

REGULATION OF THE REGENCY OF BULELENG
NUMBER 1 OF 2023
ON
ADMINISTRATION OF BUSINESS LICENSING IN REGION

BY THE BLESSINGS OF ALMIGHTY GOD

REGENT OF BULELENG,

Considering :

- a. that to improve the investment ecosystem and business activity in the Regency of Buleleng, it needs to be supported by quality, fast, easy, integrated, transparent, efficient, effective and accountable business services;
- b. that based on the provisions of Government Regulation Number 6 of 2021 on Administration of Business Licensing in Region, it mandates the adjustments of Business Licensing arrangements, so that Regulation of the Regency of Buleleng Number 2 of 2012 on Licensing as amended by Regulation of the Regency of Buleleng Number 3 of 2017 on Amendment to Regulation of the Regency of Buleleng Number 2 of 2012 on Licensing, needs to be adjusted;
- c. that based on the considerations as referred to in point a and point b, it is necessary to issue a Regional Regulation on Administration of Business Licensing in Region;

Observing :

1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 69 of 1958 on Establishment of Level II Regions within Level I Regions of Bali, West Nusa Tenggara and East Nusa Tenggara (State Gazette of the Republic of Indonesia of 1958 Number 122, Supplement to the State Gazette of the Republic of Indonesia Number 1655) ;
3. Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234) as amended several times, last by Law Number 13 of 2022 on Second Amendment to Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2022 Number 143, Supplement to the State Gazette of the Republic of Indonesia Number 6801);
4. Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of

Indonesia Number 5587) as amended several times, last by Law Number 1 of 2022 on Financial Relations between Central Government and Local Governments (State Gazette of the Republic of 2022 Number 4, Supplement to the State Gazette of the Republic of Indonesia Number 6757);

5. Government Regulation Number 5 of 2021 on Administration of Risk-Based Business Licensing (State Gazette of the Republic of Indonesia of 2021 Number 15, Supplement to the State Gazette of the Republic of Indonesia Number 6617);
6. Government Regulation Number 6 of 2021 on Administration of Business Licensing in Regions (State Gazette of the Republic of Indonesia of 2021 Number 16, Supplement to the State Gazette of the Republic of Indonesia Number 6618);
7. Regulation of the Minister of Home Affairs Number 80 of 2015 on Regional Legislation Making (State Gazette of the Republic of Indonesia of 2015 Number 2036) as amended by Regulation of the Minister of Home Affairs Number 120 of 2018 on Amendment to Regulation of the Minister of Home Affairs Number 80 of 2015 on Regional Legislation Making (State Gazette of the Republic of Indonesia 2018 Number 157);

With the Joint Approval of

THE REGIONAL HOUSE OF REPRESENTATIVES OF THE REGENCY OF
BULELENG
and
THE REGENT OF BULELENG

HAS DECIDED:

To issue: REGIONAL REGULATION ON ADMINISTRATION OF BUSINESS
LICENSING IN REGION.

CHAPTER I GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means the Regency of Buleleng.
2. Local Government means the Buleleng Regency Government.
3. Regent means the Regent of Buleleng.
4. Regional House of Representatives (*Dewan Perwakilan Rakyat Daerah*), hereinafter abbreviated as DPRD, means the Regional House of Representatives of Buleleng Regency.
5. Regional Apparatus means a Regional Apparatus within the Local Government.
6. Business Licensing means the legality given to business actors to start and run their business and/or activities.
7. Risk means the potential for injury or loss from a hazard or a combination of the possibility and consequences of a hazard.

8. Risk-Based Business Licensing means Business Licensing based on the level of Risk of business activities.
9. Administration of Business Licensing in Region, hereinafter referred to as Administration of Business Licensing, means Business Licensing activities whose management process is electronic starting from the application stage until the issuance of documents which is carried out in an integrated manner through one door.
10. Investment and One-Stop Integrated Services Regional Office (*Dinas Penanaman Modal dan Pelayanan Terpadu Satu Pintu*), hereinafter abbreviated to DPMPTSP, means a Regional Apparatus which has the duties and functions of organizing government affairs in the field of investment which falls under the Regional authority.
11. Electronically Integrated Business Licensing System (Online Single Submission) hereinafter referred to as the OSS System means an integrated electronic system managed and organized by the Electronically Integrated Business Licensing System Management and Organizer (Online Single Submission).
12. OSS Management and Organizing Institution, hereinafter referred to as OSS Institution, means a government institution that carries out government affairs in the field of investment coordination.
13. Business Actors mean individuals or business entities conducting business and/or activities in certain fields.
14. Business Identification Number (*Nomor Induk Berusaha*), hereinafter abbreviated as NIB means proof of registration/registration of Business Actors to carry out business activities and as an identity for Business Actors in carrying out their business activities.
15. Standard Certificate means a statement and/or proof of compliance with standards for implementing business activities.
16. License means approval from the Central Government or Local Government for the implementation of business activities which are required to be fulfilled by Business Actors before carrying out their business activities.
17. Non-Licensing means the provision of documents or proof of the legality of something to a person or group of people for the convenience of services and information in accordance with the provisions of the Legislation.
18. Supervision means an effort to ensure that the implementation of business activities is in accordance with standards for the implementation of business activities carried out through a Risk-based approach and obligations that must be fulfilled by Business Actors.
19. Micro and Small Enterprises (*Usaha Mikro dan Kecil*), hereinafter abbreviated to UMK are micro and small enterprises as referred to in the Law on Micro, Small and Medium Enterprises.
20. Micro, Small and Medium Enterprises (*Usaha Mikro, Kecil dan Menengah*), hereinafter abbreviated to UMK-M mean micro enterprises, small enterprises and medium enterprises as referred to in the Law on Micro, Small and Medium

Enterprises.

21. Standard Classification of Indonesian Business Fields (*Klasifikasi Baku Lapangan Usaha Indonesia*), hereinafter abbreviated to KBLI means a classification code regulated by non-ministerial government institutions that carry out government affairs in the field of statistics.
22. Spatial Planning (*Rencana Tata Ruang*), hereinafter abbreviated as RTR means the result of spatial planning.
23. Detailed Spatial Planning Plan (*Rencana Detail Tata Ruang*), hereinafter abbreviated as RDTR means a detailed plan of Regional spatial planning equipped with Regional zoning regulations.
24. Environmental Management Efforts and Environmental Monitoring Efforts (*Upaya Pengelolaan Lingkungan Hidup dan Upaya Pemantauan Lingkungan Hidup*), hereinafter abbreviated as UKL-UPL means a series of environmental management and monitoring processes outlined in standard form to be used as a prerequisite for decision making and included in Business Licensing, or approval from the Central Government or Local Government.
25. Environmental Impact Assessment (*Analisis Dampak Lingkungan Hidup*), hereinafter abbreviated to *Amdal* means a careful and in-depth examination of the significant impacts of a business plan and/or activity.
26. Statement of Capability for Environmental Management and Monitoring (*Surat Pernyataan Kesanggupan Pengelolaan dan Pemantauan Lingkungan Hidup*), hereinafter abbreviated as SPPL, means a statement of the capability of the person in charge of the business and/or activity to carry out environmental management and monitoring of the environmental impacts from their business and/or activities outside of their business and/or activities that are required to carry out *Amdal* or UKL-UPL.
27. Days mean working days as determined by the Local Government.

Article 2

The Administration of Business Licensing in this Regional Regulation includes:

- a. authority of the Administration of Business Licensing;
- b. implementation of Business Licensing;
- c. work relationship procedures;
- d. Risk-Based Business Licensing through electronically integrated Business Licensing service system (online single submission);
- e. Risk-Based Business Licensing Supervision;
- f. reporting on the Administration of Business Licensing;
- g. guidance and Supervision;
- h. resolution of problems and obstacles of Risk-Based Business Licensing;
- i. team formation; and
- j. funding.

CHAPTER II AUTHORITY OF THE ADMINISTRATION OF BUSINESS LICENSING

Article 3

- (1) The Regent delegates the authority of the Local Government in the Administration of Business Licensing to the Head of DPMPTSP.
- (2) The Delegation of authority by the Regent as referred to in section (1) includes:
 - a. the Administration of Business Licensing which is the authority of the Local Government in accordance with the provisions of Legislation; and
 - b. the Administration of Business Licensing is the authority of the Central Government which is delegated to the Regent based on the principle of assistance duties.
- (3) In addition to delegating Business Licensing, the Regent delegates the authority to administer Non-Licensing.
- (4) The delegation of authority as referred to in section (1) and section (3) is determined by a Regent Regulation.

CHAPTER III IMPLEMENTATION OF BUSINESS LICENSING

Part One General

Article 4

- (1) The Administration of Business Licensing in the Region is carried out to improve the investment ecosystem and business activities.
- (2) Improvement of the investment ecosystem and business activities as referred to in section (1) includes:
 - a. Risk-Based Business Licensing;
 - b. basic requirements for Business Licensing; and
 - c. Sector Business Licensing and ease of investment requirements.

Part Two Risk-Based Business Licensing

Paragraph 1 General

Article 5

- (1) Risk-Based Business Licensing as referred to in Article 4 section (2) point a is carried out based on determining the Risk level and scale ranking of business activities including UMK-M and/or large businesses.
- (2) Determination of the Risk level as referred to in section (1) is carried out based on the results of the Risk analysis carried out by the Central Government.
- (3) Based on the results of the Risk analysis as referred to in

section (2), business activities are classified into:

- a. business activities with a low level of Risk;
 - b. business activities with a medium level of Risk; and
 - c. business activities with a high level of Risk.
- (4) Business activities with medium level of Risk as referred to in section (3) point b are divided into:
- a. low-medium level of Risk; and
 - b. medium-high level of Risk.

Paragraph 2

Business Activities with a Low Level of Risk

Article 6

Business Licensing for business activities with a low level of Risk as referred to in Article 5 section (3) point a in the form of NIB.

Paragraph 3

Business Activities with Medium Level of Risk

Article 7

- (1) Business Licensing for business activities with low-medium level of Risk as referred to in Article 5 section (4) point a includes:
 - a. NIB; and
 - b. Standard Certificate.
- (2) The Standard Certificate as referred to in section (1) point b constitutes the legality for carrying out business activities in the form of a Business Actor's statement to fulfill business standards in order to carry out business activities provided through the OSS System.
- (3) Business Licensing as referred to in section (1) is the basis for Business Actors to carry out preparation, operational and/or commercial business activities.
- (4) The standards for implementing business activities as referred to in section (2) are required to be fulfilled by Business Actors when carrying out business activities.

Article 8

- (1) Business Licensing for business activities with a medium-high level of Risk as referred to in Article 5 section (4) point b in the form of:
 - a. NIB; and
 - b. Standard Certificate.
- (2) Relevant Regional Apparatus can issue Standard Certificates for the implementation of business activities based on the results of verification of compliance with standards for the implementation of business activities by Business Actors.
- (3) Relevant Regional Apparatus verifies the statements of Business Actors who have obtained NIB through the OSS System to meet business activity implementation standards, in order to carry out business activities and capabilities.
- (4) Regarding the statement as referred to in section (3), the OSS Institution issues a Standard Certificate that has not been verified.

- (5) Standard Certificates that have not been verified as referred to in section (4) are the basis for Business Actors to carry out preparations for business activities.
- (6) The NIB as referred to in section (1) point a and the verified Standard Certificate as referred to in section (2) constitute a Business Licensing for Business Actors to carry out operational and/or commercial business activities.
- (7) The OSS Institution cancels the Standard Certificate which has not been verified as referred to in section (4) in the event that the Business Actor:
 - a. does not obtain the Standard Certificate as referred to in section (2) according to the time period specified in the norms, standards, procedures and criteria for Risk-Based Business Licensing; and
 - b. based on the results of supervision, does not carrying out preparations for business activities within a period of 1 (one) year from the issuance of the NIB.

Paragraph 4
Business Activities with a High Level of Risk

Article 9

- (1) Business Licensing for business activities with a high level of Risk as referred to in Article 5 section (3) point c includes:
 - a. NIB; and
 - b. License.
- (2) Before carrying out their business activities, Business Actors are obligated to have a license as a form of approval from the Central Government or Local Government for carrying out business activities.
- (3) Before obtaining the License as referred to in section (2), Business Actors can use the NIB to prepare business activities.
- (4) NIB as referred to in section (1) point a and License as referred to in section (1) point b are Business Licensing for Business Actors to carry out operational and/or commercial business activities.
- (5) In the event that business activities with a high level of Risk require compliance with business standards and/or product standards, the Relevant Regional Apparatus issues a business Standard Certificate and/or product Standard Certificate based on the results of standard compliance verification.

Part Three
Basic Requirements for Business Licensing

Paragraph 1
General

Article 10

- The basic requirements for Business Licensing as referred to in Article 4 section (2) point b include:
- a. suitability of space utilization activities;
 - b. environmental approval; and

- c. building approval and certificate of functional worthiness.

Paragraph 2
Suitability of Space Utilization Activities

Article 11

- (1) Business Actors submit applications for suitability of space utilization activities, for Business Licensing based on Risk level analysis that has been requested through the OSS System, including in business fields that must fulfill suitability of space utilization activities.
- (2) Suitability of space utilization activities as referred to in section (1) is the compatibility between the space utilization activity plan and the RTR.
- (3) After obtaining suitability for space utilization activities as referred to in section (1), Business Actors may submit an application for Business Licensing.
- (4) Business Actors can carry out Space Utilization activities after obtaining a Business Licensing.

Article 12

- (1) Suitability of space utilization activities as referred to in Article 10 point a includes:
 - a. business activities for non-UMK; and
 - b. business activities for UMK.
- (2) Implementation of suitability of space utilization activities for non-UMK business activities as referred to in section (1) point a is carried out through:
 - a. confirmation of the suitability of space utilization activities; or
 - b. approval of the suitability of space utilization activities.

Article 13

- (1) Confirmation of the suitability of space utilization activities as referred to in Article 12 section (2) point a is given based on the suitability of the location plan for space utilization activities with the RDTR.
- (2) Confirmation of the suitability of space utilization activities for business activities is carried out through the OSS System with the following stages:
 - a. registration;
 - b. assessment of documents for proposed space utilization activities against the RDTR; and
 - c. issuance of confirmation of suitability of space utilization activities.
- (3) Registration as referred to in section (2) is at least accompanied by:
 - a. location coordinates;
 - b. land area requirements for space utilization activities;
 - c. land tenure information;
 - d. business type information;
 - e. plan for the number of building floors; and
 - f. building floor area plan.

Article 14

- (1) Approval of the suitability of space utilization activities as referred to in Article 12 section (2) point b is given in the event that RDTR is not yet available at the location of the planned space utilization activity.
- (2) Approval of the suitability of space utilization activities for business activities as referred to in section (1) is carried out through the OSS System with the following stages:
 - a. registration;
 - b. assessment of the document proposing space utilization activities against the RDTR; and
 - c. issuance of approval for suitability of space utilization activities.
- (3) Registration as referred to in section (2) point a must include the document proposing space utilization activities that contains at least:
 - a. location coordinates;
 - b. land area requirements for space utilization activities;
 - c. land tenure information;
 - d. business type information;
 - e. plan for the number of building floors;
 - f. building floor area plan; and
 - g. building technical plan and/or area master plan.

Article 15

- (1) Space utilization activities carried out by Business Actors included in the UMK group as referred to in Article 12 section (1) point b, do not go through the process of issuing suitability of space utilization activities.
- (2) UMK as referred to in section (1) make an independent statement that their business activities are in accordance with the RTR.
- (3) In the case of an independent statement as referred to in section (2) it is proven to be untrue, the space utilization activities are carried out by guidance.

Article 16

Provisions regarding the submission of applications for suitability of space utilization activities by Business Actors who are non-UMK as referred to in Article 12 section (2), are guided by the provisions of Legislation.

Paragraph 3

Environmental Approvals

Article 17

- (1) Environmental approval as referred to in Article 10 point b is a decision on environmental suitability or a statement of environmental management capability that has received approval from the Central Government or Local Government.
- (2) Environmental approval as referred to in section (1) is required to be obtained by every business whose activities have a significant or non-significant impact on the environment.
- (3) Environmental approval as referred to in section (1) is a

- prerequisite for the issuance of a Business Licensing.
- (4) Environmental approval as referred to in section (2) is carried out through:
 - a. preparation of *Amdal* and due diligence of *Amdal*; or
 - b. Preparation of UKL-UPL forms and inspection of UKL-UPL forms.
 - (5) The approval as referred to in section (2) ends at the same time as the Business Licensing ends.
 - (6) In the event that the Business Licensing expires as referred to in section (5) and there are no changes to the business and/or activities, the extension of the Business Licensing can use the basis of previously existing environmental approval.

Article 18

- (1) Any business plan that impacts the environment is required to have:
 - a. *Amdal*;
 - b. UKL-UPL; or
 - c. SPPL.
- (2) *Amdal* as referred to in section (1) point a is mandatory for businesses that have a significant impact on the environment.
- (3) UKL-UPL as referred to in section (1) point b is mandatory for businesses that do not have a significant impact on the environment.
- (4) SPPL as referred to in section (1) point c is required to be owned for Businesses and/or Activities that do not have a Significant Impact on the Environment and are not included in the mandatory UKL-UPL criteria

Article 19

Provisions regarding the submission of applications for environmental approval as referred to in Article 17 are guided by the provisions of the Legislation.

Paragraph 4

Building Approval and certificate of functional worthiness

Article 20

- (1) Every Business Actor who carries out the construction of a building with the main function as a place to carry out business activities or runt business activities is required to have building approval and a certificate of functional worthiness as referred to in Article 10 point c.
- (2) Building approval as referred to in section (1) is a permit given to building owners to build new buildings, change, expand, reduce and/or maintain buildings in accordance with building technical standards.
- (3) The certificate of functional worthiness as referred to in section (1) is a certificate given by the Local Government to certify the functional worthiness of the building before it can be used.
- (4) Building approval of the and certificate of functional worthiness as referred to in section (2) and section (3) is

- given by the Relevant Regional Apparatus.
- (5) Provisions regarding the submission of applications for building approval and certificate of functional worthiness as referred to in section (4) are guided by the provisions of the Legislation.

Part Four
Sector Business Licensing and Ease of
Investment Requirements

Article 21

Sector Business Licensing and Ease of Investment Requirements as referred to in Article 4 section (2) point c are implemented based on the provisions of Legislation.

Part Five
Administration Management

Paragraph 1
General

- Article 22
- (1) DPMPTSP in carrying out Business Licensing services is obligated to implement management of the Administration of Business Licensing in the Regions.
- (2) Management of the Administration of Business Licensing in the Regions as referred to in section (1) includes:
- a. service implementation;
 - b. management of public complaints;
 - c. information management;
 - d. dissemination to the public;
 - e. consulting services; and
 - f. legal assistance.

Paragraph 2
Service Implementation

- Article 23
- (1) The implementation of Business Licensing services as referred to in Article 22 section (2) point a, is carried out using the OSS System and is based on the provisions of Legislation.
- (2) The implementation of Business Licensing services as referred to in section (1) is equipped with special services for vulnerable groups, the elderly and persons with disabilities in obtaining Business Licensing services.
- (3) DMPPTSP can develop a supporting system for the implementation of the OSS System in accordance with the norms, standards, procedures and criteria established by the Central Government.

- Article 24
- (1) OSS System Services are carried out independently by Business Actors.

- (2) Independent services as referred to in section (1) are carried out with their own equipment/facilities or those provided by DPMPTSP.
- (3) In the event that OSS System services cannot be implemented independently, DPMPTSP conducts:
 - a. assisted services; and/or
 - b. mobile service.
- (4) Assisted services as referred to in section (3) point a are carried out interactively between DPMPTSP and Business Actors.
- (5) Mobile services as referred to in section (3) point b are carried out by bringing service affordability closer to Business Actors by using mobile Business Licensing service cars and/or other means.

Article 25

- (1) Assisted services as referred to in Article 24 section (3) point a is also carried out if technical problems occur.
- (2) In the event that there is a technical problem in the OSS System service as referred to in section (1), assisted services must be available no later than 1 (one) Day after the technical problem is declared to have occurred.
- (3) A statement of the occurrence of technical problems with OSS System services as referred to in section (2) is conveyed to the public by the Head of DPMPTSP.

Article 26

- (1) For Business Actors in villages who do not have adequate internet accessibility, Business Actors can apply for Business Licensing via mobile Business Licensing service cars.
- (2) Submission of Business Licensing as referred to in section (1), carried out through the OSS System with services assisted by mobile Business Licensing service car service officers using the access rights owned by the Business Actor.

Article 27

- (1) The implementation of Business Licensing services by DPMPTSP as referred to in Article 22 section (2) point a, is free of charge.
- (2) Certain Business Licensing at DPMPTSP is subject to Local levies in accordance with the provisions of Legislation.
- (3) DPMPTSP is not burdened with a Local levy revenue target as referred to in section (2).
- (4) In the event that the implementation of Business Licensing services as referred to in section (1) and section (2) causes a reduction in Local owned-source revenue, the Regent proposes to the Central Government to provide budget incentive support in accordance with the provisions of the Legislation.

Paragraph 3
Management of Public Complaints

Article 28

- (1) Management of public complaints as referred to in Article 22 section (2) point b, is carried out quickly, precisely, transparently, fairly, non- discriminatory and free of charge.
- (2) Management of public complaints as referred to in section (1) is carried out in stages of:
 - a. receiving and providing receipts;
 - b. checking completeness of documents;
 - c. classifying and prioritizing resolutions;
 - d. examining and responding;
 - e. administering;
 - f. reporting results; and
 - g. monitoring and evaluating.
- (3) In the event that the substance of the complaint does not constitute authority of the Administration of Business Licensing, complaints are distributed to the Head of Regional Apparatus in accordance with his authority.
- (4) The duration of complaint management time as referred to in section (1) is regulated in accordance with service standards.
- (5) Implementation of management of public complaints as referred to in section (1) is integrated with relevant ministries/institutions and Regional Apparatus through the OSS System.
- (6) In the event that public complaints are not made through the OSS system, DPMPTSP remains to receive and follow up on them according to the authority for which they are responsible.

Article 29

- (1) DPMPTSP provides a complaint facility to manage public complaints regarding Business Licensing services.
- (2) The complaint facilities as referred to in section (1) must be easily accessible and reachable by the public with manual services and making efforts to use information and communication technology.
- (3) Manual complaint facilities as referred to in section (2) by using forms and complaint boxes.

Paragraph 4
Information Management

Article 30

- (1) Information management as referred to in Article 22 section (2) point c, is carried out openly and easily accessible to the public.
- (2) Implementation of information management as referred to in section (1), is at least:
 - a. to receive information service requests; and
 - b. to provide and give information related to Business Licensing services.

Article 31

- (1) Providing and giving information as referred to in Article 30 section (2) point b is carried out through the information service subsystem in the OSS System.
- (2) In addition to the information services as referred to in section (1), DPMPTSP may provide and give other information, containing at least:
 - a. institutional profile;
 - b. Business Licensing service standards; and
 - c. PTSP performance assessment.
- (3) Information services as referred to in section (1) are carried out through electronic media and print media.
- (4) Providing and giving information to the public are free of charge.
- (5) The implementation of giving information is carried out in accordance with the provisions of the Legislation.

Paragraph 5 Dissemination to the Public

Article 32

- (1) Dissemination to the public as referred to in Article 22 section (2) point d, includes:
 - a. rights and obligations of DPMPTSP and the public regarding Business Licensing services;
 - b. benefits of Business Licensing for the public;
 - c. requirements and mechanisms for Business Licensing services;
 - d. time and place of service; and
 - e. level of risk of business activities.
- (2) Organizing dissemination to the public is carried out through:
 - a. electronic media;
 - b. print media; and/or
 - c. meeting.
- (3) The implementation of dissemination as referred to in section (1) and section (2) is carried out by DPMPTSP in coordination with the Relevant Regional Apparatus periodically.

Paragraph 6 Consulting Services

Article 33

- (1) Consulting services as referred to in Article 22 section (2) point e, at least includes:
 - a. technical consultation on types of Business Licensing services;
 - b. consultation on legal aspects of Business Licensing; and
 - c. technical assistance.
- (2) Consultation services as referred to in section (1) are carried out in the consultation room provided and/or online.
- (3) Consultation services as referred to in section (1) are carried out by DPMPTSP in coordination with Relevant Regional

Apparatus in an interactive manner.

Paragraph 7
Legal Assistance

Article 34

- (1) Legal assistance as referred to in Article 22 section (2) point f, is carried out in the event that there are legal problems in the process and licensing implementation involving DPMPTSP.
- (2) Legal assistance as referred to in section (1) is carried out by work units that carry out duties and functions in the legal field.

Part Seven
Facilities and infrastructure

Article 35

- (1) The Administration of Business Licensing at DPMPTSP must be equipped with facilities and infrastructure according to service standards.
- (2) The facilities and infrastructure as referred to in section (1) at least include:
 - a. front office;
 - b. back office;
 - c. support space; and
 - d. supporting tools/facilities.
- (3) The front office as referred to in section (2) point a, consists of at least:
 - a. OSS System assisted service room/place;
 - b. reception counter;
 - c. delivery counter;
 - d. payment counter;
 - e. information service room/place;
 - f. complaint service room/place; and
 - g. consulting service room
- (4) The back office as referred to in section (2) point b, consists of at least:
 - a. meeting room; and
 - b. processing room.
- (5) The supporting space as referred to in section (2) point c, at least consists of:
 - a. waiting room;
 - b. lactation/breastfeeding room;
 - c. room for disabled and seniors;
 - d. children's playroom;
 - e. archive room and library;
 - f. toilet/bathroom;
 - g. worship place;
 - h. parking lot; and
 - i. food and beverage sales space/place.
- (6) Supporting tools/facilities as referred to in section (2) point d, consist of at least:
 - a. service uniform;
 - b. form;

- c. telephones and fax machines;
 - d. computer hardware, printers, and scanners;
 - e. queuing machines;
 - f. service satisfaction measuring tool;
 - g. complaint box;
 - h. photocopy machine;
 - i. surveillance cameras (CCTV);
 - j. internet connection;
 - k. page/website and email;
 - l. electrical power supply device or uninterruptible power supply;
 - m. light fire extinguisher;
 - n. air conditioner;
 - o. television;
 - p. brochure;
 - q. banners;
 - r. location directions; and
 - s. other supporting tools/facilities according to needs.
- (7) Facilities and infrastructure for providing electronic services, at least include:
- a. internet connection;
 - b. licensing service applications, complaints, tracing the licensing issuance process (tracking system) online and offline, SMS gateway, and digital archives;
 - c. data center and application servers;
 - d. smartphone; and
 - e. information and communication technology security systems.
- (8) Data center and application servers as referred to in section (7) point c can be shared with the Central Government and/or Related Regional Apparatus in accordance with the provisions of the Legislation.

Part Eight Human Resources Apparatus

Article 36

- (1) The Administration of Business Licensing at the DPMPTSP must be supported by state civil apparatuses who are the executors of the duties and functions of Business Licensing services which are provided proportionally to support the performance of the DPMPTSP.
- (2) In order to improve quality, reach and wider access to the public, DPMPTSP can utilize state civil apparatuses in sub-districts.

Article 37

- (1) State civil apparatuses assigned to the DPMPTSP as referred to in Article 36 section (1) must meet the qualification and competency standards as determined by the ministry/technical non-ministerial government agency.
- (2) Competence of state civil apparatuses as referred to in section (1) can be improved through competency development by Regional Apparatus in charge of employee education and training in coordination with technical

- ministries/non-ministerial government agencies.
- (3) Civil apparatuses who carry out the duties and functions of Business Licensing services at the DPMPTSP can be transferred in accordance with the provisions of the Legislation after receiving a recommendation from the Head of the DPMPTSP.

Article 38

In order to improve the Administration of Business Licensing Administration services, the Regent can provide additional income other than additional employee income for state civil apparatuses at the DPMPTSP in accordance with the Local financial capacity and the provisions of Legislation

CHAPTER IV RISK-BASED BUSINESS LICENSING THROUGH ELECTRONICALLY INTEGRATED BUSINESS LICENSING SERVICE SYSTEM (ONLINE SINGLE SUBMISSION)

Article 39

- (1) Implementation of Risk-Based Business Licensing is carried out through the OSS System, consisting of:
- information service subsystem;
 - Business Licensing subsystem; and
 - Supervision subsystem.
- (2) The subsystem as referred to in section (1) adapts to the OSS System.

Article 40

- (1) The information service subsystem as referred to in Article 39 section (1) point a provides information on obtaining Risk-Based Business Licensing as well as other information related to the Administration of Risk-Based Business Licensing which can be accessed by the general public without using access rights, including:
- KBLI based on risk level;
 - RTR;
 - provisions on capital investment requirements;
 - Business Licensing requirements and/or obligations, time period, standards for implementing business activities and supporting business activities, and other provisions in norms, standards, procedures and criteria for all business sectors, guidelines and procedures for submitting NIB, Standard Certificates and License;
 - basic requirements include suitability of space utilization activities, environmental approval, building approval and certificate of functional worthiness ;
 - provisions for incentives and investment facilities;
 - Business Licensing Supervision and reporting obligations;
 - Business Licensing service simulation, OSS System user guide, OSS System dictionary and frequently asked questions (frequently asked questions/ FAQ);
 - public complaint services; and

- j. other information determined by the decision of the OSS Institution.

Article 41

- (1) The process of issuing Risk-Based Business Licensing is carried out through the Business Licensing subsystem as referred to in Article 39 section (1) point b.
- (2) Business Licensing subsystem as referred to in section (1) covers the stages of the Business Licensing issuance process:
 - a. account registration/access rights;
 - b. Low Risk in the form of NIB;
 - c. Medium-low Risk consists of:
 - 1. NIB; and
 - 2. Standard Certificate
 - d. Medium-high Risk consists of:
 - 1. NIB; and
 - 2. Standard Certificate
 - e. High Risk consists of:
 - 1. NIB; and
 - 2. License
- (3) The Regional Business Licensing subsystem is accessed using access rights by:
 - a. Business Actors; and
 - b. DPMPTSP.
- (4) Access rights to Business Actors as referred to in section (3) point a is given for:
 - a. submitting application for Business Licensing including amendment and revocation;
 - b. submitting reports on investment activities;
 - c. submitting complaints; and/or
 - d. submitting an application for business facilities.
- (5) Access rights to DPMPTSP as referred to in section (3) point b are given to the Head of DPMPTSP as manager of access rights to:
 - a. carry out technical verification and notification of fulfillment of Risk-Based Business Licensing requirements;
 - b. implementation of the Supervision schedule; and
 - c. submission of Supervision results/minutes of inspection of the implementation of business activities.
- (6) The Head of DPMPTSP as manager of access rights as referred to in section (5), in the framework of carrying out verification of compliance with business activity standards and Risk-Based Business Licensing Supervision, may provide derivative access rights and necessary requirements to Relevant Regional Apparatus.

Article 42

The Business Licensing subsystem as referred to in Article 41 section (2) includes the stages of the Risk-Based Business Licensing issuance process starting from the application for registration to the completion stage of the Risk-Based Business Licensing product implemented through the OSS System in accordance with the provisions of the Legislation.

Article 43

- (1) The Supervision subsystem as referred to in Article 39 section (1) point c is used as a means to carry out Risk-Based Business Licensing Supervision.
- (2) Supervision as referred to in section (1) includes at least:
 - a. annual field inspection planning;
 - b. periodic reports from Business Actors and data on the development of business activities;
 - c. Supervision work equipment;
 - d. assessment of compliance with the implementation of Business Licensing;
 - e. complaints against Business Actors and Supervisors and their follow-up actions; and
 - f. guidance and sanctions.
- (3) Supervision work equipment as referred to in section (2) point c consists of:
 - a. data, profiles and information on Business Actors contained in the OSS System;
 - b. point of assignment for field inspector;
 - c. visit notification point;
 - d. minutes of inspection;
 - e. list of questions for Business Actors regarding compliance with standards for implementing business activities and obligations; and/or
 - f. other work equipment required to support the implementation of Supervision.
- (4) The Regional Supervision subsystem as referred to in section (1) can be accessed and followed up by:
 - a. Business Actors; and
 - b. DPMPTSP.

CHAPTER V WORK RELATIONSHIPS PROCEDURES

Article 44

DPMPTSP in carrying out its duties has a working relationship which includes:

- a. DPMPTSP's working relationship with government Institutions that carry out government affairs in the field of investment coordination as OSS Institutions;
- b. DPMPTSP's working relationship with Regional Apparatus, including sub-districts and urban villages/rural villages; and
- c. DPMPTSP's working relationship with the Bali Province Investment and One-Stop Integrated Services Regional Office.

Article 45

- (1) The working relationship between DPMPTSP and the OSS Institution as referred to in Article 44 point a, is carried out functionally in carrying out the administration of Business Licensing in the Region.
- (2) The functional working relationship as referred to in section (1) includes:
 - a. assistance in implementation of Business Licensing;

- b. verification of Business Licensing proposals;
- c. development of human resource competencies;
- d. procurement of hardware and software to support the implementation of the OSS System; and
- e. handling complaints about Business Licensing services.

Article 46

- (1) The DPMPTSP working relationship with Regional Apparatus, including sub-districts and urban villages/rural villages as referred to in Article 44 point b is carried out functionally and in a coordinative manner.
- (2) The functional and coordinative working relationship as referred to in section (1) includes:
 - a. implementation of Business Licensing in accordance with their respective authorities;
 - b. Business Licensing verification;
 - c. monitoring and evaluation in the framework of Business Licensing Supervision;
 - d. facilitating the resolution of Business Licensing problems; and
 - e. synergy of Business Licensing programs and activities.

Article 47

- (1) The DPMPTSP working relationship with the Bali Province Investment and One-Stop Integrated Services Regional Office as referred to in Article 44 point c, is carried out functionally and coordinatively.
- (2) The functional and coordinative working relationship as referred to in section (1) includes:
 - a. facilitating the resolution of Business Licensing problems; and
 - b. Business Licensing Supervision.

CHAPTER VI

RISK-BASED BUSINESS LICENSING SUPERVISION

Part One

General

Article 48

- (1) Risk-Based Business Licensing Supervision is coordinated by DPMPTSP in accordance with its authority.
- (2) Supervision is carried out by considering the level of compliance of Business Actors.
- (3) Indicators in Supervision as referred to in section (1) include:
 - a. spatial planning and building standards;
 - b. health, safety and/or environmental standards;
 - c. standards for implementing business activities;
 - d. requirements and obligations regulated in norms, standards, procedures and criteria in accordance with the provision of legislation; and/ or
 - e. obligation to submit reports and/or utilize incentives

and investment facilities.

- (4) In the case of businesses that do not have an NIB, Supervision and data collection are carried out by each Relevant Regional Apparatus.

Article 49

Supervision as referred to in Article 48 is carried out with the aim to:

- a. ensure compliance with requirements and obligations by Business Actors;
- b. collect data, evidence, and/or reports on the occurrence of dangers to safety, health, the environment, and/or other dangers that may arise from the implementation of business activities; and
- c. refer for guidance or imposition of administrative sanctions for Business Licensing violations.

Part Two

Types of Supervision

Paragraph 1

General

Article 50

Types of Supervision consist of:

- a. Routine Supervision; and
- b. Incidental Supervision.

Paragraph 2

Routine Supervision

Article 51

- (1) Routine Supervision as referred to in Article 50 point a is carried out periodically based on the level of Risk of business activities and considering the level of compliance of Business Actors.
- (2) Routine Supervision as referred to in section (1) is carried out through:
 - a. Business Actor reports; and
 - b. field inspection.

Article 52

- (1) Routine Supervision through Business Actor reports as referred to in Article 51 section (2) point a is carried out on reports submitted by Business Actors to DPMPTSP which contain the Business Actor's compliance with:
 - a. business implementation standards; and
 - b. business activity development.
- (2) The business activity development report as referred to in section (1) point b contains:
 - a. realization of capital and labor investment at the development and commercial stages every 3 (three) months; and
 - b. realization of production, corporate social

responsibility, administrating business partnerships at the commercial stage, and administration of training and transferring technology to Indonesian workers as companions, at the commercial stage once every 1 (one) year.

- (3) Reports on the administration of training and transfer of technology to Indonesian workers as companions as referred to in section (2) point b are carried out in the event that the Business Actor employs foreign workers.

Article 53

- (1) Routine Supervision through field inspections as referred to in Article 51 section (2) point b is carried out by DPMPTSP in the form of physical or virtual visits.
- (2) Field inspection as referred to in section (1) includes:
 - a. administrative and/or physical inspection of compliance with business activity standards and/or product/service standards;
 - b. testing; and/or
 - c. guidance in the form of mentoring and dissemination.
- (3) Field inspectors as referred to in section (1) are obligated to be equipped with a letter of assignment from DPMPTSP.
- (4) Field inspections by Supervisor are conducted at most:
 - a. for low and medium-low Risk, conducted 1 (one) time in 1 (one) year for each business location; and
 - b. for medium-high and high Risks, conducted 2 (two) times in 1 (one) year for each business location.
- (5) In the event that based on the results of the assessment of routine Supervision that has been conducted previously, the Business Actor is assessed as compliant, the field inspection as referred to in section (4):
 - a. for low and medium low Risk, not performed; and
 - b. for medium-high and high Risk, conducted 1 (one) time in 1 (one) year for each business location.

Article 54

- (1) The results of the field inspection as referred to in Article 53 are stated in the minutes of inspection and signed by the field inspector and the Business Actor.
- (2) The minutes as referred to in section (1), are accompanied by conclusions of the results of the field inspections.
- (3) Filling in and signing the minutes as referred to in section (1) is carried out electronically on the OSS System or manually by the field inspector and Business Actor.
- (4) In the event that filling in and signing the minutes as referred to in section (1) is carried out electronically on the OSS System, the results of the field inspection are reported by filling in an electronic form containing the conclusions of the results of the field inspection by the field inspector.
- (5) In the event that filling in and signing the minutes as referred to in section (1) is done manually, the results of the field inspection are reported by filling in an electronic form containing the conclusions of the results of the field inspection on the OSS System and uploaded to the OSS System by the field inspector not later than 3 (three) Days

after signing the minutes.

Paragraph 3
Incidental Supervision

Article 55

- (1) Incidental Supervision as referred to in Article 50 point b is carried out by DPMPTSP at certain times.
- (2) Incidental Supervision as referred to in section (1) can be carried out through field inspections or virtually.
- (3) Incidental Supervision as referred to in section (1) is carried out based on complaints from the public and/or Business Actors whose identities are guaranteed by the DPMPTSP.
- (4) Public complaints as referred to in section (3) are submitted correctly and can be accounted for.
- (5) Submission of public complaints as referred to in section (4) is carried out by:
 - a. directly to DPMPTSP; or
 - b. indirectly conveyed by:
 1. written to DPMPTSP; or
 2. electronically via the OSS System or complaint channels provided.
- (6) The DPMPTSP follows up on public complaints either independently or in collaboration with Relevant Regional Apparatus and/or other ministries/institutions.
- (7) Field inspectors are obligated to be equipped with a letter of assignment from DPMPTSP.
- (8) The results of incidental Supervision are required to be uploaded to the OSS System by the person in charge of implementing the field inspection.

Paragraph 4
Assessment of Supervision Results

Article 56

- (1) DPMPTSP, in accordance with its authority, assesses the results of Supervision.
- (2) The assessment of Supervision results as referred to in section (1) is processed based on the indicators in Supervision as referred to in Article 48 section (3).
- (3) Data processing as referred to in section (2) is carried out to determine the level of compliance of Business Actors and to evaluate Risk-Based Business Licensing.
- (4) Based on the assessment of Supervision results as referred to in section (1), DPMPTSP submits the Supervision results assessment report electronically to the OSS System.
- (5) Based on the Supervision results assessment report as referred to in section (4), the OSS System carries out:
 - a. processing data and/or information for periodic review or evaluation of determining the Risk level of business activities;
 - b. adjusting the intensity of field inspections in Supervision; and
 - c. Business Actor profile updates.
- (6) Business Actors can access or obtain information related to

adjustments to the intensity of field inspections in routine Supervision and updating of Business Actor profiles as referred to in section (5) points b and point c in the OSS System.

- (7) Data and/or information processing as referred to in section (5) point a is carried out electronically by prioritizing the principles of transparency, accountability and data sharing.

Part Three

Ease of Supervision of Business Licensing for Micro and Small Enterprises

Article 57

- (1) The Local Government provides ease of Supervision of business activities for UMK in accordance with the provisions of the Legislation.
- (2) Ease of Supervision as referred to in section (1) in the form of:
 - a. investment activity reports are submitted with the following provisions:
 1. not required for micro Business Actors; and
 2. every 6 (six) months for small Business Actors;
 - b. Routine Supervision of Business Licensing for UMK is carried out through guidance, mentoring or dissemination related to business activities; and
 - c. in the event that based on the results of the assessment of previously carried out routine Supervision of standards and obligations, UMK actors who are deemed to be compliant do not need to undergo field inspections.

Part Four

Implementation of Supervision

Article 58

- (1) In routine Supervision through Business Actor reports as referred to in Article 51 section (2) point a, the Supervisor has the following duties of:
 - a. reviewing periodic reports provided by Business Actors;
 - b. preparing a review report; and
 - c. submitting recommendations.
- (2) In carrying out field inspections of Business Actors as referred to in Article 51 section (2) point b, the Supervisor has the following duties of:
 - a. submitting written notification no later than 3 (three) Days before the inspection date;
 - b. submitting a point of assignment to the Business Actor to be inspected;
 - c. explaining the aims and objectives to the Business Actors being examined;
 - d. carrying out checks on the suitability of periodic reports to field conditions;
 - e. creating minutes of inspection electronically in the

- OSS system or manually by filling in an electronic form containing the conclusions of the results of the field inspection; and
- f. maintaining the confidentiality of Business Actor information.
- (3) In carrying out field inspections of Business Actors as referred to in Article 51 section (2) point b, the Supervisor has the authority to:
 - a. obtain information and/or make necessary notes;
 - b. checking compliance with obligations;
 - c. compiling copies of documents and/or documenting electronically;
 - d. taking samples and carrying out tests; and/or
 - e. inspect the location of business activities and infrastructure and/or facilities.
 - (4) In the event that during Supervision, a violation is discovered by a Business Actor, the Supervisor can stop the violation to prevent greater impact.

Article 59

- (1) Supervision of the implementation of compliance with standards that are technical in nature and require certain special competencies can be carried out through cooperation with certified or accredited expert institutions or professionals as Supervisor in accordance with the provisions of legislation.
- (2) In the event that Supervision cooperates with certified or accredited expert institutions or professions as referred to in section (1), the involvement of certified institutions or professionals is included in the Supervision planning.
- (3) In the event that based on Supervision, a violation is discovered by a Business Actor, the certified or accredited expert institution or profession reports it to the assigning Local Government within a period of no later than 3 (three) Days after the certified or accredited expert institution or professionals discovers the violation carried out by Business Actors.
- (4) The Local Government, through DPMPTSP, terminates violations to prevent greater impacts within a period of not later than 1 (one) Day after receiving the report from a certified or accredited expert institution or professionals as referred to in section (3).

Article 60

- (1) The Supervisor as referred to in Article 58 must have competence which includes ability, skills and knowledge of the standards for implementing business activities.
- (2) DPMPTSP increases the competency of Supervisors as referred to in section (1) to develop abilities, skills and knowledge on an ongoing basis.

Part Five

Public Participation and Business Actors in Supervision

Article 61

- (1) The public and Business Actors can participate in the administration of Supervision.
- (2) Public participation as referred to in section (1) includes:
 - a. carrying out monitoring related to the implementation of business activities; and
 - b. submitting public complaints.
- (3) The participation of Business Actors as referred to in section (1), can be carried out by submitting complaints against Supervisors who do not carry out Supervision in accordance with the provisions of this Regional Regulation.

Article 62

Supervisors who do not carry out Supervision in accordance with the provisions of this Regional Regulation will be given sanctions in accordance with the provisions of the Legislation.

Article 63

Any person who obstructs Supervision activities will be subject to administrative and/or criminal sanctions in accordance with the provisions of the Legislation.

CHAPTER VII
REPORTING ON THE ADMINISTRATION OF BUSINESS
LICENSING

Article 64

- (1) The Regent submits a report on the administration of Business Licensing to the Governor as the representative of the Central Government.
- (2) The report as referred to in section (1) contains at least:
 - a. number of licensing issued;
 - b. investment plans and realization; and
 - c. obstacles and solutions.
- (3) The report as referred to in section (2) is carried out periodically every 3 (three) months.

CHAPTER VIII
TEAM FORMATION

Article 65

- (1) In the framework of the administration of Business Licensing in the Region, DPMPTSP may form:
 - a. technical team; and
 - b. Supervision team.
- (2) The technical team as referred to in section (1) point a consists of Relevant Regional Apparatus whose task is to prepare recommendations for the issuance of Business Licensing and Non-Licensing.
- (3) The Supervision team as referred to in section (1) point b is tasked with carrying out Supervision of Business Licensing under the Regional authority.
- (4) The technical team and/or Supervision team as referred to in section (1) is determined by a Regent Decision.

CHAPTER IX

RESOLUTION OF PROBLEMS AND OBSTACLES OF RISK-BASED BUSINESS LICENSING

Article 66

- (1) The Regent resolves obstacles and problems in the implementation of the Administration of Risk-Based Business Licensing in accordance with the provisions of the Legislation.
- (2) In the event that the Legislation do not regulate matters to resolve obstacles and problems, the Regent has the authority to make decisions and/or take necessary actions to resolve the obstacles and problems in question as long as they are in accordance with the general principles of good governance.

CHAPTER X

FUNDING

Article 67

Funding of the Administration of Business Licensing in Region is borne by:

- a. Local Budget; and
- b. other legitimate and non-binding sources in accordance with the provisions of the Legislation.

CHAPTER XI

TRANSITIONAL PROVISIONS

Article 68

At the time this Regional Regulation comes into force, Business Licensing which has been issued but has not yet become effective before this Regional Regulation comes into force, Business Licensing is processed in accordance with the provisions of this Regional Regulation.

Article 69

At the time this Regional Regulation comes into force the technical team and Business Licensing Supervision team that exist before this Regional Regulation comes into effect, remain to carry out their duties until the end of their term of office.

CHAPTER XII

CLOSING PROVISIONS

Article 70

At the time this Regional Regulation comes into force,

- a. Regulation of the Regent of Buleleng Number 19 of 2014 on Administration of Advertisements (Regional Bulletin of the Regency of Buleleng of 2014 Number 252);
- b. Regulation of the Regent of Buleleng Number 50 of 2016 on Amendment to Regulation of the Regent of Buleleng Number 19 of 2014 on Administration of Advertisements (Regional Bulletin of the Regency of Buleleng of 2016 Number 50); and

c. Regulation of the Regent of Buleleng Number 60 of 2020 on Second Amendment to Regulation of the Regent of Buleleng Number 19 of 2014 on Administration of Advertisements (Regional Bulletin of the Regency of Buleleng of 2020 Number 60); remains in effect insofar it does not conflict with the provisions of this Regional Regulation.

Article 71

At the time when this Regional Regulation comes into force:

- a. Regional Regulation Number 2 of 2012 on Licensing (Regional Gazette of the Regency of Buleleng of 2012 Number 2, Supplement to the Regional Gazette of the Regency of Buleleng Number 2); and
- b. Regional Regulation Number 3 of 2017 on Amendment to Regional Regulation Number 2 of 2012 on Licensing (Regional Gazette of the Regency of Buleleng of 2017 Number 3, Supplement to the Regional Gazette of the Regency of Buleleng Number 3), is repealed and declared ineffective.

Article 72

This regional regulation comes into force on the date of its promulgation.

In order that every person may know hereof, it is order to promulgate this Regional Regulation by its placement in the Regional Gazette of the Regency of Buleleng.

Issued in Singaraja
on 5 May 2023

ACTING REGENT OF
BULELENG,

signed

KETUT LIHADNYANA

Promulgated in Singaraja
on 5 May 2023

SECRETARY OF THE REGENCY OF BULELENG,

signed

GEDE SUYASA

REGIONAL GAZETTE OF THE REGENCY OF BULELENG OF 2023 NUMBER 1

Jakarta, 29 November 2024

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

DIRECTOR GENERAL OF LEGISLATION,

DHAHANA PUTRA



ELUCIDATION
OF
REGULATION OF THE REGENCY OF BULELENG
NUMBER 1 OF 2023
ON
ADMINISTRATION OF BUSINESS LICENSING IN THE REGION

I. GENERAL

After the promulgation of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation, and in order to support job creation which requires adjustments to various regulatory aspects related to the convenience, protection and empowerment of cooperatives and UMK-M, improving the investment ecosystem, and accelerating projects national strategic, including increasing worker welfare protection.

In order to improve the investment ecosystem and business activities, Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation has amended several provisions in Law Number 23 of 2014 on Local Government, which is directed at strengthening the role and commitment of local governments in the context of the Administration of Risk-Based Business Licensing in the Regions is in accordance with the provisions of legislation regarding the Administration of Risk-Based Business Licensing. Strengthening the role of Local Government in Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation, including regulating the Regent's obligation to provide Business Licensing services in accordance with the provisions of legislation regarding the Administration of Risk-Based Business Licensing, Business Licensing services carried out by DPMPTSP is obligated to use the OSS System which is managed by the government, and provide opportunities for DPMPTSP to develop a supporting system for implementing the OSS System in accordance with the norms, standards, procedures and criteria set by the government.

In order to optimize the implementation of Business Licensing policies, this Regional Regulation contains regulations regarding the authority of the Administration of Risk-Based Business Licensing, implementation of Business Licensing, work relationship procedures, risk-based business licensing supervision, reporting on the administration of risk-based business licensing, funding and resolution of problems and obstacles to Risk-Based Business Licensing.

Based on this Regional Regulation, DPMPTSP was formed to carry out the duties and functions of government affairs in the investment sector, with the aim of optimizing the Administration of Risk-Based Business Licensing. DPMPTSP is expected to be able to carry out Business Licensing management quickly, easily, integrated, transparent, efficient, effective and accountable in

accordance with the provisions of legislation regarding the administration of Risk-Based Business Licensing, which in turn provides legal certainty, improves the investment ecosystem and business activities and maintain the continuity of the performance of Business Licensing services in accordance with the aims and purposes of the promulgation of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear

Article 2

Sufficiently clear.

Article 3

Section (1)

Sufficiently clear.

Section (2)

The authority of the provincial Government and the Central Government in the administration of Business Licensing is in accordance with the Job Creation Law.

Section (3)

Non-Licensing means the provision of documents or proof of the legality of something to a person or group of people for the convenience of services and information in accordance with the provisions of the Legislation.

Section (4)

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

The obligation for Business Actors to fulfill these business activity standards is then carried out in the form of Supervision by the Central Government and/or Local Government when Business Actors carry out business activities.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Sufficiently clear.

Article 12

Sufficiently clear.

Article 13

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Point a

Location coordinates are depicted in the form of polygons which can provide information on area and shape.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear

Point e

Completeness regarding "number of the building floors" is included if in the implementation of the Space Utilization plan, building construction will be carried out.

Point f

Completeness regarding "building floor area" is included if in the implementation of the Space Utilization plan, building construction will be carried out.

Article 14

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Point a

Location coordinates are depicted in the form of a polygon which can provide information on the area of the shape.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Completeness regarding the "number of the building floors" is included if in the implementation of the Space Utilization plan, building construction will be carried out.

Point f

Completeness regarding "building floor area" is included if in the implementation of the Space Utilization plan, building construction will be carried out.

Point g

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Sufficiently clear.

Article 17

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

The term "existing Environmental Approval" means the Environmental Approval for the previous Business and/or Activity that covers the existing Business and/or Activity.

Article 18

Sufficiently clear.

Article 19

Sufficiently clear.

Article 20

Sufficiently clear.

Article 21

Sufficiently clear.

Article 22

Sufficiently clear.

Article 23

Sufficiently clear.

Article 24

Sufficiently clear.

Article 25

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Section (1)

Sufficiently clear.

Section (2)

The term "legislation" means legislation regarding Local taxes and Local levies in order to support ease of doing business and Regional services.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 28

Sufficiently clear.

Article 29

Sufficiently clear.

Article 30

Sufficiently clear.

Article 31

Sufficiently clear.

Article 32
Sufficiently clear.

Article 33
Sufficiently clear.

Article 34
Sufficiently clear.

Article 35
Sufficiently clear.

Article 36
Sufficiently clear.

Article 37
Sufficiently clear.

Article 38
The term "additional employee income for state civil apparatuses" means additional employee income based on workload and investment targets given to state civil apparatuses who are burdened with work to complete tasks that are considered to exceed the normal workload in accordance with the provisions of legislation regarding local financial management.

Article 39
Sufficiently clear.

Article 40
Sufficiently clear.

Article 41
Sufficiently clear.

Article 42
Sufficiently clear.

Article 43
Sufficiently clear.

Article 44
Sufficiently clear.

Article 45
Sufficiently clear.

Article 46

Section (1)

The working relationship between DPMPTSP and regional apparatus which is carried out in a functional and coordinative manner is the synergy of the working relationship between DPMPTSP and other regional apparatus in accordance with their respective authorities, duties and functions to support and complement each other in the context of accelerating and optimizing the Administration of Business Licensing in the Region to realize public satisfaction.

Section (2)

Sufficiently clear.

Article 47

Section (1)

The working relationship between DPMPTSP and the Bali Province Investment and One-Stop Integrated Services Regional Office, which is carried out functionally and coordinatively, is the synergy of the working relationship between DPMPTSP and the Bali Province Investment and One-Stop Integrated Services Regional Office in accordance with their respective authority, duties and functions to support and complement each other in the context of accelerating and optimizing the Administration of Business Licensing in the Region to realize public satisfaction.

Section (2)

Sufficiently clear.

Article 48

Sufficiently clear.

Article 49.

Sufficiently clear.

Article 50

Sufficiently clear.

Article 51

Sufficiently clear.

Article 52

Sufficiently clear.

Article 53

Sufficiently clear.

Article 54

Sufficiently clear.

Article 55
Sufficiently clear.

Article 56
Sufficiently clear.

Article 57
Sufficiently clear.

Article 58
Section (1)
Sufficiently clear.
Section (2)
Sufficiently clear.
Section (3)
Sufficiently clear.
Section (4)

Termination of violations can be carried out by the Supervisor based on findings in the field such as prohibiting the disposal of waste water by mandatory use of waste water management installations, use of disinfectants in hotels, and others.

Article 59
Sufficiently clear.

Article 60
Sufficiently clear.

Article 61
Sufficiently clear.

Article 62
Sufficiently clear.

Article 63
Sufficiently clear.

Article 64
Sufficiently clear.

Article 65
Sufficiently clear.

Article 66
Sufficiently clear.

Article 67
Sufficiently clear.

Article 68
Sufficiently clear.

Article 69
Sufficiently clear.

Article 70
Sufficiently clear.

Article 71
Sufficiently clear.

Article 72
Sufficiently clear.

SUPPLEMENT TO THE REGIONAL GAZETTE OF THE REGENCY OF
BULELENG NUMBER 1