

**REGULATION OF THE GOVERNMENT OF THE REPUBLIC INDONESIA  
NUMBER 19 YEAR 2010  
REGARDING  
IMPLEMENTATION PROCEDURE OF GOVERNOR'S DUTY, AUTHORITY  
AND FINANCIAL STATUS AS THE GOVERNMENT REPRESENTATIVE IN PROVINCE  
WITH THE BLESS OF GOD THE ALMIGHTY**

**THE PRESIDENT OF THE REPUBLIC OF INDONESIA,**

Considering: that in order to implement the provisions in Article 38 sub-articles (3) and (4) Law Number 32 Year 2004 on Regional Government, as has been revised several times, at the last by the Law Number 12 Year 2008 on Second Revision of Law Number 32 Year 2004 on Regional Government, it is necessary to stipulate a Government Regulation regarding Implementation Procedure of Governor's Duty, Authority and Financial Status as the Government Representative in Province.

Bearing in mind:

1. Article 5 paragraph (2) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 17 Year 2003 on State Finance (State Gazette Number 47 Year 2003, Supplement Number 4286);
3. Law Number 15 Year 2004 on Management and Accountability of State Finance (State Gazette Number 66 Year 2004, Supplement Number 4400);
4. Law Number 32 Year 2004 on Regional Government (State Gazette Number 125 Year 2004, Supplement Number 4437) as has been revised several times, at the last by the Law Number 12 Year 2008 on Second Revision of Law Number 32 Year 2004 on Regional Government (State Gazette Number 59 Year 2008, Supplement Number 4844);
5. Law Number 33 Year 2004 on Fiscal Balance between Central Government and Local Government (State Gazette Number 126 Year 2004, Supplement Number 4438);
6. Government Regulation Number 7 Year 2008 on Deconcentration and Co-Administration (State Gazette Number 20 Year 2008, Supplement Number 4816);

**HAS DECIDED:**

To stipulate: **GOVERNMENT REGULATION REGARDING IMPLEMENTATION PROCEDURE OF GOVERNOR'S DUTY, AUTHORITY AND FINANCIAL STATUS AS THE GOVERNMENT REPRESENTATIVE IN PROVINCE.**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1**

The terms and expressions referred to in this Government Regulation shall have the following meanings:

1. Central Government, hereinafter referred to as Government, is the President of the Republic of Indonesia, which holds the power of government administration of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia.
2. Local government administration is implementation of government administration works by local government and the Local (province/ district/ city) House of Representatives based on the principles of autonomy and co-administration with the principle of wide-ranging autonomy within the system and the principle of the Unitary Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia.
3. Local government is governor, regent or mayor, and local government agencies as a part of the local government administrators.
4. Province is administrative region which becomes the working area of a Governor.
5. Coordination is the effort undertaken by a Governor as the Government representative in achieving integration both planning and execution of works/activities of all vertical agencies at provincial level, between vertical agencies and SKPDs (Dinas, Badan, Kantor) (hereinafter referred to as agency) at provincial level, among districts/ cities within the concerned province, and between province and districts/ cities, in order to achieve effectiveness and efficiency of the government administration.
6. Guidance for local government administration is the effort made by the governor as the Government representative in achieving objectives of the regional autonomy implementation.
7. Supervision for local government administration is the effort made by the governor as the Government representative in ensuring that local government administration is running in an efficient, effective and sustainable manner and in accordance with the laws and regulations.

## **CHAPTER II STATUS, DUTY AND AUTHORITY**

### **Article 2**

- (1) The Governor, for his/her position, shall be also stated as the government representative in the province.
- (2) In his/her position, as referred to in paragraph (1), Governor shall be responsible to the President.
- (3) Governor shall be inaugurated by the President.
- (4) In the event that the President is unable to inaugurate the Governor, the Minister of Home Affairs, on behalf of the President, shall inaugurate the Governor.

### **Article 3**

- (1) The Governor, as the Government representative, shall has the task of carrying out government administration works, which include:
  - a. coordinating government administration works between provincial government and vertical agencies, and among vertical agencies in the concerned province;
  - b. coordinating government administration works between provincial government and local government (district/ city) in the concerned province;
  - c. coordinating inter district/ city government administration works in the concerned province;
  - d. guiding and supervising district/city government administration works;
  - e. securing life of the nation and state and maintaining the integrity of the Unitary Republic of Indonesia;
  - f. preserving and practicing the Pancasila ideology and democratic life;

- g. maintaining political stability;
  - h. preserving ethics and norms of government administration in district/ city; and
  - i. coordinating guidance and supervision for co-administration in the province and district/ city.
- (2) In addition to conducting the government administration works, as referred to in paragraph (1), the Governor, as the Government representative, shall also conducting government administration works in the province which is under authority of the Government in accordance with the prevailing laws and regulations.

#### **Article 4**

In carrying out the works as referred to in Article 3 paragraph (1), the Governor as the Government representative shall have the authorities to:

- a. call regents/mayors along with the local government officers and heads of vertical agencies for a meeting;
- b. ask regents/mayors along with the local government officers and heads of vertical agencies to immediately deal with important and/ or urgent issues requiring quick responses;
- c. give reward or punishment to the regents/ mayors related to their performance, implementation of obligations, and violations against their oath;
- d. appoint district/ city government secretary in accordance with the prevailing laws and regulations;
- e. evaluate draft local regulation on APBD (local government budget), local taxes, local levies, and district/ city spatial plan;
- f. provide written consent for investigation of District/ City House of Representatives members;
- g. settle disputes in implementation of government administration functions among districts/ cities in a province; and
- h. inaugurate heads of vertical agencies under ministries and non-ministerial government institutions assigned in the concerned provinces.

### **CHAPTER III IMPLEMENTATION PROCEDURE OF DUTY AND AUTHORITY**

#### **Article 5**

- (1) In coordinating the government administration works of the provincial government and vertical agencies and among vertical agencies in the province, as referred to in Article 3 paragraph (1) letter a, the Governor shall carry it out through:
- a. Musrenbang (provincial development planning meeting), and
  - b. working meeting (rapat kerja) for program execution, monitoring and evaluation, and resolution of various issues.
- (2) The provincial development planning meeting, as referred to in paragraph (1) letter a, shall be conducted in accordance with the prevailing laws and regulations.
- (3) Working meeting (rapat kerja), as referred to in paragraph (1) letter b, shall be conducted at least 3 (three) times a year.

#### **Article 6**

- (1) In order to support the smooth implementation of the Governor's works in creating public peace and order and regional stability for the smooth development, a coordination forum of government administrators shall be established.

- (2) The coordination forum, as referred to in paragraph (1), shall consist of Governor, Chairman of the Provincial House of Representatives, commander of the regional military, chief of the regional police, and chief of the state attorney.
- (3) The coordination forum, as referred to in paragraph (2), in Nanggroe Aceh Darussalam shall consist of the Governor, *Wali Nanggroe* (the religious leaders), the chairman of the House of Representatives of Aceh (DPRA), the commander of the regional military, the chief of the regional police, and the chief of the state attorney.
- (4) The coordination forum, as referred to in paragraph (2), in Papua shall consist of the Governor, the chairman of Papua Council, the chairman of the House of Representatives of Papua (DPRP), the commander of the regional military, the chief of the regional police, and the chief of the state attorney.
- (5) The coordination forum, as referred to in paragraph (2), in West Papua shall consist of the Governor, the chairman of West Papua Council, the chairman of the House of Representatives of West Papua (DPRPB), the commander of the regional military, the chief of the regional police, and the chief of the state attorney.
- (6) The coordination forum, as referred to in paragraph (2), (3), (4) and (5) shall be chaired by the Governor.

#### **Article 7**

- (1) In coordinating the government administration works of the provincial government and district/ city government in the province, as referred to in Article 3 paragraph (1) letter b, the Governor shall carry it out through:
  - a. Musrenbang (provincial development planning meeting), and
  - b. Working meeting (rapat kerja), for program execution, monitoring and evaluation, and resolution of various issues.
- (2) The provincial development planning meeting, as referred to in paragraph (1) letter a, shall be conducted in accordance with the prevailing laws and regulations.
- (3) Working meeting (rapat kerja), as referred to in paragraph (1) letter b, shall be conducted at least 3 (three) times a year.
- (4) District/ city governments who deliberately did not participate in the coordination, as referred to in paragraph (1) letter a, shall be punished in accordance with the prevailing laws and regulations.

#### **Article 8**

- (1) In coordinating the government administration works among district/ city governments in the province, as referred to in Article 3 paragraph (1) letter c, the Governor shall carry it out through a working meeting which includes:
  - a. execution of government administration works which become district/ city government authority;
  - b. cooperation among districts/ cities in implementing government administration works; and
  - c. settlement of disputes among districts/ cities on government administration works.
- (2) Working meeting (rapat kerja), as referred to in paragraph (1), shall be conducted as required.

#### **Article 9**

- (1) In guiding district/ city government administration works, as referred to in Article 3 paragraph (1) letter d, the Governor shall carry it out by:
  - a. providing facilitation and consultation on execution of government administration works which become district/ city government authority in the concerned province;

- b. providing facilitation and consultation on employment management in the concerned province;
  - c. settlement of disputes arising in the implementation of government administration functions among districts/ cities in the concerned province; and
  - d. affirmative action for public service quality among districts/ cities in the concerned province.
- (2) In supervising district/ city government administration works, as referred to in Article 3 paragraph (1) letter d, the Governor shall carry it out by:
- a. supervising execution of government administration works conducted by the district/ city government;
  - b. supervising district/ city regulations and regent/ mayor regulations;
  - c. proposing annulment of district/ city regulations to the President through the Minister of Home Affairs; and
  - d. supervising district/ city government performance.

#### **Article 10**

- (1) In settling disputes among districts/ cities, as referred to in Article 9 paragraph (1) letter c, the Governor shall take the following measures:
- a. making persuasive approach and negotiation; and
  - b. establishing inter-regional cooperation.
- (2) Disputes among districts/ cities, as referred to in paragraph (1), shall include the following issues:
- a. district/ city borders;
  - b. inter-district/ city natural resources;
  - c. assets;
  - d. transportation;
  - e. waste management; and
  - f. spatial plan.

#### **Article 11**

In maintaining the life of the nation and state, and the integrity of the Unitary Republic of Indonesia, as referred to in Article 3 paragraph (1) letter e, the Governor shall undertake the following works:

- a. setting criteria of threats, challenges, obstacles, and disturbances in accordance with the local condition;
- b. monitoring the local situation and condition based on the above-mentioned criteria;
- c. evaluating the local situation and condition based on the above-mentioned criteria;
- d. coordinating with the relevant security officers to cope with the threats, challenges, obstacles, and disturbances; and
- e. reporting to the President through the Minister of Home Affairs regarding the local situation and condition based on the above-mentioned criteria.

#### **Article 12**

In preserving and practicing the ideology of Pancasila and building democratic life, as referred to in Article 3 paragraph (1) letter f, the Governor shall take the following efforts:

- a. preserving and maintaining the ideology of Pancasila;
- b. developing democratic life;
- c. maintaining harmony among religious believers; and
- d. preserving social and cultural values.

#### **Article 13**

In maintaining political stability, as referred to in Article 3 paragraph (1) letter g, the Governor shall undertake the following works:

- a. setting criteria of political stability in accordance with the local circumstances;
- b. monitoring the local circumstances in accordance with the criteria of political stability;
- c. evaluating the local circumstances in accordance with the criteria of political stability;
- d. coordinating with the relevant security officers to maintain political stability; and
- e. reporting to the President through the Minister of Home Affairs regarding the local circumstances in accordance with the criteria of political stability.

#### **Article 14**

In preserving ethics and norms of local government administration, as referred to in Article 3 paragraph (1) letter h, the Governor shall undertake the following works:

- a. identifying ethics and norms that are living, growing, and needs to be maintained in the concerned province; and
- b. establishing work ethic of government administration in accordance with the ethics and norms as referred to in the letter a.

#### **Article 15**

In carrying out the coordination, guidance and supervision of co-administration work execution in the province and district/ city, as referred to in Article 3 paragraph (1) letter i, the Governor shall undertake the following works:

- a. guiding and supervising the execution of co-administration works from the ministries and non-ministerial government agencies assigned to the provincial government;
- b. guiding and supervising the execution of co-administration works from the Government to the district/ city governments in his/her region; and
- c. guiding and supervising the execution of co-administration works from the provincial government to the district/ city government in his/her region.

#### **Article 16**

Governor as the Government representative shall provide information on the Government policies and vertical agencies in the province to the Provincial House of Representatives.

#### **Article 17**

- (1) In carrying out the duties and authorities, as referred to in Article 3 paragraphs (1) and (2), operationally the Governor shall be assisted by a secretary.
- (2) The secretary, as referred to in paragraph (1), shall be ex-officio occupied by the provincial government secretary.
- (3) The secretary, as referred to in paragraph (2), shall be assisted by a secretariat and experts.

#### **Article 18**

- (1) The secretariat, as referred to in Article 17 paragraph (3), shall be led by a head.
- (2) The organizational structure and working system of the secretariat, as referred to in Article 17 paragraph (3), shall be regulated by Regulation of the Minister of Home Affairs after receiving approval from the State Minister of Administrative Reform.

### **CHAPTER IV FINANCIAL STATUS**

#### **Article 19**

- (1) Funding of the Governor's duties and authorities as the Government representative, as referred to in Article 3 paragraph (1), shall be allocated in APBN (national budget) through deconcentration funding mechanism.
- (2) Funding of the Governor's duties and authorities, as referred to in paragraph (1), shall be set forth in the work and budgetary plan of the Ministry of Home Affairs.
- (3) Funding of the delegated Governor's duties and authorities as the Government representative, as referred to in Article 3 paragraph (2), shall be allocated in the concerned Ministries/ Non-ministerial government agencies through deconcentration funding mechanism.
- (4) Funding of the Governor's duties and authorities, as referred to in paragraph (3), shall be set forth in the work and budgetary plan of the Ministries/ Non-ministerial government agencies.
- (5) Management of deconcentration fund, as referred to in paragraphs (1) and (3), shall be in accordance with the prevailing laws and regulations on deconcentration and co-administration.

## **CHAPTER V ACCOUNTABILITY**

### **Article 20**

- (1) In his/her capacity as the Government representative, the Governor shall be responsible to the President through the Minister of Home Affairs.
- (2) The Governor's accountability, as referred to in paragraph (1), shall be submitted within 3 (three) months at latest after the fiscal year ending in the form of Governor's performance report as the Government representative.
- (3) Guidelines for the Governor's performance report as the Government representative, as referred to in paragraph (2), shall be regulated by Regulation of the Minister of Home Affairs.
- (4) Evaluation on the Governor's performance report as the Government representative shall be made by the Minister of Home Affairs on behalf of the President every year by involving the relevant ministries and non-ministerial government agencies.

## **CHAPTER VI CLOSING PROVISIONS**

### **Article 21**

This Government Regulation shall come into force on the date of promulgation.

For public cognizance, this Government Regulation shall be promulgated in the State Gazette of the Republic of Indonesia.

Enacted in Jakarta  
On 28 January 2010

**THE PRESIDENT OF THE REPUBLIC OF INDONESIA,**  
*signed*

**DR. H. SUSILO BAMBANG YUDHOYONO**

Promulgated in Jakarta  
On 28 January 2010

**MINISTER OF LAW AND HUMAN RIGHTS  
THE REPUBLIC OF INDONESIA,**

*signed*

**PATRIALIS AKBAR**

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2010 NUMBER 25



**ELUCIDATION  
OF  
REGULATION OF THE GOVERNMENT OF THE REPUBLIC INDONESIA  
NUMBER 19 YEAR 2010  
REGARDING  
IMPLEMENTATION PROCEDURE OF GOVERNOR'S DUTY, AUTHORITY  
AND FINANCIAL STATUS AS THE GOVERNMENT REPRESENTATIVE IN PROVINCE**

**I. GENERAL**

The 1945 Constitution of the Republic of Indonesia states that "the Unitary State of the Republic of Indonesia is divided into provinces and the provinces are further divided into districts and cities, in which each of them have local government, regulated by the Law". Provincial, district, city governments set up and manage their own government administration based on the autonomy and co-administration principles, except for the government administration works which by the law are determined as the Government administration works conducted by the principle of deconcentration.

In the Republic of Indonesia, the Government has a very strong role in maintaining national interests and has the authority to ensure that national policies can be implemented effectively in all regions of Indonesia. Therefore, local government administration shall follow the norms, standards, procedures, and criteria set by the Government. Delegation of government administration works, which are mostly given to the district/ city governments demanding the Government to ensure that district/ city governments set up and manage these works in accordance with the norms, standards, procedures, and criteria. In order to meet with the needs, the Law Number 32 Year 2004 on Local Government puts the Governor's position as the head of the province as well as a representative of the Government in the province.

In his/her capacity as the Government representative, the Governor has duties and authorities to: a) guide and supervise execution of the district/ city government administration works; b) coordinate the execution of government administration works in the province and districts/ cities; and c) coordinate guidance and supervision of the execution of co-administration works in the province and districts/ cities. In addition to the aforesaid work execution, the Governor, as the Government representative, has the task to: a) preserve the life of the nation and state in order to maintain the integrity of the Unitary Republic of Indonesia; b) maintain and practice the ideology of Pancasila and democratic life; c) maintain political stability, and d) preserve the local government administration ethics and norms.

Regulation on clearer procedure in strengthening the Governor's role as the Government representative to guide, supervise, coordinate, and harmonize regional development activities will be able to reduce the tensions that have often occurred in the relationship of regents/ mayors and governors. The differences in understanding the pattern of relation between the two government levels tend to complicate coordination and synergy in planning and implementation of activities at the district/ city level. Regulation on the Governor's role as the Government representative is also necessary so that the Governor can take necessary steps to prevent and control conflicts among districts/ cities in local government administration.

Strengthening of the Governor's function as the head of province as well as the Government representative in the province is also intended to strengthen the relationship among the government levels. In the implementation of the Governor's role as the Government representative, relationship between the Governor and regents/ mayors is

tiered, where the Governor can undertake the role of guidance and supervision to the execution of local government administration works. In contrast, regents/ mayors can report problems that occur in the execution of local government administration works, including the relationship among districts/ cities. In addition, strengthening of the Governor's role as the head of province will be able to strengthen the regional development orientation and minimize the impacts of decentralization policy towards spatial, social and economic fragmentation in the region.

## II. ARTICLE BY ARTICLE

### Article 1

Sufficiently clear.

### Article 2

Sufficiently clear.

### Article 3

Sufficiently clear.

### Article 4

#### Letter a

Sufficiently clear.

#### Letter b

Sufficiently clear.

#### Letter c

Sufficiently clear.

#### Letter d

Sufficiently clear.

#### Letter e

Evaluating means to conduct assessment on whether the draft local regulations are corresponding to the public interests and do not in conflict to the higher laws and regulations.

#### Letter f

Sufficiently clear.

#### Letter g

Sufficiently clear.

#### Letter h

Sufficiently clear.

### Article 5

#### Paragraph (1)

Sufficiently clear.

#### Paragraph (2)

Laws and regulations referred to in this provision is Government Regulation Number 8 Year 2008 on Stages, Formulation Procedure, Control and Evaluation of Local Development Plan Implementation.

#### Paragraph (3)

Sufficiently clear.

### Article 6

Sufficiently clear.

### Article 7

#### Paragraph (1)

Sufficiently clear.

#### Paragraph (2)

Laws and regulations referred to in this provision is Government Regulation Number 8 Year 2008 on Stages, Formulation Procedure, Control and Evaluation of Local Development Plan Implementation.

- Paragraph (3)  
Sufficiently clear.
- Paragraph (4)  
Sufficiently clear.

Article 8  
Sufficiently clear.

- Article 9
- Paragraph (1)
    - Letter a  
Sufficiently clear.
    - Letter b  
Facilitation and consultation is carried out for harmonization of staff/ personnel capacity development programs among regions and effective implementation of the laws and regulations on employment.
    - Letter c  
Sufficiently clear.
    - Letter d  
Sufficiently clear.
  - Paragraph (2)  
Sufficiently clear.

Article 10  
Sufficiently clear.

Article 11  
Sufficiently clear.

Article 12  
Sufficiently clear.

Article 13  
Sufficiently clear.

Article 14  
Sufficiently clear.

Article 15  
Sufficiently clear.

Article 16  
Sufficiently clear.

Article 17  
Sufficiently clear.

Article 18  
Sufficiently clear.

Article 19  
Sufficiently clear.

Article 20

Sufficiently clear.

Article 21

Sufficiently clear.

SUPPLEMENT TO  
THE STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 5107