

**THE PROVINCE OF NANGGROE ACEH DARUSSALAM GOVERNMENT REGULATION
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 THE ALL MIGHTY GOD
WITH THE BLESSING OF THE ALL MIGHTY GOD
THE GOVERNOR OF NANGGROE ACEH DARUSSALAM**

Considering :

- a. That the election of governor / vice governor, regent/vice regent and mayor/vice mayor directly by the people is one of the forms of democracy participation and it is to accommodate people's aspiration in determining heads of regions.
- b. That governor / vice governor, regent/vice regent and mayor/vice mayor elected directly by the people have strong legitimacy to conduct the regional governance.
- c. That electing heads directly is a well-maintained tradition and is well conducted by the people of Nanggroe Aceh Darussalam Province.
- d. That Government Regulation- Number 18, 2001 has determined that the elections of governor / vice governor, regent/vice regent and mayor/vice mayor are conducted directly every five years through democratic free, confidential as well as honest and fair elections. Therefore everything relating to the elections must be well prepared.
- e. That based on the considerations as mentioned in point a, b, c and d it is necessary to form Government Regulations on the elections of governor / vice governor, head of regent/vice head of regent and mayor/vice mayor.

Referring to :

1. Regulations 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);
2. Regulations Numbers 4, 1999 on the structure and positions of The People's Advisory Assembly, House of Representatives and Regional House of representatives, (State Gazette, 1999 Number 24; Supplementary State Gazette Number 3811);
3. Regulations Number 2.2, 1999 on Provincial governance (State Gazette, 1999 Number 60; Supplementary State Gazette Number 3839);
4. Regulations Number 25, 1999 on Financial Balance between Central Government and Provincial Government 1999 Number 70; (State Gazette, 1999 number 70; Supplementary State Gazette Number 3448);

5. Regulations Number 28, 1999 on Clean and Corruption, Collusion and Nepotism Free (State Gazette, 1999 Number 75.; Supplementary State Gazette Number 3851);
6. Regulations Number 44, 1999 on the implementation of special province of Aceh administrative territory (Supplementary State Gazette, 1999 Number 172; Supplementary State Gazette Number 3893);
7. Regulations 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);
8. Regulations Number 12, 2003 on the elections of the members of House of Representatives (DPR), and Regional House of representatives (DPRD) (State Gazette 2003 Number 37 ; Supplementary State Gazette Number 4277);
9. Regulations Number 25, 2000 on the authority of governance and province as an administrative province (State Gazette 2000 Number 54; Supplementary State Gazette Number 165);
10. A Presidential Decree Number 44, 1999 on techniques of Legislation regulation arrangement and the form of legislation plan, government regulation plan and presidential decree plan. (State Gazette 1999 Number 70);

**With the agreements of
REGIONAL HOUSE OF REPRESENTATIVES OF
NANGGROE ACEH DARUSSALAM PROVINCE
and
THE GOVERNOR OF NANGGROE ACEH DARUSSALAM PROVINCE
IT IS DECIDED THAT :
GOVERNMENT REGULATION ON THE ELECTIONS OF GOVERNOR/VICE
GOVERNOR, REGENT/ VICE REGENT AND MAYOR/ VICE MAYOR IN THE
PROVINCE OF NANGGROE ACEH DARUSSALAM.**

**CHAPTER I
GENERAL PROVISION
Article 1**

In this Government Regulation the following terms have the specified meaning as follows:

1. Province means the province of Nanggroe Aceh Darussalam.
2. Regencies / Municipalities are regencies / municipalities in the territory of the province of Nanggroe Aceh Darussalam.
3. Governor / Vice Governor is the head of province / vice head of province of Nanggroe Aceh Darussalam province.
4. Regents/ Vice Regents and Mayors/ Vice Mayors are .the regional heads/ vice regional heads in the territory of Nanggroe Aceh Darussalam Province

5. The Regional House of Representatives hereafter referred to as DPRD is DPRD of Nanggroe Aceh Darussalam Province
6. Regencies/Municipalities DPRD hereafter referred to as DPRD is the DPRD of the regencies/municipalities in the territory of Nanggroe Aceh Darussalam. Province
7. 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, nominations, campaign, the elections, the endorsement of the election result and the inaugurations of Governor/vice Governor, Regents/Vice Regents and Mayors/Vice Mayors.
8. Election Independent Commission hereafter referred to as KIP is Elections Coordinating Body of Governor/vice Governor, Regents/Vice Regents and Mayors/Vice Mayors.
9. The committees of Regencies election are parts of the KIP in charge of conducting elections in the territory of the related regencies / municipalities.
10. Sub district (kecamatan) election committees are parts of KIP and regencies election committees in charge of helping conduct the elections in the territory of the related sub district (kecamatan).
11. Gampong election committees are a part of KIP, Regencies election committees and district election committees in charge of helping conduct the elections in the territory of Gampong.
12. Election Supervisory Commission hereafter referred to as KPP is an institution that supervises the elections conducted by the KIP.
13. Regencies Supervising Committees are a part of the supervising commission that supervises the elections in the territory of the regencies.
14. The district supervising committees are a part of the supervising committee that supervises the election in the district territory.
15. Gampong Supervisory committee is a part of supervisory commission, regencies supervisory committees and district supervisory committees that supervise the elections in the territory of Gampong.
16. Voters registration officers are officers who register voters to take part in the elections
17. Logistic is everything needed such as cost and instruments of the elections
18. Instruments of the elections are all the things needed to conduct and legitimate the elections.
19. Witness is someone who represents elections participants (candidate) to witness the process of the elections.
20. A Voter is every Indonesian citizen who is entitled to voting and listed in the voters list
21. Voter registration is an activity of registering citizens who are entitled to voting, conducted by the voter registration officers.
22. Voters' list is a list made by the KIP, containing the names of the voters, registered by the voters registration officer
23. A ballot is a piece of paper containing the name, picture and the number of the candidate prepared by the KIP as a voting instrument.
24. Voting officers hereafter referred to as PPS are groups of officers formed by the sub district (kecamatan) election committees proposed by Gampong elections committee in charge of voting and counting the votes in the polling stations.
25. Voting is an activity of giving a vote in a voting chamber in a polling station by punching in the circle of the candidates' numbers in the ballot s.
26. Polling station hereafter referred to as TPS is a certain location determined by the sub district (kecamatan) election committee, where the voting activity and the vote count are conducted.

27. Votes count is an activity of counting the votes based on the punches in the ballots from the TPS, conducted progressively from the TPS in sub district (kecamatan), regencies and provinces.
28. Candidates are pairs of candidates of Governor/Vice Governor determined by provincial DPRD or pairs of candidates of Regents/Vice-Regents, Mayors/Vice Mayors determined by the Regencies/Municipalities DPRD.
29. The voting territory of Governor/Vice Governor elections is in the territory of Nanggroe Aceh Darussalam Province, while the voting territory of Regents/Vice Regents or Mayors/Vice mayors elections are the territories of the related regencies.
30. A campaign is an activity done by the candidates and or the campaign team of the candidates in order to influence the voters so that they vote for the candidates.
31. A campaign team is a campaign coordinating organization formed by the candidates to make the candidates campaign effective.
32. A campaign spokesman is a candidate and the people listed in candidate campaign team in charge of conducting a campaign for the candidates.
33. A campaign level is a level based on the administrative territory where the campaign spokesman is allowed to conduct the campaign.
34. Campaign fund is a budget needed and used for the campaign activity.

**CHAPTER II
PRINCIPLE OF ELECTIONS
Article 2**

The elections is conducted based on principles as follows:

- a. Direct, which means direct elections done by the people who are 17 years of age and are/have been married and are registered as voters.
- b. General, which means it is open and participated by all people who are 17 years of age and are/have been married and are registered as voters.
- c. Free, which means every voter is free to determine and vote for the candidates they like.
- d. Confidential, which means the voting is done by the voters in a closed chamber and nobody is allowed to know which candidates are chosen by the voters.
- e. Honest, which means the voting is conducted in a right way as referred to the legitimate rule.
- f. Fair, which means that in the elections, all participants must be treated equally.

**CHAPTER III
GUARANTOR AND ORGANIZER OF ELECTIONS
Part One
Election Guarantor
Article 3**

The guarantor of the election is KIP

**Part Two
KIP
Article 4**

- (1) The elections are conducted by the KIP of Nanggroe Aceh Darussalam, which is independent, and not an official of any political party, formed by Provincial DPRD.
- (2) In the elections, the KIP is aided by the election committee of Regencies/Municipalities, District Election Committees, Gampong Election Committees.
- (3) The KIP responsibility to DPRD does not reduce the function of the KIP as independent constitution and not an official of any political party in conducting its function, while the financial responsibility is reported to the governor based on the Regencies financial responsibility mechanism.

Article 5

- (1) The candidates of the KIP members as referred to article 4 verse (1) and (2) must meet the following requirements :
 - a. Physically and mentally healthy proven with a doctors notice.
 - b. Rightful to choose
 - c. Aged at least 21 years old.
 - d. Educated, at least Senior High Scholl or equal
 - e. Strongly committed to justice and democracy;
 - f. Has never been imprisoned at least 6 months for crime, corruption, or humanity crime.
 - g. Having strong integrity, honesty and fairness.
 - h. Having clear knowledge and vision about politics, party, general election and a leadership.
 - i. Not an official of any of political party;
 - j. Not a member or an active member of military or police;
 - k. Not a Director / Commissioner of Local Public Enterprises or National Public Enterprises.
 - l. Not a candidate in the elections.
 - m. Not having a political and structural position in a governmental bureaucracy, and
 - n. Domiciling in the province of Nanggroe Aceh Darussalam except for non-member of general election commission.
- (2) A research on the candidate conditions as referred to verse (1) is conducted by the provincial DPRD.
- (3) Selection of KIP member candidates based on membership condition as referred to verse (1) is conducted through an honest, objective and transparent mechanism of properness and fairness test. 3 months, at the latest, after this Government Regulation is legitimated.
- (4) Customs and Manners of election, properness and fairness test forming and execution as referred to verse (2) determined by provincial DPRD.

Article 6

- (1) The members of KIP 9 (nine) persons and 1 (one) of them is from the members of General Election Commission of the Republic of Indonesia

- (2) The membership of the KIP must at least have 2 (two) female members.
- (3) The membership of KIP from the general election element as mentioned in the verse is determined by the general election function of the Republic of Indonesia.

Article 7

- (1) KIP is lead by one chairman who is also a member and aided by two vices who are also members
- (2) KIP is formed by provincial DPRD based on the candidates nominated by people organization or society group or individual.
- (3) Community organization can only nominate one candidate for KIP member at a time.
- (4) Individual candidate proposes him/herself to provincial DPRD.
- (5) The election of chiefs and the vices is conducted democratically by the members of KIP in a plenary meeting led by the oldest and the youngest members. .
- (6) KIP is posted in the capital city of the province.
- (7) Customs and manners of KIP tasks implementations are determined by the KIP decisions.

Article 8

- (1) The expiry of term of the chief / vice and members of KIP is 5 years and after that they can be elected again for one more expiry of term, as arranged in article 5 of this Government Regulation.
- (2) The membership of KIP is terminated because of :
 - a. Death
 - b. Becoming convicts or being given a sentence because of committing crime with minimum 6 (six) months imprisonment.
 - c. Living out of Nanggroe Aceh Darussalam province, except for KPU element member.
 - d. Resigning
 - e. Permanent obstacle
 - f. Not meeting the requirements as referred to article 5 verse (1)
 - g. Violating the ethical code of KIP
- (3) Further determination of KIP ethical code as mentioned in point f is determined by KIP made at the latest 3 (three) months after KIP is formed.
- (4) If the chief, vice or member of KIP die, 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 the article 5.
- (5) The expiry of term of the replacement KIP as referred to verse (4), ends as the expiry of term of the member replaced ends.

Article 9

- (1) KIP duties are :
 - a. Planning and conducting the election of governor / vice governor, regent / vice regent, mayor / vice mayor.
 - b. Making the regulations of the election of governor / vice governor, regent / vice regent, mayor / vice mayor.

- c. Coordinating, conducting and controlling all phases of the election.
 - d. Setting the time, date, campaign regulations and voting.
 - e. Accepting registration and announcing campaign team.
 - f. Accepting, examining and determining candidates as the election participants.
 - g. Giving reports of the election implementation based on the election phases to Provincial DPRD for governor / vice governor, regent / vice regent, mayor / vice mayor, election and giving advice on things dealing with the election.
 - h. Collecting and documenting materials and data of the election result from TPS level to province level.
 - i. Determining the election result
 - j. Proposing the budget plan from governor / vice governor, regent / vice regent, mayor / vice mayor election to the regent or mayor in Regional Revenue and Expenditure Budget Plan (RAPBD) of the Regencies / municipalities.
 - k. Being responsible for the fund use received from RAPBD based on the Regencies financial responsibility mechanism.
 - l. Conducting and developing research on any subject related to the election.
 - m. Providing and handling over all regulations related to the election for all candidates.
 - n. Conducting other necessary activities
- (2) KIP authorities are :
- a. Forming the committees of Regencies election.
 - b. Processing the committees' nomination of Regencies election, preparing and conducting the inauguration of Regencies election committees.
 - c. Determining the ethical code of KIP.
- (3) The implementation of some duties and authorities of KIP as referred to verse (1) and (20) can be delegated to the Regencies election committees, sub district (kecamatan) election committees and or Gampong election committees gradually.

Article 10

- (1) In implementing the tasks, KIP is aided by a secretariat led by a KIP secretary.
- (2) KIP secretary is appointed by and responsible to KIP
- (3) KIP secretary is responsible for the logistic management administration and the management of the election expense based on KIP rules.
- (4) KIP Secretary is equal with echelon II A in governance democracy.
- (5) The organizational structure of KIP secretariat and the persons are determined by KIP secretary after being approved by KIP.
- (6) The expiry of term in secretariat organization follows the KIP expiry of term.
- (7) Customs and manners of the secretariat tasks implementation is determined by the KIP secretary after being approved by KIP.

Part Three

Regencies Election Committees

Article 11

- (1) Regencies / municipalities election committees are formed by KIP together with DPR of Regencies / municipalities, from the candidates as referred to in article 7 verse (2), who meet the requirements as referred to in article 5 verse (1) except point n and domicile in the related regencies/Municipalities
- (2) The number of the Regencies / municipalities election committees members is maximum 7 (seven) persons.
- (3) The Regencies / municipalities election committees consist of a chief, a vice chief and five members whose appointments are determined in a plenary meeting of the Regencies / municipalities election committees led by the oldest and the youngest members.
- (4) The Regencies /municipalities election committees are posted in a Regencies capital
- (5) The Regencies / municipalities election committees are assigned to conduct elections in Regencies / municipalities levels.
- (6) The Regencies / municipalities committees are responsible to KIP.
- (7) The Regencies / municipalities result committees are formed at the latest 6 (six) months before the voting and finished 4 (four) months after.
- (8) If the elections of governor / vice governor, regent / vice regent, mayor / vice mayor are almost at the same time, the expiry of term of the Regencies / municipalities election committees are extended to 4 (four) months after the last election
- (9) Customs and manners and the relationship between the Regencies / municipalities election committees and KIP are determined by KIP

Article 12

- (1) The expiry of term of the Regencies / municipalities election committees are 10 (ten) months.
- (2) The membership of the Regencies / municipalities election committees ends because of :
 - a. Death
 - b. Becoming conflicts or being given a sentence because of committing crime with minimum 6 (six) months imprisonment.
 - c. Living out of Nanggroe Aceh Darussalam province, except for KPU element member.
 - d. Resigning
 - e. Permanent obstacle
 - f. Not meeting the requirements of article 5 verse (1) any more
 - g. Violating the ethical code of KIP
- (3) If Regencies / municipalities election committees membership is terminated as mentioned in verse (1) 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 or vice chief of the Regencies / municipalities election committees are terminated as referred to in verse (1), the appointment of a new chief and or a vice chief is conducted based on the Regencies / municipalities election committees discussion after the member replacement is conducted as referred to in verse (2)

Article 13

- (1) The duties of Regencies / municipalities election committees are :
 - a. Executing the tasks given by KIP
 - b. Coordinating the tasks of sub district (kecamatan) and Gampong election committees
 - c. Executing other tasks related to the Regencies / municipalities election implementation
 - d. Reporting its result to KIP Regency DPRD
- (2) The authorities of Regencies / municipalities election committees are :
 - a. Forming sub district (kecamatan) election committees
 - b. Together with KIP processing the nomination of the election participants.
 - c. Preparing and implementing the elected candidate inauguration and
 - d. Executing other authorities implementation of election in Regencies level
- (3) Phases of duties and authorities implementation of the Regencies / municipalities election committees are arranged by the Regencies / municipalities election committees with the approval of KIP.

Article 14

- (1) In executing the tasks, the Regencies / municipalities election committees are aided by the Regencies / municipalities election secretariat led by a secretariat chief.
- (2) The Regencies / municipalities election committees secretariat chiefs are responsible for the administration and financial management and the election logistic and helping the administration of the sub district (kecamatan) and Gampong election committees.
- (3) The secretariat chief of Regencies / municipalities election committees are responsible for all the documents of election.
- (4) A secretariat chief is appointed by and responsible to the Regencies / municipalities election committees
- (5) The structure of the Regencies / municipalities election committees organization and personnel are determined by the secretariat chief of the Regencies / municipalities election committees after being approved by the Regencies / municipalities election committees.
- (6) The expiry of term of the Regencies / municipalities election committees secretariat organization follows the expiry of term of the Regencies / municipalities election committees
- (7) Phases of the Regencies / municipalities election committees secretariat are determined by the Regencies / municipalities election committees secretariat chief on an approval of the Regencies / municipalities election committees.

Part Four Sub district (kecamatan) Election Committees Article 15

- (1) Sub district (kecamatan) election committees consist of a chief, a vice chief and three members.
- (2) Sub district (kecamatan) election committees are formed by the Regencies / municipalities election committees from the candidates as referred to in article 7 verse (2)) who meet the requirements as referred to in article 5 verse (1), except point n, and domicile in the related sub district (kecamatan)

- (3) Sub district (kecamatan) election committees are formed at the latest one month after the regencies / municipalities election committees are formed.

Article 16

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

Part 5 Gampong Election Committees and Voting Committees Article 17

- (1) Gampong election committees are formed by sub district (kecamatan) election committees based on the proposal of "Geuchik" or the other name after going through a Gampong discussion, by considering the conditions as referred to in article 5 verse (1), except point n and domicile in the related Gampong.
- (2) Gampong election committees consist of one chief, one vice chief and three members elected democratically in a Gampong election committees led by the oldest and youngest members.
- (3) Gampong election committees are responsible to the sub district (kecamatan) election committees.

Article 18

- (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 verse (1) except point n.
- (2) For every 250 voters or every Gampong, a voters registration officer can be appointed and in one polling station, 5 voting officers are appointed led by a chief.
- (3) The voters registration officer is appointed as soon as the Gampong election committees are formed and finished after the voters registration is completed.
- (4) The voting officers are appointed one month before the election and expired one month after the election.
- (5) The voters registration officers and the voting officers are responsible to the sub district (kecamatan) election committees through Gampong election committees

Article 19

- (1) The duties of Gampong election committees are :
 - a. Executing tasks given by the sub district (kecamatan) election committees
 - b. Leading and coordinating voters registration done by the voters registration officers.
 - c. Leading and coordinating votings and votes count conducted by the voting officers at the Polling Stations; and
 - d. Reporting the results of the tasks to the sub district (kecamatan) election committees.
- (2) Customs and manners of the Gampong election committees duties implementation are determined by the Regencies / municipalities election committees.

CHAPTER IV ELECTION SUPERVISOR Article 20

- (1) The supervision of the election is done by the supervisory commission formed and legitimated by the DPRD decision.
- (2) In executing the duties, supervisory commission is aided by the Regencies / municipalities election committees, sub district (kecamatan) supervisor committees and Gampong supervisor committees.
- (3) The membership of supervisor commission consist of :
 - a. One element of central supervisor
 - b. Three elements of the provincial DPRD members
 - c. One element of ulama (Moslem leader) appointed by MPU
 - d. Four persons, from the candidates nominated by the community's organization and or community's group, who meet the requirements as referred to in article 5 verse (1)
- (4) The elections of the members of the supervisory Commission are conducted by DPRD through a properness and fairness test mechanism except the members of the Supervisory Commission from central DPRD and ulama.
- (5) Supervisory Commission consists of one chief, two vices and six members who are appointed in a plenary meeting of Supervisory Commission led by the oldest and youngest members.
- (6) In executing the tasks, the Supervisory Commission is aided by KIP secretariat.
- (7) The expiry of term of the Supervisory Commission follows the expiry of term of KIP as referred to article 8.
- (8) In executing the tasks the Supervisory Commission is responsible to the Provincial DPRD.
- (9) The working systems of Supervisory Commission is determined by the decision of the Supervisory Commission.

Article 21

- (1) Supervisory committee duties are :
 - a. Supervising election in all phases elections
 - b. Coordinating elections supervision conducted by the regencies/ municipalities sub district (kecamatan) and Gampong Supervisory committee
 - c. Overcoming disputes, violations and or protests / objections related to the lections except those involving crimes.
- (2) In overcoming disputes, arguments, violations and / or protests, objections as referred to as in verse (1) c, every party is given chances to explain the reasons defenses
- (3) In overcoming disputes, arguments, violations and / or protests, objections as referred to as in verse (1) c, every party is given chances to explain the reasons defenses
- (4) The duties executions as referred to in verse (1) e, are delegated to the supervisory committees in the respective activity level.
- (5) The decisions of the supervisory committees as referred to in verse (1) c and verse (2) are final.

Article 22

- (1) In regencies / municipalities levels regencies / municipalities supervisory committees are formed by the elections 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.
- (2) The duties of regencies / municipalities supervisory committee are as follows :
 - a. Executing tasks given by regencies / municipalities supervisory committee
 - b. Coordinating supervisory implementation conducted by Gampong and sub district (kecamatan) committees
 - c. Overcoming disputes, arguments, violations and or protests / objections related to the elections, except for those involving crimes in regencies / municipalities level, in which the decisions are final.
 - d. In handling disputes, arguments, violations and/or protests/objections as referred to point c, every party is given chances to explain the reasons and defenses.
- (3) In the tasks executions, the regencies/municipalities Supervisory Committees are aided by the secretariats of the Regencies/Municipalities Committees
- (4) The expiry of term of the Regencies/Municipalities supervisory Committees follows the expiry of term of Regencies/Municipalities Election Committees.
- (5) The working systems of the Regencies/Municipalities Supervisory Committees are organized by the Election Supervisory Commission.

Article 23

- (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) Election Committees 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
 - b. Supervising the election activities in Sub district (kecamatan) levels and coordinating supervisory activities conducted by the Gampong Supervisory Committees.
 - c. Handling disputes, arguments, violations and/or protest/objections to the elections activities except for those involving crimes in Sub district (kecamatan) levels and the decisions are final.
 - d. In handling disputes, arguments, violations and/or protest/ objections as referred to point c, every party is given chances to explain the reasons and defenses.
- (3) The expiry of term of the Sub district (kecamatan) Supervisory Committees follows the expiry of term of the Sub district (kecamatan) election Committees.

Article 24

- (1) The Gampong Supervisory Committees are formed by the Sub district (kecamatan) Supervisory Committees based on the proposal of Gheuchik by following the determination in Article 16.
- (2) The tasks of Gampong Supervisory Committees are as follows:
 - a. Executing the tasks given by the Sub district (kecamatan) Supervisory Committees.
 - b. Supervising the election in Gampong levels at all phases of election activities.
 - c. Handling and overcoming disputes, arguments, violations and/or objections/protests to the election activities except for those involving crimes in Gampong and Polling Stations levels and the decisions are final.
 - d. In handling disputes, arguments, violations and/or protests/ objections as referred to in point c, every party is given chances to explain the reasons and defenses.

Article 25

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

CHAPTER V ELECTIONS OBSERVER

Article 26

- (1) The elections activities in various levels can be observed by the domestic and foreign Elections Observer Institutions, with a prior permission from the election commissions.
- (2) The observation activities shall not disturb and obstruct the process of the elections directly and indirectly and shall not be the part of the election activities.

- (3) The observers from the observer institutions as referred to in verse (1) must show the mandates to the Election Committees based on the levels and phases of the elections.
- (4) Observers who violate the regulations as referred to in verse (2) shall lose the rights as observers based on the levels of the election activities.
- (5) Other regulations on observations are determined by the KIP.

**CHAPTER VI
ELECTION PHASES
Article 27**

Elections are conducted in activity phases as follows:

- a. Voters registrations
- b. Nominations of Regional Heads and Vice Regional Heads
- c. Campaigns
- d. polling and Vote counts
- e. Endorsing the election results and;
- f. Inaugurations of the elected candidates

Article 28

- (1) The elections are conducted six months before the Governor/Vice Governor, Regents/vice Regents, Mayors/vice Mayors end or as soon as Governor/Vice Governor, Regents/vice Regents, Mayors/vice Mayors resign, are dismissed or permanently hindered.
- (2) The determination and announcement of commencing the elections as referred to in verse (1) are determined by the KIP and must be announced to the society.
- (3) The determination and announcement of the schedules of the election phases are conducted by the KIP in detail.

**CHAPTER VII
VOTING RIGHTS AND VOTERS REGISTRATIONS
Article 29**

Every Indonesian citizen who meet the requirements as referred to the government regulations has the rights to vote and to be voted for in elections.

Article 30

- (1) Those who have the voting rights are the citizens:
 - a. Who are 17 years of age by the last date of the voters registrations or have been/ are legally married;
 - b. Who have been domiciling in the voting areas at least six months until the voters registrations commence.
 - c. whose voting rights are not revoked by the final court decision.
 - d. who are registered as voters.

- (2) The voting rights become void if voters no longer meet the requirements as referred to in verse (1)

Article 31

- (1) A voters registration consists of :
 - a. Registering voters by the voters registration officers ;
 - b. The arrangement of voters list and allocating every TPS by the sub district (kecamatan) election committees
 - c. Determination and announcement of the number of voters in provincial levels for the elections of Governor / vice governor and regencies/municipalities levels for the elections of regents / vice regents and mayors/vice mayors.
- (2) The voters' registrations commence at least three months prior to the lection date.
- (3) The announcement of the number and the voter lists are conducted by KIP at least one month prior to the election date.
- (4) Voters who have not been registered can register themselves to the election registration officers at least 15 days prior to the election date. This additional voter list is announced by the sub district (kecamatan) election committees at least 7 days prior to the election date.
- (5) Every registered voter is given a registration receipt.
- (6) The registration of the voters who at the time of registration process are in hospitals, jails, prisons or other emergency places are determined by KIP.

Article 32

- (1) The voters lists are valid for 5 years.
- (2) Change and or addition to the voters' lists are done in every election.
- (3) The further customs and manners of voters' registration are determined by KIP.

CHAPTER VIII NOMINATION Article 33

- (1) To be elected in elections, every citizen who has voting rights must nominate him / herself as an independent candidate, be nominated by political parties or political parties coalitions.
- (2) Citizens who nominate themselves or are nominated as referred to in verse (1) are those who :
 - a. Are Indonesian citizens
 - b. Believe in God
 - c. Are Loyal and obedient to the Republic of Indonesia government
 - d. Have completed education of senior high school or equal
 - e. Are at least 35 years of age at the time of the nomination
 - f. Are physically and mentally healthy
 - g. Have never been imprisoned for committing crimes
 - h. Are not having had his/her right revoked by a final court decision

- i. Have never been citizens of other countries.
- (3) The nomination is conducted in the form of pairs of governors/vice governors, regents/vice regents, mayors/vice mayors nominees.
- (4) Every nominee as referred to in verse (1) and (2) must submit a letter of statement and personal property list.

Article 34

- (1) The registrations of governors/vice governors nominees are served by KIP and the registrations of regents/vice regents served by regency municipality election committees.
- (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 1% 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.
- (4) Every voter is only allowed to support one pair of candidates.
- (5) Supports given to more than one candidate are considered invalid.
- (6) Supports as referred to in verse (2) must be dispersed at least :
 - a. 1/2 out of the number of regents/municipalities for governors/vice governors elections.
 - b. 1/2 out of the number of sub districts (kecamatan) for regents/vice regents, mayors/vice mayors elections.
- (7) Customs and manners of supports acquisition are determined by KIP.

Article 35

- (1) Pairs of nominees who meet the requirements as referred to in article 33 must state their visions and missions in DPRD plenary meetings especially held for that particularly propose and open to public.
- (2) At least two pairs of nominees as referred to in verse (1) are administratively determined by DPRD decisions in accordance with KIP proposals.
- (3) Heads of DPRD together with KIP consult the pairs of nominees as referred to in verse (2) with the central government.
- (4) Nominees as referred to in verse (2) and (3) are administratively appointed contestants of elections based on DPRD decisions.

Article 36

- (1) If the nominees of governors/vice governors, regents/vice regents, mayors/vice mayors pass away, political parties or coalitions of political parties by which the nominees are nominated can propose the replacement if this matter happens before they are inaugurated as nominees by DPRD.
- (2) If one of the nominees of governors/vice governors, regents/vice regents, mayors/vice mayors passes away, the pair can propose a replacement nominee without following the regulations of article 33 and article 34.

- (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.

Article 37

Nominees who have been determined by DPRD are entitled to having a security guarantee from police officers.

CHAPTER IX CAMPAIGN

Part One

Campaign General Provisions

Article 38

- (1) Every contestant can campaign to influence voters to vote for him / her.
- (2) Direct campaign phases consist of :
 - a. Provincial level campaign
 - b. Regency / municipality level campaign
 - c. Sub district (kecamatan) level campaign.
- (3) The campaigns are held by the nominees or the campaign operators organized by the nominees campaign teams.
- (4) The guarantors of the campaigns are the nominees campaign teams in accordance with the levels as referred to in verse (2)
- (5) The organization and the personnel of the nominees campaign teams must be registered to KIP, regency/municipalities election committees or sub district (kecamatan) election committees in accordance with the campaign levels.

Article 39

- (1) Campaign operators besides nominees, must be registered in the nominees campaign teams and furthermore registered to KIP of regencies/municipalities or sub district (kecamatan) election committees in accordance with their levels.
- (2) Every campaign operator can only campaign for one nominee and in the territory of the campaign level where he / she is registered.
- (3) Those who can become campaign operators are Indonesian citizens who have voting rights.
- (4) Active military or Indonesian State police are not allowed to be campaign operators.
- (5) Public officers who become campaign operators must be non-active from their positions during the campaigns.
- (6) Civil servants can become campaign operators with permissions from their superiors and are determined by KIP.
- (7) While campaigning, campaign operators must be able to show the mandates and membership card of the campaign team if asked by KIP, supervisory commissions, regencies/municipalities supervisory committees, sub district (kecamatan) supervisory

committees, Gampong supervisory committees and police officers in charge in accordance with the campaign levels.

PART TWO
Time, Place, Team and Campaign Objectives
Article 40

- (1) The campaign can start as soon as the nominees determination by DPRD is finished until two days prior to the elections.
- (2) Campaigns can be held everyday, from 09.00 up to 18.00 except for electronic media. On Fridays the campaigns can be held from 14.30 up to 18.00
- (3) The campaign activity must stop while adzans are being reverberated and then start again after the praying activity is finished.
- (4) If the regulations as referred to in verse (1), verse (2) and verse (3) are violated, the election committees shall stop the campaign activities.

Article 41

- (1) Campaigns are held in places in which people can be present freely.
- (2) Campaign shall not be held in religious, education places, government offices and other places in which the campaigns can cost disturbance to public orderliness and traffic.
- (3) If the campaigns are held at the same time, the distance of the campaigns of one nominee to another must be at least one kilometer.
- (4) Time and place of the campaign as referred to in verse (3) are determined by KIP, regencies/municipalities election comities or sub district (kecamatan) election comities in accordance with the campaign levels.

Article 42

The themes of the campaigns are determined by the nominees or the campaign teams by considering all regulations of the campaigns.

Article 43

The objective of the campaigns is to influence voters to vote for the nominees in the elections.

Part Three
Campaign Forms and Media
Article 44

- (1) Campaigns can be held in the forms of :
 - a. Speech/speech/discussion
 - b. Radio/TV broadcast
 - c. Interview and community meetings

- d. Candidates debates
 - e. Advertisements and articles
 - f. Pamphlets, billboards and flyers
 - g. Other forms are allowed as long as they do not violate the regulations.
- (2) Campaigns can be held through :
- a. Public meeting
 - b. Printed and electronic media
 - c. Internet; and
 - d. Other media are allowed as long as they do not violate the regulations.

Part Four
Customs and Manners of Campaigns
Article 45

- (1) Campaign activities must be reported by the nominees campaign team to the KIP, regencies/municipalities, sub district (kecamatan) and Gampong election committees in accordance with the campaign levels at least three times 24 hours prior to the campaign activities.
- (2) The report as referred to in verse (1) is given in writing, including :
- a. Forms and media of campaigns;
 - b. Names of nominees and campaign operators;
 - c. Time and places;
 - d. Campaign levels;
 - e. Instruments used;
 - f. Campaign themes; and
 - g. Estimation of the number of participants.

Article 46

- (1) KIP, regencies/municipalities or sub district (kecamatan) election committees announce the campaign activities as referred to in article 45 to the local government and police in accordance with the campaign levels.
- (2) The campaign security is done by the campaign team under the local police coordination.
- (3) The police can stop the campaign activities if the campaigns violate the regulations of article 45.
- (4) The further customs and manners of campaign are determined by KIP.

Part Five
Prohibitions in Campaigning
Article 47

- (1) Campaigning candidate pairs or campaign teams are not allowed to:
- a. Dispute ideology and the Indonesian Constitution of 1945.
 - b. Misuse religion regulations to support the nominees

- c. Insult other nominees, other people, state and private instances, political parties, mass organizations, religions, tribes, races and other groups of society.
- d. Incite or stir up other nominees.
- e. Disturb security, peace, public order and traffic.
- f. Threaten and recommend the use of violence to take over authority from legitimate government.
- g. Provoke people from other administrative area in accordance with the campaign levels and
- h. Commit crimes.

(2) Violations against the regulations as referred to in verse (1) will receive sanctions:

- a. The campaign will be stopped and dismiss by the police upon the request of supervisory commission regencies/municipalities or sub district (kecamatan) election committees in accordance with the campaign level.
- b. The police and the law enforcers shall do the necessary actions to enforce the law.

Part Six Campaign Fund Article 48

- (1) Campaign fund consists of:
 - a. Transportation, accommodation, other expenses related to the campaign process.
 - b. Campaign attributes, such as flags, t-shirts, pamphlets, billboards, hats, pins badges, banners, stickers, brochures, gas balloons, etc.
 - c. Stationeries, both moving and not moving.
 - d. Mobilization expense in the campaign process.
 - e. Communication and printed matters delivery expense for the campaign.
 - f. Expenses on political meetings, parades, and campaign instruments including sound systems, stages and the decorations as well as lightings in the campaign locations.
 - g. Expenses on campaign advertisements in printed and electronic media.
 - h. Expenses on consultant or expert supports given by a party to the nominees of the election either directly or paid by the third party.
 - i. Discount and tariff given by a party to the nominees.
- (2) Any kind of loan and debt from any party to support the campaign, in the form of money, goods, services are taken as contributions.
- (3) Any expense or contribution in the form of natura must be converted into Rupiah.

Article 49

- (1) Campaign fund is originated from:
 - a. The candidate pairs, taken from a special account for campaign.
 - b. Local private enterprises and Indonesian citizens individual enterprises.
- (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.
- (3) All expenses of the campaign for candidates from political parties can only be withdrawn from a special account for campaign.

- (4) The special account for political party campaigns is separated from the account of regular political party fund.
- (5) The special account for campaign is opened when the candidate nominations comments.
- (6) The limit of individual contribution for governors/vice governors candidates campaign fund is maximum Rp15, 000,000 (fifteen million Rupiahs).
- (7) The limit of enterprises contribution including the branches or other firms for governors/vice governors candidates campaign fund is maximum Rp100, 000,000 (One hundred million Rupiahs.)
- (8) The limit of individual contribution for regents/vice regents or mayors/vice mayors candidates campaign fund is maximum Rp25, 000,000 (twenty five million Rupiahs.)
- (9) The limit of enterprises contribution for regents/vice regents or mayors/vice mayors candidates campaign fund is maximum Rp50, 000,000 (fifty million Rupiahs.)
- (10) The maximum limit of using the campaign fund for governor /vice governors is Rp. 10,000,000,000, (ten billion Rupiahs) for regents/vice regents and mayors/vice mayors elections is Rp 5,000,000,000 (fifty billion Rupiahs).
- (11) Each election candidate is prohibited to receive campaign fund from:
 - a. State officers, both civil and military
 - b. BUMN, BUMD, or other parties having interests with those to enterprises.
 - c. Non government organization
 - d. Foreign firms and individual foreign citizens.
 - e. Foreign government or government agents
 - f. Other enterprises or firms which can cost interest conflicts
- (12) The special account for campaign must not be registered as personal accounts.
- (13) The use of fund for various activities and campaigns are done in transparent way.

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 verse (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, the amount of the contributions, the dates when the contributions are received and the jobs of the contributors.
- (4) All the reports of the campaign fund and the proofs must be well kept by KIP until two years after the inauguration and open for public.
- (5) The financial audit standard of the election candidates is the financial standard audit used for non-profit organizations.
- (6) The election campaign fund is audited by public accountants, and the results are reported by the candidates to KIP ten 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) Before the cancellation, the parties suspected of violating the regulation are given chances to defend themselves in a Supervisory committees' meeting.
- (9) The further determination of collecting, using the campaign fund, and the cancellation of the polling results as referred to as in verse (1) is determined by KIP.

CHAPTER X
POLLING AND VOTE COUNT
Part One
The Polling
Article 51

- (1) The Sub district (kecamatan) election committees determine the number and location of Polling Stations.
- (2) Every 800 to 1,000 registered voters or in every Gampong in which the registered voters are less than 800, one polling station is made as referred to as in verse (1).
- (3) If a Gampong has more voters than the maximum number as referred to as in verse (2), but not enough for one more polling station, the voters will be sent to the nearest Gampong.

Article 52

- (1) Polling Stations are set in strategic, safe and reachable locations.
- (2) Polling Stations shall not be set in government offices both civil and military.
- (3) The further customs and manners of polling stations provisions are determined by KIP.

Article 53

- (1) In every polling station, one or more voting chambers are provided based on the needs.
- (2) In the voting chambers, there is an instrument and punching layer, which are determined by KIP.
- (3) The voting boxes are placed in safe places in the polling stations.
- (4) The voting boxes must really be empty, locked, and shown to the voters, supervisory committees, and the witnesses before the polling starts.
- (5) The voting boxes are provided by KIP and shall be ready with the Village Election Committees at least three days prior to the polling.

Article 54

- (1) The polling are done simultaneously on the date and day determined by KIP, from 08.00 up to 16.00.
- (2) The Election Day is determined as a regional holiday.
- (3) If unexpected conditions happen, with the agreement of Village Election Committees, witnesses and supervisors, the polling station can be moved to another location.
- (4) If on the D-day the polling cannot be executed, with the agreement of Village Election Committees, supervisors and witnesses, the election is postponed and the day will be determined by KIP.
- (5) The postpone as referred to as in verse (4) shall not be more than 14 days.
- (6) The movement of locations and postpones as referred to as in verse (3) and (4) are announced to the voters.

Article 55

- (1) Every candidate can send one witness to the polling station with a mandate from the candidate.
- (2) The witnesses with mandates report their presence to the chief of the village election committees before the polling begins.
- (3) Witnesses who come to the polling stations after the polling starts or who come late can still do the job but are not allowed to enter the polling station without the committees' permission.
- (4) Witnesses who come from other polling station jurisdictions can vote in the polling station by showing the mandates, invitations and registration letters.

Article 56

- (1) Ballots with names, photos, and the candidates' numbers are provided by KIP and shall have been with the village election committees at least three days prior to the polling day.
- (2) The number of the ballots are equal with the number of the registered voters in the polling station plus one percent for reserve.

Article 57

- (1) Seven days prior to the polling, the committees send the invitations for voting prepared by the District Election Committees to every registered voter in the polling station area.
- (2) On the polling day, the voters come to the polling stations with the invitation letters for voting and registration receipts and hand them over to the officers when signing the attendance list.
- (3) Registered voters, who do not receive invitations for voting, can show the registration receipts and show them to the committees, who will then give invitation letters to the voters.
- (4) Voters who have signed the attendance list wait and queue in the place provided.

Article 58

- (1) The chief of the Village Election Committee (PPS) open the polling activity by reading the speech of the KIP chief.
- (2) The chief of the PPS opens the voting boxes and show the boxes to voters to make sure that the boxes are empty, and lock them, witnessed by voters and witnesses.
- (3) Before the polling begins, 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.

Article 59

- (1) The voters who have signed the attendance list are called according to their numbers and given the signed ballots by the PPS.

- (2) Damaged ballots are replaced with new ones, if the signed ballots are not enough because of this matter, the signed reversed ballots will be used.
- (3) The damaged ballots are noted and kept together with the reverse.

Article 60

- (1) The voters with the ballots enter the voting chamber to vote.
- (2) Voting is done by punching the circle at the right of the candidate's photo in the ballots.
- (3) The punched ballots are refolded and inserted them to the boxes.
- (4) The voters who have voted are marked by dipping their fingers in ink provided by the committees, and then go out of the polling station.
- (5) Voting by handicapped, sick people or others who cannot vote in a normal way is determined by the PPS by keeping the confidentiality.
- (6) Voting by voters who cannot be present at the polling station for legitimate reasons is determined by the KIP.

Article 61

- (1) The security officers appointed to secure the polling station and make the voters comfortable must be in the polling station perimeter, unless requested by PPS.
 - (2) Those who are allowed to be in the polling station area are PPS, observers, witnesses, and voters who have been called to vote.
 - (3) The chief of PPS give instructions to the security officers to straighten up every disturbance or potential disturbance for the polling process.
-

Part Two Vote Count Article 62

- (1) After the polling is finished, the PPS chief announces that the polling is finished and the vote count will start soon.
- (2) PPS fills in an official report that states that the polling has correctly been done, which is signed by the PPS chief, Observers and the witnesses.
- (3) The PPS chief opens the voting boxes witnessed by the observers, witnesses and other PPS members.
- (4) The PPS chief counts the number of the ballot taken out of the voting boxes.
- (5) If there is a difference between the numbers of the ballots as referred to in verse (4) with the number of voters based on the attendance list, the vote count must be repeated.
- (6) If the result is still different, it will be noted in the vote count official report.

Article 63

- (1) The vote count is done by the PPS chief by unfolding all ballots and showing them to the witnesses.

- (2) The voters' votes in the form of punched paper are noted in the form provided and on the vote count board.
- (3) Votes are considered valid if the ballots are punched through in one of the circles in the ballots.

Article 64

- (1) The result of the vote count noted in the form and the vote board are noted in the official report signed by the PPS chief, observers, and the witnesses.
- (2) The witnesses who have objections to the vote count can state their objections to the PPS chief by stating the reasons in writing.
- (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 Gampong Election Committees.
- (4) Gampong Election Committees 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.
- (5) The copy of the official report as referred to in verse!) is given to the observers and witnesses.

Article 65

- (1) The counted ballots, implementation official report, vote count official report, and other documents are put into the voting box and the box is locked and sealed by the PPS witnesses and signed by the observers and the witnesses on the seal.
- (2) The voting box as referred to in verse (1) is sent to the Sub district (kecamatan) Election Committees (PPK) one day after the polling and the PPK the receives the box makes a receipt official report.

Article 66

- (1) At the latest three days after the election, PPK does the Sub district (kecamatan) level vote count based on the official reports of vote counts from Polling Stations in the Sub district (kecamatan) area in a PPK meeting attended by observers and witnesses.
- (2) The result of the vote count as referred to in verse (1) is noted in the Sub district (kecamatan) vote count official report and signed by the PPK, Sub district (kecamatan) Supervisory Committees, and witnesses.
- (3) Witnesses who have objections to the vote count result can make a complaint to the supervisors who will hold a meeting and make a decision, which is final, for the witness; objections.
- (4) If the objections are accepted, the vote count as referred to in verse (1) will be repeated, and if the objections are not accepted, they will be noted in the vote count official report and the result of the vote count is considered valid.
- (5) The vote count official report as referred to in verse (1) along with the voting boxes and the ballots as referred to in Article 70 verse (1) are sent to the Regencies/Municipalities Election Committees at the latest two days after the vote count in the Sub district (kecamatan) levels.

- (6) The copy of the official report as referred to in verse (20 and verse (4) are given to the Supervisors and witnesses.

Article 67

- (1) The Regencies/Municipalities Election Committees do the Regencies/Municipalities level vote count in a Regencies/Municipalities Election Committees meeting attended by the supervisors and witnesses in the level of Regencies/Municipalities at the latest ten days after the polling.
- (2) The result of the vote count as referred to in verse (1) is noted in the Regencies/Municipalities level vote count official report that is signed by the Regencies/Municipalities level Election Committees, supervisors and witnesses.
- (3) Witnesses who have objections to the vote count result can make a complaint to the supervisors who will hold a meeting and make a decision, which is final, for the witness;' objections.
- (4) If the objections as referred to in verse (3) are accepted, the vote count as referred to in verse (1) will be repeated, and if the objections are not accepted, they will be noted in the vote count official report as referred to in verse (2) and the result of the vote count is considered valid.
- (5) Regencies/Municipalities level vote count official report is sent to KIP at the latest 14 days after the polling, while the voting boxes, ballots, and other election documents are kept by the Regencies/Municipalities Election Committees.

Article 68

- (1) For the elections of Regents/vice regents or Mayors/vice Mayors, at the latest 14 days after the polling, KIP sends the result of the vote count based on the vote count official reports as referred to in article 66 verse (2) to the Regencies/Municipalities DPRD.
- (2) Based on the Regencies/Municipalities vote count official report as referred to in Article 66 verse (5), KIP count the votes for provincial levels for Governor/Vice Governor election at the latest 21 days after the polling.
- (3) The result of the vote count as referred to in verse (1) is noted in the provincial level vote count official report that is signed by KIP, supervisors and witnesses at provincial level.
- (4) One page of official report as referred to in verse (2) is given to the supervisors and witnesses.
- (5) The witnesses can state objections to the result of the vote count in writing as referred to in verse (2) to the supervisors by explaining the reasons and supervisors will hold a meeting to discuss about the objections and make a decision that is final.
- (6) If the objections as referred to in verse (5) are accepted, the vote count shall be repeated but if the objections are not accepted, the objections will be noted in an official report as referred to in verse (3) and the vote count is considered valid.
- (7) The vote count official report as referred to in verse (3) is given by KIP to the head of provincial DPRD at the latest 25 days after the polling.

**CHAPTER XI
CONFIRMATION AND AFFIRMATION
OF THE ELECTION RESULT**

Article 69

- (1) The pair of governors/vice governors candidate who get more than 20% votes with at least 20% 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.
- (2) If there is not candidate pair of governor/vice governor elected, two pairs of two candidates with the first and second most vote shall be re-elected in the second election, and the pair with the most votes shall be affirmed as governor / vice governor.

Article 70

- (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 with KIP submits the provincial DPRD decision as referred to in verse (3) to the president of the Republic of Indonesia at the latest 30 days after the polling.
- (5) If the determination as referred to in verse (3) and (4) is not fulfilled the vote count result as referred to in verse (1) is considered valid by KIP, and KIP submits the vote count result to the president of the Republic of Indonesia.

Article 71

- 1) The candidate pair of regencies/vice regencies, mayor/vice mayors candidate who get more than 20% votes with at least 20% 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 regency / vice regency, mayor/vice mayor.
- 2) If there is not candidate pair of regencies/vice regencies elected, two pairs of two candidates with the first and second most vote shall be re-elected in the second election, and the pair with the most votes shall be affirmed as regencies/vice

Article 72

- 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) If the determination as referred to in verse (3) and (4) is not fulfilled the vote count result as referred to in verse (1) is considered valid by KIP, and KIP submits the vote count result to the governor of Nanggroe Aceh Darussalam

CHAPTER XII INAUGURATION OF ELECTED PAIR

Article 73

- (1) The president of the Republic of Indonesia administratively issues a decree on the inauguration of elected candidate pair to be the governor/vice governor.
- (2) Appointment of position oath, and the inauguration of governors/vice governors are conducted in the same ceremony but not at the same time.
- (3) Position Oath and inauguration of the elected governor/vice governor is conducted on the date of the former Governor/Vice Governor end their services.
- (4) The elected Governor/Vice Governor Swear in accordance with the legitimate regulations before the head of the Court of law Syari'ah and inaugurated by the Minister of Domestic Affair on behalf of the President in a special plenary meeting of DPRD province.
- (5) Customs and manners of the implementation of verse (4) area determined by DPRD province.

Article 74

- (1) The Minister of Domestic Affair on behalf of the President of the Republic of Indonesia administratively issues a decree on the affirmation of the elected candidate pair of Regent/Vice regent or Mayor/Vice Mayor.
- (2) Appointment of position oath, and the inauguration of governors/vice governors are conducted in the same ceremony but not at the same time.
- (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.
- (4) The elected Regent/Vice regent or Mayor/Vice Mayor Swear in accordance with the legitimate regulations before the head of the Court of law Syari'ah and inaugurated by the Minister of Domestic Affair on behalf of the President in a special plenary meeting of DPRD Regency/Municipality
- (5) Customs and manners of the implementation of verse (4) are determined by DPRD Regency/Municipality.

CHAPTER XIII ELECTION BUDGET AND LOGISTIC Part One Election Budget

Article 75

- (1) Election budget is total budget needed for the implementation of the election arranged by KIP.
- (2) Budget of Governors/vice governors election is taken from the province National Revenue and Expenditure Budget (APBD) while budget of regency/vice regencies, mayors/vice mayors is taken from the Regional Revenue and Expenditure Budget (APBD).
- (3) The election budget as referred to in verse (1) is propose by KIP to the governors to be estimated in RAPBD province and to regencies/vice regencies/mayors/vice mayors to be estimated in RAPBD regencies/municipalities.
- (4) KIP secretariat and election committee secretariat of regency/municipality manage the election budget in accordance with programs and instructions from KIP.
- (5) The election budget management is done in accordance with the instructions for state/regional budget management based on the legitimate regulation.

Part Two Election Logistic

Article 76

- (1) Election logistic includes:
 - a. Nomination form, candidate support form, voter registration form, voter registration card official report of implementation and election supervision and vote count official record
 - b. Ballot
 - c. Voting boxes
 - d. Punching layer
 - e. Punching tool
 - f. Ink for marking fingers
 - g. Photos and identities of candidates
 - h. Stuck in the voting chamber
 - i. Voting chamber
 - j. Other things needed for the election implementation
- (2) Plans supply and distributions of the election logistic are done by KIP secretariat based on the KIP programs aided by the election committees at all levels.

Article 77

- (1) The logistic supply is done based on quality, security, punctuality, economical budget and transparency aspects.
- (2) The determination of logistic supply company is done a transparent way through an open and competitive tender process based on the criteria as referred to in verse (1)
- (3) Tender customs and manners and procedure techniques are determined by KIP.

Article 78

- (1) The election logistic management as referred to article 76 and article 77 is done based on the legitimate regulations on APDB implementation.
- (2) The election logistic distribution must be completed three days prior to the election.

Article 79

- (1) The election logistic distribution as referred to article 76 verse (1) point a,b,c,d,e,f and g is done by KIP by considering security, punctuality and confidentiality factors.
- (2) To do that verse (1) KIP and the election committee can request back up from the police department.
- (3) Customs and manners of implementing verse (1), verse (2) and verse (3) are determined by KIP based on the legitimate regulations.
- (4) Election logistic supply and distribution besides those determined in verse (1) are done by KIP by involving regencies/municipalities election committee and sub district election committee.

CHAPTER XIV CRIME DETERMINATION

Article 80

- (1) Everyone who deliberately give false information about him/herself or other people about things needed to fill in the election list will get at least 15 (fifteen) days or at the most three months imprisonment and /or have to pay fine at least at least Rp 100,000 (one hundred rupiahs) or at the most Rp 1,000,000 (One million Rupiahs)
- (2) Every one who deliberately causes other people to lose their voting rights and the ones who lose the voting rights have objections to this, he/she will get at least 1 (one) month or at the most 6 (six) months imprisonment and/or have to pay fine as much as at least Rp. 200,000 (two hundred thousand rupiah) or at the most Rp. 2,000,000 (two million rupiah).
- (3) Every one who deliberately takes part in an election by falsifying his/her identity will get at least 3 (three) months or at the most 6 (six) months imprisonment and/or have to pay fine as much as at least Rp. 600,000 (six hundred thousand rupiah) or at the most Rp. 3,000,000 (three million rupiah).
- (4) Every one who deliberately falsifying a paper, which according to the Government Regulation is needed to take part in the election, to be used by him/herself or other people as if it was a legitimate paper will get at least 3 (three) months or at the most 6 (six) months imprisonment and/or have to pay fine as much as at least Rp. 200,000 (two hundred thousand) or at the most Rp 4,000,000 (four million rupiah).
- (5) Every one who deliberately committees deceit in collecting signatures for the candidates in the elections, including forcing others to give their signatures of nominating a candidate with or without a certain reward or certain threats, will get at least 3 (three) months or at the most 6 (six) months imprisonment and/or have to pay fine as much as at least Rp. 200,000 (two hundred thousand) or at the most Rp 4,000,000 (four million rupiah).
- (6) Every one who uses violence or threats of violence or uses his/her authority to keep someone from being a voter in the election, will get at least 3 (three) months or at the most 6 (six) months imprisonment or have to pay fine at least Rp. 3,00.000 (three hundred thousand rupiah) or Rp. 5,000,000 (five million rupiah).

- (7) Every one who deliberately commits deceits to mislead other people or forces or promises to give reward in order to get someone's support for his/her nomination in the election, will get at least 3 (three) months or at the most 6 (six) months imprisonment or have to pay fine at least Rp. 3,000,000 (three hundred thousand rupiah) or Rp. 5,000,000 (five million rupiah).

Article 81

- (1) Every one who deliberately violates the regulation on campaign prohibition as referred to in Article 47 verse (1) point a,b,c, and d will get a penalty of at least 3 (three) months or at the most 6 (six) months imprisonment or have to pay fine at least Rp. 300,000 (three hundred thousand rupiah) or Rp. 5,000,000 (five million rupiah).
- (2) Every one who deliberately violates the regulation on campaign prohibition as referred to in Article 47 verse (1) point e,f,and g, will get a penalty of at least 3 (three) months or at the most 6 (six) months imprisonment or have to pay fine at least Rp. 300,000 (three hundred thousand rupiah) or Rp. 5,000,000 (five million rupiah).
- (3) Every one who violates the campaign regulations as referred to in Article 40 and Article 41, will get a penalty of at least 1 (one) month or at the most 3 (three) months imprisonment or have to pay fine at least Rp. 100,000 (one hundred thousand) or at the most Rp. 2,000,000 (two million rupiah).
- (4) Every one who deliberately hampers, disturbs or stirs up the situation of the campaign will get a penalty of at least 2 (two) month or at the most 4 (four) month imprisonment or have to pay fine at least Rp. 200,000 (two hundred thousand rupiah) or Rp. 4,000,000 (four million rupiah).
- (5) Every one who violates the regulations on the campaign fund as referred to in Article 48 and Article 49 ,will get a penalty of at least 2 (two) month or at the most 4 (four) month imprisonment or have to pay fine as much as Rp. 300,000 (three hundred thousand or at the most Rp. 3,500,000 (three million five hundred thousand rupiah).
- (6) Every one who gives false information in audit implementation of the campaign fund, will get a penalty of at least 2 (two) month or at the most 4 (four) month imprisonment or have to pay fine as much as Rp. 300,000 (three hundred thousand or at the most Rp. 3,500,000 (three million five hundred thousand rupiah).

Article 82

- (1) Every one who deliberately uses violence or threats of violence or stops someone from doing his/her rights to vote, will get a penalty of at least 2 (two) month or at the most 6 (six) month imprisonment or have to pay fine as much as Rp.1,000,000 (one million) or at the most Rp. 5,000,000 (five million rupiah).
- (3) Every one who deliberately gives or promises money or other materials to someone to make him/her skip his/her rights to vote or to vote for certain candidates or use his/her rights in such a way that his/her ballot is not valid, will get a penalty of at least 2 (two) month or at the most 6 (six) month imprisonment or have to pay fine as much as Rp.1, 000,000 (one million) or at the most Rp. 5,000,000 (five million rupiah).
- (4) Every one who deliberately vote more than once at one polling station or more, will get a penalty of at least 2 (two) month or at the most 4 (four) month imprisonment or

have to pay fine at least Rp. 200,000 (two hundred thousand rupiah) or Rp. 2,000,000 (two million rupiah).

- (5) Every one who deliberately fails the polling, will get a penalty of at least 4 (four) month or at the most 6 (six) month imprisonment or have to pay fine at least Rp. 2,000,000 (two million rupiah) or at the most Rp. 5,000,000 (five million rupiah).
- (6) A master/employer who deliberately does not give a chance to the worker to vote without any certain reasons, will get a penalty of at least 2 (two) month or at the most 6 (six) month imprisonment or have to pay fine as much as Rp.1, 000,000 (one million) or at the most Rp. 5,000,000 (five million rupiah).
- (7) Every one who deliberately accompanies a voter without referring to Article 60 verse (5) and verse (6), will get a penalty of at least 2 (two) month or at the most 6 (six) month imprisonment or have to pay fine as much as Rp.1,000,000 (one million) or at the most Rp. 5,000,000 (five million rupiah).
- (8) Every one who helps a voter as referred to Article 60 verse (5) and verse (6), deliberately tells other people about the voter's choice, will get a penalty of at least 2 (two) month or at the most 6 (six) month imprisonment or have to pay fine as much as Rp.1, 000,000 (one million) or at the most Rp. 5,000,000 (five million rupiah).

Article 83

- (1) Every one who deliberately does something that makes a voter's vote not valid or causes a certain voter to get additional votes or lose votes, will get a penalty of at least 2 (two) month or at the most 6 (six) month imprisonment or have to pay fine as much as Rp.1, 000,000 (one million) or at the most Rp. 5,000,000 (five million rupiah).
- (2) Every one who deliberately damages or loses the result of the polling, will get a penalty of at least 2 (two) month or at the most 6 (six) month imprisonment or have to pay fine as much as Rp.1, 000,000 (one million) or at the most Rp. 5,000,000 (five million rupiah).
- (3) Every one who, because of his/her carelessness, damages or loses the result of the polling, will get a penalty of at least 15 days (fifteen days) month or at the most 2 (two) month imprisonment or have to pay fine as much as Rp.100,000 (one hundred thousand) or at the most Rp. 1,000,000 (one million rupiah).
- (4) Every one who deliberately changes the result of the polling and/or the official report of the polling, will get a penalty of at least (five) month or at the most 6 (six) month imprisonment or have to pay fine as much as Rp. 4,000,000 (four million rupiah) or at the most Rp. 5,000,000 (five million rupiah).

Article 84

- (1) If crimes are committed deliberately by the committees or the participants of the election, the 1/3 is added to the penalty as referred to the concerning Articles.
- (2) If the crimes as referred to in this Government Regulation are also written in other higher Regulations, therefore the penalty shall refer to the regulations.

CHAPTER XV

REPLACEMENT REGULATION

Article 85

- (1) The election of Governor/Vice Governor according to this government Regulation is conducted at least five years after the affirmation of Government Regulation number 18 2001 on Special Autonomy for the Province of Special Region of Aceh as the Province of Nanggroe Aceh Darussalam.
- (2) If the active Governor/Vice governor passes away, resigns, is permanently hindered, sacked, the election of the replacement governor/Vice governor shall be based on this government Regulation.
- (3) The election of Regents/Vice Regents and Mayors/Vice Mayors are conducted after the expiry term of the Regents/Vice Regents and Mayors/Vice Mayors who are still active when this Government Regulation is made.

Article 86

If in a case that the elections based on this government Regulation cannot be conducted, based on the consideration of KIP and Election Supervisory Commission, elections based on other Regulations are conducted.

CHAPTER XVI CLOSING PROVISIONS

Article 87

Matters that have not been determined in these government Regulations, as long as they deal with the implementation regulation, will be regulated by KIP decree.

Article 88

This Government Regulation is declared active on the day it is enacted.

In order to let everyone know about this, it is ordered to publish this Government regulation in the state Gazette of the Province of Nanggroe Aceh Darussalam.

Endorsed in Banda Aceh,

March 9, 2004

18 Muharram 1425

THE GOVERNOR

OF

NANGGROE ACEH DARUSSALAM

PROVINCE

ABDULLAH PUTEH

Enacted Banda Aceh,
March 10, 2004
19 Muharram 1425
REGIONAL SECRETARY
OF
NANGGROE ACEH DARUSSALAM PROVINCE

THANTHAWI ISHAK