

Part Three Scope

Article 4

The scope of this Regional Regulation includes:

- a. coaching;
- b. Housing management;
- c. administration of residential Areas;
- d. prevention and improvement of the quality of slum Housing and slum Settlements;
- e. provision of land;
- f. funding and financing systems;
- g. coordination;
- h. cooperation and community participation;
- i. guidance and supervision; and
- j. administrative sanctions.

CHAPTER II
COACHING

Part One
General

Article 5

- (1) The Regent carries out guidance on the management of Housing and Settlement Areas in the Region.
- (2) Guidance as referred to in section (1) includes:
 - a. planning;
 - b. arrangement;
 - c. control; and
 - d. supervision.
- (3) Planning as referred to in section (2) point a is an integral part of the Regional development plan, and is carried out by the Local Government with involvement of the community.
- (4) The planning as referred to in section (3) is prepared by taking into account national and provincial policies and strategies in the field of Housing and Settlement Areas in accordance with the provisions of legislation and involving community participation.
- (5) The arrangements as referred to in section (2) point b include:
 - a. Land provision;
 - b. development;
 - c. utilization;
 - d. maintenance; and
 - e. funding and financing.
- (6) Control as referred to in section (2) point c includes:
 - a. house;
 - b. housing area;
 - c. settlement;
 - d. residential environment; and
 - e. residential area.
- (7) Supervision as referred to in section (2) point d includes monitoring, evaluation and corrective action.

- (8) The guidance as referred to in section (1) to section (7) is carried out by the Regent in accordance with the provisions of legislation.

Part Two
Duties and Authorities

Article 6

- (1) The duties of the Local Government in carrying out guidance on the management of Housing and Settlement Areas include:
- a. develop and implement policies and strategies at the Regional level in the field of housing and residential areas guided by national and Provincial policies and strategies;
 - b. formulate and implement regional policies guided by national and provincial strategies regarding the utilization and use of technological engineering results in the housing sector and residential areas;
 - c. prepare plans for the construction and development of housing and residential areas at the Regional level;
 - d. d.carry out operationalization and coordination functions for the implementation of Regional policies in the provision of houses, housing, settlements, residential environments and residential areas;
 - e. e.implement the use of environmentally friendly technology and design as well as the use of the building materials industry which prioritizes domestic resources and local wisdom that is safe for health;
 - f. f.carry out supervision and control over the implementation of legislation, policies, strategies and programs in the field of housing and residential areas at the Regional level;
 - g. g.implement policies and strategies at the Regional level;
 - h. h.implement statutory of legislation as well as policies and strategies for the implementation of housing and residential areas at the Regional level;
 - i. i.implement the improvements to the quality of housing and settlements;
 - j. j.implement Provincial policies and strategies in the administration of housing and residential areas guided by national policies;
 - k. k.carry out management of infrastructure, facilities and public utilities for housing and residential areas;
 - l. l.supervise the implementation of national and provincial policies and strategies in the field of housing and residential areas at the Regional level;

- m. m.allocate funds and/or development costs to support the realization of housing for low-income communities;
 - n. n.facilitate the provision of housing and settlements for the community, especially for low-income communities;
 - o. o.determine the location of Kasiba and Lisiba; and
 - p. p.provide assistance to individuals who carry out self-supporting house construction.
- (2) The authority of the Local Government in carrying out guidance on the management of Housing and Settlement Areas includes:
- a. a. compiles and provides a database of housing and residential areas at the Regional level;
 - b. b. prepares and perfects of legislation in the field of housing and residential areas at the Regional level together with the DPRD;
 - c. c. empowers stakeholders in the field of housing and residential areas at the Regional level;
 - d. d. carries out synchronization and socialization of the provisions of legislation as well as policies and strategies for the implementation of housing and residential areas at the Regional level;
 - e. e. reserves or provides land for the construction of housing and settlements for low-income communities;
 - f. f. provides infrastructure and facilities for housing development for low-income communities at the Regional level;
 - g. g. facilitates cooperation at the Regional level between the Local Government and legal entities in the administration of housing and residential areas;
 - h. h. determines housing and settlement locations as slum housing and slum settlements at the Regional level;
 - i. i. facilitates quality improvement of slum housing and slum settlements at the Regional level;
 - j. j. provisions and rehabilitates of houses for disaster victims ;
 - k. k. facilitates the provision of housing for communities affected by Local Government relocation programs ;
 - l. l. issues of housing construction and development permits ;
 - m. m. issues of building ownership certificate (SKBG);
 - n. n. issues of permits for construction and development of residential areas ;
 - o. o. structures and improves the quality of slum areas with extensive areas under 10 (ten) hectares ;
 - p. p. housing prevention and slum areas in the Region ;
 - q. q. management of housing infrastructure, facilities and utilities ; and
 - r. r. certifies and registers for Individuals or Legal Entities carrying out house design and planning as well as planning infrastructure, facilities and utilities for small capacity housing .

CHAPTER III
MANAGEMENT OF HOUSING

Part One
General

Article 7

- (1) Management of Housing includes:
 - a. Housing planning;
 - b. Housing development;
 - c. Housing utilization; and
 - d. Housing control.
- (2) Housing as referred to in section (1) includes Houses or Housing along with Infrastructure, Facilities and Public Utilities.
- (3) Houses as referred to in section (2) are differentiated according to their type and shape.
- (4) The types of Houses as referred to in section (3) are differentiated based on the construction and occupancy actors, including commercial Houses, public Houses, independent Houses, special Houses and state Houses.
- (5) The shape of the house as referred to in section (3) is differentiated based on the relationship or attachment between buildings, including single Houses, row Houses and Flats.

Article 8

- (1) In the event of providing housing for MBR (low income people), the Local Government may provide facilitation in the planning, construction and utilization of housing.
- (2) Facilitation as referred to in section (1) is carried out by institutions or bodies assigned by the Local Government.
- (3) The assignment of institutions or bodies as referred to in section (2) is carried out in accordance with the provisions of legislation.

Part Two
Estate Planning

Paragraph 1
General

Article 9

- (1) Estate Planning produces housing development and expansion plan documents that refer to the RKP document.
- (2) Housing development and expansion plans as referred to in section (1) are stipulated in long-term development

- plans, medium-term development plans and annual plans in accordance with the provisions of legislation .
- (3) Housing development and expansion plan documents are prepared to meet Housing needs and the integration of Housing Infrastructure, Facilities and Public Utilities.
 - (4) The housing development and expansion plan document as referred to in section (1) is determined by the Regent.
 - (5) The Housing development and expansion plan document as referred to in section (1) is reviewed at least 1 (one) time in 5 (five) years.

Article 10

- (1) Housing development and expansion plan documents include:
 - a. construction and development policies;
 - b. plan for housing needs;
 - c. integration plan for Public Infrastructure, Facilities and Utilities; and
 - d. development and utilization programs.
- (2) Housing development and expansion plans are carried out in the form of plans:
 - a. development and expansion;
 - b. new development; or
 - c. re-development.

Article 11

The preparation of housing development and expansion plan documents as referred to in Article 9 and Article 10 is carried out in accordance with the provisions of legislation.

Article 12

- (1) The Housing Planning consists of:
 - a. planning of House and design; and
 - b. planning of Housing Infrastructure, Facilities and Public Utilities.
- (2) Planning of Housing is part of Settlement planning which is integrated with the Urban Area Infrastructure, Facilities and Public Utilities system.
- (3) Planning of Housing includes simple Houses, medium Houses, and/or luxury Houses.

Paragraph 2

Planning and Designing of Houses

Article 13

- (1) Planning and designing of Houses as referred to in Article 12 section (1) point a is carried out to:
 - a. create a house that is livable;
 - b. support efforts to fulfill housing needs by the community and the Government; and
 - c. improve building layout and structured environment.

- (2) Planning and designing of Houses to create a habitable house as referred to in section (1) point a is carried out in order to create a healthy, safe and orderly houses.
- (3) Planning and designing of Houses to support efforts to fulfill housing needs as referred to in section (1) point b is carried out in order to meet the housing needs of the community.
- (4) Planning and designing of Houses to improve the structured building layout and environment as referred to in section (1) point c is carried out in order to create a functional environment, and in accordance with a building layout that is harmonious and in harmony with the environment.

Article 14

- (1) Planning and designing of Houses is carried out by anyone who has expertise in the field of House planning and design.
- (2) Every person as referred to in section (1) is required to have an expertise certificate issued by a certification agency.
- (3) The expertise certificate as referred to in section (2) meets the classification and qualifications for planning and designing a House.
- (4) Certificate of expertise and certification agency in the field of planning and designing houses as referred to in section (2) in accordance with the provisions of legislation.

Article 15

- (1) The results of planning and designing of Houses must meet standards.
- (2) The standards as referred to in section (1) are House standards including:
 - a. general provisions; and
 - b. technical standards.
- (3) The general provisions as referred to in section (2) point a at least fulfill:
 - a. building safety aspects;
 - b. minimum space requirements; and
 - c. building health aspects.
- (4) The technical standards as referred to in section (2) point b consist of:
 - a. selection of House location;
 - b. provisions on the area and dimensions of plots; and
 - c. design of Houses.
- (5) The design of Houses as referred to in section (4) point c is carried out in accordance with the provisions for architectural, structural, mechanical and electrical implementation, along with the plumbing of the House building.

Article 16

- (1) Planning and designing of Houses as referred to in Article 12 is carried out through the preparation of technical plan documents.
- (2) The preparation of technical plan documents as referred to in section (1) is carried out in accordance with the provisions of legislation.

Article 17

- (1) Planning for Housing Infrastructure, Facilities and Public Utilities as referred to in Article 10 section (1) point b must meet standards.
- (2) The standards as referred to in section (1) include:
 - a. general provisions; and
 - b. technical standards.
- (3) The general provisions as referred to in section (2) point a at least fulfill:
 - a. Housing capacity requirements;
 - b. ease of management and use of local resources;
 - c. mitigation of disaster and safety risk levels; and
 - d. connected to the existing urban network .
- (4) The technical standards as referred to in section (2) point b include:
 - a. Infrastructure standards;
 - b. Facility standards; and
 - c. Public Utility standards.
- (5) Infrastructure standards as referred to in section (4) point a include at least:
 - a. road network;
 - b. rainwater drainage or drainage channels;
 - c. provision of drinking water;
 - d. sewerage or sanitation; and
 - e. garbage dump.
- (6) Facilities standards as referred to in section (4) point b include at least:
 - a. green open space; and
 - b. Public facilities.
- (7) Public Utility standards as referred to in section (4) point c include at least the availability of an electricity network.

Article 18

Local Governments carries out supervision of standards for Public Infrastructure, Facilities and Utilities in accordance with their authority.

Article 19

- (1) Planning for Public Infrastructure, Facilities and Utilities is carried out by every person who has expertise in the field of planning Public Infrastructure, Facilities and Utilities.
- (2) Every person as referred to in section (1) is required to have an expertise certificate issued by a certification body.

- (3) The expertise certificate as referred to in section (2) meets the classification and qualifications for planning Public Infrastructure, Facilities and Utilities.
- (4) Expertise certificates and certification bodies in the field of planning Public Infrastructure, Facilities and Utilities as referred to in section (2) in accordance with the provisions of legislation.

Part Three
Housing Development

Paragraph 1
General

Article 20

- (1) Housing Development includes:
 - a. construction of Houses and Infrastructure, Facilities and Public Utilities; and/or
 - b. improving the quality of Housing.
- (2) Housing development is carried out by developing environmentally friendly technology and building design as well as developing a building materials industry that prioritizes the use of domestic resources and local wisdom that is safe for health.
- (3) Housing development is carried out through efforts to organize the pattern and spatial structure of House construction along with Infrastructure, Facilities and Public Utilities that are integrated with the planning of the surrounding environment.
- (4) Housing development to improve the quality of Housing is carried out through efforts to handle and prevent Slum Housing and Slum Settlements as well as degradation of environmental quality.
- (5) Housing development as referred to in section (1) is carried out in accordance with land control or ownership status and permits based on the provisions of legislation.

Article 21

- (1) Legal entities carrying out Housing construction are obligated to create Housing with Balanced Occupancy.
- (2) The obligation as referred to in section (1) is excluded for Legal Entities that build Housing which is entirely intended to fulfill Public Housing.
- (3) The construction of a public House as referred to in section (2) must have access to a service center or workplace.

Article 22

- (1) The construction of Housing with Balanced Occupancy as referred to in Article 21 section (1) is carried out by the same Legal Entity.

- (2) In carrying out the construction of Housing with Balanced Occupancy, the Legal Entity as referred to in section (1) may collaborate with other Legal Entities.
- (3) Legal Entities that carry out the construction of Housing with Balanced Occupancy as referred to in section (1) are carried out through the preparation of site plan documents.

Article 23

- (1) Housing with Balanced Occupancy as referred to in Article 22 section (1) includes:
 - a. Large-scale housing; and
 - b. Housing other than large scale.
- (2) Large-scale housing as referred to in section (1) point a is a collection of Houses consisting of at least 3,000 (three thousand) Housing units.
- (3) Housing other than large scale as referred to in section (1) point b is a collection of Houses consisting of 100 (one hundred) House units up to 3,000 (three thousand) House units.

Article 24

Housing development with Balanced Occupancy as referred to in Article 22 section (1) must meet the following criteria:

- a. location;
- b. House classification; and
- c. composition.

Article 25

- (1) The location as referred to in Article 24 point a is the place where the public House is built.
- (2) Location as referred to in section (1) at:
 - a. large-scale Housing development with Balanced Occupancy must be carried out in 1 (one) stretch; or
 - b. Housing construction other than large scale with Balanced Housing is carried out in 1 (one) stretch or not in 1 (one) stretch.
- (3) Housing development other than large scale with Balanced Housing not in 1 (one) stretch as referred to in section (2) point b must be carried out in 1 (one) regency/municipality area.
- (4) The application for approval of the site plan for each stretch in the development of Housing with Balanced Occupancy not in 1 (one) stretch as referred to in section (3) is submitted simultaneously.

Article 26

- (1) House Classification as referred to in Article 24 point b consists of:
 - a. Luxury Home;
 - b. Mid-range House; and/or

- c. Simple House.
- (2) A Luxury house as referred to in section (1) point a is a house whose selling price is above 15 (fifteen) times the price of a public house set by the Central Government.
 - (3) A medium-sized house as referred to in section (1) point b is a house whose selling price is at least 3 (three) times up to 15 (fifteen) times the selling price of a general House set by the Central Government.
 - (4) A simple house as referred to in section (1) point c is a House built on land with a floor area and selling price in accordance with the provisions of legislation.

Article 27

- (1) The composition as referred to in Article 24 point c is a comparison of the number of luxury Houses, medium Houses and simple Houses.
- (2) Composition as referred to in section (1) in:
 - a. large-scale Housing development, namely 1 (one) luxury House versus at least 2 (two) medium-sized Houses and versus at least 3 (three) simple Houses; and
 - b. Housing development other than large scale consists of:
 1. 1 (one) luxury House versus at least 2 (two) medium-sized Houses and versus at least 3 (three) simple Houses;
 2. 1 (one) luxury House versus at least 3 (three) simple Houses; or
 3. 2 (two) medium Houses compared to at least 3 (three) simple Houses.
- (3) At least 3 (three) simple Houses as referred to in section (2) consisting of subsidized simple Houses and non-subsidized simple Houses with a ratio of:
 - a. large urban areas, 1 (one) subsidized simple House compared to 3 (three) non-subsidized simple House with a calculated percentage composition of 25% (twenty five percent) subsidized simple House compared to 75% (seventy five percent) non-subsidized simple House;
 - b. medium urban areas, 2 (two) subsidized simple Houses compared to 2 (two) non-subsidized simple Houses with a percentage composition calculation of 50% (fifty percent) subsidized simple Houses compared to 50% (fifty percent) non-subsidized simple Houses; or
 - c. small urban areas, 3 (three) subsidized simple Houses compared to 1 (one) non-subsidized simple Houses with a calculated percentage composition of 75% (seventy five percent) subsidized simple Houses compared to 25% (twenty five percent) non-subsidized simple Houses.

Article 28

- (1) In the event that a simple House as referred to in Article 27 section (1) cannot be built in the form of a single House or row House, a simple House can be converted into:
 - a. the form of public Flats built in 1 (one) same area; or
 - b. form of funds for the construction of public Houses.
- (2) Calculation of conversion of public flats as referred to in section (1) point a is carried out by considering:
 - a. comparison of the percentage composition of subsidized simple Houses with non-subsidized simple Houses;
 - b. amount of simple Houses obligations;
 - c. the selling price of a subsidized simple House determined by the Central Government; and
 - d. percentage of cost of production to selling price.
- (3) Calculation of conversion in the form of funds as referred to in section (1) point b is a management fund or grant calculated by considering:
 - a. amount of simple Houses obligations;
 - b. the selling price of a subsidized simple Houses determined by the Central Government;
 - c. percentage of cost of production to selling price;
 - d. multiplier factor taking into account the value of money over time (time value of money); and
 - e. management service fee fund.
- (4) The conversion calculation as referred to in section (2) and section (3) is carried out based on the conversion calculation formula determined by the authorized Officials.
- (5) The amount of the multiplier factor as referred to in section (3) point d and the management fee fund as referred to in section (3) point e is determined by the authorized Officials.
- (6) The selling price of public Flats as referred to in section (1) point a is in accordance with the provisions of legislation.

Article 29

- (1) The calculation of the conversion in the form of funds as referred to in Article 28 section (3) are required to be submitted by the development actor to the housing acceleration agency.
- (2) Funds obtained from conversion calculations as referred to in section (1) are required to be handed over to the housing acceleration agency.
- (3) Funds obtained from the conversion calculation as referred to in section (1) are determined before the PBG is issued.
- (4) The obligation to hand over funds as referred to in section (2) is carried out at the latest from the time PBG is issued until the functional fit certificate is issued.
- (5) Return of Conversion Funds in the form of management funds is carried out no later than 5 (five) years after the

fulfillment of obligations is given to the housing acceleration agency.

Article 30

The management of conversion funds as referred to in Article 28 and Article 29 is carried out in accordance with the provisions of legislation.

Article 31

- (1) House construction includes the construction of single Houses, row Houses and/or Flats
- (2) House construction must be carried out in accordance with the regional spatial plan.
- (3) Single houses, row Houses, and/or Flats that are still under construction can be marketed by development actors through the PPJB system.
- (4) The PPJB system as referred to in section (3) applies to publicly owned Houses and commercial Houses in the form of single Houses, row Houses and Flats.
- (5) PPJB as carried out after confirmation of:
 - a. land ownership status;
 - b. the thing agreed upon;
 - c. PBG;
 - d. availability of Public Infrastructure, Facilities and Utilities; and
 - e. development of at least 20% (twenty percent).
- (6) Development actors as referred to in section (3) consist of individuals and/or Legal Entities.

Article 32

The PPJB system as referred to in Article 31 section (3) consists of:

- a. Marketing; and
- b. PPJB.

Article 33

- (1) Marketing as referred to in Article 31 point a is carried out by development actors when:
 - a. stages of the construction process for single Houses or row Houses; or
 - b. before the construction process on the Flat.
- (2) Marketing as referred to in section (1) point a and point b must contain Marketing information that is correct, clear and guarantees certainty of information regarding existing plans and physical conditions.

Article 34

- (1) Development actors who carry out Marketing as referred to in Article 33 section (1) must have at least:
 - a. certainty of space allocation;
 - b. certainty of land rights;

- c. certainty of ownership status of the House;
 - d. licensing for the construction of Housing or Flats; and
 - e. guarantee for the construction of Housing or Flats from a guarantee institution.
- (2) Certainty of space allocation as referred to in section (1) point a is proven by a City plan statement letter that has been approved by the Local Government.
 - (3) Certainty of land rights as referred to in section (1) point b is proven by a certificate of land rights in the name of the development actor or a certificate of land rights in the name of the owner of the land being collaborated with or a land rights document in accordance with the provisions of legislation in the land sector.
 - (4) In the event that land rights are still in the name of the land owner in collaboration with the development actor as referred to in section (3), the development actor must guarantee and explain the certainty of land control status.
 - (5) Certainty of the ownership status of the House as referred to in section (1) point c is given by the construction actor by guaranteeing and explaining the proof of control that will be issued in the name of the House owner consisting of:
 - a. status of ownership certificate, building use right certificate, and use right certificate for single House or row House; and
 - b. certificate of ownership of the condominium unit or certificate of ownership of the Flat unit building for the Flat which is shown on the basis of a statement approved by the Local government.
 - (6) Permitting the construction of Housing or Flats as referred to in section (1) point d is proven by a PBG letter.
 - (7) Guarantee for the construction of housing or Flats from the guarantee institution as referred to in section (1) point e is proven by the construction actor in the form of a letter of support from a bank or non-bank.
 - (8) Supervision of marketing requirements as referred to in section (1) is carried out by Regional Officials who carry out government affairs in the field of Housing and residential Areas.

Article 35

- (1) Marketing Information as referred to in Article 33 section (2) is conveyed to the Public by containing at least:
 - a. city plan certificate number;
 - b. land title certificate number in the name of the development actor or land owner who collaborates with the development actor;
 - c. letter of support from bank/non-bank;
 - d. number and date of validation for legal entity development actors or identity number for individual development actors as well as the identity of the land owner collaborating with the development actor;

- e. number and date of PBG issuance;
 - f. Housing or Flat site plan;
 - g. building specifications and House plans or building drawings cut vertically and showing the contents or interior of the building and Flat unit plans;
 - h. selling price of the House or Flat unit;
 - i. clear information regarding Public Infrastructure, Facilities and Utilities promised by development actors; and
 - j. clear information regarding joint parts, joint objects and joint land for the construction of a Flat.
- (2) In the event that the land rights certificate as referred to in section (1) point b is a building use right over other land rights, it must include the agreement number between the other land right holder and the building use right holder.
- (3) Submission of Marketing information as referred to in section (1) is carried out through:
- a. print media; and/or
 - b. electronic media.
- (4) Print media as referred to in section (3) point a can be in the form of brochures, leaflets, banners and/or advertisements in mass media.
- (5) Electronic media as referred to in section (3) point b is in the form of advertisements using an electronic system.

Article 36

- (1) The development agent explains to prospective buyers the PPJB content material during Marketing.
- (2) In the event that land and/or buildings become collateral during Marketing, the developer can explain this to prospective buyers.

Article 37

- (1) Payments made by prospective buyers to the developer during Marketing become part of the payment for the price of the House.
- (2) Development actors who receive payments during Marketing as referred to in section (1) must submit information regarding:
 - a. timetable implementation of development;
 - b. PPJB signing schedule; and
 - c. schedule for signing the sale and purchase deed and handing over the House.

Article 38

- (1) Development actors can collaborate with Marketing or sales agents to carry out Marketing.
- (2) The development actor is responsible for Marketing information and explanations to prospective buyers submitted by Marketing or sales agents.

Article 39

- (1) In the event that the developer fails to fulfill the schedule as referred to in Article 38 section (2) point a and/or point b, the prospective buyer can cancel the purchase of a single House, row House or Flat.
- (2) In the event that a prospective buyer cancels the purchase of a single House, row House, or Flat as referred to in section (1), all payments received by the developer must be returned in full to the prospective buyer.
- (3) In the event of cancellation of the purchase of a single House, row House or Flat during marketing by a prospective buyer which is not caused by the negligence of the developer, the developer will return the payment received to the prospective buyer by deducting a minimum of 20% (twenty percent) of the the payment received by the development actor is added to the calculated tax costs.
- (4) In the event that the House ownership credit proposed by the prospective buyer is not approved by the bank or financing company, the developer returns the payment received to the prospective buyer as referred to in section (3) and can deduct 10% (ten percent) of the payment received by the perpetrator. construction plus tax costs that have been calculated.
- (5) Cancellation as referred to in section (2) and section (3) is submitted in writing.
- (6) Refund of payment as referred to in section (2) or in the event that there is remaining payment after calculating the deduction as referred to in section (3) carried out no later than 30 (thirty) calendar days after the cancellation letter is signed.
- (7) In the event that payment is not returned within the time period as referred to in section (6), the construction actor is subject to a fine of 1‰ (one per mille) per calendar day of delay in return calculated from the amount of payment that must be returned.

Article 40

- (1) PPJB is carried out after the development actor fulfills the certainty requirements for:
 - a. land ownership status;
 - b. the thing agreed upon;
 - c. PBG;
 - d. availability of Public Infrastructure, Facilities and Utilities; and
 - e. development of at least 20% (twenty percent).
- (2) Land ownership status as referred to in section (1) point a is proven by a certificate of land rights shown to prospective buyers at the time of signing the PPJB.
- (3) The matters agreed as referred to in section (1) point b consist of at least:
 - a. House condition;

- b. infrastructure, Facilities and Public Utilities which become Marketing information as referred to in Article 36 section (1) point i;
 - c. explanation to prospective buyers regarding PPJB content materials; and
 - d. status of land and/or buildings in terms of being collateral as referred to in Article 36 section (2).
- (4) The PBG as referred to in section (1) point c delivered as an original copy to the prospective buyer at the time of signing the PPJB.
- (5) Availability of Public Infrastructure, Facilities and Utilities as referred to in section (1) point d for Housing is proven by:
- a. construction of Infrastructure including roads and stormwater/drainage channels;
 - b. location of construction of Facilities according to designation; and
 - c. statement letter from the development actor regarding the availability of Public Utilities in the form of electricity sources and water sources.
- (6) The availability of Public Infrastructure, Facilities and Utilities as referred to in section (1) point d, for Flats is proven by a statement letter from the development actor regarding the availability of ready-to-build land outside the common land which will be handed over to the Local Government.
- (7) Housing development of at least 20% (twenty percent) as referred to in section (1) point e is proven by:
- a. for a single House or a series Houses, the development is at least 20% (twenty percent) of the total number of House units as well as the availability of Public Infrastructure, Facilities and Utilities in a planned housing complex; or
 - b. for Flats, construction is at least 20% (twenty percent) of the construction volume of Flats being marketed.
- (8) The 20% (twenty percent) development as referred to in section (7) is in accordance with the results of the report from the development supervision consultant or construction management consultant.

Article 41

PPJB as referred to in Article 32 point b contains at least:

- a. identity of the parties;
- b. description of PPJB objects;
- c. House price and payment procedures;
- d. guarantees for development actors;
- e. rights and obligations of the parties;
- f. building handover time;
- g. building maintenance;
- h. building use;
- i. transfer of rights;
- j. cancellation and expiration of PPJB; and
- k. dispute resolution.

Article 42

- (1) Prospective buyers have the right to study the PPJB before signing the PPJB.
- (2) Prospective buyers study the PPJB as referred to in section (1) within a minimum period of 7 (seven) work days.
- (3) The PPJB is signed by the prospective buyer and the development actor before a notary.
- (4) In the event that the prospective buyer is a MBR (low income people), the honorarium for notary legal services is set at 1‰ (one per mille) of the selling price of the public House set by the central Government.

Article 43

- (1) The development actor cannot withdraw more than 80% (eighty percent) of the funds from the buyer before fulfilling the PPJB requirements.
- (2) In the event that the purchase of a house is canceled after signing the PPJB due to the negligence of the developer, the payment received must be returned to the buyer.
- (3) In the event that payment has been made by the buyer of a maximum of 10% (ten percent) of the transaction price, if the purchase of the House is canceled after signing the PPJB due to the buyer's negligence, the entire payment becomes the right of the developer.
- (4) In the event that the buyer has made a payment of more than 10% (ten percent) of the transaction price, if the purchase of the House is canceled after signing the PPJB due to the buyer's negligence, the developer has the right to deduct 10% (ten percent) of the transaction price.

Article 44

Public houses or public Flat units that receive Housing development subsidies from the Central Government may undergo the PPJB process by development actors who meet the requirements in accordance with the provisions of legislation .

Paragraph 2

Home Construction Responsibilities

Article 45

- (1) The Local Government, according to their authority, is responsible for development:
 - a. public House;
 - b. special House; and
 - c. State House.
- (2) The construction of special Houses as referred to in section (1) point b and state Houses as referred to in section (1) point c is financed through the Local budget .

- (3) Special Houses and state Houses as referred to in section (2) become Regional property and are managed in accordance with the provisions of legislation.

Article 46

- (1) In carrying out the responsibilities as referred to in Article 45 section (1), the Local Government assigns and/or forms institutions or agencies that handle Housing and Settlement development in accordance with the provisions of legislation.
- (2) The institution or agency as referred to in section (1) is responsible for:
 - a. providing land for Housing; and
 - b. coordinating the licensing process and ensuring the suitability of housing.

Article 47

In carrying out the responsibility for building public Houses as referred to in Article 45 section (1) point a Local Governments can form Agencies.

Paragraph 3

Development and Delivery of Public Infrastructure, Facilities and Utilities

Article 48

- (1) Every Housing must be equipped with Infrastructure, Facilities And Public Utilities that meet standards.
- (2) The standards as referred to in section (1) include:
 - a. general requirements; and
 - b. technical standards
- (3) The general provisions as referred to in section (2) point a at least fulfill:
 - a. Housing capacity requirements;
 - b. ease of management and use of local resources;
 - c. mitigation of disaster and safety risk levels; and
 - d. connected to the existing urban network .
- (4) The technical standards as referred to in section (2) point b include:
 - a. Infrastructure standards;
 - b. Facility standards; and
 - c. Public Utility standards.
- (5) Infrastructure Standards as referred to in section (4) point a include at least:
 - a. road network , in Residential areas with road width requirements are as follows :
 1. environmental secondary road I, pavement width between 5 (five) meters-7 (seven) meters or more, road shoulder width 1.50 (one point five) meters -2 (two) meters;
 2. environmental secondary secondary roads II, pavement width between 5 (five) meters to 6

- (six) meters or more, road shoulder width 1 (one) meter -1.50 (one point five) meters;
 - 3. environmental secondary secondary roads III, pavement width 5 (five) meters or more, road shoulder width 0.50 (zero point five) meters.
 - b. rainwater drainage or drainage channels;
 - c. provision of drinking water;
 - d. sewerage or sanitation; and
 - e. The place/ waste facilities are as follows:
 - 1. for each house lot, complementary facilities in the form of trash cans;
 - 2. for the *Rukun Warga* level with a population of 2,500 (two thousand five hundred) people, complementary facilities are in the form of rubbish carts with a capacity of 2 m³ (two cubic meters) and waste bins with a capacity of 6 (six) m³ which have TPS status.
 - f. Funeral Facilities with the following conditions:
 - 1. for Housing with a minimum land area of 50 hectares (fifty hectares), Burial Facilities are provided within the housing location;
 - 2. for Housing with a land area of less than 50 hectares (fifty hectares), the provision of Burial Facilities can be done inside or outside the Housing location;
 - 3. to provide burial Facilities outside the Housing location as referred to in point b, in accordance with the regional spatial plan or detailed spatial planning plan.
- (6) Standard Facilities as referred to in section (4) point b include at least:
- a. green open space; and
 - b. facilities .

Article 49

- (1) Construction of Housing Infrastructure, Facilities and Public Utilities carried out by the Local Government, and/or every person must be carried out in accordance with plans, designs and permits.
- (2) Construction of Housing Infrastructure, Facilities and Public Utilities must meet the following requirements:
 - a. suitability between service capacity and number of Houses;
 - b. integration between Public Infrastructure, Facilities and Utilities and the Residential Environment; and
 - c. technical provisions for the development of Public Infrastructure, Facilities and Utilities.
- (3) Housing Infrastructure, Facilities and Public Utilities that have been completed by each person must be handed over to the Local Government.
- (4) Infrastructure, Facilities and Utilities that will be handed over to the Local Government must meet the specified criteria and requirements.
- (5) The criteria as referred to in section (4) are as follows:

- a. for infrastructure in the form of land and/or buildings, it must have been completed and maintained;
 - b. for facilities, they must be in the form of land and/or buildings;
 - c. for utilities, they must have been completed and maintained;
 - d. quality in accordance with standards, technical and administrative requirements;
 - e. the amount is in accordance with the Site Plan which has been approved by the Local Apparatus which carries out government affairs in the field of Housing and Settlement Areas.
- (6) The requirements as referred to in section (4) include 3 (three) things, namely :
- a. general requirements , in the form of:
 1. the location of the Housing PSU is in accordance with the Site Plan that has been approved by the Local Government; and
 2. in accordance with licensing documents and building technical specifications
 - b. technical requirements in accordance with the provisions of legislation relating to the Housing development ; and
 - c. administrative requirements in the form of:
 1. Site Plan document that has been approved by the Local Government;
 2. Building Approval for the required Buildings ; and
 3. Letter of release of land rights from the Developer to the Local Government.
- (7) The handover as referred to in section (3) is carried out after the end of the maintenance and upkeep period for Public Infrastructure, Facilities and Utilities.
- (8) The handover as referred to in section (3) can be done in stages .
- (9) Management of Housing Infrastructure, Facilities and Public Utilities that have been handed over to the Local Government is fully the responsibility of the Local Government .
- (10) Further provisions regarding delivery as referred to in section (3) and management as referred to in section (9) are regulated in Regent Regulations.

Paragraph 4 Improving Housing Quality

Article 50

- (1) Improving the quality of Housing is carried out by the Local Government, and/or every person.
- (2) Improvements in the quality of Housing as referred to in section (1) are carried out to reduce the quality of Houses and Public Infrastructure, Facilities and Utilities.

- (3) Improvement of Housing quality as referred to in section (1) is determined by the Regent .

Part Four
Housing Utilization

Article 51

Housing Utilization includes:

- a. utilization of House;
- b. utilization of Infrastructure and Housing Facilities; and
- c. preservation of Houses, Housing, and Housing Infrastructure and Facilities in accordance with the provisions of legislation.

Article 52

- (1) The utilization of a House as referred to in Article 51 point a can be used as a limited business activity without endangering and not disturbing the function of the residence.
- (2) The utilization of a House other than for residential purposes must ensure that Housing and the Residential Environment are maintained.
- (3) Further provisions regarding the utilization of the House as referred to in section (1) are regulated in the Regent Regulation .

Article 53

- (1) The utilization of a House as referred to in Article 52 is adjusted to its type and shape.
- (2) The types of Houses as referred to in section (1) are differentiated based on the construction and occupancy actors, including:
 - a. commercial house;
 - b. public house;
 - c. special house;
 - d. self-supporting house; and
 - e. state house.
- (3) The shape of the house as referred to in section (1) is differentiated based on the relationship or connection between buildings, including:
 - a. single house;
 - b. row houses; and
 - c. flats.
- (4) Commercial Housing as referred to in section (2) point a, is organized to obtain profits in accordance with community needs, including:
 - a. boarding house;
 - b. condotel house;
 - c. shop house;
 - d. houses which are rented in whole and/or in part on a daily, monthly and annual basis; and
 - e. house office.

- (5) Building technical provisions for the type, shape and use of houses, commercial houses, boarding houses, shop houses and office houses as referred to in section (2), section (3) and section (4) must meet building standards as regulated in Regional Regulations which regulates buildings and must be in accordance with spatial planning.

Article 54

- (1) Every house in the housing complex must meet the standards for proper functioning, guided by the provisions of legislation regarding building construction.
- (2) Apart from being a residence, the house can be used for limited business activities guided by the provisions of legislation regarding RDTR and Zoning Regulations.

Article 55

- (1) Utilization of a single House or row house can be used as a limited business activity by fulfilling the following requirements:
 - a. does not endanger residents and the environment;
 - b. does not create noise so that it disrupts the function of the residence;
 - c. does not change the function of the house and disturb the environment; and
 - d. ensuring the maintenance of housing, including not turning roads into parking lots.
- (2) Houses that can be used for limited business activities are located in residential locations according to their designation other than shop houses and office houses.
- (3) Limited business activities as referred to in section (1) include:
 - a. business for the practice of individual expertise that is not a business entity or not a combination of business entities;
 - b. retail businesses in the category of micro and small businesses (non-bankable);
 - c. environmental service businesses whose activities directly serve the needs of society and the environment;
 - d. certain social activities that do not disturb and/or damage the harmony and order of the environment; or
 - e. communal community businesses such as cooperatives by fulfilling the requirements as referred to in section (1).
- (4) Business activities in outside the provisions of section (3) must be based on permits and/or approval from officials in accordance with the provisions of legislation.

Article 56

Utilization of Housing Infrastructure and Facilities as referred to in Article 5 1 point b is carried out

- a. based on the type of Housing Infrastructure and Facilities in accordance with the provisions of legislation; and
- b. does not change the function and ownership status.

Article 57

- (1) Everyone has the right to live or occupy a House.
- (2) House Occupancy can be:
 - a. property rights in accordance with the provisions of legislation;
 - b. how to rent; or
 - c. the method is not renting.
- (3) Occupancy of a House by renting or by non-leasing as referred to in section (1) point b and point c is only valid if there is an approval or permission from the owner of the House.
- (4) Occupancy of a house by means of rental or non-lease as referred to in paragraph (1) point b and point c is carried out based on a written agreement between the owner and the tenant.
- (5) The written agreement as referred to in section (4) must at least include provisions regarding rights and obligations, rental period, and the amount of the rental price as well as force majeure conditions .
- (6) The house that is in dispute cannot be rented out.

Article 58

- (1) The rental price for rental Houses whose construction is facilitated by the Local Government is determined by the Regent in accordance with his authority.
- (2) In determining the rental price as referred to in section (1), the Regent must still pay attention to the specifications of the House and the location of the House being rented as well as the continuity of the House rental business or activities.

Article 59

The procedures for occupying a House by means of renting or non-leasing are carried out in accordance with the provisions of legislation.

Part Five Housing Control

Article 60

- (1) Housing control begins to be carried out at the following stages:
 - a. planning;
 - b. development; and
 - c. utilization.

- (2) Housing control as referred to in section (1) is carried out by the Local Government in accordance with the norms, standards, procedures and criteria established by the Central Government in the form of:
 - a. licensing;
 - b. orderliness; and/or
 - c. arrangement.

Article 61

- (1) The Local Government establishes or appoints Local Apparatus to carry out Housing control.
- (2) The formation or appointment of Local Apparatus as referred to in section (1) is in accordance with the provisions of legislation.

Article 62

- (1) Housing control at the planning stage in the form of permits is carried out through the granting of effective and efficient permits.
- (2) Housing control at the planning stage in the form of ordering is carried out to ensure the conformity of Housing planning with regional spatial plans and statutory provisions.
- (3) Housing control at the planning stage in the form of structuring is carried out to ensure the suitability of Housing planning with the structured building layout and environment.

Article 63

- (1) Housing control at the development stage in the form of permits is carried out through conformity of development with permits.
- (2) Housing control at the development stage in the form of ordering is carried out to ensure the conformity of Housing development with regional spatial planning, Housing planning, PBG, and other requirements in accordance with the provisions of legislation.
- (3) Housing control at the development stage in the form of arrangement is carried out to ensure the construction of habitable Housing that is healthy, safe, harmonious and orderly and to prevent a decline in the quality of Housing.

Article 64

- (1) Housing control at the utilization stage in the form of permits is carried out by providing directions for the issuance of functionally fit for purpose certificates.
- (2) The issuance of a certificate of functional fitness as referred to in section (1) is carried out to ensure the suitability of the use of the House for its function.
- (3) Housing control at the utilization stage in the form of ordering is carried out to ensure the suitability of Housing use with a certificate of functional fitness.

- (4) Housing control at the utilization stage in the form of arrangement is carried out to ensure the suitability of Housing use with residential functions.

Part Six

Facilities and/or Assistance for Building and Acquiring Homes for Low Income Communities

Article 65

- (1) To meet the Housing needs of Low -Income Communities, the Local Government, in accordance with their authority, is obligated to provide facilities for the construction and acquisition of Housing through a gradual and sustainable Housing development planning program.
- (2) Facilities and/or assistance for the construction and acquisition of Houses for MBR (low income people) as referred to in section (1) can be in the form of:
 - a. Housing acquisition subsidies;
 - b. self-help House stimulants;
 - c. tax incentives in accordance with the provisions of legislation in the field of taxation;
 - d. licensing;
 - e. insurance and guarantee;
 - f. provision of land;
 - g. land certification; and/or
 - h. Public Infrastructure, Facilities and Utilities .

Article 66

- (1) The provision of ease and/or assistance in subsidizing the acquisition of a house as referred to in Article 65 section (2) point a is stated in the credit or financing agreement deed.
- (2) Ease and/or stimulant assistance for self-help Houses as referred to in Article 65 section (2) point b are provided in the form of repairs and new construction of Houses and Public Infrastructure, Facilities and Utilities.
- (3) Ease/assistance for tax incentives and insurance and guarantees as referred to in Article 65 section (2) point c and point e are provided in accordance with the provisions of legislation.
- (4) The licensing facilities as referred to in Article 65 section (2) point d are provided in accordance with the provisions of legislation.
- (5) Providing facilities for providing land as referred to in Article 65 section (2) point f is carried out through:
 - a. facilitating the granting of land rights to land directly controlled by the state;
 - b. consolidation of Land by land owners;
 - c. transfer or release of land rights by the land owner;
 - d. utilization and transfer of land belonging to the Region in accordance with the provisions of legislation;

- e. utilization of former abandoned state land; and/or
 - f. procurement of land for development in the public interest in accordance with the provisions of legislation.
- (6) Land certification as referred to in Article 65 section (2) point g is carried out through facilitating land rights certification.
 - (7) Development assistance in the form of providing Public Infrastructure, Facilities and Utilities as referred to in Article 65 section (2) point h can be provided by the Local Government.

Article 67

- (1) Based on their authority, the Local Government can provide assistance in building houses for Low - Income Communities .
- (2) Assistance as referred to in section (1) can be provided in the form of:
 - a. fund;
 - b. House building materials; and/or
 - c. Public Infrastructure, Facilities and Utilities.
- (3) House construction assistance is carried out in accordance with the provisions of legislation.

Article 68

Assistance for building Houses for Low Income Communities can be obtained from Legal Entities through social and environmental responsibility in accordance with the provisions of legislation.

Article 69

Procedures and requirements for easy acquisition of Houses for MBR (low income people) as referred in Article 65 carried out in accordance with the provisions of legislation

Article 70

- (1) Individuals who own a public House with facilities provided by the Local Government can only rent out and/or transfer ownership of the House to another party in the event that:
 - a. inheritance; and
 - b. occupancy after a period of at least 5 (five) years .
- (2) In the event that a transfer of ownership as referred to in section (1) point b, the transfer must be carried out by an institution appointed or established by the Central Government or Local Government in the field of housing and settlements.
- (3) If the owner leaves the house continuously for a maximum period of 1 (one) year without fulfilling the obligations under the agreement, the Central Government

or Local Government has the authority to take over ownership of the house.

- (4) Houses that have been taken over by the Central Government or Local Government as referred to in section (21) must be redistributed to the MBR (low income people).
- (5) Further provisions regarding the appointment and formation of institutions, facilities, and or assistance for the construction and acquisition of MBR (low income people) houses are regulated in a Presidential Regulation.

CHAPTER IV ORGANIZATION OF RESIDENTIAL AREA

Part One Directions for Development of Residential Areas

Article 71

- (1) The directions for development of Residential areas include:
 - a. relationships between functional areas as part of the environment outside protected areas;
 - b. the relationship between urban Residential Environments and rural Residential Environments;
 - c. the relationship between the development of urban Residential Environments and the development of Urban Areas;
 - d. the relationship between the development of rural Residential Environments and the development of Rural Areas;
 - e. harmony of human life with the environment;
 - f. balance between public interests and the interests of each person; and
 - g. institutions that coordinate the development of Residential areas.
- (2) The direction for developing Residential areas as referred to in section (1) becomes a reference in realizing:
 - a. the relationship between Housing development as part of the Settlement area; and
 - b. ease of providing Housing development as part of a Residential area.

Paragraph 1 Functional Interregional Relations as Part of the Environment Outside Protected Areas

Article 72

- (1) Relationships between functional areas as part of the environment outside protected areas as referred to in Article 71 section (1) point a are carried out to realize functional integration and synergy between areas that mutually support cultivation activities.

- (2) The relationship between functional areas as referred to in section (1) aims to:
 - a. controlling the Residential Environment in other cultivation areas in accordance with the Zoning Regulations in the RTRW so as not to change the main function of other cultivation areas;
 - b. developing Residential areas to support resource utilization activities in other surrounding cultivation areas; and
 - c. optimize cultivation results in an integrated and sustainable manner according to the carrying capacity and capacity of the environment.
- (3) Functional areas as part of the environment outside protected areas as referred to in section (1) are cultivation areas specified in the RTRW .
- (4) Relations between functional areas as referred to in section (1) are carried out through:
 - a. utilization of Residential areas as Residential Environments in accordance with the Zoning Regulations in the RTRW ;
 - b. fulfillment of minimum service standards for Residential areas in accordance with the provisions of legislation;
 - c. integration of Infrastructure access between Residential areas and other cultivation areas; and
 - d. providing Facilities for Residential Environments with service capacity based on the functional relationships formed.

Paragraph 2

The Relationship Between Urban and Rural Residential Environments

Article 73

- (1) The link between the urban t and the rural residential environment as referred to in Article 71 section (1) point b is carried out to create harmony and balance between the urban and the rural Residential Environments which support each other.
- (2) The link between the urban and the rural Residential Environments as referred to in section (1) aims to maintain:
 - a. functional relationship between urban and rural roles that support each other;
 - b. harmony and balance of the quality of urban and rural development; and
 - c. functions of Rural Areas and Urban Areas in accordance with RTRW directions .
- (3) The urban Residential Environment as referred to in section (1) is a Residential Environment in an Urban Area that supports main activities that are not agricultural.
- (4) The rural Residential Environment as referred to in section (1) is the Residential Environment in Rural Areas

that supports the main agricultural activities, including the management of natural resources.

- (5) The link between the urban and the rural Residential Environments is carried out through the provision of connectivity:
 - a. physical differences between urban and rural Residential Environments;
 - b. functional between urban and rural Residential Environments; and
 - c. economics between urban and rural Residential Environments.

Paragraph 3

The Relationship Between Urban Residential Environment Development and Urban Area Development

Article 74

- (1) The relationship between Environmental development. Urban housing and development of Urban Areas as referred to in Article 71 section (1) point c is carried out to realize the development of urban Residential Environments in accordance with the plans, policies and strategies for developing Urban Areas that have been determined.
- (2) The link between the development of urban residential environments and the development of urban areas as referred to in section (1) aims to:
 - a. controlling the Residential Environment in Urban Areas in accordance with Zoning Regulations in Urban Area spatial plans so as not to change the function of other areas; and
 - b. developing Residential Environments in Urban areas to support resource utilization activities in other cultivation areas effectively and efficiently according to the carrying capacity and capacity of the environment.
- (3) Urban Residential Environment Development as referred to in section (1) is an effort to develop Residential Environments as part of Urban Areas that support non-agricultural primary activities.
- (4) Urban Area Development as referred to in section (1) is an effort to develop Urban Areas that:
 - a. become part of the district territory; or
 - b. covers 2 (two) or more regency/municipality in one or more provincial regions.
- (5) The link between the development of urban Residential Environments and the development of Urban Areas as referred to in section (1) is carried out by:
 - a. urban Residential Environment planning in accordance with the objectives, policies and strategies of the Urban Area spatial plan;

- b. urban residential environment planning that supports activity center systems and urban area infrastructure network systems;
- c. urban Residential Environment planning in accordance with the spatial pattern of cultivation areas in Urban Areas;
- d. development of urban Residential Environments in accordance with the directions for Urban Area space utilization in the form of indications of main programs that are interdependent between administrative regions; and
- e. controlling the development of the urban Residential Environment in accordance with the provisions for controlling the use of Urban Area space.

Paragraph 4

The Relationship Between Rural Residential Environment Development and Rural Area Development

Article 75

- (1) The link between the development of rural Residential Environments and the development of Rural Areas as referred to in Article 71 section (1) point d is carried out to realize the development of rural Residential Environments in accordance with the plans, policies and strategies for the development of Rural Areas that have been determined.
- (2) The link between the development of rural Residential Environments and the development of Rural Areas as referred to in section (1) aims to:
 - a. controlling the Residential Environment in Rural Areas in accordance with the Zoning Regulations in the Rural Area spatial plan so as not to change the function of other areas through; and
 - b. developing Residential Environments in Rural Areas to support resource utilization activities in other cultivation areas effectively and efficiently according to the carrying capacity and capacity of the environment.
- (3) Development of the rural Residential Environment as referred to in section (1) is an effort to develop the Residential Environment as part of the Rural Area which supports the main agricultural activities, including the management of natural resources.
- (4) Rural Area Development as referred to in paragraph (1) is an effort to develop Rural Areas that:
 - a. become part of the regency territory; or
 - b. covers 2 (two) or more regencies/municipalities in one or more provincial regions.
- (5) The link between the development of rural Residential Environments and the development of Rural Areas as referred to in section (1) is carried out by:

- a. rural Residential Environment planning in accordance with the objectives, policies and strategies of Rural Area spatial planning;
- b. rural Residential Environment planning that supports the activity center system and Rural Area Infrastructure network system;
- c. planning for rural Residential Environments in accordance with the spatial pattern of cultivation areas in Rural Areas;
- d. development of rural Residential Environments in accordance with the directions for spatial utilization of Rural Areas in the form of indications of main programs that are interdependent between villages; and
- e. controlling the development of rural Residential Environments in accordance with the provisions for controlling the space utilization of Rural Areas.

Paragraph 5

Harmony of Human Living Orders with the Environment

Article 76

- (1) The harmony of human living orders with the environment as referred to in Article 71 section (1) point e is carried out to create a human life order that is in harmony with the environment.
- (2) The harmony of human life with the environment as referred to in section (1) aims to maintain various human activities in order to achieve the sustainability of human life.

Paragraph 6

Balance Between Public Interests and Everyone's Interests

Article 77

- (1) The balance between public interests and the interests of every person as referred to in Article 71 section (1) point f is carried out to realize equitable development between fulfilling the public interests and the interests of every person.
- (2) The balance between public interests and the interests of every person as referred to in section (1) is the target of the Implementation of Housing and Settlement Areas which is carried out through:
 - a. community involvement in planning, development, utilization and control;
 - b. providing information on Settlement area plans openly to the public;
 - c. granting the right to compensation for every person affected by the implementation of Housing and Settlement Areas; and/or

- d. providing incentives to everyone who voluntarily gives up their rights to be used for the public interest.

Paragraph 7
Institutions Coordinating Residential Area Development

Article 78

The institution that coordinates the development of Residential areas as referred to in Article 71 section (1) point g is a Housing and Settlement Area development working group which is formed in stages in accordance with the provisions of legislation

Part Two
Implementation

Paragraph 1
General

Article 79

The implementation of Residential areas must be carried out in accordance with the directions for integrated and sustainable development of residential areas.

Article 80

- (1) The implementation of Residential areas is carried out through stages:
 - a. planning;
 - b. development;
 - c. utilization; and
 - d. control.
- (2) The implementation of Residential areas as referred to in section (1) is carried out in:
 - a. existing development;
 - b. New development; or
 - c. redevelopment.

Paragraph 2
Planning

Article 81

Residential area planning must be carried out in accordance with the regional spatial plan.

Article 82

- (1) Residential area planning must include:
 - a. the increasing of urban resources or rural resources;

- b. disaster mitigation; and
 - c. provision or improvement of Public Infrastructure, Facilities and Utilities.
- (2) Residential area planning as referred to in section (1) can be carried out by the Local Government, and every person.
 - (3) Residential area planning as referred to in section (2) produces an RKP document.

Article 83

- (1) The RKP document as referred to in Article 82 section (3) is to meet the needs of the Residential Environment and supporting activities in the short term, medium term and long term.
- (2) The RKP document as referred to in section (1) consists of:
 - a. policies and strategies for the development and development of residential areas;
 - b. and rural Residential Environment plans ;
 - c. integration plan for Public Infrastructure, Facilities and Utilities; and
 - d. indication of development programs and utilization of Residential areas.
- (3) The RKP document as referred to in section (1) becomes a reference for preparing Housing construction and development plans as well as master plans for each sector.
- (4) The RKP document as referred to in section (2) is determined by the Regent .
- (5) The RKP document as referred to in section (1) is reviewed at least 1 (one) time in 5 (five) years.

Article 84

The preparation of the determination and review of the RKP is carried out in accordance with the guidelines and/or the provisions of legislation .

Paragraph 3 Development

Article 85

- (1) The development of Residential areas is carried out in accordance with the program indications in the established RKP document.
- (2) Apart from complying with the provisions as referred to in section (1), construction of Residential areas must comply with plans and permits for the development of Residential Environments and supporting activities.
- (3) The development of Residential areas as referred to in section (1) is carried out by the Local Government, and/or Legal Entities.

- (4) The development of Residential areas as referred to in section (2) is carried out through synchronization of development programs and budgets between Local Governments, and/or Legal Entities.

Article 86

- (1) Residential area development consists of:
 - a. Urban Residential environments include places for urban supporting activities ; and
 - b. Rural Residential environments include places for rural support activities
- (2) Development of urban Residential Environments, including places for urban supporting activities as referred to in section (1), is carried out to support regional planning and development as well as proportional population distribution.
- (3) Development of urban Residential Environments including places for urban supporting activities as referred to in section (2) is carried out through the implementation of:
 - a. Residential Environment development;
 - b. construction of new Residential Environments; and/or
 - c. Redevelopment of Residential Environments.
- (4) Residential Environment Development as referred to in section (3) point a includes:
 - a. increasing the potential efficiency of the urban Residential Environment;
 - b. improving urban Residential Environment services;
 - c. development of urban Residential Environments that support the development of livable cities, green cities and smart cities;
 - d. increasing the integration of Public Infrastructure, Facilities and Utilities in urban residential environments;
 - e. preventing and improving the quality of Slum Housing and Slum Settlements;
 - f. development of urban Settlements based on community empowerment; and
 - g. development of places for government services, social services and economic activities.
- (5) Development of new urban Residential Environments as referred to in section (3) point b includes:
 - a. provision of urban Settlement locations;
 - b. providing locations for government services, social services and economic activities;
 - c. development of urban Residential Environments that support the development of livable cities, green cities and smart cities;
 - d. development of Integrated Settlement Infrastructure, Facilities and Public Utilities that are resilient to climate change and disasters; and
 - e. Urban Settlement Development based on community empowerment.

- (6) Redevelopment of urban Residential Environments as referred to in section (3) point c includes:
 - a. rehabilitation of urban Residential Environments;
 - b. reconstruction of urban Residential Environments; and/or
 - c. rejuvenation of urban Residential Environments.

CHAPTER V
PREVENTION AND IMPROVEMENT OF THE QUALITY OF
SLUM HOUSING AND SLUM SETTLEMENT

Part One
Criteria and Typology of Slum Housing and Slum Settlements

Article 87

- (1) The criteria for slum housing and slum settlement are criteria used to determine the condition of slums in housing and settlements.
- (2) The criteria for slum housing and slum settlement as referred to in section (1) include slum criteria in terms of:
 - a. building;
 - b. neighborhood roads;
 - c. provision of drinking water;
 - d. environmental drainage;
 - e. waste water management;
 - f. waste management; and
 - g. fire protection.

Article 88

- (1) Criteria for slums in terms of buildings as referred to in Article 87 section (2) point a include:
 - a. building irregularities;
 - b. high level of building density which is not in accordance with the provisions of the spatial plan; and/or
 - c. building quality that does not meet requirements.
- (2) Building irregularities as referred to in section (1) point a are the condition of buildings in housing and settlements:
 - a. does not comply with building planning provisions in the RDTR and RTBL, at least regulating the shape, size, placement and appearance of buildings in a zone; and/or
 - b. does not comply with building planning and environmental quality regulations in the Building and Environmental Management Plan (RTBL), at least the arrangement of environmental blocks, plots, buildings, floor heights and elevations, the concept of environmental identity, the concept of environmental orientation and the face of the road.
- (3) A high level of building density that is not in accordance with the provisions of the spatial plan as referred to in

section (1) point b is a building condition in housing and settlements with:

- a. Basic Building Coefficient (KDB) that exceeds the RDTR and/or RTBL provisions; and/or
 - b. Building Floor Coefficient (KLB) that exceeds the provisions in the RDTR, and/or RTBL.
- (4) Building quality that does not meet the requirements as referred to in section (1) point c is the condition of buildings in housing and settlements that do not comply with technical requirements.
- (5) The technical requirements for buildings as referred to in section (4) consist of:
- a. building planning requirements; and
 - b. building reliability requirements.
- (6) Building layout requirements as referred to in section (5) point a consist of:
- a. allocation of location and intensity of buildings;
 - b. building architecture;
 - c. environmental impact control;
 - d. building and environmental plans; and
 - e. construction of buildings above and/or underground, water and/or public infrastructure/facilities.
- (7) Requirements for building reliability as referred to in section (5) point b consist of:
- a. building safety requirements;
 - b. building health requirements;
 - c. building comfort requirements; and
 - d. building amenity requirements.

Article 89

- (1) The criteria for slums in terms of environmental roads as referred to in Article 87 section (2) point b include:
 - a. the neighborhood road network does not serve all residential or residential areas; and/or
 - b. poor environmental road surface quality.
- (2) The environmental road network does not serve all residential or residential environments as referred to in section (1) point a, which is a condition where the road network is not connected between and/or within a residential or residential environment.
- (3) Poor environmental road surface quality as referred to in section (1) point b is the condition of part or all of the environmental road where there is damage to the road surface which includes cracks and changes in shape.

Article 90

- (1) The slum criteria in terms of the provision of drinking water as referred to in Article 87 section (2) point c include:
 - a. safe access to drinking water is not available; and/or
 - b. The minimum drinking water needs of each individual are not met.

- (2) Safe access to drinking water is not available as referred to in section (1) point a, which is a condition where the public cannot access drinking water that has quality requirements in accordance with the provisions of legislation.
- (3) The minimum drinking water requirement for each individual is not met as referred to in section (1) point b, which is a condition where the community's drinking water requirement in a residential or settlement environment does not reach a minimum of 60 (sixty) liters/person/day.

Article 91

- (1) Slum criteria in terms of environmental drainage as referred to in Article 87 section (2) point d include:
 - a. environmental drainage is not available;
 - b. environmental drainage is unable to drain rainwater runoff, causing puddles; and/or
 - c. the quality of environmental drainage construction is poor.
- (2) Unavailable environmental drainage as referred to in section (1) point a is a condition where tertiary channels and/or local channels are not available, and/or are not connected to channels in the hierarchy above, causing water to not be able to flow and causing puddles.
- (3) Environmental drainage is unable to drain rainwater runoff, causing puddles as referred to in section (1) point b, which is a condition where the environmental drainage network is unable to drain runoff water, giving rise to puddles with a height of more than 30 cm (thirty centimeters) for more than 2 (two) hours and occurs more than 2 (two) times a year.
- (4) Poor environmental drainage construction quality as referred to in section (1) point c is a condition where the drainage construction quality is poor because it is in the form of earth excavation without coating or covering material or damage has occurred.

Article 92

- (1) Slum criteria in terms of waste water management as referred to in Article 87 section (2) point e include:
 - a. the waste water management system does not comply with applicable technical standards; and/or
 - b. Waste water management infrastructure and facilities do not meet technical requirements.
- (2) The waste water management system does not comply with the applicable technical standards as referred to in section (1) point a, is a condition where the waste water management in a residential or settlement environment does not have an adequate system, namely consisting of a latrine/toilet connected to a septic tank properly. Individual/domestic, communal or centralized.

- (3) Waste water management infrastructure and facilities do not meet the technical requirements as referred to in section (1) point b, which is the condition of waste water management infrastructure and facilities in housing or settlements where:
 - a. the gooseneck toilet is not connected to the septic tank; or
 - b. unavailability of local or centralized waste processing systems.

Article 93

- (1) Slum criteria in terms of waste management as referred to in Article 87 section (2) point f include:
 - a. waste infrastructure and facilities do not comply with technical requirements; and/or
 - b. the waste management system does not meet technical requirements.
- (2) Waste infrastructure and facilities that do not comply with the technical requirements as referred to in section (1) point a constitute a condition where the waste infrastructure and facilities in a residential or residential environment are inadequate, which includes:
 - a. trash bins with waste sorting on a domestic or household scale;
 - b. waste collection point or waste collection places reduce, reuse, recycle on an environmental scale;
 - c. trash carts and/or trash trucks on a neighborhood scale; and
 - d. integrated waste processing site on a neighborhood scale.
- (3) A waste management system that does not meet the technical requirements as referred to in section (1) point b is a condition where waste management in a residential or residential environment does not meet the requirements, which include:
 - a. domestic containerization and sorting;
 - b. environmental waste collection;
 - c. transportation of environmental waste; and/or
 - d. environmental waste processing.

Article 94

- (1) The criteria for slums in terms of fire protection as referred to in Article 87 section (2) point g include the unavailability of:
 - a. fire protection infrastructure; and/or
 - b. fire protection means.
- (2) Unavailability of fire protection infrastructure as referred to in section (1) point a is a condition where fire protection infrastructure is not available which includes:
 - a. water supply from natural or artificial sources;
 - b. environmental roads that make it easier for firefighting vehicles to enter and exit;
 - c. means of communication for notification of fire occurrences to fire extinguishing agencies; and

- d. data on environmental fire protection systems.
- (3) The unavailability of fire protection facilities as referred to in section (1) point b is a condition where there is no fire protection infrastructure which includes:
 - a. Light Fire Extinguisher;
 - b. fire fighting vehicles; and/or
 - c. ladder car according to needs.

Article 95

- (1) The typology of slum housing and slum settlements is a grouping of slum housing and slum settlements based on geographical location.
- (2) The typology of slum housing and slum settlements as referred to in section (1), consists of slum housing and slum settlements:
 - a. in the lowlands;
 - b. in the hills; and
 - c. in disaster-prone areas.
- (3) The typology of slum housing and slum settlements as referred to in section (2) is adapted to specific conditions in the Region.
- (4) The typology of slum housing and slum settlements as referred to in section (2) must be adjusted to the allocation in the spatial planning plan.
- (5) In the event that the spatial plan does not allocate the existence of the typology of slum housing and slum settlements as referred to in section (2), then its existence must be moved to an appropriate location.

Part Two

Prevention of the Growth and Development of Slum Housing and Slum Settlements

Paragraph 1 General

Article 96

Prevention of the growth and development of slum housing and slum settlements is implemented through:

- a. supervision and control; and/or
- b. community empowerment.

Paragraph 2 Supervision and Control

Article 97

- (1) Supervision and control as referred to in Article 96 point a are carried out in accordance with:
 - a. business licensing ;
 - b. technical standards; and
 - c. functional feasibility.
- (2) Compliance with permits and technical standards as referred to in section (1) point a and point b is carried out at the planning and Housing and Settlement development stages.

- (3) Compliance with functional suitability as referred to in section (1) point c is carried out at the Housing and Settlement utilization stage based on permits.

Article 98

- (1) Supervision and control of conformity with permits as referred to in Article 97 section (1) point a includes:
 - a. PBG ; and
 - b. Other Business permits are based on the provisions of legislation.
- (2) Supervision and control of compliance with permits as referred to in section (1) is carried out at the housing and settlement planning stage.
- (3) Supervision and control of compliance with permits as referred to in section (1) is carried out to ensure:
 - a. suitability of planned housing and settlement locations with spatial plans; and
 - b. integration of infrastructure, facilities and public utilities development plans in accordance with applicable technical provisions and standards.

Article 99

- (1) Conformity to technical standards and functional fitness as referred to in Article 97 section (1) point b and point c is carried out in compliance with technical standards :
 - a. building;
 - b. neighborhood roads;
 - c. provision of drinking water;
 - d. environmental drainage;
 - e. waste water management;
 - f. waste management; and
 - g. fire protection.
- (2) Conformity to technical standards and functional suitability as referred to in section (1) is carried out on the fulfilment of technical standards and functional suitability in accordance with the provisions of legislation.

Article 100

Supervision and control of the growth and development of slum housing and new slum settlements as referred to in Article 96 , is carried out by:

- a. monitoring;
- b. evaluation; and
- c. reporting.

Article 101

- (1) Monitoring as referred to in Article 100 point a is an observation activity carried out by:
 - a. direct; and/or
 - b. indirect.
- (2) Monitoring as referred to in section (1) is carried out by Regional Apparatus by involving the role of the community.

- (3) Direct monitoring as referred to in section (1) point a is carried out through field observations at locations indicated as having the potential to become slums.
- (4) Indirect monitoring as referred to in section (1) point b is carried out based on:
 - a. data and information regarding the condition of existing housing and residential areas; and/or
 - b. complaints from the public and mass media.
- (5) Monitoring of the growth and development of slum housing and slum settlements as referred to in section (1) is carried out periodically or as needed or incidentally.

Article 102

- (1) Evaluation as intended in Article 100 point b is a measurable and objective assessment activity of monitoring results.
- (2) The evaluation as intended in paragraph (1) is carried out by Regional Apparatus by involving the role of the community.
- (3) Regional Governments can be assisted by experts who have sufficient experience and knowledge in preventing and improving the quality of slum housing and slum settlements.
- (4) The evaluation as intended in paragraph (1) is carried out by assessing the suitability of:
 - a. permits at the planning stage;
 - b. technical standards at the development stage; and/or
 - c. feasibility of function at the utilization stage.
- (5) The results of the evaluation as intended in paragraph (1) are accompanied by recommendations for preventing the growth and development of slum housing and slum settlements.

Article 103

- (1) Reporting as referred to in Article 100 point c is an activity to convey monitoring and evaluation results.
- (2) Reporting as referred to in section (1) is carried out by the Local Government by involving the role of the community.
- (3) Local Governments can be assisted by experts who have sufficient experience and knowledge in preventing and improving the quality of slum housing and slum settlements.
- (4) Reporting the results of monitoring and evaluation as referred to in section (1) is used as a basis for the Local Government to carry out efforts to prevent the growth and development of new areas according to needs.
- (5) Monitoring and evaluation results reports as referred to in section (1), are submitted periodically and at any time if requested by the Regent.
- (6) Monitoring and evaluation results reports as referred to in section (1) can be disseminated to the public.

Paragraph 3 Community Empowerment

Article 104

Community empowerment as referred to in Article 96 point b is carried out for stakeholders in the housing sector and residential areas through:

- a. accompaniment; and
- b. information services.

Article 105

- (1) Assistance as referred to in Article 104 point a is intended to increase community capacity through facilitating the formation and capacity building of community self-help groups.
- (2) Assistance as referred to in section (1) is a service activity to the community in the form of:
 - a. counseling;
 - b. mentoring; and
 - c. technical support.

Article 106

- (1) Counseling as referred to in Article 105 section (2) point a is an activity to provide information to increase public knowledge and awareness regarding prevention of the growth and development of slum housing and slum settlements.
- (2) Counseling as referred to in section (1) can be carried out directly and/or indirectly using tools and/or teaching aids.

Article 107

- (1) Guidance as referred to in Article 105 section (2) point b is an activity to provide instructions or explanations regarding how to carry out activities or prohibit certain activities related to preventing the growth and development of slum housing and slum settlements.
- (2) Guidance as referred to in section (1) can take the form of:
 - a. guidance to community groups;
 - b. guidance to individual communities; and
 - c. guidance to the business world.

Article 108

- (1) Technical assistance as referred to in Article 105 section (2) point c is an activity to provide technical assistance in the form of:
 - a. physique; and
 - b. non-physical
- (2) Technical assistance in physical form as referred to in section (1) point a includes:
 - a. facilitation of building maintenance and/or repairs;
 - b. facilitation of maintenance and/or repair of environmental roads;
 - c. facilitating maintenance and/or improvement of environmental drainage;

- d. facilitating maintenance and/or repair of drinking water facilities and infrastructure;
 - e. facilitation of maintenance and/or repair of waste water facilities and infrastructure;
 - f. facilitating maintenance and/or repair of waste facilities and infrastructure; and/or
 - g. facilitating the development of environmental scale fire protection facilities and infrastructure.
- (3) Technical assistance in non-physical form as referred to in paragraph (1) point b includes:
- a. facilitation of planning preparation;
 - b. facilitating the preparation of norms, standards, procedures and criteria;
 - c. facilitating institutional capacity strengthening;
 - d. facilitating the development of alternative financing; and/or
 - e. facilitate preparations for the implementation of government-private cooperation

Article 109

Assistance as referred in Article 104 point a is carried out with the following provisions:

- a. assistance is carried out periodically by the Local Government through Regional Apparatus who are responsible for housing and settlement matters to prevent the growth and development of new slum housing and slum settlements;
- b. assistance is carried out by involving experts, academics and/or community leaders who have adequate knowledge and experience in preventing and improving the quality of slum housing and slum settlements;
- c. assistance is carried out by determining the location of housing and settlements that require assistance;
- d. assistance is carried out by first studying the reporting of monitoring and evaluation results that have been made either periodically or as needed or incidentally; and
- e. assistance is carried out based on previously determined implementation plans and budget allocations.

Article 110

- (1) Information services as referred to in Article 104 point b are service activities to the community in the form of reporting on matters related to efforts to prevent slum housing and slum settlements.
- (2) Information services as referred to in section (1) regarding :
 - a. spatial plan;
 - b. building and environmental arrangement;
 - c. licensing; and
 - d. housing and settlement technical standards.
- (3) The information services as referred to in section (1) are carried out by the Local Government to open access to information for the public.

Article 111

Local Governments convey information through electronic, print media and/or directly to the public using language that is easy to understand.

Part Three
Improving the Quality of Slum Housing
and Slum Settlements

Paragraph 1
General

Article 112

- (1) Improving the quality of slum housing and slum settlements is preceded by location determination and management planning.
- (2) Improving the quality of slum housing and slum settlements as referred to in section (1) is followed up with management to sustainably maintain and maintain the quality of housing and settlements.
- (3) Quality improvement as referred to in section (1) is carried out in slum housing and slum settlements with an area of less than 10 (ten) hectares.

Paragraph 2
Location Determination

Article 113

- (1) Determination of the location of slum housing and slum settlements is carried out based on the administrative area of the Regional Community Association.
- (2) The Local Government determines the location of slum housing and slum settlements prior to a data collection process involving the role of the community.
- (3) The data collection process as referred to in section (2) includes the process of:
 - a. location identification; and
 - b. location assessment.
- (4) Location identification as referred to in section (3) point a includes identification of:
 - a. slum conditions;
 - b. land legality; and
 - c. other considerations.

Article 114

- (1) Location identification as referred to in Article 113 section (3) point a is carried out in accordance with the location identification data collection procedure for Slum Housing and Slum Settlements.
- (2) The location identification process is preceded by identification of housing and settlements.

Article 115

- (1) The procedure for collecting data on identification of the location of Slum Housing and Slum Settlements as referred to in Article 114 section (1) is carried out by the

Local Apparatus which carries out government affairs in the field of housing and residential areas .

- (2) The data collection procedure as referred to in section (1) is carried out by involving the role of the community in locations indicated as Slum Housing and Slum Settlements.
- (3) The location indicated as referred to in section (2) is a location that has a density level that is not in accordance with the provisions of the spatial plan.
- (4) The Regional Apparatus that carries out government affairs in the field of Housing and Settlement Areas prepares a location identification form and a numerical format for the location of Slum Housing and Slum Settlements.

Article 116

- (1) Identification of housing and settlements as referred to in Article 114 section (2) is an effort to determine the boundaries or scope of housing and settlement entities from each location in a Regional area.
- (2) Determination of housing and settlements as referred to in section (1) is carried out using a functional approach through delineation identification.

Article 117

- (1) Identification of slum conditions as referred to in Article 113 section (4) point a is an effort to determine the level of slums in housing and settlements by finding and recognizing problems with the condition of buildings and their supporting facilities and infrastructure.
- (2) Identification of slum conditions as referred to in section (1) is carried out based on the criteria for Slum Housing and Slum Settlements.

Article 118

- (1) Identification of land legality as referred to in Article 113 section (4) point b is an identification stage to determine the legality status of land at each Slum Housing and Slum Settlement location as a basis for determining the form of handling.
- (2) Identification of land legality as referred to in section (1) includes aspects:
 - a. clarity of land tenure status; and
 - b. conformity with the spatial plan.
- (3) Clarity of land tenure status as referred to in section (2) point a is clarity of land tenure status in the form of:
 - a. own ownership, with proof of land title certificate or other valid form of land status document; or
 - b. ownership of other parties, including customary/customary property, with proof of land use permission from the land right holder or land owner in the form of a written agreement between the land right holder or land owner and the land user.

- (4) Conformity with the spatial plan as referred to in section (2) point b is conformity with the land designation in the spatial plan as proven by a City Plan Certificate.

Article 119

- (1) Identification of other considerations as referred to in Article 113 section (4) point c is the identification stage of several other non-physical matters to determine the priority scale for handling Slum Housing and Slum Settlements.
- (2) Identification of other considerations as referred to in section (1) includes aspects:
 - a. strategic value of location;
 - b. population; and
 - c. social, economic and cultural conditions.
- (3) The strategic value of location as referred to in section (2) point a is a consideration of the location of housing or settlements in:
 - a. Regional strategic functions; or
 - b. not a Regional strategic function.
- (4) Population as referred to in section (2) point b is a consideration of population density in housing or settlement locations with the classification:
 - a. low;
 - b. currently;
 - c. tall; and
 - d. very solid.
- (5) The classification of population density as referred to in section (4) is guided by the provisions of legislation.
- (6) The social, economic and cultural conditions as referred to in section (2) point c are considerations for the potential of housing or settlement locations in the form of:
 - a. social potential, namely the level of community participation in supporting development;
 - b. economic potential, namely the existence of certain economic activities that are strategic for the local community; and
 - c. cultural potential is the existence of certain cultural activities or heritage owned by the local community.

Article 120

- (1) The location assessment as referred to in Article 113 section (3) point b is carried out to assess the results of location identification and the priority scale for handling based on the following aspects:
 - a. slum conditions;
 - b. land legality; and
 - c. other considerations.
- (2) Location assessment based on aspects of slum conditions as referred to in section (1) point a classifies slum conditions as follows:
 - a. light;
 - b. currently; and
 - c. heavy.

- (3) Location assessment based on land legality aspects as referred to in section (2) point b consists of classifications:
 - a. legal land status; and
 - b. land status is not legal.
- (4) Location assessment based on other considerations as referred to in section (2) point c consists of:
 - a. other considerations low category;
 - b. other considerations medium category; and
 - c. other considerations are high category.
- (5) The location assessment as referred to in section (1), section (2), section (3) and section (4) is calculated based on the assessment formulation and formulation for determining the priority scale for handling based on the provisions of legislation.
- (6) The results of the location assessment must receive verification from the Central Government and Provincial Government in accordance with their authority before being determined.
- (7) Further provisions regarding locations that have been assessed and verified are determined by a Regent Decree.

Article 121

- (1) The results of location determination as referred to in Article 120 section (7) are accompanied by:
 - a. table listing locations of slum housing and slum settlements; and
 - b. map of the distribution of slum housing and slum settlements.
- (2) The location list table as referred to in section (1) point a, contains data related to location name, area, administrative scope, coordinate points, slum conditions, land status and handling priorities for each designated slum housing location and slum settlement.
- (3) The handling priority as referred to in section (2) is based on the results of the assessment of other consideration aspects.
- (4) The location distribution map as referred to in section (1) point b, is made based on the location list table.
- (5) Location determination is followed up with planning for handling slum housing and slum settlements carried out by the Local Government by involving the community as well as the Central Government and Provincial Government in accordance with their authority.

Article 122

- (1) The location determination as referred to in Article 120 section (7) is reviewed at least once every 5 (five) years.
- (2) The review as referred to in section (1) is carried out through a location re-collection process.
- (3) The review as referred to in section (1) is carried out by the Local Government to assess the reduction in the number of locations and/or areas of Slum Housing and Slum Settlements as a result of the handling that has been carried out, as well as reducing the level of slums.

- (4) The reduction in the area of Slum Housing and Slum Settlements as referred to in section (3) occurs due to a reduction in the number of Slum Housing and Slum Settlement locations.
- (5) The assessment of the results of the review is calculated based on the location assessment formulation.
- (6) The results of the review as referred to in section (3) are determined by a Regent Decree.

Article 123

- (1) Planning for handling slum housing and slum settlements as referred to in Article 121 section (5) is carried out through the following stages:
 - a. preparation;
 - b. surveys;
 - c. preparation of data and facts;
 - d. analysis;
 - e. preparation of concepts for preventing and improving the quality of slum housing and slum settlements; and
 - f. preparation of plans to prevent and improve the quality of slum housing and slum settlements.
- (2) Planning for handling slum housing and slum settlements as referred to in section (1) must involve the Central Government and Provincial Government in accordance with their authority.

Paragraph 3 Handling Patterns

Article 124

- (1) In an effort to improve the quality of slum housing and slum settlements, the Local Government establishes policies, strategies and handling patterns that are humane, cultural, just and economical.
- (2) The handling pattern as referred to in section (1) is based on the results of the assessment of slum condition aspects and land legality aspects.
- (3) The handling pattern as referred to in section (1) is planned by considering the typology of slum housing and slum settlements.
- (4) The handling pattern as referred to in section (1) includes:
 - a. restoration;
 - b. rejuvenation; or
 - c. resettlement.
- (5) Restoration as referred to in section (4) point a is carried out to repair and/or rebuild slum housing and slum settlements into habitable housing and settlements.
- (6) Rejuvenation and Resettlement as referred to in section (4) point b and point c are carried out to create better conditions for houses, housing and settlements in order to protect the safety and security of residents and the surrounding community.

- (7) The implementation of restoration, rejuvenation and/or resettlement is carried out by taking into account the following:
 - a. civil rights of affected communities;
 - b. ecological conditions of the location; and
 - c. the social, economic and cultural conditions of the community are affected.
- (8) The handling pattern as referred to in section (4) is carried out by the Local Government in accordance with its authority by involving the role of the community.
- (9) In the event that the Local Government has determined treatment patterns as referred to in section (4), then every person or entity is prohibited from refusing or obstructing the restoration, rejuvenation or resettlement activities of houses, housing and/or settlements that have been determined.
- (10) The Regent has the authority to impose administrative sanctions on any person or entity that violates the provisions of section (9) in the form of:
 - a. written warning; and/or
 - b. government coercion.
- (11) Further provisions regarding procedures for the imposition of administrative sanctions as referred to in section (10) are regulated in a Regent Regulation.

Article 125

The handling pattern as referred to in Article 124 section (2) is regulated by the provisions:

- a. in the event that the location has a classification of heavy and moderate slums with legal land status, the treatment pattern carried out is rejuvenation;
- b. in the event that the location has a classification of heavy and moderate slums with illegal land status, the treatment pattern carried out is resettlement;
- a. in the event that the location has a classification of light slums with legal land status, the treatment pattern carried out is restoration; and
- d. In the event that the location has a light slum classification with illegal land status, the handling pattern carried out is resettlement.

Article 126

The pattern of handling slum housing and slum settlements by considering the typology as referred to in Article 124 section (3) is regulated by the provisions:

- a. in the event that the location is included in the typology of slum housing and slum settlements on water, the treatment carried out must pay attention to the characteristics of usability, carrying capacity, destructive power of water and water sustainability;
- b. in the event that the location is included in the typology of Slum Housing and Slum Settlements at the water's edge, the treatment carried out must pay attention to the characteristics of the carrying capacity of the water's edge land, tides and the sustainability of water and soil;

- c. in the event that the location is included in the typology of slum housing and slum settlements in the lowlands, the treatment carried out must pay attention to the characteristics of the soil's carrying capacity, soil type and soil sustainability;
- d. in the event that the location is included in the typology of slum housing and slum settlements in the hills, the treatment carried out must pay attention to the slope characteristics, soil carrying capacity, soil type and soil sustainability; and
- e. In the event that the locations included in the typology of slum housing and slum settlements in disaster-prone areas, the treatment carried out must pay attention to disaster characteristics, soil carrying capacity, soil type and soil sustainability.

Article 127

In order to support the success of the pattern of handling slum housing and slum settlements, related non-physical measures are implemented.

Article 128

- (1) Restoration as referred to in Article 124 section (4) point a is an activity to repair houses, infrastructure, facilities and/or public utilities to restore their original function.
- (2) The restoration as referred to in section (1) is carried out through the following stages:
 - a. pre-construction;
 - b. construction; and
 - c. post construction.

Article 129

- (1) Restoration at the pre-construction stage as referred to in Article 128 section (2) point a includes:
 - a. identification of problems and assessment of restoration needs;
 - b. socialization and community deliberation/deliberation in affected communities;
 - c. data collection on affected communities;
 - d. preparation of restoration plans; and
 - e. deliberation for agreement.
- (2) Restoration during the construction phase as referred to in Article 126 section (2) point b includes:
 - a. construction implementation process; and
 - b. monitoring and evaluating construction implementation.
- (3) Restoration at the post-construction stage as referred to in Article 126 section (2) point c includes:
 - a. utilization; and
 - b. maintenance and repair.

Article 130

- (1) Rejuvenation as referred to in Article 124 section (4) point b is carried out through complete demolition and

restructuring of houses, infrastructure, facilities and/or public utilities.

- (2) Rejuvenation as referred to in section (1) must be carried out by first providing temporary shelter for affected communities.
- (3) Rejuvenation as referred to in section (1) is carried out through the following stages:
 - a. pre-construction;
 - b. construction; and
 - c. post construction.

Article 131

- (1) Rejuvenation at the pre-construction stage as referred to in Article 130 section (3) point a includes:
 - a. identification of problems and assessment of rejuvenation needs;
 - b. temporary housing for affected communities;
 - c. socialization and consultation with residents in affected communities;
 - d. data collection on affected communities;
 - e. preparation of rejuvenation plans; and
 - f. deliberation and discussion of agreements.
- (1) Rejuvenation at the construction stage as referred to in Article 130 section (3) point b includes:
 - a. compensation process for affected communities based on the results of the agreement;
 - b. temporary housing of affected communities in other locations;
 - c. the process of implementing rejuvenation construction at existing residential locations;
 - d. monitoring and evaluating the implementation of rejuvenation construction; and
 - e. process of re-inhabitation of affected communities.
- (2) Rejuvenation at the post-construction stage as referred to in Article 130 section (3) point c includes:
 - a. utilization; and
 - b. maintenance and repair.

Article 132

- (1) Resettlement as referred to in Article 124 section (4) point c is carried out through comprehensive construction and arrangement of houses, infrastructure, facilities and/or public utilities in new locations in accordance with the spatial planning plan.
- (2) Resettlement as referred to in section (1) must be carried out by first providing temporary residence for the affected community.
- (3) Resettlement as referred to in section (1) is carried out through the following stages:
 - a. pre-construction;
 - b. construction; and
 - c. post construction.

Article 133

- (1) Resettlement at the pre-construction stage as referred to in Article 132 section (3) point a includes:
 - a. space utilization study and/or land legality study;
 - b. temporary housing for people in housing and slum settlements in disaster-prone locations;
 - c. socialization and consultation with residents in affected communities;
 - d. data collection on affected communities;
 - e. preparation of new settlement plans, demolition plans for existing settlements and resettlement implementation plans; and
 - f. deliberation and discussion of agreements.
- (2) Resettlement during the construction phase as referred to in Article 132 section (3) point b includes:
 - a. compensation process for affected communities in accordance with the provisions of legislation;
 - b. land legalization process at new settlement locations;
 - c. the process of implementing construction of new housing and settlements;
 - d. monitoring and evaluating the implementation of resettlement construction;
 - e. the process of re-inhabiting affected communities; and
 - f. demolition process at existing residential locations
- (3) Resettlement at the post-construction stage as referred to in Article 132 section (3) point c includes:
 - a. utilization; and
 - b. maintenance and repair.

Paragraph 4
Support for Non-Physical Activities

Article 134

Non-physical handling as referred to in Article 127 , is identified according to needs as a recommendation for authorized agencies to improve the quality of slum housing and slum settlements.

Paragraph 5
Management

Article 135

- (1) After improving the quality of slum housing and slum settlements, management is carried out to maintain and maintain the quality of housing and settlements in a sustainable manner.
- (2) Management as referred to in section (1) is carried out by the community independently.
- (3) Management can be facilitated by the Local Government to increase community self-sufficiency in managing livable housing and settlements
- (4) Management as referred to in section (1) consists of:
 - a. formation of Community Self-Help Groups; and

- b. maintenance and repair.

Paragraph 6
Community Self-Help Groups

Article 136

- (1) The formation of community self-help groups as referred to in Article 135 section (4) point a is an effort to optimize the community's role in managing livable and sustainable housing and settlements and to optimize the community's role in improving the quality of slum housing and slum settlements .
- (2) The formation of Community Self-Help Groups as referred to in section (1) is carried out at the community level up to the Regional level as facilitators for the management of livable Housing and Settlements.
- (3) The formation of Community Self-Help Groups as referred to in section (2) is formed based on the provisions of legislations.
- (4) The formation of Community Self-Help Groups can be facilitated by the Local Government.
- (5) The facilities as referred to in section (4) are provided in the form of:
 - a. provision and dissemination of norms, standards, guidelines and criteria;
 - b. providing guidance, training/counseling, supervision and consultation; and/or
 - c. providing convenience and/or assistance.
- (6) Community Self-Help Groups are funded independently by the community.
- (7) Funding for Community Self-Help Groups, apart from being self-funded by the community, can be obtained through the contribution of each person.
- (8) Community Self-Help Groups are formed by the community independently or on the initiative of the Central Government and/or Local Government.
- (9) The formation as referred to in section (2) does not need to be carried out if there is already a similar Community Self-Help Group.
- (10) The formation of Community Self-Help Groups as referred to in section (2) is guided by the provisions of legislation.

Article 137

- (1) Maintenance and repair as referred to in Article 135 section (4) point b is an effort to maintain the condition of housing and settlements that are livable and sustainable.
- (2) Maintenance and repairs as referred to in section (1) are carried out in accordance with the provisions of legislation.

CHAPTER V I
LAND PROVISION

Article 138

- (1) The Local Government, in accordance with its authority, is responsible for the availability of land in the context of providing housing and settlements as well as preventing and improving the quality of slum housing and slum settlements.
- (2) The availability of land as referred to in section (1) including its determination in the regional spatial plan is the responsibility of the Local Government .

Article 139

- (1) Providing land for building houses, housing, and residential areas can be done through:
 - a. granting land rights to land directly controlled by the state;
 - b. land consolidation by landowners;
 - c. transfer or release of land rights by the land owner;
 - d. utilization and transfer of state-owned or regional-owned land in accordance with the provisions of legislation; and/or
 - e. utilization of former abandoned state land.
- (2) The provision of land as referred to in section (2) is carried out in accordance with the provisions of legislation.
- (3) Further provisions regarding the process and stages of providing land for the implementation of housing and settlements as well as preventing and improving the quality of slum housing and slum settlements are regulated in a Regent Regulation.

CHAPTER V II
FUNDING AND FINANCING SYSTEM

Article 140

- (1) Funding and financing systems are intended to ensure the availability of sustainable funds and low-cost funds and ensure ease of financing for handling slum housing and slum settlements.
- (2) Funding and financing systems as referred to in paragraph (1) are intended for:
 - a. management of housing and residential areas;
 - b. facilitation of planning, construction and utilization of housing as well as ease of construction and acquisition of houses for MBR (low income people); and/or
 - c. prevention and improvement of the quality of housing and slum settlements.
- (3) The source of funds as intended in paragraph (1) comes from:
 - a. State budget;
 - b. Regional Revenue and Expenditure Budget; and/or
 - c. other sources of funds in accordance with statutory provisions.

Article 141

- (1) Regional Governments can develop alternative financing systems for the administration of housing and residential areas including:
 - a. community-based financing;
 - b. financing based on cooperation between government and business entities ;
 - c. financing based on cooperation between the government, business entities and the community ; and/or
 - d. other alternative financing systems in accordance with statutory provisions.
- (2) Community-based financing as referred to in paragraph (1) point a is encouraged by the Regional Government through the formation of communities in the community based on similarities in profession, hobby, location, or other reasons that meet the provisions of statutory regulations.
- (3) Financing based on cooperation between the government and business entities as intended in paragraph (1) point b is encouraged by the Regional Government through active cooperation with business entities.
- (4) Financing based on cooperation between the government, business entities and the community as referred to in paragraph (1) point c is encouraged by the Regional Government through the formation of Regional Owned Enterprises and profit companies in collaboration with the government , business entities and m society.
- (5) Further provisions regarding the financing system as intended in paragraph (1) are regulated in a Regent's Regulation.

CHAPTER VIII COORDINATION

Article 142

- (1) Regional Government, in carrying out its duties and obligations, coordinates with the Central Government and Provincial Government.
- (2) Coordination carried out by the regional government as intended in paragraph (1) includes:
 - a. synchronize Regional Government policies and strategies in handling Slum Housing and Slum Settlements with Provincial and National policies and strategies;
 - b. submit the results of determining the location of slum housing and slum settlements to the Provincial Government and the Central Government;
 - c. synchronize plans for handling slum housing and slum settlements with Provincial and National development plans; And
 - d. for facilitation and technical assistance in the form of guidance, planning and development related to handling Slum Housing and Slum Settlements to the Provincial Government and Central Government.

CHAPTER I
COOPERATION AND COMMUNITY PARTICIPATION

Part One
Cooperation

Article 143

- (1) In efforts to prevent and improve the quality of Slum Housing and Slum Settlements , Regional Governments are collaborating with:
 - a. private parties;
 - b. community organizations; or
 - c. other non-governmental organizations.
- b. The cooperation as referred to in paragraph (1) is carried out in accordance with the provisions of regional cooperation legislation.

The second part
Community Role

Paragraph 1
The Role of the Community in the
Implementation of Housing and Settlement Areas

Article 144

- (1) The administration of housing and residential areas is carried out by the Government and regional governments by involving the role of the community.
- (2) The role of the community as referred in section (1) is carried out by providing input in:
 - a. preparation of housing and residential area development plans;
 - b. implementation of housing development and residential areas;
 - c. use of housing and residential areas;
 - d. maintenance and repair of housing and residential areas; and/or
 - e. controlling the management of housing and residential areas.
- (3) The community's role as referred to in section (2) is carried out by establishing housing and residential area development forums.
- (4) The forum as referred to in section (3) has the following functions and duties:
 - a. accommodate and channel community aspirations;
 - b. discuss and formulate ideas for the development direction of housing and residential areas;
 - c. increasing the role and supervision of the community; d. provide input to the Government; and/or
 - d. carry out arbitration and mediation roles in the field of housing and residential area management.

- (5) The forum as referred to in section (1), consists of the following elements:
 - a. Regional apparatus related to housing and residential areas;
 - b. association of housing and residential area management companies;
 - c. professional association of housing and residential area administrators;
 - d. association of goods and service companies, business partners providing housing and residential areas;
 - e. experts in the field of housing and residential areas; and/or
 - f. non-governmental organizations and/or representing consumers related to the implementation of housing development and residential areas.
- (6) Community participation as referred to in section (1) and the formation of the Forum as referred to in section (3) are carried out in accordance with the provisions of the legislation.

Paragraph 2

The Role of the Community in Preventing the Growth and Development of Slum Housing and Slum Settlements

Article 145

- (1) The community's role in preventing the growth and development of slum housing and slum settlements is carried out at the supervision and control stage.
- (2) The role of the community in improving the quality of slum housing and slum settlements is carried out at the following stages:
 - a. determining the location and location of slum housing and slum settlements;
 - b. planning for handling slum housing and slum settlements;
 - c. handling slum housing and slum settlements; and
 - d. management to sustainably maintain and maintain the quality of slum housing and slum settlements.

Article 146

The role of the community at the supervision and control stage as referred to in Article 145 section (1) may include:

- a. actively participate in maintaining the suitability of permits for buildings, housing and settlements at the planning stage and assist local governments in monitoring and controlling the suitability of permits for planning buildings, housing and settlements in their environment;
- b. actively participate in maintaining the conformity of technical standards for buildings, housing and settlements at the development stage and assist the Local Government in monitoring and controlling the conformity

- of technical standards for buildings, infrastructure, facilities and public utilities in their environment; and/or
- c. actively participate in maintaining the suitability of the function of buildings, infrastructure, facilities and public utilities at the utilization stage in their environment.

Article 147

The role of the community at the stage of determining the location of Slum Housing and Slum Settlements as referred to in Article 145 section (2) point a may include:

- a. participate in the process of collecting data on the location of slum housing and slum settlements, by taking part in field surveys and/or providing the required data and information in accordance with the provisions of legislation; and/or
- b. participate in providing opinions on the results of determining the location of slum housing and slum settlements based on considerations in the form of documents or data and related information that have been provided during the data collection process.

Article 148

The role of the community at the planning stage for handling Slum Housing and Slum Settlements as referred to in Article 145 section (2) point b, may include:

- a. actively participate in discussions carried out at the planning stage for handling slum housing and slum settlements;
- b. provide opinions and considerations to the competent authorities in preparing plans for handling slum housing and slum settlements;
- c. provide support for the implementation of plans for handling slum housing and slum settlements in related locations in accordance with their authority; and/or
- d. convey opinions and considerations regarding the results of determining plans for handling slum housing and slum settlements based on considerations in the form of documents or related data and information that have been submitted in the plan preparation process.

Article 149

The role of the community at the stage of handling slum housing and slum settlements as referred to in Article 145 section (2) point c is carried out in the restoration, rejuvenation and/or resettlement process.

Article 150

In the restoration or rejuvenation process, and/or resettlement as referred to in Article 149 , the community can:

- a. actively participate in community outreach and consultations in affected communities;
- b. actively participate in deliberations and discussions on plans for restoration and rejuvenation, and/or resettlement;

- c. participate in the implementation of restoration, rejuvenation and/or resettlement in the form of funds, personnel and materials;
- d. assist the Local Government in efforts to provide land related to the process of restoration, rejuvenation and/or resettlement of houses, infrastructure, facilities and/or public utilities;
- e. assist in maintaining order in the implementation of restoration, rejuvenation and/or resettlement;
- f. prevent actions that could hamper or hinder the process of carrying out restoration, rejuvenation and/or resettlement; and/or
- g. report the actions as referred to in point f, to the authorized agency so that the restoration, rejuvenation and/or resettlement process can run smoothly.

Article 151

The role of the community at the management stage as referred to in Article 145 section (2) point d may include:

- a. actively participate in various Regional Government programs in maintenance and repair at every location of slum housing and slum settlements that have been handled;
- b. actively participate independently and/or in community self-help groups in maintenance and repair efforts in the form of funds, personnel or materials;
- c. maintain order in the maintenance and repair of houses as well as infrastructure, facilities and public utilities in housing and settlements;
- d. prevent actions that could hamper or obstruct the process of carrying out maintenance and repairs; and/or
- e. report the actions as referred to in point d, to the authorized agency so that the maintenance and repair process can run smoothly

CHAPTER X GUIDANCE AND SUPERVISION

Article 152

- (1) Guiding the Implementation of Housing and Settlement Areas is the responsibility of the Regent.
- (2) Guidance on the Implementation of Housing and Settlement Areas is carried out in stages from the Regent to stakeholders.
- (3) Development of the Implementation of Housing and Settlement Areas is carried out on the following aspects:
 - a. planning;
 - b. arrangement;
 - c. control; and
 - d. supervision.
- (4) Further provisions regarding coaching as referred to in section (3) are regulated in the Regent Regulations.

Article 153

- (1) Development of Housing and Settlement Area Management as referred to in Article 152 is carried out by:
 - a. coordination;
 - b. socialization of legislation;
 - c. providing guidance, supervision and consultation;
 - d. education and training;
 - e. research and development;
 - f. mentoring and empowerment; and/or
 - g. development of information and communication service systems.
- (2) Further provisions regarding coaching procedures as referred to in section (1) are regulated in the Regent Regulations.

Article 154

- (1) The Development Authority as referred to in Article 152 section (1) is delegated to the Head of Regional Apparatus who administers government affairs in the field of Housing and Settlement Areas .
- (2) Regional apparatus as referred to in section (1) prepare technical and/or implementation guidelines as a basis for implementing guidance in addition to the provisions contained in tasks, principal and functions

CHAPTER XI ADMINISTRATIVE SANCTIONS

Article 155

- (1) Every individual or legal entity that carries out planning and designing a house without having a certificate of expertise in the field of planning and designing a house as referred to in Article 14 section (2) will be subject to administrative sanctions in the form of:
 - a. written warning;
 - b. restrictions on business activities;
 - c. freezing of Business Licensing; and
 - d. administrative fines.
- (2) The procedures and mechanisms for imposing administrative sanctions as referred to in section (1) point d are as follows:
 - a. Individuals are subject to administrative sanctions in the form of an administrative fine of at least IDR 50,000,000.00 (fifty million rupiah) and a maximum of IDR 200,000,000.00 (two hundred million rupiah); and
 - b. Legal Entities are subject to administrative sanctions in the form of an administrative fine of at least IDR 100,000,000.00 (one hundred million rupiah) and a maximum of IDR 1,000,000,000.00 (one billion rupiah).
- (4) The procedures for imposing administrative sanctions as referred to in section (1) are as follows:
 - a. Legal Entities or individuals as development actors who ignore written warnings a maximum of 2 (two)

times with a maximum period of 5 (five) working days will be subject to administrative sanctions in the form of freezing their Business License for a maximum of 6 (six) months;

- b. (b)Legal Entities or individuals as development actors who ignore the suspension of Business Permits as referred to in point a will be subject to administrative sanctions in the form of restrictions on business activities for a maximum of 1 (one) year;
- c. Legal Entities or individuals as development actors who ignore the restrictions on business activities as referred to in point b will be subject to administrative sanctions in the form of freezing their Business License for a maximum of 2 (two) years; and
- d. (d)Legal Entities as development actors who ignore the suspension of Business Licensing as referred to in point c are subject to administrative sanctions in the form of an administrative fine of at least IDR 100,000,000.00 (one hundred million rupiah) and a maximum of IDR 500,000,000.00 (five hundred million rupiah).

Article 156

- (1) Every individual or legal entity who carries out planning and designing a house whose results do not meet the standards as referred to in Article 15 section (1) will be subject to administrative sanctions in the form of:
 - a. written warning;
 - b. restrictions on business activities;
 - c. freezing of Business Licensing; and
 - d. administrative fines.
- (2) The procedures and mechanisms for imposing administrative sanctions on individuals as referred to in section (1) are as follows:
 - a. written warnings are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) working days; and
 - b. Individuals who ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of an administrative fine of at least IDR 10,000,000.00 (ten million rupiah) and a maximum of IDR 50,000,000.00 (fifty million rupiah).
- (3) In the event that the planning and design of the House is carried out by a Legal Entity as referred to in section (1), the procedures for imposing administrative sanctions are as follows:
 - a. Legal Entities as development actors who ignore written warnings a maximum of 2 (two) times with a maximum period of 5 (five) working days will be subject to administrative sanctions in the form of restrictions on business activities;
 - b. Legal Entities as development actors who ignore the restrictions on business activities as referred to in

point a are subject to administrative sanctions in the form of freezing their Business License for a maximum of 6 (six) months; and

- c. Legal Entities as development actors who ignore the suspension of Business Licensing as referred to in point b are subject to administrative sanctions in the form of an administrative fine of at least IDR 100,000,000.00 (one hundred million rupiah) and a maximum of IDR 500,000,000.00 (five hundred million rupiah).

Article 157

- (1) Every individual or legal entity that plans housing infrastructure, facilities and public utilities that do not meet the standards as referred to in Article 17 section (1) will be subject to administrative sanctions in the form of:
 - a. written warning;
 - b. restrictions on business activities;
 - c. freezing of Business Licensing; and
 - d. administrative fines.
- (2) The procedures and mechanisms for imposing administrative sanctions on individuals as referred to in section (1) are as follows:
 - a. written warnings are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) working days; and
 - b. Individuals who ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of an administrative fine of at least IDR 10,000,000.00 (ten million rupiah) and a maximum of IDR 50,000,000.00 (fifty million rupiah).
 - c. In the event that the planning of Housing Infrastructure, Facilities and Public Utilities is carried out by a Legal Entity as referred to in section (1), the procedures for imposing administrative sanctions are as follows:
 - d. Legal Entities that ignore written warnings a maximum of 2 (two) times with a maximum period of 5 (five) working days will be subject to administrative sanctions in the form of restrictions on business activities;
 - e. Legal Entities that ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of restrictions on business activities for a maximum of 1 (one) year;
 - f. Legal Entities that ignore the restrictions on business activities as referred to in point b will be subject to administrative sanctions in the form of freezing their Business License for a maximum of 2 (two) years; and
 - g. Legal Entities that ignore the suspension of Business Licensing as referred to in point c will be subject to administrative sanctions in the form of an administrative fine of at least IDR 100,000,000.00

(one hundred million rupiah) and a maximum of IDR 500,000,000.00 (five hundred million rupiah).

Article 158

- (1) Every individual or legal entity that carries out planning of Public Infrastructure, Facilities and Utilities without having a certificate of expertise in the field of planning Public Infrastructure, Facilities and Utilities as referred to in Article 19 section (2) will be subject to administrative sanctions in the form of:
 - a. written warning;
 - b. restrictions on business activities;
 - c. freezing of Business Licensing; and
 - d. administrative fines.
- (2) The procedures and mechanisms for imposing administrative fines as referred to in section (1) point d are as follows:
 - a. Individuals are subject to administrative sanctions in the form of an administrative fine of at least IDR 50,000,000.00 (fifty million rupiah) and a maximum of IDR 200,000,000.00 (two hundred million rupiah); or
 - b. Legal Entities are subject to administrative sanctions in the form of an administrative fine of at least IDR 100,000,000.00 (one hundred million rupiah) and a maximum of IDR 1,000,000,000.00 (one billion rupiah).
- (3) The procedures for imposing administrative sanctions as referred to in section (1) are as follows:
 - a. Individuals or legal entities as development actors who ignore written warnings a maximum of 2 (two) times with a maximum period of 5 (five) working days will be subject to administrative sanctions in the form of restrictions on business activities;
 - b. Legal Entities that ignore the restrictions on business activities as referred to in point a will be subject to administrative sanctions in the form of freezing their Business License for a maximum of 2 (two) years; and
 - c. Legal Entities that ignore the suspension of Business Licenses as referred to in point b will be subject to administrative sanctions in the form of an administrative fine of at least IDR 100,000,000.00 (one hundred million rupiah) and a maximum of IDR 1,000,000,000.00 (one billion rupiah).

Article 159

- (1) Legal Entities that carry out Housing construction that do not create housing with Balanced Occupancy as referred to in Article 21 section (1) or Legal Entities that carry out large-scale Housing construction do not create Balanced Occupancy in 1 (one) area as referred to in Article 25 section (2) point a is subject to administrative sanctions in the form of:
 - a. Written warning;

- b. restrictions on development activities;
 - c. PBG freezing;
 - d. freezing of Business Licensing; and
 - e. revocation of Business License.
- (2) The procedures and mechanisms for imposing administrative sanctions as referred to in section (1) are implemented as follows:
- a. written warnings as referred to in section (1) point a are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) working days;
 - b. Legal Entities that ignore the written warning as referred to in point a within a period of 5 (five) working days will be subject to administrative sanctions in the form of restrictions on development activities;
 - c. Legal Entities that ignore the restrictions on development activities as referred to in point b are subject to administrative sanctions in the form of freezing the PBG by the Regional Government by sealing it for a maximum of 30 (thirty) work days;
 - d. Legal Entities that ignore the suspension of the PBG as referred to in point c will be subject to administrative sanctions in the form of revocation of the PBG;
 - e. Legal Entities that ignore the revocation of the PBG as referred to in point d will be subject to administrative sanctions in the form of freezing their Business License for a maximum of 2 (two) years;
 - f. Legal Entities that ignore the suspension of their Business License as referred to in point e will be subject to administrative sanctions in the form of revocation of their Business License and an administrative fine of at least IDR 1,000,000,000.00 (one billion rupiah) and a maximum of IDR 10,000,000,000.00 (ten billion rupiah).

Article 160

- (1) Legal Entity that carries out construction of Housing with Balanced Occupancy not in 1 (one) stretch, the construction of a public house is not carried out in the regional area as referred to in Article 21 section (3) or does not provide access from the public house being built to the service center or place work is subject to administrative sanctions in the form of:
- a. written warning;
 - b. restrictions on development activities;
 - c. PBG freezing;
 - d. revocation of PBG;
 - e. freezing of Business Licensing; and
 - f. revocation of Business License.
- (2) The procedures and mechanisms for imposing administrative sanctions as referred to in section (1) are implemented as follows:

- a. written warnings as referred to in section (1) point a are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) working days;
- b. b.Legal Entities that ignore the written warning as referred to in point a within a period of 5 (five) working days will be subject to administrative sanctions in the form of restrictions on development activities;
- c. c.Legal Entities that ignore the restrictions on development activities as referred in point b are subject to administrative sanctions in the form of freezing the PBG by the Local Government by means of sealing it for a maximum of 30 (thirty) working days;
- d. d.Legal Entities that ignore the suspension of the PBG as referred to in point c will be subject to administrative sanctions in the form of revocation of the PBG;
- e. e.Legal Entities that ignore the revocation of the PBG as referred to in point d will be subject to administrative sanctions in the form of freezing their Business License for a maximum of 2 (two) years; and
- f. d.Legal Entities that ignore the suspension of their Business License as referred to in point e will be subject to administrative sanctions in the form of revocation of their Business License and an administrative fine of at least IDR 1,000,000,000.00 (one billion rupiah) and a maximum of IDR 10,000,000,000.00 (ten billion rupiah).

Article 161

- (1) Every person or legal entity that carries out the construction of houses and housing that does not comply with the regional spatial planning plan as referred to in Article 31 section (2) will be subject to administrative sanctions in the form of:
 - a. written warning;
 - b. PBG freezing;
 - c. revocation of PBG; and
 - d. demolition of buildings.
- (2) The procedures and mechanisms for the imposition of administrative sanctions as referred to in section (1) which are imposed on individuals are implemented as follows:
 - a. written warnings as referred to in section (1) point a are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) working days;
 - b. Individuals who ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of freezing the PBG by the Local Government by sealing it for a maximum of 30 (thirty) working days;

- c. Individuals who ignore the suspension of the PBG as referred to in point b will be subject to administrative sanctions in the form of revocation of the PBG; and
 - d. Individuals who ignore the revocation of the PBG as referred to in point c will be subject to administrative sanctions in the form of building demolition no later than 3 (three) months after the demolition order is given.
- (3) Administrative sanctions as referred to in section (1) imposed on Legal Entities are in the form of:
- a. written warnings as referred to in section (1) point a are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) working days;
 - b. Legal Entities that ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of freezing the PBG by the Local Government by sealing it for a maximum of 30 (thirty) working days;
 - c. Legal Entities that ignore the suspension of the PBG as referred to in point b will be subject to administrative sanctions in the form of revocation of the PBG; and
 - d. Legal Entities that ignore the revocation of the PBG as referred to in point c will be subject to administrative sanctions in the form of building demolition no later than 3 (three) months after the demolition order is given to the Legal Entity.

Article 162

- (1) Legal Entities that do not carry out conversion calculations as referred to in Article 29 section (1) and section (9) do not carry out the transfer of conversion proceeds will be subject to administrative sanctions in the form of:
- a. written warning;
 - b. restrictions on development activities;
 - c. PBG freezing; and
 - d. revocation of Business License.
- (2) The procedures and mechanisms for imposing administrative sanctions as referred to in section (1) are implemented as follows:
- a. written warnings as referred to in section (1) point a are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) working days;
 - b. Legal Entities that ignore the written warning as referred to in point a within a period of 5 (five) working days will be subject to administrative sanctions in the form of restrictions on development activities;
 - c. Legal Entities that ignore the restrictions on development activities as referred to in 1 point b are subject to administrative sanctions in the form of freezing the PBG by the Local Government by sealing it for a maximum of 30 (thirty) work days; and

- d. Legal Entities that ignore the suspension of PBG as referred to in point c will be subject to administrative sanctions in the form of revocation of their Business License and a fine of 1.5 (one point five) times the amount of the Conversion Fund obligation.

Article 163

- (1) Legal Entities that carry out construction of single houses and/or row houses that hand over and/or withdraw more than 80% (eighty percent) of funds from buyers before fulfilling the requirements as referred to in Article 43 section (1) are subject to administrative sanctions in the form of:
 - a. written warning;
 - b. freezing of Business Licensing;
 - c. withdrawal of incentives; and
 - d. administrative fines.
- (2) The procedures for imposing administrative sanctions as referred to in section (1) are as follows:
 - a. written warnings as referred to in section (1) point a are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) working days;
 - b. Legal Entities as development actors who ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of freezing their Business License for a maximum of 1 (one) year;
 - c. Legal Entities as development actors who ignore the suspension of Business Licensing as referred to in point b will be subject to administrative sanctions in the form of revocation of incentives; and
 - d. Legal Entities as development actors who ignore the withdrawal of incentives as referred to in point c are subject to administrative sanctions in the form of an administrative fine of at least IDR 100,000,000.00 (one hundred million rupiah) and a maximum of IDR 1,000,000,000.00 (one billion rupiah).

Article 164

- (1) Every individual or legal entity that carries out construction of housing infrastructure, facilities and public utilities that do not comply with plans, designs and permits as referred to in article 49 section (1) , section (2) and section (3) does not meet the requirements and does not Handing over infrastructure, facilities and public utilities that have been completed to the Local Government) will be subject to administrative sanctions in the form of:
 - a. written warning;
 - b. temporary suspension of development implementation;
 - c. withdrawal of incentives; and
 - d. demolition order.

- (2) The procedures and mechanisms for imposing administrative sanctions on individuals as referred to in section (1) are as follows:
 - a. written warnings as referred to in section (1) point a are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) working days;
 - b. individuals who ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of temporary suspension of development implementation;
 - c. individuals who ignore the temporary suspension of development implementation as referred to in point b will be subject to administrative sanctions in the form of revocation of incentives; and
 - d. individuals who ignore the withdrawal of incentives as referred to in point c will be subject to administrative sanctions in the form of building demolition no later than 3 (three) months after the demolition order is given.
- (3) In the event that the construction of Housing Infrastructure, Facilities and Public Utilities is carried out by a Legal Entity, the procedures for imposing administrative sanctions are as follows:
 - a. Legal Entities that ignore the written warning as referred to in section (1) point a a maximum of 2 (two) times with a maximum period of 5 (five) working days will be subject to administrative sanctions in the form of temporary suspension of development implementation for a maximum of 1 (one) year;
 - b. Legal Entities that ignore the temporary suspension of development implementation as referred to in point a will be subject to administrative sanctions in the form of revocation of incentives; and
 - c. Legal Entities that ignore the withdrawal of incentives as referred to in point b will be subject to administrative sanctions in the form of an administrative fine of at least IDR 100,000,000.00 (one hundred million rupiah) and a maximum of IDR 500,000,000.00 (five hundred million rupiah).
 - d. Legal Entities that ignore the withdrawal of incentives as referred to in point c will be subject to administrative sanctions in the form of building demolition no later than 3 (three) months after the demolition order is given to the Legal Entity.

Article 165

- (1) Every individual or legal entity that uses a house other than for residential purposes and does not ensure the maintenance of the housing and residential environment as referred to in Article 53 section (2) will be subject to administrative sanctions in the form of:
 - a. Written warning;
 - b. Freezing of proof of ownership of the house;

- c. Administrative fines; and
 - d. Revocation of proof of house ownership.
- (2) The procedures and mechanisms for the imposition of administrative sanctions imposed on individuals as referred to in section (1) are carried out as follows:
- a. written warnings as referred to in section (1) point a are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) work days;
 - b. Individuals who ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of freezing their proof of ownership of a house for a maximum of 1 (one) year;
 - c. Individuals who ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of an administrative fine of at least Rp. 10,000,000.00 (ten million rupiah) and a maximum of Rp. 50,000,000.00 (fifty million rupiah); And
 - d. Individuals who ignore the administrative fines as referred to in point c within a maximum period of 5 (five) working days will be subject to administrative sanctions in the form of revocation of the proof of ownership of the House.
- (3) The procedures and mechanisms for the imposition of administrative sanctions as referred to in section (1) imposed on Legal Entities are as follows:
- a. written warnings as referred to in section (1) point a are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) working days;
 - b. Legal Entities that ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of freezing the proof of ownership of the House for a maximum of 1 (one) year;
 - c. Legal entities that ignore the freezing of proof of ownership of a house as referred to in point b will be subject to administrative sanctions in the form of an administrative fine of at least IDR 10,000,000.00 (ten million rupiah) and a maximum of IDR 100,000,000.00 (one hundred million rupiah); and
 - d. Legal Entities that ignore the administrative fines as referred to in point c within a maximum period of 5 (five) working days will be subject to administrative sanctions in the form of revocation of the proof of ownership of the House.

Article 166

- (1) Legal Entities that carry out the implementation of Residential Areas that do not go through the stages as referred to in Article 80 section (1) are subject to administrative sanctions in the form of:
- a. written warning;

- b. freezing of Business Licensing;
 - c. withdrawal of incentives; and
 - d. administrative fines.
- (2) The procedures and mechanisms for imposing administrative sanctions as referred to in section (1) are as follows:
- a. written warnings as referred to in section (1) point a are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) working days;
 - b. Legal Entities that ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of freezing their Business License for a maximum of 1 (one) year;
 - c. Legal Entities that ignore the suspension of Business Licensing as referred to in point b will be subject to administrative sanctions in the form of revocation of incentives; and
 - d. Legal Entities as development actors who ignore the withdrawal of incentives as referred to in point c are subject to administrative sanctions in the form of a fine of at least IDR 100,000,000.00 (one hundred million rupiah) and a maximum of IDR 1,000,000,000.00 (one billion rupiah).

Article 167

- (1) Legal Entities that carry out the operation of Residential Environments or Kasibas that do not separate Residential Environments or Kasibas into Housing or Lisiba environmental units are subject to administrative sanctions in the form of:
- a. written warning;
 - b. freezing of Business Licensing;
 - c. withdrawal of incentives; and
 - d. administrative fines.
- (2) The procedures and mechanisms for imposing administrative sanctions as referred to in section (1) are as follows:
- a. written warnings as referred to in section (1) point a are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) work days;
 - b. Legal Entities that ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of freezing their Business License for a maximum of 1 (one) year;
 - c. Legal Entities that ignore the suspension of Business Licensing as referred to in point b will be subject to administrative sanctions in the form of revocation of incentives; and
 - d. Legal Entities that ignore the revocation of incentives as referred to in point c will be subject to administrative sanctions in the form of an administrative fine of at least IDR 100,000,000.00

(one hundred million rupiah) and a maximum of IDR 1,000,000,000.00 (one billion rupiah).

Article 168

- (1) Legal Entities carrying out development of Residential Areas that do not comply with plans and permits for the development of Residential Environments and supporting activities as referred to in Article 85 section (2) will be subject to administrative sanctions in the form of:
 - a. written warning;
 - b. freezing of Business Licensing;
 - c. withdrawal of incentives; and
 - d. administrative fines.
- (2) The procedures and mechanisms for imposing administrative sanctions as referred to in section (1) are implemented as follows:
 - a. written warnings as referred to in section (1) point a are given a maximum of 2 (two) times with a maximum period for each written warning of 5 (five) work days;
 - b. Legal Entities that ignore the written warning as referred to in point a will be subject to administrative sanctions in the form of freezing their Business License for a maximum of 1 (one) year;
 - c. Legal Entities that ignore the suspension of Business Licensing as referred to in point b will be subject to administrative sanctions in the form of revocation of incentives; and
 - d. Legal Entities that ignore the revocation of incentives as referred to in point c will be subject to administrative sanctions in the form of an administrative fine of at least IDR 100,000,000.00 (one hundred million rupiah) and a maximum of IDR 1,000,000,000.00 (one billion rupiah).

Article 169

- (1) The imposition of administrative sanctions as referred to in Articles 155 to Article 168 is carried out by the Regent.
- (2) The imposition of administrative sanctions as referred to in section (1) does not eliminate recovery and criminal responsibility.

CHAPTER XII
TRANSITIONAL PROVISIONS

Article 170

Developers who have carried out housing construction before the enactment of this Regional Regulation, and have not submitted Housing Infrastructure, Facilities and Public Utilities , must submit Housing Public Infrastructure, Facilities and Utilities no later than 1 (one) year after the promulgation of this Regional Regulation.

Article 171

- (1) In the event that the Developer who builds Housing has not or does not provide Public Housing Infrastructure, Facilities and Utilities, then the Developer can provide land and buildings for Infrastructure and Utilities, as well as ready-to-build land for Facilities in the relevant Housing area.
- (2) Further provisions regarding the provision of land and buildings for Infrastructure and Utilities, as well as ready-to-build land as referred to in section (1) are regulated in the Regent Regulation

CHAPTER XIII MISCELLANEOUS PROVISIONS

Article 172

- (1) The Local Government through the Regional Apparatus which carries out government affairs in the field of Housing and Settlement Areas carries out an inventory of types, locations and developers who are responsible for delivering Housing Infrastructure , Facilities and Public Utilities as referred to in section (1).
- (2) Based on the results of the inventory as referred to in section (2), the Regional Apparatus that carries out government affairs in the field of Housing and Settlement Areas facilitates the mechanism for handing over Public Housing Infrastructure, Facilities and Utilities as referred to in section (1).
- (3) Further provisions regarding the implementation of the inventory as referred to in section (2) and facilitation as referred to in section (3) are regulated in the Regent Regulation.

Article 173

- (1) In the event that Housing Infrastructure, Facilities and Public Utilities are abandoned and/or not maintained by the developer whose whereabouts are unknown and have not been handed over to the Local Government, the Local Government makes an official report on the Acquisition of Housing Infrastructure, Facilities and Public Utilities.
- (2) The Local Government makes a statement of assets for the Infrastructure, Facilities and Utilities land as the basis for an application for registration of land rights at the National Land Office in the Region.
- (3) Further provisions regarding the acquisition of public housing infrastructure, facilities and utilities as referred to in section (1) are regulated in a Regent Regulation.

Article 174

- (1) With respect to existing Housing Infrastructure, Facilities and Public Utilities which are not in good condition when they are handed over and the Developer is unable to repair them 100% (one hundred percent), the Developer concerned can submit an Application for relief from his responsibilities to the Regent.

- (2) Based on the application as referred to in section (1), the Regent makes a decision in the form of approval or rejection.
- (3) Further provisions regarding applications for relief as referred to in section (1) are regulated in Regent regulations.

Article 175

At the time when this Regional Regulation comes into force, all statutory regulations relating to the implementation of Housing and Settlement Areas in the Region or similar are declared to remain in effect insofar as long as they do not conflict with the provisions of this Regional Regulation.

CHAPTER XIX
CLOSING

Article 176

The Regent Regulation as the implementation of this Regional Regulation must be stipulated no later than 1 (one) year after the promulgation of this Regional Regulation.

Article 177

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 Rembang .

Issued in Rembang
on 27 December, 2022
REGENT OF REMBANG,

Signed

ABDUL HAFIDZ

Promulgated in Rembang
on 27 December, 2022
SECRETARY OF THE REGENCY OF REMBANG,

signed

FAHRUDIN

REGIONAL GAZETTE OF THE REGENCY OF REMBANG OF 2022 NUMBER 9

Jakarta, 31 December 2024
Has been translated as an Official Translation
on behalf of the Minister of Law
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,


DHAHANA PUTRA

ELUCIDATION
OF
REGULATION OF THE REGENCY OF REMBANG
NUMBER 9 OF 2022
ON
MANAGEMENT OF HOUSING AND RESIDENTIAL AREA

I. GENERAL

The implementation of Housing and Settlement Area development that relies on the community provides the widest possible rights and opportunities for the community to play a role. In line with the role of the community in the development of Housing and Settlement Areas, the Local Government has the responsibility to be a facilitator, provide assistance and convenience to the community, as well as carry out research and development covering various aspects related to, among others, spatial planning, land, environmental infrastructure, , materials and components industry, construction and design services, financing, institutions, human resources, local wisdom, as well as supporting regulation. This Regional Regulation has the aim and objective of directing the construction and development of housing and residential areas in the Regency of Rembang so that it can be implemented according to the direction of the spatial planning pattern, is accessible, balanced and healthy.

This Regional Regulation was formed in order to realize the implementation of Housing and Settlement Areas by providing assistance and convenience, especially for people with low incomes and implementing the provisions of Article 98 section (3) of Law Number 1 of 2011 on Housing and Settlement Areas as amended by Law Number 11 of 2020 on Job Creation. This Regional Regulation is a guideline for administering Housing and Settlement Areas in the Region with the support of adequate infrastructure, facilities and public utilities.

Regulations for the administration of Housing and Settlement Areas are based on several principles including:

- a. well-being;
- b. justice and equity;
- c. efficiency and usefulness;
- d. affordability and convenience;
- e. independence and togetherness;
- f. partnership;
- g. compatibility and sustainability;
- h. cohesiveness;
- i. health; and

J. sustainability and continuity.

Furthermore, the aim of regulating the operation of flats in this Regional Regulation is to:

- a. realize community welfare through the provision of safe, healthy, harmonious and sustainable housing;
- b. grow and develop the role of stakeholders in the Housing and Settlement Area sector to provide houses supported by public infrastructure, facilities and utilities; and
- c. improve services to the community and ensure legal certainty in the field of Housing and Settlement Areas.

Apart from that, this Regional Regulation aims to formulate basic policies for the construction and development of Housing (vertical and horizontal) and Residential Areas, realizing integration, linkage and balance of Infrastructure, Facilities and Utilities between Housing and Settlement Areas, allocating space for the typology of Housing and Settlement Areas as well as regulating the quality of Houses and Housing Environments in space utilization corridors. This Regional Regulation regulates material regarding the administration of Housing, the administration of Residential Areas, maintenance and repair, prevention and improvement of the quality of Slum Housing and Slum Settlements, provision of land, funding, the role of the community and guidance and supervision.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear.

Article 3

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9
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Article 10
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Article 11
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Article 12
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Article 14
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Article 29
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Article 30
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Article 31
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Article 32
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Article 33
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Article 34
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Article 35
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Article 36
Sufficiently clear.

Article 37
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Article 38
Sufficiently clear.

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