

REGULATION OF THE REGENCY OF BANYUMAS
NUMBER 3 OF 2021
ON
AMENDMENT TO REGULATION OF THE REGENCY NUMBER 2 OF 2013 ON
INVESTMENT IN THE REGENCY OF BANYUMAS

BY THE BLESSINGS OF ALMIGHTY GOD,

REGENT OF BANYUMAS

- Considering:
- a. that in order to bring a fair and prosperous society based on Pancasila and the 1945 Constitution of the Republic of Indonesia, it is necessary to implement sustainable economic development which is based on economic democracy;
 - b. that investment is one of the factors driving the regional economy, regional development and creating jobs opportunities, so that it is necessary to create a conducive investment climate, promoting, providing legal certainty, justice, and while still taking into account national economic interests;
 - c. that to implement the provisions of Article 7 of Government Regulation of the Republic of Indonesia Number 24 of 2019 on Provisions of Incentives and Ease of Investment in Region, then Regulation of Regency of Banyumas Number 2 of 2013 on Investment in the Regency of Banyumas is no longer appropriate, therefore it needs amendment;
 - d. that based on the considerations as referred to in point a, point b and point c, it is necessary to issue a Regional Regulation on amendment to Regulation

Number 2 of 2013 on Investment in the Regency of Banyumas;

Observing:

1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 13 of 1950 on Establishment of Regency Areas within the Province of Central Java;
3. Law Number 5 of 1960 on Basic Agrarian Principles (State Gazette of the Republic of Indonesia of 1960 Number 104, Supplement to the State Gazette of the Republic of Indonesia Number 2043);
4. Law Number 5 of 1984 on Industrial Affairs (State Gazette of the Republic of Indonesia of 1984 Number 22, Supplement to the State Gazette Republic of Indonesia Number 3274), as amended by Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia Number 245, Supplement to the State Gazette of the Republic of Indonesia Number 6573);
5. Law Number 25 of 1992 on Cooperatives (State Gazette of the Republic of Indonesia of 1992 Number 116, Supplement to the State Gazette Republic of Indonesia Number 3502), as amended by Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia Number 245, Supplement to the State Gazette of the Republic of Indonesia Number 6573);
6. Law Number 13 of 2003 on Manpower (State Gazette of the Republic Indonesia of 2003 Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279), as amended by Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia Number 6573);
7. Law Number 25 of 2007 on Investment (State Gazette of the Republic of Indonesia of 2007 Number 67, Supplement to the State Gazette of the Republic of Indonesia Number 4675) as amended by Law Number 6 of 2023 on Enactment of Government Regulation in Lieu of Law on Job Creation to Become Law (State Gazette of the Republic of Indonesia of 2023 Number

- 41, Supplement to the State Gazette of the Republic of Indonesia Number 6573);
8. Law Number 26 of 2007 on Spatial Planning (State Gazette of the Republic Indonesia of 2007 Number 68, Supplement to the State Gazette of the Republic of Indonesia Number 4846); as amended by Law Number 11 of 2020 of Law 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);
 9. Law Number 40 of 2007 on Limited Liability Companies (State Gazette of the Republic Indonesia of 2007 Number 106, Supplement to the State Gazette of the Republic of Indonesia Number 4852); as amended by Law Number 11 of 2020 of Law 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);
 10. Law Number 20 of 2008 on Micro, Small and Medium Enterprises (State Gazette Republic of Indonesia of 2008 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 4866); as amended by Law Number 11 of 2020 of Law 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);
 11. Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette Number 5587) as amended several times last by Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia Number 248 of 2020, Supplement to the State Gazette of the Republic of Indonesia Number 6573);
 12. Government Regulation Number 24 of 1986 on Period of Foreign Investment License (State Gazette of the Republic of Indonesia of 1986 Number 32, Supplement to the State Gazette of the Republic Indonesia Number

- 3335); as amended by Government Regulation Number 9 of 1993 on amendment to Government Regulation Number 24 of 1986 on Period of Foreign Investment (State Gazette of the Republic of Indonesia of 1993 Number 13, Supplement to the State Gazette of the Republic of Indonesia Number 3515);
13. Government Regulation Number 27 of 2014 on Management of State/Local – Owned Assets (State Gazette of the Republic of Indonesia of 2014 Number 92, Supplement to the State Gazette of the Republic of Indonesia Number 5533) as amended by Government Regulation Number 28 of 2020 on Amendment to Government Regulation Number 27 of 2014 on Management of State/Local-Owned Assets (State Gazette of the Republic of Indonesia of 2020 Number 142, Supplement to the State Gazette of Republic of Indonesia Number 6523);
 14. Government Regulation Number 24 of 2019 on Provision of Incentives and Ease of Investment in the Region (State Gazette of the Republic of Indonesia of 2019 Number 63, Supplement to the State Gazette of the Republic of Indonesia Number 6330);
 15. Government Regulation Number 63 of 2019 on Government Investment (State Gazette of the Republic of Indonesia Number 166 of 2019, Supplement to the State Gazette of the Republic of Indonesia Number 6385);
 16. Presidential Regulation Number 16 of 2012 on General Plan of Investment (State Gazette of the Republic of Indonesia of 2012 Number 42);
 17. Presidential Regulation Number 97 of 2014 on One-Stop Integrated Service (State Gazette of the Republic of Indonesia Number 221 of 2014);
 18. Presidential Regulation Number 44 of 2016 on List of Closed Business Sector and Open Business Sector with Requirements in the Fields of Investment (State Gazette of the Republic of Indonesia of 2016 Number 97);

19. Regulation of the Province of Central Java Number 7 of 2010 on Investment at the Province of Central Java (Regional Gazette of the Province of Central Java of 2010 Number 7)
20. Regulation of the Regency of Banyumas Number 2 of 2013 on Investment in the Regency of Banyumas (Regional Gazette of the Regency of Banyumas of 2008 Number 5 Series E);

With the Joint Approval of
THE REGIONAL HOUSE OF REPRESENTATIVES OF THE REGENCY OF
BANYUMAS
and
THE REGENT OF BANYUMAS

HAS DECIDED:

To Issue : REGULATION OF THE REGENCY OF BANYUMAS ON THE
AMENDMENT TO REGIONAL REGULATION NUMBER 2 OF
2013 ON INVESTMENT IN THE REGENCY OF BANYUMAS

Article I

Several Provisions in the Regulation of the Regency of Banyumas Number 2 of 2013 on Investment in the Regency of Banyumas (Regional Gazette of the Regency of Banyumas Number 2 of 2013 Serie 3) amended as follows:

1. The provisions of Article 1 are amended to read as follows:

Article 1

In this Regional Regulation:

1. Region means the Regency of Banyumas.
2. Local Government means head of region as element of Local Government administrators who lead the implementation of government affairs that become the authority of the autonomous region.
3. Regent means the Regent of Banyumas.

4. Regional Apparatus means the assisting element of the Regent and the Regional House of Representatives in the administration of government affairs which are under the authority of the region.
5. Office means Regional Apparatus of the Regency of Banyumas administering affairs in the field of investment.
6. Capital means assets owned by an investor taking the form of monetary or otherwise non-monetary assets that have economic value.
7. Domestic capital means the capital owned by the state of the Republic of Indonesia, an individual of Indonesian nationality, or a business entity, whether incorporated or unincorporated.
8. Foreign capital means the capital owned by a foreign country, an individual of foreign nationality, a foreign business entity, a foreign legal entity, and/or an Indonesian legal entity whose capital is partly or wholly owned by a foreign party.
9. Investor means an individual or a business entity that makes an investment, being either a domestic investor or a foreign investor.
10. Investment means all forms of investing activities by both domestic investors and foreign investors to conduct business in the territory of the Region
11. Domestic investor means an individual of Indonesian nationality, an Indonesian business entity, the state of the Republic of Indonesia, or a region that makes an investment in the Region
12. Foreign investor means an individual of foreign nationality, a foreign business entity, and/or a foreign government that makes an investment in the territory of the Region
13. Investment license means any form of approval issued by the Regional Government based on Regional Regulations or other legislation which is proof of the legality of the statement legality or permission for a person or entity to carry out business or certain activities.
14. License means the approval of Local Government on the activity of running business which is required to be owned by Business Actors before starting the activity of the business.
15. Non-Licensing means all forms of ease of services, fiscal facilities and information in accordance with the provisions of legislation.
16. Investment Activity Report means a report which contains an update realization on the Investment activities

17. One-Stop Integrated Service means a service which is integrated to be one unity of process starting from the application period until the finishing period of the product of one stop integrated service
 18. Provision of Incentives means the support for fiscal policy from Local Government to the public and/or investors to Increase Investment in the region.
 19. Provision of Ease means provision of non-fiscal facilities from Local Government to the public and/or investors to give ease and to increase the investment activities in region.
2. The title of Chapter V amended to read as follows:

CHAPTER V
PROVISION OF INCENTIVES AND EASE OF INVESTMENT

3. The provisions of Article 23 are amended to read as follows:

Article 23

The Local Government may provide incentives and/or ease of doing investment to the Community and/or investor according to its authority in accordance with regional capabilities and legislation.

4. Between Article 23 and Article 24, 1 (one) article is inserted, namely Article 23A to read as follows:

Article 23A

Provision of Incentives and/or Ease is based on the principles of:

- a. legal certainty;
 - b. equality;
 - c. transparency;
 - d. accountability; and
 - e. effective and efficient.
5. The provisions of Article 24 are amended to read as follows:

Article 24

1. The Provision of Incentives and/or Provision of Ease for Investment is given to Community and/or Investor at least meets one of the following criteria:
 - a. giving contribution to the increase of income of the Public;
 - b. absorbing local workers;
 - c. mostly using local resources;
 - d. giving contribution for the improvement of public service;
 - e. giving contribution for the increase of regional gross domestic product;
 - f. having environmental awareness and being sustainable;
 - g. infrastructure development;
 - h. doing technology transfer;
 - i. doing pioneer industry;
 - j. doing research, development, and innovation activities;
 - k. having partnership with micro, small, and medium enterprises or cooperatives;
 - l. industries that use Capital, machine or equipment which are produced locally;
 - m. doing business activities based on national and/or regional priority programs; and/or
 - n. having export oriented.
6. Between Articles 24 and 25, 6 (six) articles are inserted, namely articles 24A, 24B, 24C, 24D, 24E, 24F so it reads as follows:

Article 24A

- (1) The Provision of Incentives may be in the forms of:
 - a. reduction, relief, or exemption from local taxes;
 - b. reduction, relief, or exemption of local levies;
 - c. providing Capital assistance for micro, small, and medium enterprises and/or cooperatives in region;
 - d. assistance for research and development for micro, small, and medium Enterprises and/or cooperatives in Region;
 - e. assistance for vocational training facilities for micro, small, and medium enterprises and/or cooperatives in Region; and/or
 - f. low loan interest.
- (2) The Provision of Ease of Investment maybe in the forms of:

- a. provision of data and information on opportunities of Investment;
 - b. provision of means and infrastructures;
 - c. facilitation of land or location provision;
 - d. provision of technical assistance;
 - e. simplification and acceleration of issuing license through one-stop integrated services;
 - f. ease of access to marketing of products;
 - g. ease of direct investment in construction;
 - h. ease of investment in strategic areas stipulated in legislation that have the potential for development at Region;
 - i. provision of comfort and security in doing investment at region;
 - j. ease of certification and standardization process in accordance with the provisions of the legislation
 - k. ease of access to ready-to-work and skilled workers;
 - l. ease of access to raw material supply; and/or;
 - m. facilitation for promotion according to Regional authority.
- (3) Provision of incentive and/or provision of Ease is conducted according to the financial capacity of the Region and the provisions of legislation.
- (4) Further provisions regarding forms of provided Incentive and/or Ease are regulated in a Regent Regulation.

Article 24B

- (1) Local Government can prioritize the provision of Incentives and/or Provision of Ease of Investment for certain types of business or certain activities.
- (2) Local Government in providing Incentives and/or Ease as referred to in section (1), is guided by regional investment plan or study results which consider the regional potential and added value in local government.
- (3) Types of certain business or certain activities as referred to in section (1) consists of:
 - a. micro, small, medium enterprises and/or cooperatives;
 - b. business required by partnership;
 - c. business that require capital ownership;
 - d. business required by certain locations;

- e. business required by special license;
- f. business that are opened for investment that prioritize regional excellence;
- g. business that have obtained investment facility from the Central Government;
- h. priority tourism sector business developing tourist attractions and/or;
- i. other business in accordance with provision of legislation.

Article 24C

Further provisions regarding the Provision of Incentives and/or Provision of Ease to types of tourism business sector as referred to in Article 24B section (3) point h, are regulated by a Regent Regulation.

Article 24D

- (1) The regional head sets standard operating procedures for the implementation of Provision of Incentives and/or Provision of Ease for public and investor.
- (2) In the implementation of Provision of Incentives and/or Provision of Ease to the Public and/or Investor, Regent carries out the verification.
- (3) The verification as referred to in section (2) coordinated by regional apparatus in charge of investment.

Article 24E

Further provisions regarding the procedure for Provision of Incentives and/or Provision of Ease are regulated in a Regent Regulation.

Article 24F

- (1) Period of Investment and Frequency of Provision of Incentives for Investment can be given a maximum of 4 (four) times within a period of 5 years since operating business for new investors, and can be given for new investors, and can be given a maximum of 2 (two) times during the investors suffer a loss and/or experiences bankruptcy for old Investors.
- (2) Period of Investment and Frequency of the Provisions of Ease of Investment can be provided a maximum of 5 (five) times within a term 5 years from operating the business for new investors, and

can be given a maxim of 2 (two) times per 5 (five) years after 3 (three) years of operation for existing Investors.

7. The provisions of Article 25 are amended to read as follows :

Article 25

- (1) The Regent evaluates the effectiveness on implementation on the Provision of Incentives and/or Provision of Ease provided X to the Community and/or Investors
 - (2) The evaluation as referred to in section (1) is carried out at least once a year.
 - (3) The Regent submits a report on the implementation of Provision of Incentives and/or Provision of Ease in the region to the Governor once every 1 (one) year.
8. Between Article 25 and 26, 1 (one) article is inserted, namely Article 25A so it reads as follows:

Article 25A

Provision of Incentives and/or Provision of Ease can be reviewed in return if based on the evaluation, it no longer meets the criteria or contrary to the provisions of legislation.

Article II

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 Banyumas.

Issued in Purwokerto
on 17 March 2021

REGENT OF BANYUMAS,

signed

ACHMAD HUSEIN

Promulgated in Purwokerto
on 10 Juli 2013

REGIONAL SECRETARY OF THE REGENCY OF BANYUMAS

signed

WAHYU BUDI SAPTONO

REGIONAL GAZETTE OF THE REGENCY OF BANYUMAS OF 2021 NUMBER
3

Jakarta, 2 June 2025

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



ELUCIDATION OF
REGULATION OF THE REGENCY OF BANYUMAS

NUMBER 3 OF 2021

ON

AMENDMENT TO REGULATION OF THE REGENCY NUMBER 2 OF
2013 ON INVESTMENT IN THE REGENCY OF BANYUMAS

I. GENERAL

The provision of Incentives and Ease of Investment to increase investment and ease of business, support economic growth, and encourage participation of society and the private sector in regional development, has been regulated in Regional Regulation Number 2 of 2013 on Investment in the Regency of Banyumas. In development, Government Regulation Number 24 of 2019 on Provision of Incentives and Ease of Investment in Regions that revokes Government Regulation Number 45 of 2008 on Guidelines for Provision of Incentives and Ease of Investment in Regions that have become consideration in Regional Regulation Number 2 of 2013 on Investment in the Regency of Banyumas.

In connection with this, it is necessary to amend several provisions in Regulation of the Regency of Banyumas Number 2 of 2013 on Investment in the Regency of Banyumas.

II. ARTICLE BY ARTICLE

Article I

Sufficiently clear.

Article II

Sufficiently clear.

SUPPLEMENT TO THE REGIONAL GAZETTE OF THE REGENCY OF
BANYUMAS NUMBER 49