

REGULATION OF THE REGENT OF JEMBER
NUMBER 9 OF 2024
ON
PROCEDURES FOR REGIONAL EQUITY PARTICIPATION
IN THE REGIONAL PUBLIC COMPANY PERKEBUNAN KAHYANGAN JEMBER
BY THE BLESSINGS OF ALMIGHTY GOD

REGENT OF JEMBER,

Considering : a. that in order to improve the welfare of the people in the region and increase regional income within the framework of implementing regional autonomy, the Local Government is obligated to foster regional economic development, among others, through enterprises owned by the Local Government;
b. that to realize the welfare of the people in the region through the enterprises as referred to in point a, the Local Government makes equity participation in the form of money to improve the capital structure and increase business capacity;
c. that to ensure administrative and legal order in regional equity participation in Local-Owned Enterprises, it is necessary to regulate the procedures for equity participation stipulated by a Regent Regulation;
d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to stipulate a Regent Regulation on Procedures for Regional Equity Participation in the Regional Public Company Perkebunan Kahyangan Jember.

Observing : 1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 12 of 1950 on Establishment of Regencies within the Province of East Java (State Gazette of the Republic of Indonesia of 1950 Number 41), as amended by Law Number 2 of 1965 on Amendment to the Administrative Boundaries of the Municipality of Surabaya and the Level II Region of Surabaya by Amending Law Number 12 of 1950 on the Establishment of Regencies within the Provinces of East Java, Central Java, West Java, and the Special Region of Yogyakarta (State Gazette of the Republic of Indonesia of 1965 Number 19, Supplement to the State Gazette of the Republic of Indonesia Number 2730);

3. 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 9 of 2015 on the Second Amendment to Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
4. Government Regulation Number 12 of 2019 on Regional Financial Management (State Gazette of the Republic of Indonesia of 2005 Number 140, Supplement to the State Gazette of the Republic of Indonesia Number 4578);
5. Regional Regulation of the Regency of Jember Number 2 of 2022 on Regional Public Company Perkebunan Kahyangan Jember (Regional Gazette of Jember Regency of 2022 Number 2);
6. Regional Regulation Number 5 of 2023 on Regional Equity Participation in the Regional Public Company Perkebunan Kahyangan Jember (Regional Gazette of the Regency of Jember of 2023 Number 5).

HAS DECIDED:

To issue : PROCEDURES FOR REGIONAL EQUITY PARTICIPATION IN THE REGIONAL PUBLIC COMPANY PERKEBUNAN KAHYANGAN JEMBER.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Regent Regulation:

1. Region means the Regency of Jember.
2. Local Government Administration means the administration of government affairs by the local government and the Regional House of Representatives according to the principles of autonomy and co-administration with the broadest possible autonomy within the system and principles of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia.
3. Local Government means the Regent as the local government administrator who leads the implementation of government affairs under the authority of the autonomous region.
4. Regent means the Regent of Jember.
5. Regional House of Representatives (*Dewan Perwakilan Rakyat Daerah*), hereinafter abbreviated as DPRD means the people's representative institution of the Regency of Jember which serves as an element of local governance.
6. Local Budget (*Anggaran Pendapatan dan Belanja Daerah*), hereinafter abbreviated as APBD, means the Local Budget of the Government of the Regency of Jember.
7. Regional Financial and Asset Management Agency (*Badan Pengelola Keuangan dan Aset Daerah*), hereinafter

abbreviated as BPKAD, means the Regional Financial and Asset Management Agency of the Regency of Jember.

8. Local-Owned Enterprise (*Badan Usaha Milik Daerah*), hereinafter abbreviated as BUMD, means an enterprise of which its shares are wholly or predominantly owned by the region.
9. Division of Economy and Natural Resources means a working unit within the Secretariat of the Regency of Jember that has the main duties and functions of fostering BUMD.
10. Regional equity means the assets of the Local Government, either in form of money or goods that can be valued in money, such as land, buildings, machinery, equipment, securities, facilities, and other rights.
11. Regional Public Company (*Perusahaan Umum Daerah*) Perkebunan Kahyangan Jember, hereinafter referred to as Perumda Perkebunan Kahyangan Jember, means a Regional Owned Enterprise of which entire capital and assets are owned by the region through direct participation derived from separated regional assets.
12. Regional Equity Participation means any effort in which the regional government participates by providing equity in joint ventures between regions, and/or with private business entities or other institutions, and/or the utilization of regional equity in other business entities or institutions for certain purposes, objectives, and returns.
13. Separated Regional Assets means regional assets derived from the APBD that are allocated as regional equity participation in Perumda Perkebunan Kahyangan Jember.

CHAPTER II SCOPE

Article 2

The scope of regulation in this Regent Regulation includes:

- a. budgeting;
- b. procedures for equity participation; and
- c. utilization and accountability of equity participation.

CHAPTER III BUDGETING

Article 3

The Regional Government allocates the budget for Regional Equity participation in the Regional Regulation on the APBD based on the Regional Regulation on Equity Participation.

Article 4

- (1) The budgeting of Regional Equity participation as referred to in Article 3 is included in the Regent Regulation on the elaboration of the APBD or by amending the Regent Regulation on the elaboration of the APBD if it has been determined, with notification to the leadership of the DPRD.

(2) In the event that the Local Government does not amend the Local Regulation on the APBD, the Equity Participation is included in the budget realization report after first amending the Regent Regulation on the elaboration of the APBD with notification to the leadership of the DPRD.

Article 5

The Regional Equity Participation to Perumda Perkebunan Kahyangan Jember is budgeted under the financing account, within the category of regional financing expenditure, under the type of Equity participation/Investment by the Local Government, with the object and detailed object being Equity Participation to Perumda Perkebunan Kahyangan Jember.

CHAPTER IV PROCEDURES FOR REGIONAL EQUITY PARTICIPATION

Article 6

(1) The Regional Equity Participation to Perumda Perkebunan Kahyangan Jember is implemented starting in 2024 through the discussion mechanism of the APBD/Amendment to the APBD, under the following conditions:

- it has been stipulated in the Regional Regulation on Equity Participation; and
- the amount is adjusted to the financial capacity of the Region each year.

(2) The Equity Participation as referred to in section (1) constitutes separated regional assets.

Article 7

The procedures for the disbursement of equity participation are as follows:

- the Director of Perumda Perkebunan Kahyangan Jember submits an application for disbursement of Equity Participation in the form of money to the Regent through the Head of the Division of Economy and Natural Resources, with copies to the Head of BPKAD, accompanied by:
 - a written application from the Director of Perumda Perkebunan Kahyangan Jember to the Regent;
 - a cover letter of application for disbursement from the Division of Economy and Natural Resources;
 - the results of discussion and evaluation related to the proposed equity participation by the Division of Economy and Natural Resources;
 - a photocopy of the Decree on the Appointment of the Board of Directors of Perumda Perkebunan Kahyangan Jember;
 - a photocopy of the bank account book or current account under the name of Perumda Perkebunan Kahyangan Jember;
 - an Integrity Pact stating that the equity participation received will be used in accordance with the Work and

Budget Plan (*Rencana Kerja Anggaran*, RKA) of Perumda Perkebunan Kahyangan Jember;

7. a stamped statement of absolute responsibility declaring Perumda Perkebunan Kahyangan Jember;
8. the Work and Budget Plan (RKA) of Perumda Perkebunan Kahyangan Jember for the received equity participation; and
9. a photocopy of the Taxpayer Identification Number (NPWP) of Perumda Perkebunan Kahyangan Jember.

b. the Head of the Division of Economy and Natural Resources submits the disbursement request to the Head of BPKAD to proceed with the disbursement of the Equity Participation in accordance with the provisions of legislation.

CHAPTER V UTILIZATION AND ACCOUNTABILITY OF EQUITY PARTICIPATION

Article 8

The utilization of Equity participation by BUMD is stated in the Work and Budget Plan (RKA) of the BUMD for the respective fiscal years.

Article 9

The Perumda Perkebunan Kahyangan Jember reports the implementation of the Equity Participation to the Regent through monthly, quarterly, and annual financial reports.

CHAPTER VI CLOSING PROVISIONS

Article 10

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

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

Issued in Jember
on 4 March 2024

REGENT OF JEMBER,

signed

HENDY S

Promulgated in Jember
on 4 March 2024

REGIONAL SECRETARY,

signed

HADI SASMITO, S.H., M.Si.

REGIONAL BULLETIN OF THE REGENCY OF JEMBER OF 2024 NUMBER 9

Jakarta, 31 December 2025

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

DIRECTOR GENERAL OF LEGISLATION,



DJAHANA PUTRA