

**THE PROVINCE OF NANGGROE ACEH DARUSSALAM REGIONAL REGULATION  
NUMBER \_ YEAR 2005  
CONCERNING  
THE AMENDMENT OF NANGGROE ACEH DARUSSALAM QANUN NUMBER 2/2004  
ON THE ELECTION OF GOVERNOR/VICE GOVERNOR, REGENT/VICE REGENT AND  
MAYOR/ VICE-MAYOR IN THE PROVINCE OF NANGGROE ACEH  
DARUSSALAM  
IN THE NAME OF ALLAH, MOST GRACIOUS, MOST MERCIFUL**

**WITH THE BLESSING OF ALLAH THE THE ALMIGHTY**

**THE GOVERNOR OF NANGGROE ACEH DARUSSALAM,**

**Considering :**

- a. That direct lection of regional heads is a maintained and well implemented tradition within the people of Nanggroe Aceh Darussalam in order to materialize a legitimized leaders;
- b. That several Provision under Qanun No. 2 Year 2004 on the Election of Governor/Vice Governor, Regent/Vice Regent and Mayor/Vice Mayor in The Province of Nanggroe Aceh Darussalam needs to be adjusted with ongoing society dynamics;
- c. That in conducting the Election of Governor/Vice Governor, Regent/Vice Regent and Mayor/Vice Mayor in The Province of Nanggroe Aceh Darussalam, efficiency and effectivity relating to fund utilization, equipments, personnel and conditions of the election's locals;
- d. That based on consideration as stipulated in letter a, letter b and letter c, a Qanun amending Qanun No. 2 Year 2004 on the Election of Governor/Vice Governor, Regent/Vice Regent and Mayor/Vice Mayor in The Province of Nanggroe Aceh Darussalam needs to be enacted.

**Referring to :**

- 1) Article 18 paragraph 4 and Article 18B paragraph 1 of the 1945 Constitution
- 2) Law Number 24, 1956 on The forming of regional autonomy of Aceh Province and the changing of rules of North Sumatra Province forming (State Gazette 1956 Number 64; Supplementary State Gazette Number 1103);
- 3) Law Number 28, 1999 on Clean and Corruption, Collusion and Nepotism Free (State Gazette, 1999 Number 75.; Supplementary State Gazette Number 3851);
- 4) Law Number 44, 1999 on the implementation of special province of Aceh administrative territory (Supplementary State Gazette, 1999 Number 172; Supplementary State Gazette Number 3893);
- 5) Law Number 18, 2001 on the special autonomy for Aceh Administrative Province as the province of Nanggroe Aceh Darussalam (State Gazette 2001 Number 114; Supplementary State Gazette Number 4134);
- 6) Law Number 2 Year 2002 on the State Police (State Gazette Year 2002 Number 2 Supplementary of the State Gazette Number 4168)
- 7) Law Number 31 Year 2002 on Political Parties (State Gazette Year 2002 Number 138, Supplementary State Gazette 4277);
- 8) Law Number 32 Year 2002 on Broadcasting (State Gazette Year 2002 Number 139, Supplementary of The State Gazette 4252);
- 9) Law Number 12 Year 2003 on General Election of the Members of the House of Representative, Regional Representative Council and Regional House of Representative (State Gazette Year 2003 Number 37, Supplementary of the State Gazette Number 4277);
- 10) Law Number 17 Year 2003 concerning State Finance (State Gazette Year 2003 Number 475, Supplementary of the State Gazette Number 4286);
- 11) Law Number 22, 2003 on the structure and positions of The People's Advisory Assembly, House of Representatives and Regional House of representatives, (State Gazette, 2003 Number 92; Supplementary State Gazette Number 4310);
- 12) Law Number 1 Year 2004 on State Treasury (State Gazette Year 2004 Number 5, Supplementary of the State Gazette No. 4355);
- 13) Law Number 10 Year 2004 on the Formation of Laws and Regulation (State Gazette Year 2004 Number 53, Supplementary to the State Gazette Number 4389);
- 14) Law Number 15 Year 2004 concerning Examination of the Administration and Accountability of the State Finance (State Gazette Year 2004 Number 66,

Supplementary to the State Gazette Number 4400)

- 15) Law Number 32 Year 2004 on Regional Government (State Gazette Year 2004 Number 125, Supplementary State Gazette Number 4437), as amended by Governmental Regulations in lieu of Law Number 3 Year 2005 on the amendment of Law Number 32 Year 2004 on Regional Government (State Gazette Year 2005 Number 38, Supplementary to State Gazette Number 4493);
- 16) Law Number 33 Year 2004 on the Financial Balancing between Central and Local Government (State Gazette Year 2004 Number 127, Supplementary to State Gazette Number 4439);
- 17) Government Regulation Number 6 Year 2005 on Election, Inauguration and Removal from Office of regional heads and vice regional heads (State Gazette Number 2005 Number 22, Supplementary State Gazette Number 4480), as amended by Governmental Regulation Number 17 Year 2005 on the amendment of Government Regulation Number 6 Year 2005 on Election, Inauguration and Removal From Office of Regional Heads and its vice (State Gazette Year 2005 Number 39, Supplementary State Gazette Number 4494);
- 18) Qanun No. 2 Year 2004 on the Election of Governor/Vice Governor, Regent/Vice Regent and Mayor/Vice Mayor in The Province of Nanggroe Aceh Darussalam (Regional Gazette Year 2004 number 7 serial d Number 4, Supplementary Gazette Number 31;

**With the joint agreements of  
REGIONAL HOUSE OF REPRESENTATIVES OF  
NANGGROE ACEH DARUSSALAM PROVINCE**

**and**

**THE GOVERNOR OF NANGGROE ACEH DARUSSALAM PROVINCE**

**DECIDE UPON :**

**ENACTMENT OF: PROVINCE OF NANGGROE ACEH DARUSSALAM REGIONAL  
REGULATION NUMBER \_ YEAR 2005 CONCERNING  
THE AMENDMENT OF NANGGROE ACEH DARUSSALAM QANUN NUMBER 2/2004  
ON THE ELECTION OF GOVERNOR/VICE GOVERNOR, REGENT/VICE REGENT AND  
MAYOR/ VICE-MAYOR IN THE PROVINCE OF NANGGROE ACEH  
DARUSSALAM**

## **Article I**

Several Provision under Qanun No. 2 Year 2004 on the Election of Governor/Vice Governor, Regent/Vice Regent and Mayor/Vice Mayor in The Province of Nanggroe Aceh Darussalam (Regional Gazette Year 2004 number 7 serial d Number 4, Supplementary Gazette Number 31 is amended into the following:

1. Provision of Article 1 paragraph 7 is altered so as to read as follows:

The elections of Governor/vice Governor, Regents/Vice Regents and Mayors/Vice Mayors hereafter referred to as the elections are all the elections activities including the phases of voters' registrations, determination of voters list, nominations, campaign, the elections, the endorsement of the election result and the inaugurations of Governor/vice Governor, Regents/Vice Regents and Mayors/Vice Mayors.

2. Provision of Article 1 paragraph 8 is altered so as to read as follows:

### Paragraph 8

Election Independent Commission hereafter referred to as Provincial KIP is Elections Coordinating Body of Governor/vice Governor, Regents/Vice Regents and Mayors/Vice Mayors which shall be formed by provincial DPRD and enacted through DPRD's Decision

3. Provision of Article 1 paragraph 9 is altered so as to read as follows:

### Paragraph 9

The Regencies/cities hereafter referred to as Regency/City KIP are the bodies conducting elections of regent/vice regent and mayor/vice mayor and also conducted election for governor/vice governor formed by provincial KIP altogether with the city/regency DPRD.

4. Provision of Article 1 paragraph 10 is altered so as to read as follows:

## Paragraph 10

Sub district (kecamatan) election committees hereinafter referred to as PPK are parts of city/regency KIP in charge of helping conduct the elections in the territory of the related sub district (kecamatan).

5. Provision of Article 1 paragraph 11 is altered so as to read as follows:

Gampong election committees hereinafter referred to as PPG are a part of Regencies election committees and district election committees in charge of helping conduct the elections in the territory of Gampong.

6. Provision of Article 1 paragraph 15 is deleted

7. Provision of Article 1 paragraph 25 is altered so as to read as follows:

Voting is an activity of giving a vote in a voting chamber in a polling station by punching in the box of the candidates' picture in the ballot s;

8. In Article 1 subsequent to Article 34, three paragraph is inserted, which are para. 35, 36 and 37 so as to read as follows:

## Paragraph 35

Political Parties are political parties participating in the General Election as mentioned in Law Number 12 Year 2003 General Election of the Members of the House of Representative, Regional Representative Council and Regional House of Representative

## Paragraph 36

Parties cadres are everyone enlisted as administrator and or members of the political parties, as evidenced by a membership card or a written clarification from the political party

#### Paragraph 37

Independent candidates are pairs of individual candidates outside political parties or aggregate of political parties and non parties cadres which has fulfilled the prerequisites as candidate pairs

9. Between Chapter II and Chapter III is inserted 1 (one) chapter, Chapter II A which reads as follows:

#### Chapter II A

#### Preparation for Election

#### Article 2 A

(1) Preparatory period for election shall covers:

- a. Formation and inauguration of Provincial KIP by NAD's Provincial DPRD;
- b. Notification from DPRD to Governor/Vice Governor, Regent/Vice Regent, and Mayor/Vice Mayor on the end of thir term of office
- c. Notification from DPRD to the KIP on the end of the term of office for Governor/Vice Governor, Regent/Vice Regent, and Mayor/Vice Mayor
- d. Planning for the election which covers the enactment of procedure and schedule of the implementation of Governor/Vice Governor, Regent/Vice Regent, and Mayor/Vice Mayor;
- e. Formation of the supervisory commission, PPK, PPG and PPS; and
- f. Notification and registration of election monitors

(2) Formation of the Supervisory Comission as mentioned in Article 1 (e) shall has been decided by the DPRD at the latest 30 (thirty) working days since

notification as mentioned in Article (1) letters b and c.

- (3) The DPRD's decision as mentioned in Paragraph 2 shall be delivered in 7 days to Governor/Vice Governor, Regent/Vice Regent, and Mayor/Vice Mayor.
- (4) Notification as mentioned by Para (1) letter letters b and c shall be done in written within 5 months prior to the end of the term of office for Governor, Regent/Vice Regent, and Mayor/Vice Mayor

#### Article 2 B

- (1) Notification as mentioned by Article 2A para (1) letter b and c, Governor/ Vice Governor, Regent/Vice Regent, and Mayor/Vice Mayor reports their administration of regional government to the central government and delivered their accountability report to the DPRD within 30 days after the notification
- (2) KIP after receiving DPRD notification as mentioned in Article 2A para (1) letter b and c, KIP shall decide:
  - a. Planning, which covers the enactment of the mechanism and schedule of the election for Governor/ Vice Governor, Regent/Vice Regent, and Mayor/Vice Mayor
  - b. Formation of PPK, PPG and PPS and,
  - c. Notification and Registration of Election Monitor
- (3) Enactment of the mechanism and schedule as mentioned in para (2) letter a, shall be done through the decision of KIP and submitted to Governor/ Vice Governor, Regent/Vice Regent, and Mayor/Vice Mayor within 20 days subsequent to DPRD's notification

10. Provision of Article 3 is altered so to read as follows:

Responsibility of the election lies upon the KIP

11. Chapter III of the second section is altered so as to read as follows:

## Section II

### Provincial Election Independent Commission

12. Provision of Article 4 para 1 and 2 is altered so as to read as follows:

- (1) The elections of Governor/vice Governor, Regents/Vice Regents and Mayors/Vice Mayors are conducted by the Provincial KIP and assisted by the City/Regency KIP, PPK and Gampong Election Committee.
- (2) In the election of Governor/Vice Governor, Provincial KIP is responsible to provincial DPRD, while in the election of Regents/Vice Regents and Mayor/Vice Mayor is responsible to the respective city/regency DPRD with an obligation to report every stages of the election to the Provincial KIP.

13. Provision of Article 6 para 1 is altered and article (3) is deleted so as to read as follows:

- (1) The members of Provincial KIP consists of 13 persons, 8 from the society elements and from the Provincial KPU as determined by the Provincial DPRD are 5 people
- (2) Deleted

14. Provision of Article 8 para 1 and 4 is altered so as to read as follows:

- (1) Working period of the chief / vice and members of KIP is 3 months after the inauguration of Regent/Mayors and their vices in Nanggroe Aceh Darussalam
- (4) If the chief, vice or member of KIP from the society elements died, resign, permanently hindered or are given the sack before their expiry of term is finished, Provincial DPRD shall soon process the replacement as referred to in article 5.

15. Provision of Article 9 para 1 letter e, letter f and letter j is altered so as to read as follows:

- e. to accept, to examine and to determine candidates as the participant in election
- f. accepting registration and announced the campaign team
- g. deleted

16. Provision of Article 9 para 2 and 3 is altered so as to read as follows:

- (2) KIP authorities are :
  - a. Forming the Regency/Cities KIP jointly with the Regency/City DPRD
  - b. Processing the Cities/Regencies KIP, preparing and conducting the inauguration for city/regency KIP jointly with city/regency DPRD
- (3) The implementation of some duties and authorities of Provincial KIP as referred to para (1) can be delegated to the Regencies election committees, sub district (kecamatan) election committees and or Gampong election committees gradually.

17. Provision of Article 10 para 1,2, 3, 5 and 7 is altered so as to read as follows:

- (1) Provincial KPUD Secretariat conducted the task of Provincial KIP Secretariat led by a Secretary of the KIP
- (2) Provincial KPUD Secretary due to their office is take place as a Provincial KPI Secretary which is appointed by the Governor and on its daily operation is responsible to the Provincial KIP.
- (3) Provincial KIP secretary is responsible for the administration, logistic, management administration and the management of the election expenses for the election of Givornor/ Vice Governor based on the prevailing regulation.
- (5) The organizational structure of KIP secretariat and the persons are determined by KIP secretary after being approved by KIP.
- (7) Customs and manners of the secretariat tasks implementation is determined by the KIP secretary after being approved by KIP.

18. Chapter III is altered so as to read as follows:

**Part Three**  
**Regencies/Cities Election Committees**

19. Provision of Article 11 para 1,5, 6, 7, 8 and 9 and para 2,3, and 4 is deleted so as to read as follows:

- (1) Regencies / municipalities election committees are formed by Provincial KIP together with DPRD of Regencies / municipalities which consists of 5 persons taken from chairmans of regencies/municipalities KPUD.
- (2) Deleted.
- (3) Deleted.
- (4) Deleted
- (5) The Regencies / municipalities KIP are assigned to conduct elections in Regencies / municipalities levels.
- (6) The Regencies / municipalities committees are responsible to Provincial KIP.
- (7) The Regencies / municipalities result committees are formed at the latest 6 (six) months before the voting and finished 3 (three) months after the inauguration of governor / vice governor, regent / vice regent, mayor / vice mayor.
- (8) Elections of governor / vice governor, regent / vice regent, mayor / vice mayor can be conducted at the same time
- (9) Customs and manners and the relationship between the Regencies / municipalities KIP and Provincial KIP are determined by Provincial KIP

20. Provision of Article 20 para 1 is deleted and para 2,3, and 4 is altered so as to read as follows:

- (1) Deleted
- (2) The membership of the Regencies / municipalities KIP ends because of :

- a. Death
  - b. Becoming a suspect in crime or being given a sentence because of committing crime with minimum 6 (six) months imprisonment.
  - c. Resigned
  - d. No later fulfilling the provision of Article 5 para 1
  - e. Permanently hindered
  - f. Domiciled outside the relevant regencies/municipalities
  - g. Violating the ethical code of KIP
- (3) If Regencies / municipalities election committees membership is terminated as mentioned in verse (2) and the election in that Regencies / municipalities is not finished, KIP based on the proposal of Regencies / municipalities DPRD appoints a replacement member.
- (4) If the member who positions as a chief of the Regencies / municipalities election committees are terminated as referred to in verse (2), then the appointment of a new chief is conducted based on the deliberation of the relevant KIP members

21. Provision of Article 13 para 1, letter a and b, para 2 and para 3 is altered so as to read as follows:

### **Article 13**

- (1) The duties of Regencies / municipalities KIP are :
- a. Executing the tasks given by Provincial KIP
  - b. Coordinating the tasks of sub district (kecamatan) and Gampong election committees
- (2) The authorities of Regencies / municipalities election committees are :
- (3) Mechanism of duties and authorities implementation of the Regencies / municipalities KIP are arranged by the Regencies / municipalities KIP with the approval of Provincial KIP.

22. Provision of Article 14 para 1,2,3, 6 and 7 is altered and para 4 and 5 is deleted so as to read as follows:

- (1) Regencies / municipalities KPUD Secretariat performs the duty of Regencies / municipalities KIP Secretariat chaired by a Secretary for the Regencies / municipalities KIP Secretary
- (2) The Secretary of Regencies / municipalities KPUD due to his office is determined as The Secretary of Regencies / municipalities KIP appointed by the mayor/regent and is responsible in its daily operation towards the Regency/Municipality KIP
- (3) The Secretary of Regencies / municipalities KIP is responsible towards the administration, logistic management and finance management and is also responsible towards the election fund according to prevailing regulations
- (4) Deleted
- (5) Deleted
- (6) Term of Office of the regency/municipalities personnel KIP follows the Term of Office of the regency/municipalities members
- (7) Mechanism of the Regencies / municipalities KIP secretariat are determined by the Regencies / municipalities Secretary on an approval of the Regencies / municipalities KIP.

23. Provision of Article 15 para 2 and 3 is altered so as to read as follows:

- (2) Sub district (kecamatan) election committees/PPK are formed by the Regencies / municipalities KIP from the candidates as referred to in article 7 para (2)) who meet the requirements as referred to in article 5 para (1), except point n, and domicile in the related sub district (kecamatan)
- (3) Sub district (kecamatan) election committees/PPK are formed at the latest one month after the regencies / municipalities KIP are formed.

24. Provision of Article 16 para 1, 2, 4 and 5 is altered so as to read as follows:

- (1) The Term of office of the sub district (kecamatan) election committees are adjusted with the term of office of the Regencies / municipalities KIP.
- (2) Sub district (kecamatan) election committees duties are :
  - a. Executing the tasks given by the Regencies / municipalities KIP
  - b. Coordinating tasks and authorities implementation of Gampong election committees
  - c. Reporting the results of the tasks implementation to the Regencies / municipalities KIP
- (4) Sub district (kecamatan) election committees/PPK are responsible to the Regencies / municipalities KIP
- (5) Customs and manners of executing tasks and authorities of the Sub district (kecamatan) election committees are determined by the Regencies / municipalities KIP

25. Provision of Article 17 para 3 is altered so as to read as follows:

- (3) Gampong election committees consisted of a Chairman and 2 (two) members and the Chairman is democratically elected in the Gampong election committee meeting

26. Provision of Article 18 para 1,5,and 6 is altered so as to read as follows:

- (1) Gampong election committees nominate candidates for voters registration officers and voting officers to the sub district (kecamatan) election committees, that suits the number of polling stations located in the Gampong or the other name, by considering the conditions as referred to in article 5 para (1) except point n.
- (5) The voters registration officers and the voting officers are responsible to the Gampong election committees
- (6) Mechanism of the voters registration officers and the voting officers shall be regulated by the regency/municipality KIP

27. Provision of Article 19 para 2 is altered so as to read as follows:

- (3) Customs and manners of the Gampong election committees duties implementation are determined by the Regencies / municipalities KIP.

28. Provision of Article 20 para 2,3 and 4 is altered so as to read as follows:

- (2) In executing the duties, the provincial supervisory commission is aided by the Regencies / municipalities supervisory commission, sub district (kecamatan) supervisor committees and Gampong supervisor committees.
- (4) The membership of provincial supervisor commission consist of :
  - a. Three elements of the provincial DPRD members
  - b. Element of Provincial police, 1 person
  - c. Element from the High Attorney Office, 1 person
  - d. One element of ulama (Moslem leader) appointed by MPU
  - e. Three persons, from the candidates nominated by Pers, University and NGO
- (5) Except for Members of the Supervisory Commission originated from the DPRD, regional police, high attorney office and Ulema, election of other members shall be conducted in compliance with prevailing regulation

29. Provision of Article 21 para 1 is altered and para 3 is deleted so as to read as follows:

- (1) Supervisory committee duties are :
  - a. Supervising election in all phases elections
  - b. Accepting violations report
  - c. Overcoming disputes, violations and or protests / objections related to the elctions except those involving crimes
  - d. Pursue on administrative violations to KIP and crime to the police

- e. Coordinating elections supervision conducted by the regencies/ municipalities sub district (kecamatan) and Gampong Supervisory committee

(3) Deleted

30. Provision of Article 22 para 1,2 letter b, 3,4,5 is altered and between para 1 and 2 is inserted paragraph 1a so as to read as follows:

- (1) In regencies / municipalities levels regencies / municipalities supervisory committees are formed by the elections provincial supervisory commission together with regencies / municipalities DPRD, in which the forming and coordination are based on the legitimate regulations on regencies / municipalities election commission as referred to in article 11 and 12.

(1a) The supervisory committee as mentioned in para 12 above shall consists of 7 persons comprising of:

- a. elements of Regency/Municipality DPRD, 2 persons
- b. State Prosecutor office, 1 person
- c. Police Force, 1 person
- d. Ulema, 1 person
- e. Public figures, 2 person taken from press and NGO

(2) The duties of regencies / municipalities supervisory committee are as follows :

- b. Coordinating supervisory implementation conducted by sub district (kecamatan) committees

(3) In the tasks executions, the regencies/municipalities Supervisory Committees are aided by the secretariats of the Regencies/Municipalities KIP

(4) The expiry of term of the Regencies/Municipalities supervisory Committees follows the expiry of term of Regencies/Municipalities KIP.

(5) The working systems of the Regencies/Municipalities Supervisory Committees are organized by the Provincial Election Supervisory Commission.

31. Provision of Article 23 para 1 and 2 letter a and b, is altered so as to read as follows:

- (1) In Sub district (kecamatan) levels Sub district (kecamatan) Supervisory Committees are formed by the Regencies/Municipalities Supervisory Committees, in which the forming and the conditions follow the legitimate regulations for the forming of Sub district (kecamatan) KIP as referred to in article 15.
- (2) The duties of the Sub district (kecamatan) Supervisory Committees are as follows:
  - a. Executing the tasks given by the Regencies/Municipalities Supervisory Committees
- (3) Executing and Coordinating Supervision of the election activities in Sub district (kecamatan) levels

32. Provision of Article 24 is deleted

33. Provision of Article 25 para 1 and 2 I is altered so as to read as follows:

#### **Article 25**

- (1) In implementing the duties, the election supervisory commissions are responsible to the Provincial DPRD, Sub District Supervisory Committees are responsible to the Regencies/Municipalities Supervisory Committees.
- (2) All the expenses needed for the supervisory activities are on the elections budget managed by the KIP and the regencies / municipalities KIP.

34. Provision of Article 26 para 4 is altered so as to read as follows:

- (4) Observers who violate the regulations as referred to in para (2) shall lose the rights as observers based on provincial/regency/municipality KIP or PPK decision based on the levels of the election activities.

35. Provision of Article 27 letter a is altered so as to read as follows:

a. Voters registrations and endorsement of voters list

36. Provision of Article 28 para 1 is altered so as to read as follows:

- (1) The elections are conducted at the latest six months before the Governor/Vice Governor, Regents/vice Regents, Mayors/vice Mayors term of office end or as soon as Governor/Vice Governor, Regents/vice Regents, Mayors/vice Mayors resign, are dismissed or permanently hindered.

37. Provision of CHAPTER VIII is altered so as to read as follows:

CHAPTER VIII  
REGISTRATION AND NOMINATION FOR CANDIDATE

38. Provision of Article 33 par and f is alteres and between para 1 and para 2 seven new paragraphs are inserted, namely paragraph 1a, 1b, 1c, 1d, 1e,1f, 1g and after paragraph (2) letter l, new 7 letter is inserted, namely letters, j,k,l,m,n,o,p so as to read as follows:

- (1) To be elected in elections, every citizen who has voting rights must nominate him / herself as an independent candidate, while for pairs from political parties or joint political parties must be nominated by political parties or political parties coalitions.
- (1a) Political parties or coalition of political parties or independent candidate may only nominate 1 pair of candidate.
- (1b) Candidate of Governor/Regents/Mayor and their vices which has been nominated by political parties as mentioned by para 1a may not be re nominated by other parties or independent candidates
- (1c) Members of the political parties is not permitted to nominate themselves as an independent candidate unless they have previously resigned within three months prior to the candidate's registration

(1d) Political parties or its coalition thereof or independent candidate register their candidates of pairs of Governor/Vice Governor, Regent/Vice Regent, Mayor/Vce Mayor register their candidate to relevant KIPs during the registration period

(1e) The term of registration of candidate shall not extend 15 days since announcement

(1f) Political parties or its coalition thereof of independent candidate in registering their pairs as mentoned in para (1d) must submit candidacy letter signed by chairperson of the relevant political parties or chairperson of each political parties in coalition or independent candidates in each election locals.

(1g) The candidacy letter as mentioned in para (1f) shall be submitted alltogether with:

- a. Written agreement among political parties who joined to form a coalition
  - b. Statement clarifying the guarantee not to withdraw their candidacy signed by applicable parties
  - c. Letter of willingness to accept candidacy
  - d. Letter from each candidate stating that they will not withdraw from candidacy
  - e. Letter stating their willingness to resign from their respective office if selected
  - f. Letter of resignation for candiadate from state employee or members of armed forces of the national police
  - g. Letter indicating statement of temporary inactive from office for House of Representative, Regional Representative or DPRD members who are running for nomination
  - h. Letter of notification to the respective chairpersons for House of Representative, Regional Representative or DPRD members who are running for nomination
  - i. Fulfillment of documentary and other prerequisite for registration as mentioned under Article 33 para 2
  - j. Written paper indicating each pairs mission, vision and programme
  - k. Decision from either political parties or a coalition thereof explaining the selection mechanism and the statement letter elaborating its proceedings
- (2) b. Capable of performing Islamic SHaria and capable in reading the holy Qur'an
- f. Spiritually and physically healthy, free from drugs and narcotics to be clarified by a doctor's examination an dmedical check-up
  - h. submitting their list of assets and willing to have them published
  - j. has never conducted socially unacceptable deeds
  - l. own individual taxpayer registration number

- m. has never been in office for regional heads in two consecutive term
- n. understand their region and is known by its society
- o. Is not declared bankrupt by a final and binding court verdict
- p. submitted a complete biodata consisting of education and professional experience, family and wife

39. Provision of Article 34 para 1, 2, 3 and 7 is altered so as to read as follows:

- (1) The registrations of governors/vice governors nominees are served by Provincial KIP and the registrations of regents/vice regents served by regency municipality KIP.
- (2) To be determined as nominees, besides meeting the requirements as referred to in article 33, every pair of nominees must be supported by at least 15% of the aggregate number of seats in DPRD or 15% of the valid vote in DPRD ballot counts. Independent candidate must be supported by at least 3% of the total number of residents in the voting areas.
- (3) Supports as referred to in verse (2) are given in the form of supports list signed by voters in the voting areas with copied Identification Cards enclosed.
- (7) Existing Governor/Vice Governor, Regents/Vice Regents, Mayor/Vice Mayor may not run for candidacy to be elected and may not resign from its office for the purpose of their nomination for Governor/Vice Governor, Regents/Vice Regents, Mayor/Vice Mayor

40. Provision of Article 35 para 3 is deleted and para 4 is altered so as to read as follows:

- (3) Deleted
- (4) Nominees as referred to in para (2) are administratively appointed contestants of elections based on DPRD decisions.

41. Provision of Article 36 para 1, para 2 and para 3 is altered and 2 (two) paragraph between para 2 and 3, which are para 2a and para 2b is inserted so as to read as follows:

- (1) If the nominees of governors/vice governors, regents/vice regents, mayors/vice mayors pass away or permanently hindered, then political parties or coalitions of political parties by which the nominees are nominated can propose the replacement at the latest within 7 days before they are inaugurated as nominees by DPRD pursuant to Article 33 and 34
- (2) If one of the nominees of governors/vice governors, regents/vice regents, mayors/vice mayors passes away or is permanently hindered, the pair can propose a replacement nominee without following the regulations of article 33 and article 34 at the latest within 7 days before they are inaugurated as nominees by DPRD
- (2a) Political Parties, coalition of political parties and independent candidate may not withdraw their candidates or themselves after being inaugurated by the DPRD
- (2b) Political parties, coalition of political parties and independent candidate shall not withdraw their candidates or themselves after being inaugurated by the DPRD
- (3) If prior to the elections the number of nominees is less than two, the elections are postponed and the nomination process shall commence again without changing the determined pair.
- (4) If something happens as referred to in verse (1) and or verse (2), the elections period is extended up to 90 days and during that period the government determined a temporary governor or a temporary regent or a temporary mayor.

42. Provision of Article 38 para 1, para 2 and para 3 and para 5 is altered so as to read as follows:

- (1) Every contestant can campaign to influence voters to vote for them.
- (2) For the election of Governor/Vice Governor, campaign shall be conducted in the province of Nanggroe Aceh Darussalam and for the election of Regent/Vice Regent and Mayor/Vice Mayor the campaign shall cover the territory of the respective cities/regencies.

- (3) The campaigns are held by the nominees or the campaign operators organized by the nominees campaign teams.
- (5) The organization and the personnel of the nominees campaign teams must be registered to Provincial KIP, regency/municipalities KIP or sub district (kecamatan) PPK in accordance with the campaign levels.

43. Provision of Article 39 para 1 and para 7 is amended so as to read as follows:

- (1) Campaign operators besides nominees, must be registered in the nominees campaign teams and furthermore registered to Provincial KIP, regencies/municipalities KIP or sub district (kecamatan) KIP in accordance with their levels.
- (7) While campaigning, campaign operators must be able to show the mandates and membership card of the campaign team if asked by KIP, Provincial supervisory commissions, regencies/municipalities supervisory committees, sub district (kecamatan) supervisory committees, and police officers in charge in accordance with the campaign levels.

44. Provision of Article 40 para 1 and 4 is altered and para 1a is inserted between para 1 and 2 so as to read as follows:

- (1) The campaign shall commence within 14 days period and shall cease 3 days prior to the date of election
- (1a) The three days period as mentioned in article 1 is a period where campaign activity is not allowed
- (4) If the regulations as referred to in para (1), para (1a), para 2 and para 3 are violated, the KIP shall stop the campaign activities.

45. Provision of Article 40 between para 2 and para 3 is inserted three articles, para 2a, 2b and 2c so as to read as follows:

- (2a) first day of the campaign shall be conducted in a plenary session of the DPRD by delivering the vision, mission and program of the pairs without dialog

(2b) form and format of the vision, mission and program as mentioned in para 2a shall be framed in accordance with prevailing mechanism

(2c) Should the pairs are elected, such documents in para 2a will be retained as an official regional document

46. Provision of Article 41 para 4 is altered so as to read as follows:

(4) Arrangement of time and venue of the campaign as mentioned in para 3 shall be determined by Provincial KIP, Municipalities/Regencies KIP in accordance with their levels

47. Provision of Article 43 is altered so as to read as follows:

The purpose of the campaign is to deliver the mission, vision and program of the pairs in order to influence the voters to vote for the candidate during election date

48. Provision of Article 45 para 1 is altered so as to read as follows:

(1) Materialization of the campaign activity must be notified by the campaign team of each pairs of candidates to the provincial KIP, Regencies/Municipalities KIP, PPK and Gampong election committee in accordance with their respective regional levels at the latest 3x24 hours before the campaign is started

49. Provision of Article 46 para 1 is altered so as to read as follows:

(1) Provincial KIP, Regencies/Municipalities KIP and PPK shall notify such campaign activities as mentioned in Article 45 to the government and the police force in accordance with its regional levels

50. Provision of Article 47 para after letter h is inserted a letter namely letter I and para 2 letter a is altered so as to read as follows:

Para (1)

- i. members of the political parties shall not campaign and attributes of the political parties may not be used by independent candidates

Para 2

a. campaign is stopped and dismissed by police force at the request of Provincial, regencies/municipalities KPI or sub district election committee in accordance with their levels

51. Provision of Article 49 para 2, 3, 4 and 5 is altered and para 10 is deleted so as to read as follows:

- (2) In order to collect campaign fund, the candidates have the rights to collect fund by selling any kind of material form and campaign attributes to the public without pressure.
- (3) All expenses for campaign for candidates from political parties, coalition of political parties and independent candidates can only be withdrawn from a special account designated for campaign
- (4) Special account for campaigns for candidates from political parties, coalition of political parties and independent candidates is separated from the account of regular political party fund.
- (5) The special account for campaign is opened when the candidate nominations commenced.
- (10) deleted

52. Provision of Article 50 para 1,2,3,4,5,6,7,8,9 is altered so as to read as follows:

**Article 50**

- (1) Those who are responsible for the campaign fund are the candidates or those who are specially appointed for the elections.
- (2) Candidates or the specially appointed persons as referred to as in para (1) must report the campaign fund to KIP, presented with all legitimate proofs from contributions and expenses used in the elections.
- (3) Every candidate can receive campaign fund from individual contributors and must note the names and addresses of the contributors, companies and other private commercial entities with an obligation to record the amount of the contributions, the dates when the contributions are received and the jobs of the contributors.
- (4) Every candidates must record their expenses by putting the expense date, nominal value and the purpose of the expense
- (5) All reports of campaign funds altogether with supporting evidences must be maintained by KIP until its term of office ceased and subsequently delivered to the KIP
- (6) The election campaign fund is audited by public accountants, and the results are reported by the candidates to KIP ten days before and 10 days after the polling day.
- (7) The collection and use of campaign fund, which are against the regulation in article 48 and 49, can cost them the cancellation of the related candidates' polling results.
- (8) Fund gathering and utilization of campaign funds which breached article 48 and 49 may entails annulment of the result of the ballot count
- (9) Prior to the cancellation of ballot, suspected breaching party is given the opportunity to self defence

53. Provision of Article 51 para 2 is altered and 3 letters are inserted, namely letters a,b and c so as to read as follows:

(2) Amount and location of the TPS as mentioned in para 1 are:

- a. Maximum voters for every TPS is 600 people
- b. TPS as mentioned in letter a shall be determined in a location accessible to the handicapped and shall guarantee the direct, free and fair election to the voters
- c. Amount of each locations, form and layout of the TPS shall be determined by regency/municipality KIP

54. Provision of Article 54 para 1 is altered and between para 1 and para 2 shall be inserted 1 paragpagh, so as to read as follows:

(1) the election shall be held at the same time which dates and times shall be determined by the KIP from 08.00-14.00

(1a) e3lection for Governor, Regents, Mayors and their vices shall be conducted within 30 days prior to the end of their term in offices

55. Provision of Article 55 para 1 is altered so as to read as follows:

(1) Every candidates may send a witness to the TPS which shall be equipped by an assignment letter from the candidate

56. Provision of Article 58 para 3 is altered so as to read as follows:

(1) (3) Prior to the election, witnessed by the voters and witnesses, the chief of PPS counts the ballots and sign the ballots as many as the registered voters in the polling station and the leftovers are kept as reverse in a special box.

57. Provision of Article 60 para 2 is altered so as to read as follows:

(2) The vote is conducted by punching one of the boxes containing the picture of the candidate Article 61

58. Provision of Article 64 para 3 and 4 is altered so as to read as follows:

(3) PPS chief together with the observers and other witnesses, discuss the objections as referred to in verse (2) and if the objections are accepted, necessary corrections shall be done, and if not accepted, it will be noted in the official report, and will soon be sent to the Supervisory Committee.

(4) Suoervisory Committee will hold a meeting and make decision on the objections/protests stated as referred to in verse (2) and (3) and the decision is final.

59. Provision of Article 67 para 1 is altered so as to read as follows:

- (1) The Regencies/Municipalities KIP do the Regencies/Municipalities level vote count in a Regencies/Municipalities KIP meeting attended by the supervisors and witnesses in the level of Regencies/Municipalities at the latest ten days after the polling.

60. Provision of Article 68 para 1 is altered so as to read as follows;

- (1) For the elections of Regents/vice regents or Mayors/vice Mayors, at the latest 14 days after the polling, KIP regencies/municipalities shall send the result of the vote count based on the vote count official reports of regencies/municipalities as referred to in article 66 para (2) to the Regencies/Municipalities DPRD.

61. Provision of Article 69 para 1 and 2 is altered and between para 1 and 2 7 (seven) paragraphs are inserted, namely paragraph 1a,1b,1c,1d,1e,1f and 1g so as to read as follows:

- (1) The pair of governors/vice governors candidate who get more than 50% votes with at least 21% votes in every regency which spread more than a half of the whole regencies in the province shall be affirmed as a governor and vice governor.
  - (1a) Should the result of the votes as mentioned in para 1 failed to be fulfilled by the respective candidates, then the pairs that obtained more than 50% of the valid votes shall be declared elected as Governor/Vice Governor
  - (1b) In case where such result in paragraph 1a cannot be fulfilled by each candidates then pairs having more than 25% of the valid votes, at least 10% of the votes of whom dispersed more than half of the amount of municipalities/regencies in NAD shall be declared elected as Governor/Vice Governor
  - (1c) Should such result in para 1b cannot be fulfilled, then pairs obtaining more than 25% of the valid votes shall be declared elected as Governor/Vice Governor
  - (1d) Should such condition in para 1b failed to materialize or no candidate can reach 25% of the valid votes, then a second turn of the election shall be held with the first and runner up pairs as the contestant

(1e) In case where candidates of Governor/Vice Governor as mentioned in para 1d obtained similar votes, the elected shall be determined from the candidates having more various election locals

(1f) In the case where in paragraph 1e, similar condition is found is several candidates then the second turn of the election shall be conducted

(1g) If the candidates does not fulfill the condition as mentioned in para (1f), then the candidate having majority vote and its runner up shall follow the second turn of the election

(2) Pairs of candidate Governor/Vice Governor obtaining majority vote at the second round of the election as mentioned in para 1g shall be determined as the elected Governor/Vice Governor

62. Provision of Article 70 para 4 is amended and para 5 deleted so as to read as follows:

- (1) The vote count is done by KIP
- (2) KIP hands over the vote count result to provincial DPRD in a receipt official report
- (3) Provincial DPRD administratively affirms the provincial level vote count result, and affirms the elected governors/vice governors candidate pair based on the provincial DPRD decision.
- (4) The head of provincial DPRD submits the provincial DPRD decision as referred to in verse (3) to the president of the Republic of Indonesia through Minister of Home Affair at the latest 30 days after the polling.
- (5) deleted

63. Provision of Article 71 para 1, para 2 altered and inserted 7 para between para 1and 2, which are para (1a), para (1b), para (1c0, para (1d), para (1e), para (1f0 and para (1g), so as to read as follows:

- 1) The candidate pair of regents/vice regents, mayor/vice mayors candidate who obtained more than 50% votes with at least 10% votes in every sub district which

spread more than a half of the whole sub district in the regencies/municipalities shall be affirmed as a regent/ vice regent, mayor/vice mayor.

(1a) If the vote result as mention of para (1) cannot be fulfilled by each candidate pair, the pair who get more than 50 % votes, shall be affirmed as a regent/ vice regent, mayor/vice mayor.

(1b) In the case vote result as mention of para (1a) cannot be fulfilled by each pair of candidates, the pair who get more than 25 % votes with at least 10 % votes in every sub district which spread more than a half of the whole sub district in the regencies/municipalities shall be affirmed as a regent/ vice regent, mayor/vice mayor.

(1c) If the vote result as mention of para (1b) cannot be fulfilled by each candidate pair, the pair who get more than 25 % votes shall be affirmed as a regents / vice regent, mayor/vice mayor

(1d) If the vote result as mention of para (1c) cannot fulfill by each pair of candidates or no one candidate who get more 25% votes, two pairs of two candidates with the first and second most vote shall be re-elected in the second election,

(1e) In the case pair of regencies/vice regencies and mayor/vice mayor as mention of para (1d) more than one pair candidate have the same vote result, decision to be elected, shall be affirmed by most vote result of the whole sub district in the regencies/municipalities

(1f) in the case as mention in para (1e) both pair candidates have same vote result , than second round election must be conducted.

(1g) If the vote result as mention of para (1f) cannot fulfilled by each pair of candidate , two pairs of two candidates with the first and second most vote shall be re-elected in the second election,

2) The pairs of candidate of regent/vice regent and mayor/vice mayor, which obtain majority votes as mention of para (1g) shall be determined as elected regencies/ vice regencies, mayor/vice mayor.

64. Provision of Article 72 para 1, 2 and 4 is amended and para 5 deleted so as to read as follows:

1) The vote count of the direct regencies/vice regencies, mayor/vice mayors election is done by regencies/municipalities KIP

- 2) KIP hands over the vote count result to Regency/municipality DPRD in a receipt official report
- 3) Regency/municipality DPRD administratively affirms the provincial level vote count result, and affirms the elected governors/vice governors candidate pair based on the Regency/municipality DPRD decision.
- 4) The head of Regency/municipality DPRD with KIP submit Regency/municipality DPRD decision as referred to in verse (3) to the governor of Nanggroe Aceh Darussalam Indonesia at the latest 30 days after the polling.
- 5) Deleted

65. Between Article 72 and Article 73, 6 new Articles are inserted, namely, Article 72A, Article 72B, Article 72C, Article 72D, Article 72 E and Article 72 F so as to read as follows:

#### Article 72 A

- (1) In the case where Candidate Vice Governor, Vice Regent and Vice Mayor dies or is permanently hindered, the elected Candidates of Governor, Regent and Mayor shall be inaugurated as Governor, Mayor and Regent
- (2) Ternor and to the ministry of interior through the governor for candidates of mayors/regents to be officially declared as Governor, Regent and Mayor
- (3) Governor, Regents and Mayors as mentioned in Article 1 recommend 2 (two) candidate of vice governor, vice regent and vice mayor to DPRD based on the recommendation of political party or the coalition thereof or independent pairs which candidate is elected in the election to be appointed in DPRD's plenary session
- (4) Voting for Vice Governor, Vice Regent and Mayors as mentioned earlier in paragraph 2 shall be conducted in a DPRD's plenary session which is presented by at least  $\frac{3}{4}$  (three quarter) of the DPRD members in total, which implementation mechanism shall be conducted in accordance with DPRD's rule of procedure, within 60 days since declared to be permanently hindered
- (5) Result of the Vice Governor, Vice Regent and Vice Mayor elections as mentioned in para 3 shall be enacted thourgh DPRD's decision and further recommended to the

President through the minister of interior for candidate of vice governor and to the minister of interior for candidate of vice mayor and vice regent to be officially declared as Governor, Regent and Mayor.

#### Article 72 B

- (1) In the case that the elected Governor candidate, Mayor candidate and Regent candidate passed away or is permanently hindered, elected candidate vice governor, candidate mayor and candidate regent will be inaugurated as Governor, Regent and Mayor
- (2) Candidate Vice Governor, Vice Regent and Vice Mayor as mentioned in para (1), is recommended by the DPRD to the President through the minister of interior for vice governor and to the minister of interior for vice mayor and vice regent to be officially declared as governor, mayor and regent
- (3) Governor, Mayor and Regent as mentioned in para 1 above recommend 2 (two) persons for candidates of vice governor, vice mayor and vice regent to the DPRD based on the suggestion of the political party or coalition thereof or Independent candidates whose pair is elected in the DPRD's plenary session
- (4) Voting for Vice Governor, Vice Regent and Vice Mayor as mentioned earlier in paragraph 3 shall be conducted in a DPRD's plenary session which is presented by at least  $\frac{3}{4}$  (three quarter) of the DPRD members in total, which implementation mechanism shall be conducted in accordance with DPRD's rule of procedure, within 60 days since declared to be permanently hindered
- (5) Result of the Vice Governor, Vice Regent and Vice Mayor elections as mentioned in para 3 shall be enacted through DPRD's decision and further recommended to the President through the minister of interior for candidate of vice governor and to the minister of interior for candidate of vice mayor and vice regent to be officially declared as Governor, Regent and Mayor

#### Article 72 C

- (1) In the case that the elected Governor candidate, Mayor candidate and Regent candidate and their vices passed away or is permanently hindered, political parties or coalition of political parties or independent candidate whose pair won the largest or second largest vote shall recommend candidate governor, candidate mayor and candidate regent within sixty days after declared that such persons are permanently hindered.
- (2) The selection for Governor, Regent and Mayor and their vices as mentioned in para (1), shall be conducted in a DPRD's plenary session which is presented by at least  $\frac{3}{4}$  (three quarter) of the DPRD members in total, which implementation mechanism shall be conducted in accordance with DPRD's rule of procedure
- (3) Result of the selection of Governor, Regent and Mayor and their vices as mentioned in para 3 shall be enacted through DPRD's decision and further recommended to the President through the minister of interior for candidate of governor and vice governor and to the minister of interior for candidate of mayor/regent, vice mayor and vice regent to be officially declared as Governor, Regent, Mayor and Vice Governor, Vice Regent and Vice Mayor

#### Article 72 D

- (1) Nanggroe Aceh Darussalam's DPRD shall recommend pairs of elected Governor/Vice Governor at the latest within three days to the President through the minister of interior based on a Statement of Enactment as Candidate from the Provincial KIP with the documents certifying the ballot counts enclosed
- (2) Regent/Municipality's DPRD shall recommend pairs of elected Mayor/Regent and their vices at the latest within three days to the President through the minister of interior based on a Statement of Enactment as Candidate from the Provincial KIP with the documents certifying the ballot counts enclosed
- (3) Based on a recommendation by the DPRD's chairpersons as mentioned in Article (1) and (2) above, the Minister of Interior on behalf of the President shall approve the elected Governor/Vice Governor and shall approve the elected Mayor/Vice Mayor, Regent/Vice Regent within 30 days

#### Article 72 E

- (1) Approval for elected Governor/Vice Governor by the President shall be in 30 days
- (2) Approval for elected Regent/Vice Regent, Mayor/Vice Mayor by the minister of interior on shall be in 30 days

Article 72 F

- (1) Governor/Vice Governor before entering into office shall be inaugurated by the minister of interior on behalf of the President
- (2) Mayor/Vice Mayor, Regent/Vice Regent before entering into office shall be inaugurated by the minister of interior on behalf of the President
- (3) Such inaugurations as mentioned above shall be conducted in the DPRD building in a special plenary session or in other place deemed appropriate for such occasion
- (4) At the inauguration of Governor, Regents, Mayors and their vices, a formal transfer of authority ceremony shall be conducted between the newly elected officials and the outgoing officials, unless, in an emergency condition, the time and venue of the transfer of authority ceremony will be determined within one week after

66. Provision of Article 74 para 3 is altered so as to read as follows:

- (3) Position Oath and inauguration of the elected Regent/Vice regent or Mayor/Vice Mayor is conducted on the date of the former Regent/Vice regent or Mayor/Vice Mayor ends their services or at other particular time as jointly determined by municipality/regencies DPRD and municipality/regency KIP

67. Provision of Article 75 para 1, 3 and 4 is altered so as to read as follows:

- (1) Election budget is total budget needed for the implementation of the election managed by election administration
- (3) The election budget as referred to in para (1) is propose by KIP to the governor to be estimated in RAPBD province and is proposed by regency/municipality's KIP to regencies/vice regencies/mayors/vice mayors to be estimated in RAPBD of regencies/municipalities.

- (2) KIP secretariat and KIP secretariat of regency/municipality manage the election budget in accordance with programs and instructions from Provincial KIP and Regency/Municipality KIP.

68. Provision of Article 79 para 4 is altered so as to read as follows:

(4) Election logistic supply and distribution besides those determined in para (1) are done by Provincial KIP for the election Governor and its vice and by regencies/municipalities KIP in accordance with prevailing regulations.

69. Provision of Article 85 para 1 is altered and between para 1 and 2, two paragraphs namely 1a and 1b is inserted as to read as follows:

- (1) In the case where Governor/its vice, Regent/its vice, Mayor/its vice term of office ends at 2005, then, the election for Governor, Regents, Mayors and their vices shall commence since this amendment Qanun is enacted.

(1a) If in an election local a riot, security disturbances, natural disaster or other hinderance occurred which leads to the inability to commence all election phases in time, the election shall be suspended and its further enforcement shall be determined by a decision of the KIP subject to DPRD's approval

(1b) For regency/municipality KIP which has not commence elections in 2005, its term of office will be inactivated temporarily for three months after the ballot counting for Governor/Vice Governor election and can be reactivated jointly by the Provincial KIP and DPRD at the latest within 6 months prior to the election of Regent/Vice Regent and Mayor/Vice Mayors in their respective locals.

Article II

This Qanun is enforceable at the date of its enactment

Endorsed in Banda Aceh,

18 Muharram 1425

CARETAKER GOVERNOR  
OF  
NANGGROE ACEH DARUSSALAM  
PROVINCE

AZWAR ABUBAKAR

Enacted Banda Aceh,

19 Muharram 1425

REGIONAL SECRETARY  
OF  
NANGGROE ACEH DARUSSALAM PROVINCE

THANTHAWI ISHAK

NANGROE ACEH DARUSSALAM PROVINCIAL GAZETTE YEAR 2005 NUMBER

ELUCIDATION OF  
NANGROE ACEH DARUSSALAM QANUN NUMBER \_\_\_\_ YEAR 2005  
CONCERNING  
THE AMENDMENT OF NANGGROE ACEH DARUSSALAM QANUN NUMBER 2/2004  
ON THE ELECTION OF GOVERNOR/VICE GOVERNOR, REGENT/VICE REGENT AND  
MAYOR/ VICE-MAYOR IN THE PROVINCE OF NANGGROE ACEH  
DARUSSALAM

I. General Explanation

That based on Law No. 18 Year 2001, election of regional heads which covers the election of Governor/Vice Governor, Regent/Vice Regent and Mayor/Vice Mayor shall be directly elected by the people every five year through a direct, free and fair election. This policy will materialize government by, from and for the people.

That in accordance with Article 16 of Law Number 18 Year 2001 on Special Autonomy of the Nangroe Aceh Darussalam, the election of Governor, Mayors, Regents and their vices is at the soonest 5 (five) years since the Special Autonomy Law was enacted which means in August 2006, whila Qanun No.2 Year 2004 was enacted in March 2004. However, the emerging political situation rendered several susbstance in the Qanun to be no longer fulfill the societal needs.

II. Article by Article

Point 1-38: Sufficiently Clear

Point 38

Article 33 Para 1c

Resignation shall be in the form of resignation letter followed by a letter from relevant political party chairperson indicating such membership is terminated

Para 1g Letter e:

Offices as mentioned herein, among others are membership in DPR, DPD, DPRD as well as other state and private offices in accordance with prevailing regulation

Para 2 letter b:

Ability to read Quranic verse shall be evidenced through an examination by a team appointed jointly among Provincial KIP and municipality/regency KIP”

“Ability to perform Islamic Sharia as a whole in NAD” shall be evidenced by a statement letter signed jointly in each pairs