

QANUN NUMBER 7, 2006

REGARDING

THE SECOND CHANGE TO QANUN NO.2, 2004

REGARDING

ELECTION OF GOVERNOR/DEPUTY GOVERNOR, BUPATI/DEPUTY BUPATI

AND WALIKOTA/DEPUTY WALIKOTA

IN THE PROVINCE OF NANGGROE ACEH DARUSSALAM

AS CHANGED WITH THE QANUN NO.3, 2005

IN THE NAME OF GOD

WITH THE MERCY OF ALLAH, THE GREAT POWER

THE GOVERNOR OF ACEH,

- Considering:
- a. that the ratification of the Law on Governance for Aceh, means that several stipulations in the Qanun No.2, 2004 regarding the Election of Governor/ Deputy Governor, Bupati/ Deputy Bupati and Walikota/ Deputy Walikota in the Province of Nanggroe Aceh Darussalam, as also affected by changes in the Qanun No.3, 2005, need to be revised in order to accord with Law No.11, 2006 on Governance for Aceh, and with the dynamics of development of society in Aceh;
 - b. that based on consideration of what is meant by letter a, there is a need to finalize the Second Change to Qanun No.2, 2004 regarding the Election of Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota in the Province of Nanggroe Aceh Darussalam with an Aceh Qanun.

- Remembering: 1. Article 18, paragraph (4) and Article 18B, paragraph (1) of the Constitution of the State of the Republic of Indonesia, 1945;

2. Law No.24, 1956 regarding the Formation of the Autonomous Region of the Province of Aceh and Changes to the Regulations regarding the Formation of the Province of North Sumatera (State Gazette 1956, No.64, State Gazette Supplement No.1103)
3. Law No.28, 1999 regarding the Coordination of Governance which is clean and free of corruption, collusion and nepotism (State Gazette, 1999 No.75, State Gazette Supplement No.3851);
4. Law No.44, 1999 regarding the Coordination of Special Provincial Regulation for the Special Region of Aceh (State Gazette 1999, No.172, State Gazette Supplement 3893);
5. Law No.2, 2002 regarding the Policing of State of the Republic of Indonesia (State Gazette, 2002, No.2, State Gazette Supplement No.4168);
6. Law No.31, 2002 regarding Political Parties (State Gazette, 2002, No.138, State Gazette Supplement No.4251);
7. Law No.12, 2003 regarding General Elections of Members of the People's Representative Assembly, Regional Representative Assembly, and Regional People's Representative Assembly (State Gazette 2003, no.37, State Gazette Supplement No.4277);
8. Law No.17 2003 regarding State Finance (State Gazette, 2003, No.475, State Gazette Supplement No. 4286);
9. Law No.22, 2003 regarding Regulation and Status of the People's Consultative Council, the People's Representative Assembly, and the Regional People's Representative Assembly (State Gazette, 2003, No.92, State Gazette Supplement No.4310);
10. Law No.1, 2004 regarding the State Treasury (State Gazette, 2004, No.5, State Gazette Supplement No.4355)
11. Law No. 10, 2004 regarding Formation of Legislative Regulation (State Gazette 2004, No.53, State Gazette Supplement No.4839)

12. Law No.15 2004 regarding the Checking of Management and Responsibility of State Finance (State Gazette, 2004, No.66, State Gazette Supplement No.4400)
13. Law No. 32, 2004 regarding Regional Governance (State Gazette Indonesia, 2004, No.125, State Gazette Supplement No.4437) as changed with Law No.8, 2005 regarding the Determination of Regulation for Changing Governments, and Law No.3, 2005 regarding Changes to Law No.32 Regarding Regional Governance (State Gazette 2005, No.108, State Gazette Supplement No.4548);
14. Law No.33, 2004, regarding Balance Funding between Central Government and Regional Government (State Gazette, 2004, No.126, State Gazette Supplement 4438);
15. Law No.34, 2004 regarding Indonesian National Army (TNI) (State Gazette 2004, No.127, State Gazette Supplement 4439);
16. Law No.11, 2006 regarding Governance in Aceh (State Gazette, 2006, No.62, State Gazette Supplement No.4633);
17. Government Regulation No.6 2005, regarding Election, Ratification, Appointment and Dismissal of Regional Heads and Deputy Regional Heads (State Gazette 2005, No.22, State Gazette Supplement No.4480), as changed with Government Regulation No.17, 2005 regarding Changes to Government Regulation No.6, 2005 regarding Election, Ratification, Appointment and Dismissal of Regional Heads Deputy Regional Heads (State Gazette 2005, No.39, State Gazette Supplement No.4494);
18. Qanun for the Province of Aceh Darussalam No.2 2004 regarding the Election of Governor/ Deputy Governor, Bupati/ Deputy Bupati and Walikota/ Deputy Walikota in the Province of Nanggroe Aceh Darussalam (Regional Gazette 2004 No.7 series 'd', No.4, Regional Gazette Supplement No.31), as changed with Qanun No.3, 2005

regarding Changes to the Provincial Qanun for Nanggroe Aceh Darussalam No.2, 2004 regarding the Election of Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota in the Province of Nanggroe Aceh Darussalam (State Gazette 2005, No.13, Regional Gazette Supplement Nanggroe Aceh Darussalam 03).

In mutual agreement the
PEOPLE'S REPRESENTATIVE ASSEMBLY OF ACEH
and
GOVERNOR OF ACEH
HEREBY DECIDE TO:

Determine: THE ACEH QANUN REGARDING THE SECOND CHANGE TO THE QANUN NO.2, 2004 REGARDING THE ELECTION OF GOVERNOR/DEPUTY GOVERNOR, BUPATI/DEPUTI BUPATI AND WALIKOTA/DEPUTY WALIKOTA IN THE PROVINCE OF ACEH DARUSSALAM

Article 1

Several stipulations in the Qanun for the Province of Nanggroe Aceh Darussalam No.2, 2004 (Regional Gazette Province of Nanggroe Aceh Darussalam 2004, No.7, Seri D, No.4, NAD Regional Gazette Supplement 31) as changed by NAD Qanun No.3, 2005 regarding Changes to the NAD Qanun No.2, 2004 regarding Election of Governor/ Deputy Governor, Bupati/ Deputy Bupati and Walikota/ Deputy Walikota in the Province of NAD (Regional Gazette, 2005, No.13, Supplement to Regional Gazette 03) have been changed as follows:

1. Stipulations in Article 1, numerals 1, 2, 3, 4, 5, 6, 8, 10, 11, 12, 13, 14, 20, 21, 24, 28, 29, 30, 31, 32, 33, 35, 36 and 37, have been changed, between numeral 1 and numeral 2 have been inserted 2 (two) numerals, that is 1a and 1b, between numeral 7 and numeral 8 have been added 2 (two) numerals, that is numerals 7a and 7b, between numeral 8 and numeral 9 have been inserted 4 (four) numerals, that is 8a, 8b, 8c and 8d, numeral 9 and numeral 15 have been deleted, and after numeral 37 has been added 1 (one) numeral, that is numeral 38, so that the complete Article 1 now reads as follows:

Article 1

1. Aceh is a provincial region that constitutes a social legal unit with a special quality and has been given the authority to regulate and manage itself, in matters of governance and for the interests of society within its area, in accordance with the legislative regulations within the system and principles of the Unitary State of the Republic of Indonesia, based on the Constitution of the Indonesian Republic 1945, led by a Governor.
 - 1a. Governance in Aceh is Regional Governance for the Province of Nanggroe Aceh Darussalam which henceforth shall be referred to as Aceh Governance, which is situated within the system of the Unitary State of the Republic of Indonesia based on the Constitution of the State of the Republic of Indonesia 1945, and which coordinates matters of governance which are implemented by the Aceh Regional Government and the Aceh Regional People's Representative Assembly in accordance with their respective functions and authority.
 - 1b. Kabupaten/Kota Governance is the coordination of matters of governance as implemented by the Kabupaten/Kota and the People's Representative Assembly for Kabupaten/Kota in accordance with their respective functions and authority.
2. Kabupaten/Kota are parts of Aceh which forms one legal/social unit which has been given the special authority to regulate and manage itself in matters of governance and in the interest of society within its territory, in accordance with the legislative regulations derived from the system and principles of the Unitary State of the Republic of Indonesia based on the Constitution of the Republic of Indonesia 1945, and which is led by a Bupati/Walikota.
3. The Governor is the head of Government in Aceh, assisted by the Deputy Governor who is chosen through a democratic process which

is based on the principle of direct public participation in free, secret, honest and fair elections.

4. Bupati/Walikota are the heads of government at the Kabupaten/Kota level, assisted by the Deputy Bupati/Walikota, and are chosen through a democratic process which is based on the principle of direct public participation in free, secret, honest and fair elections.
5. The Regional People's Representative Assembly of Aceh, which henceforth shall be referred to as the People's Representative Assembly of Aceh (DPRA), is the coordinating element of Aceh Regional Governance whose members are chosen through general election.
6. The Kabupaten/Kota Regional People's Representative Assembly, which henceforth shall be referred to as the People's Representative Assembly Kabupaten/Kota (DPRK), is the coordinating element of regional governance for kabupaten/kota and its members are chosen through general elections.
7. The elections for Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota which henceforth shall be referred to as elections, refers to all electoral activities, including the electoral preparation phases, the registration of voters, the finalization of the electoral roll, nominations, campaign, implementation of the elections, finalization and ratification of the results of the election and appointment of the Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota.
- 7a. Qanun Aceh is the Qanun of the Province of Nanggroe Aceh Darussalam which henceforth shall be referred to as Qanun Aceh, and is the legislative regulation that has the same status as a Provincial Regional regulation in regulating the coordination of Governance and life of Acehnese society.

- 7b. Qanun Kabupaten/Kota is the legislative regulation that has the same status as a Regional Kabupaten/Kota regulation, which regulates the coordination of Governance and life of society within the Kabupaten/Kota in Aceh.
8. The Independent Election Commission which henceforth shall be referred to by the abbreviation KIP, comprises KIP Aceh and KIP Kabupaten/Kota, which comprise part of the General Election Commission (KPU) which has been given the authority by law to coordinate the election of President/Deputy President, Members of the People's Representative Assembly, Members of the Regional People's Representative Assembly, Members of the DPRA/DPRK, Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota.
- 8a. Kecamatan is the working area of a camat as the appointee of the Kabupaten/Kota for the coordination of governance within the Kecamatan.
- 8b. Mukim is the social/legal unit below the kecamatan that is established based on a collection of villages (gampong) that have a certain territorial boundary and are led by an imum mukim, whether by this or other name, who holds a position directly below the camat.
- 8c. The Imum mukim, whether by this or other name, is the head of Mukim Governance.
- 8d. Gampong, whether by this or other name, is the social legal unit beneath the mukim and is led by the Keuchik, whether by this or other name, who has the right to manage the affairs of the kampung.
9. Deleted.
10. The Kecamatan Electoral Committee, which henceforth shall be referred to as PPK, is part of KIP Kabupaten/Kota, as the implementer

of elections in the territories of Kecamatan and which are formed by the KIP Kabupaten/Kota.

11. The Gampong Electoral Committees, which henceforth shall be known as PPG, are formed by the PPK and are part of the PPK as the implementer of elections in the territory of Gampong/Kelurahan.
12. The Aceh Election Oversight Committee, which henceforth shall be referred to as the Aceh Oversight Committee, is the institution that carries out oversight of implementation of elections by KIP Aceh.
13. The Election Oversight Committee Kabupaten/Kota, which henceforth will be referred to as the Oversight Committee Kabupaten/Kota, will conduct oversight of the running of elections within the Kabupaten/Kota territories.
14. The Electoral Oversight Committees for Kecamatan, which henceforth will be referred to as PPK, implement oversight towards the running of elections in the territories of Kecamatans and form part of the Electoral Oversight Committee Kabupaten/Kota.
15. Deleted.
16. Voter Registration Officers are an implementing apparatus for elections and carry out the registration of voters who will participate in elections.
17. Logistics refers to all expenses incurred and equipment required for staging of elections.
18. Election equipment consists of all the materials needed for the implementation of proper elections.
19. Witnesses are people who represent the participants in the elections (candidates) to witness the implementation of the phases of the election.

20. Voters are all citizens of Indonesia who reside in Aceh and who have the right to vote and have been registered on the electoral roll.
21. The registration of voters is an activity to register the citizens who reside in Aceh and possess the right to vote, and is implemented by voter registration officers.
22. The electoral roll is a list created by KIP containing the names of voters who have been registered by a voter registration officer.
23. Ballot papers are papers that contain the names, photos, and numbers of the candidates, which have been prepared by KIP as the medium for casting of votes by voters.
24. The Coordinating Group for the Casting of Votes, which henceforth shall be referred to as the KPPS is a group of officers formed by the PPK based on the recommendation of PPG which has the task of facilitating casting and counting of votes at the polling stations (Tempat Pemungutan Suara – TPS)
25. Casting of votes is the activity of a voter placing his/her vote in the voting booth at the polling station by means of the voter punching a hole in one of the four-sided boxes containing the photos of the candidate pairing on the ballot paper.
26. At the polling station, which henceforth shall be referred to as TPS, there will be a designated place, to be determined by the Kecamatan Electoral Committee, where the activities of casting and counting the votes will be carried out.
27. Vote counting is an activity to count the votes according to holes punched in ballot papers received at the TPS, and is carried out in phases from the TPS to the Kecamatan, the Kabupaten and the Province.
28. Candidates are candidate pairings for Governor/Deputy Governor that are determined by KIP Aceh, or candidate pairings for Bupati/Deputy

Bupati and Walikota/Deputy Walikota who are determined by KIP Kabupaten/Kota.

29. The voting region for the election of the Governor/Deputy Governor is the territory of Aceh, whilst the voting region for the election of Bupati/Deputy Bupati or Walikota/Deputy Walikota is the territory of the Kabupaten/Kota.
30. The election campaign, which henceforth shall be referred to as the campaign, is an activity whereby candidates attempt to persuade all voters by offering their vision and mission.
31. The Campaign Implementation Team, which henceforth shall be referred to as the Campaign Team is a team formed by the candidate pairings along with a political party, a coalition of political parties, local political parties or a coalition of local political parties or individual candidates who have the task and authority of assisting with the coordination of the campaign along with taking responsibility for the technical implementation of campaign coordination.
32. The Campaign Director can be one member of the candidate pairing or a person who is registered with a candidate pairing's Campaign Team, who have the task of convincing prospective voters to vote for their candidate.
33. The level of the campaign refers to the territorial level of governance and administration where the Campaign Director has been given permission to campaign.
34. Campaign funds are the budget for necessary expenditures directed toward the implementation of campaign activities.
35. Political parties are political organizations formed by a group of citizens of the Republic of Indonesia in a voluntary manner based on a common desire and aspirations to advance the interests of members, society, the nation and state through general elections.

36. Party cadre includes all people who become organizers or members of a political party or local political party, and who can prove this with a membership card or a written statement from a political party or local political party.
37. Individual candidate pairings are candidate pairings who are outside political parties or coalitions of political parties, local political parties or coalitions of local political parties, or coalitions of political parties with local political parties and who are not cadre of parties, and who have fulfilled the preconditions of candidature as independent candidate pairings.
38. Local political parties are organizations which are formed by a group of Indonesian citizens who reside in Aceh and in a voluntary manner, based on a common desire and aspirations to advance the interests of members, society, nation and state, through the election of members of DPRA/DPRK, Governor/Deputy Governor, Bupati/Deputy Bupati, and Walikota/Deputy Walikota.
2. Stipulations in Article 4, paragraph (1), paragraph (2) and paragraph (3) have been changed, after paragraph (3) have been added 5 (five) paragraphs, that is paragraph (4), paragraph (5), paragraph (6), paragraph (7) and paragraph (8) so that Article 4 now reads as follows:

Article 4

- (1) KIP Aceh constitutes the coordinator of elections for Governor/Deputy Governor.
- (2) KIP Kabupaten/Kota constitutes the coordinator for elections of Bupati/Deputy Bupati and Walikota/Deputy Walikota.
- (3) In the election of Governor/Deputy Governor as meant in paragraph (1), KIP Kabupaten/Kota constitutes a part of the coordinating structure for of elections for Governor/Deputy Governor.

- (4) Apart from coordinating elections as meant in paragraph (1) and paragraph (2), KIP Aceh and KIP Kabupaten/Kota can also be tasked with coordinating General Elections for President/Deputy President, the People's Representative Assembly of Indonesia, the Regional People's Representative Assembly, the DPRA and DPRK.
 - (5) Members of KIP Aceh are first proposed by DPRA, then determined by KPU and formally appointed by the Governor.
 - (6) Members of KIP Kabupaten/Kota are first proposed by DPRK, then determined by KPU and formally appointed by the Bupati/Walikota.
 - (7) In implementing the stipulation as meant in paragraph (4) and (5), DPRA/DPRK will establish an independent ad-hoc team to carry out screening of prospective members of KIP.
 - (8) The regulations and phases of the election of Bupati/Deputy Bupati, Walikota/Deputy Walikota refer to the stipulations as regulated in this Qanun.
3. In stipulation Article 5, paragraph (1), letter m has been changed, after letter n has been added the letter o and letter p, paragraph (2) has been deleted, paragraph (3) and paragraph (4) have been changed, so that Article 5 reads as follows:

Article 5

- (1) Prospective members of KIP as meant in Article 4, paragraphs (1) and (2) must fulfill the following conditions:
 - a. Healthy of mind and body, and free from narcotics as based on the results of an examination by a government doctor;
 - b. Have the right to vote;
 - c. Be of at least 21 (twenty-one) years of age;
 - d. Have completed education to the level of at least senior high school or equivalent degree;

- e. Have a strong commitment to justice and democracy;
 - f. Have never been sentenced to prison for six months or longer because of any criminal act, and/or, corruption and/or crime against humanity.
 - g. Possess strong integrity, and an honest and fair character;
 - h. Possess a clear vision and sound knowledge regarding politics, party, elections, and his/her own leadership capability;
 - i. Not be a member of a political party or a local political party;
 - j. Not be an active member of the TNI/Polri;
 - k. Not be currently occupying a position as Director/Commissioner BUMD or BUMN;
 - l. Not be currently being nominated in an election;
 - m. Not currently occupying a political position;
 - n. Residing in Aceh for prospective members of KIP Aceh, and residing in the Kabupaten/Kota concerned for prospective members of KIP Kabupaten/Kota;
 - o. Prepared to work fulltime;
 - p. Not possessing the status of a Civil Service Employee.
- (2) Deleted.
- (3) The selection process for prospective members of KIP based on conditions of membership as stated in paragraph (1) is a transparent, honest and objective testing mechanism carried out by an independent ad-hoc team established by the DPRA/DPRK.
- (4) Regulation of the formation, working mechanism and working period of the independent team as meant in paragraph (3) is regulated by Qanun Aceh.

4. The stipulation contained in Article 6, paragraph (1) and paragraph (3) has been changed, so that Article 6 now reads as follows:

Article 6

- (1) KIP Aceh will comprise 7 (seven) members and KIP Kabupaten/Kota 5 (five) members, drawn from society.
 - (2) Membership of KIP will include at least 2 (two) women.
 - (3) KIP's term in office will be 5 (five) years from the date of appointment.
5. The stipulation contained in Article 8, paragraph (1) has been deleted, paragraph (2) and paragraph (4) have been changed, so that Article 8 now reads as follows:
- (1) Deleted.
 - (2) Membership of KIP ceases when a member:
 - a. dies;
 - b. is convicted or sentenced because he/she is suspected of having committed a criminal offence which carries a punishment of at least 6 months;
 - c. resides outside Aceh;
 - d. resigns;
 - e. suffers a permanent impediment;
 - f. no longer can fulfill the stipulation in Article 5, paragraph (1);
 - g. violates the KIP Code of Ethics.
 - (3) Further stipulations regarding the KIP Code of Ethics as meant in letter f, are determined by KIP and created by KIP no more than 3 (three) months after KIP is established.
 - (4) Wherever the Chair/Deputy Chair or members of KIP Aceh or KIP Kabupaten/Kota dies, resigns, suffers a permanent impediment or is

dismissed prior to the cessation of their term in office, DPRA/DPRK immediately processes the replacement with the reserve member as regulated by Article 5.

- (5) The term in office of the replacement KIP member as meant in paragraph (4) ceases in conformity with the term in office of the member who has been replaced.
6. In stipulation Article 9, paragraphs (1), (2) and (3) have been changed so that Article 9 now reads as follows:

Article 9

- (1) The tasks and authority of KIP are as follows:
 - a. plan and coordinate elections;
 - b. determine the regulations for implementation of elections;
 - c. coordinate and guide all phases of election implementation;
 - d. finalize the date and implementation of the election;
 - e. accept nominations, research and determine the candidate pairings as participants in the election;
 - f. research the candidate pairings for Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota in respect of the conditions for nomination;
 - g. determine whether the candidate pairings have fulfilled the conditions of nomination;
 - h. receive the registration of campaign teams and publicize them;
 - i. conduct an audit and publicize a report of all campaign fund donations;
 - j. determine the results of the collation of vote counting and publicize the results of the election;

- k. conduct an evaluation of the implementation of the election and provide a report of same to the DPRA/DPRK;
 - l. carry out other tasks and duties as regulated in the legislative regulations.
- (2) In coordination of the election, KIP Kabupaten/Kota is a part of the coordinating structure of elections as determined by KIP Aceh.
- (3) Implementation of some of the tasks and authority of KIP Aceh as meant in paragraph (1) can be delegated to KIP Kabupaten/Kota, PPK and/or PPG in accordance with the level.
7. Between Articles 9 and 10 has been inserted one Article, that is Article 9A, so that it now reads as follows:

Article 9A

KIP is obliged to:

- a. treat all candidate pairings fairly and equally;
 - b. determine standardization and requirements of materials related to the holding of elections based on the legislative regulations;
 - c. provide a report on every phase of election implementation to the DPRA for KIP Aceh and the DPRK for KIP Kabupaten/Kota and provide information about their activities to society;
 - d. maintain archives and election documents and manage inventory of KIP materials based on the legislative regulations;
 - e. on behalf of the Governor or Bupati/Walikota, take responsibility for the use of the budget based on the legislative regulations;
 - f. implement all phases of the election at the appropriate times.
8. In stipulation Article 11 paragraph (7) has been changed, so that Article 11 now reads as follows:

Article 11

- (1) Membership of KIP Kabupaten/Kota, which are to be formed by Provincial KIP and the DPRD Kabupaten/Kota, will number five people and be made up of the Chair and members of KPUD Kabupaten/Kota.
 - (2) Deleted.
 - (3) Deleted.
 - (4) Deleted.
 - (5) KIP Kabupaten/Kota has the task of implementing elections at the level of the Kabupaten/Kota.
 - (6) KIP Kabupaten/Kota reports to Provincial KIP Aceh.
 - (7) KIP Kabupaten/Kota is to be formed at the latest 6 (six) months prior to the casting of votes.
 - (8) Elections for the Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota can be held at the same time.
 - (9) The working method and relationship between KIP Kabupaten/Kota and Provincial KIP is regulated by Provincial KIP.
9. In stipulation Article 12, paragraph (3) and paragraph (4) have been deleted so that Paragraph 12 now reads as follows:

Article 12

- (1) Deleted.
- (2) Membership of KIP Kabupaten/Kota ceases when a member:
 - a. dies;
 - b. is accused or convicted or sentenced in relation to a criminal offence that carries a punishment of at least 6 (six) months imprisonment;

- c. resigns;
 - d. can no longer meet the stipulation in Article 5, paragraph (1);
 - e. suffers a permanent impediment;
 - f. resides outside the Kabupaten/Kota concerned; or
 - g. violates the code of ethics.
- (3) Deleted.
- (4) Deleted.

10. Stipulation Article 13 has been changed so that it now reads as follows:

Article 13

- (1) In staging elections, KIP Kabupaten/Kota will establish the PPK, PPG and KPPS.
- (2) The formation of the PPK, PPG and KPPS as meant by paragraph (1) will happen at the latest 21 (twenty-one) days after notification from the DPRA/DPRK.
- (3) KIP Kabupaten/Kota, as a part of the implementer of election phases for election of Governor/Deputy Governor, has the mandate and authority to:
 - a. plan the implementation of elections for Governor/Deputy Governor in the Kabupaten/Kota
 - b. implement the election for Governor/Deputy Governor in the Kabupaten/Kota;
 - c. finalize the collation of results from the vote-counts from all PPK in their working area, create an official report and certificate of the results of the vote-count;
 - d. form the PPK, PPG and KPPS in their working area;
 - e. coordinate the activities of the implementing committee for election of Governor/Deputy Governor in their working area;

- f. receive the registration for and publicize the campaign teams of all candidate pairings in the Kabupaten/Kota; and
- g. implement other tasks as assigned by KIP Aceh.

11. In stipulation Article 16, paragraph (1) has been changed so that Article 16 now reads as follows:

Article 16

- (1) The working period of PPK will cease 1 (one) month after the casting of votes has been conducted.
- (2) PPK has the mandate to:
 - a. implement the tasks given to it by KIP Kabupaten/Kota;
 - b. coordinate the implementation of tasks and authority of the PPG;
 - c. report the results of the implementation of its tasks to KIP Kabupaten/Kota;
 - d. form the PPG;
 - e. form the KPPS on the recommendation of the PPG;
- (3) PPK is responsible to KIP Kabupaten/Kota.
- (4) Regulation of implementation of the tasks and authority of PPK is determined by KIP Kabupaten/Kota.

12. Chapter IV has been changed, so that it now reads as follows:

CHAPTER IV
ELECTORAL OVERSIGHT COMMITTEE

13. Stipulation Article 20 has been changed, so that it now reads as follows:

Article 20

- (1) The Oversight Committee for Aceh and Kabupaten/Kota are formed by the national Oversight Committee and are ad-hoc in character.
- (2) In implementing its tasks the Oversight Committee for Aceh will be supported by the Oversight Committee for Kabupaten/Kota and the Sub-district Oversight Committee.
- (3) Membership of the Aceh Oversight Committee will be drawn from:
 - a. Police;
 - b. Chief Public Prosecutor;
 - c. Academics;
 - d. Press; and
 - e. Independent members of society
- (4) The working period of the Oversight Committee will finish 3 (three) months after the appointment of Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota.
- (5) The Oversight Committee comprises a chairperson, a deputy chairperson and three members, who are chosen and confirmed in a plenary meeting of the Oversight Committee to be led by the oldest and youngest members of the committee.
- (6) In the implementation of its tasks, the Oversight Committee is assisted by KIP Secretariat.
- (7) Deleted.

- (8) In the implementation of its tasks the Oversight Committee is responsible to the national Oversight Committee.
- (9) The working arrangements of the Oversight Committee will be regulated by decisions of the Oversight Committee of Aceh.

14. Stipulation Article 21 has been changed so that it now reads as follows:

Article 21

- (1) The mandate and authority of the Oversight Committee is:
 - a. overseeing the implementation of elections;
 - b. implementing other tasks and authority as regulated in the legislative regulations.
- (2) Implementation of the mandate as meant in paragraph (1) is to be in accordance with the legislative regulations.
- (3) The tasks and authority of the Oversight Committee as meant in paragraph (1) are carried out through:
 - a. oversight of all phases of election coordination;
 - b. resolution of disputes which arise during the election;
 - c. maintaining findings and reports on those disputes which can not be resolved at the time by the appropriate authority;
 - d. organization of a coordinating relationship between the oversight committees at all levels.

15. Stipulation Article 22 has been changed so that it now reads as follows:

Article 22

- (1) At the Kabupaten/Kota level the Oversight Committee for Kabupaten/Kota will be formed by the national Oversight Committee and proposed by the DPRK through the Aceh Oversight Committee, and its formation and conditions will observe the

applicable stipulations for the formation of KIP Kabupaten/Kota as regulated in Articles 11 and 12.

(1a) The Oversight Committee as meant in paragraph (1) will consist of 5 (five) people who are drawn from elements of:

- a. Police
- b. Public prosecutor
- c. Academics
- d. Press; and
- e. Independent community figures.

(2) The mandate of the Oversight Committee for Kabupaten/Kota is to:

- a. implement the tasks delegated to it by the Aceh Oversight Committee;
- b. coordinate implementation of oversight tasks which are implemented by the PPK;
- c. resolve disputes, disagreements, violations and or protests which are submitted in relation to election activities, as long as they are not connected to criminal activity, at the level of the Kabupaten/Kota, with its decision being final;
- d. in the resolution of disputes, disagreements, violations and/or protests/complaints as meant in letter c, all sides will be given the opportunity to explain their reasons and state their defence.

(3) In the implementation of their tasks, the Oversight Committee Kabupaten/Kota is assisted by the KIP Secretariat Kabupaten/Kota.

16. Stipulation Article 26 has been changed, so that it now reads as follows:

Article 26

(1) Monitoring of the implementation of elections can be done by local, national and international monitors.

- (2) Election monitors as meant in paragraph (1) must:
 - a. be independent;
 - b. have a clear source of funding.
 - (3) Foreign monitors as meant in paragraph (1) must fulfill the procedures that are determined by the legislative regulations.
 - (4) Election monitors as meant in paragraph (2) and paragraph (3) must be registered with KIP in accordance with the legislative regulations.
 - (5) Other stipulations regarding monitoring are further regulated by KIP Aceh.
17. In stipulation Article 27 has been changed, so that it now reads as follows:

Article 27

- (1) The phases and schedule for elections will be determined by KIP.
- (2) The process of elections will be carried out through preparation phases, nomination, implementation of election, as well as the ratification of the result and appointment.
- (3) The preparatory phases comprise:
 - a. the formation and ratification of KIP Aceh and KIP kabupaten/kota;
 - b. the DPRA informing KIP Aceh of the cessation of the term in office of the incumbent Governor/Deputy Governor;
 - a. the DPRA informing KIP Kabupaten/Kota of the cessation of the term in office of the incumbent Bupati/Deputy Bupati and Walikota/Deputy Walikota;
 - b. planning coordination, including determining the regulations and schedule for implementation of the election phases;

- c. formation of the Oversight Committee, Sub-district Election Committee, Village Election Committee and Voting Coordination Group; and
 - d. announcement and registration of election monitors
- (4) The election phases as meant in paragraph (2) comprise:
- a. voter registration and finalization of the electoral roll;
 - b. registration and finalization of candidate pairings;
 - c. campaign;
 - d. casting of votes;
 - e. counting of votes;
 - f. finalizing the ratification and appointment of the candidate pairing that is elected;
- (5) Registration and finalization as meant in paragraph (4) letter b, comprises:
- a. administrative check of the prospective candidates by KIP
 - b. presentation of the vision and mission of the prospective candidate pairing in a special plenary meeting of the DPRA/DPRK;
 - c. finalization of the candidate pairing by KIP.
- (6) The regulation of implementation of election phases as meant in paragraph (2), paragraph (3), paragraph (4) and paragraph (5) is organized by KIP guided by the active legislative regulations.

18. In stipulation Article 28, paragraph (1) has been changed, so that Article 28 now reads as follows:

Article 28

- (1) The election process will be implemented at the latest 5 (five) months prior to the terms in office of the Governor/Deputy

Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota expiring or immediately after the Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota resigns, is dismissed or suffers a permanent impediment.

- (2) Determination and publicizing, starting with election activities as meant in paragraph (1), is determined by KIP, which must publicize widely to society.
- (3) Determination and publicizing of the detailed schedule of electoral phases is carried out by KIP.

19. In stipulation Article 31, paragraph (2) and paragraph (4) has been changed, so that Article 31 now reads as follows:

Article 31

- (1) Registration of voters comprises the following activities:
 - a. registration of voters by voter registration officials;
 - b. creation of an electoral roll and allocation of this to every TPS by the Sub-district Electoral Committee; and
 - c. determination and publicizing of the number of voters at the level of the Province for election of Governor/Deputy Governor and level of the Kabupaten/Kota for the election of Bupati/Deputy Bupati, Walikota/Deputy Walikota.
- (2) Registration of voters by registration officials must be commenced at the latest 3 (three) months prior to the date of the casting of votes.
- (3) The publication of the number of voters and public release of the final electoral roll is to be carried out by KIP at the latest 1 (one) month prior to the date of voting.
- (4) Prospective voters who are still not registered may register themselves with an Election Registration Official up until 15 days prior to the public release of the final electoral roll.

- (5) Every voter who is registered will be provided proof of registration.
- (6) Registration of voters who at the time of registration are in hospital, a detention center, correctional institution or other emergency location, will be done by KIP.

20. In stipulation Article 33 has been changed, so that it now reads as follows:

Article 33

- (1) Prospective candidate pairings are nominated by:
 - a. political parties or coalitions of political parties;
 - b. local political parties or coalitions of local political parties;
 - c. coalitions of political parties and local political parties; and/or
 - d. independents.
- (1a) Political parties, local political parties, coalitions of political parties, coalitions of local political parties or coalitions of political parties with local political parties or independents can only submit 1 (one) prospective candidate pairing.
- (1b) Prospective candidates who have been nominated in 1 (one) prospective candidate pairing by a political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties or prospective independent candidates as meant in paragraph (1a), are not permitted to be nominated by another political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties or prospective independent candidate.
- (1c) Members of political parties and local political parties are not permitted to nominate themselves as prospective independent candidates unless they have withdrawn themselves from party

membership at least 3 (three) months prior to nomination of candidates.

- (1d) Political parties, local political parties, coalitions of political parties, coalitions of local political parties, coalitions of local political parties with political parties or prospective independent candidates must nominate themselves as prospective candidates with KIP.
- (1e) The registration of prospective candidate pairings as meant in paragraph (1d) will extend for no more than 15 (fifteen) days counting from the public announcement of opening of nominations for prospective candidate pairings.
- (1f) Political parties, local political parties, coalitions of political parties, coalitions of local political parties, coalitions of local political parties with political parties or prospective independent candidates in nominating themselves as prospective candidates as meant in paragraph (1d), are required to provide a letter of nomination which has been signed by the leader of the political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties or the independent candidate concerned in the area of the election.
- (1g) The letter of nomination as meant in paragraph (1f) must be accompanied by:
 - a. A written agreement between the political parties that have joined to nominate the candidate pairing.
 - b. A written statement that the candidate will not withdraw the nomination of the prospective candidate pairing that has been nominated, signed by the leader of the political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties or prospective independent candidate.

- c. A written statement from the candidate that he/she is willing to be nominated.
- d. A written statement from the candidate that he/she will not withdraw him/herself as a candidate.
- e. A written statement of readiness to resign from his/her position should the candidate be elected as Governor/Deputy Governor, Bupati/Deputy Bupati, Walikota/Deputy Walikota in accordance with the legislative arrangements.
- f. A written statement of readiness to resign from his/her position as a state employee for candidates who come from the civil service, armed forces or police.
- g. For leaders of DPRA/DPRK, a written statement that the candidate will become temporarily inactive in his/her position where a candidate nominates in the territory of his/her current position.
- h. A letter to the assembly leadership for members of the DPR, DPD and DPRA/DPRK who nominate themselves as candidates.
- i. Complete fulfillment of conditions of candidature as meant in Article 33, paragraph (2).
- j. A written manuscript of the candidate pairing's vision and mission.
- k. The decision by the political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties that regulates the mechanism for selecting candidates, complete with a report of the screening process used.

(2) Prospective candidates must fulfill the following conditions:

- a. be a citizen of the Republic of Indonesia;
- b. observe the tenets of their religion and be able to read the Al-qur'an for adherents of Islam;
- c. obey, submit and be faithful to Islamic law and the Constitution of the Republic of Indonesia, 1945;
- d. have attained an education level of at least senior high school or equivalent;
- e. be aged at least 30 (thirty) years;
- f. be of sound body and mind, and free from narcotics as demonstrated by the results of an examination by a government doctor;
- g. have never been sentenced to prison because of committing a crime which carries a prison sentence of 5 (five) years based on the decision of the court which has the ultimate legal power, except crimes of sedition or a political nature where the perpetrator has been granted an amnesty/rehabilitation;
- h. have not had their right to vote revoked based on a decision of the court which retains the ultimate legal power;
- i. have never committed a disgraceful or shameful act, never engaged in sexual relations outside of marriage, never have gambled, never have retreated from the world into solitude, are strong in faith, are pious, are of good character, are noble, are of high moral standard, be trustworthy, have never bribed and never received a bribe, have never committed corruption, collusion or nepotism, including engaging in money politics;
- j. be familiar with his/her region and be well-known to the people in his/her region;

- k. provide a list of personal wealth and be prepared to have it made public;
- l. not currently hold the status of an appointed (as opposed to elected) Governor/Bupati/Walikota; and
- m. not currently be burdened with a debt, either individually or through a legal entity, which has led to losses for state finances;
- n. husband/wife are not currently occupying a public and political position in the region concerned.

21. Between Article 33 and Article 34 has been inserted 1 (one) Article, that is Article 33A, so that it now reads as follows:

Article 33A

Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota will have 5 (five) year terms and can be re-elected for the same position only once during their term in office.

22. Stipulation Article 34 has been changed so that it now reads as follows:

Article 34

- (1) Registration of prospective candidates for Governor/Deputy Governor is carried out by KIP Aceh, whilst for Bupati/Deputy Bupati and Walikota/Deputy Walikota registration is carried out by KIP Kabupaten/Kota.
- (2) To be confirmed as a candidate, aside from fulfilling all the conditions as meant in Article 33, every political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties which nominates a prospective candidate pairing must obtain at least 15% (fifteen per cent) of the number of seats in the

DPRA/DPRK or 15% (fifteen per cent) of the total valid vote in the relevant election for members of DPRA/DPRK.

- (3) To be confirmed as a candidate, aside from fulfilling all the conditions as meant in Article 33 paragraph (2), prospective independent candidates must obtain support of at least 3% (three per cent) of the total population across at least 50% (fifty per cent) of the total number of Kabupaten/Kota for the election of Governor/Deputy Governor, or 3% of the kabupaten population across 50% (fifty per cent) of the total number of sub-districts for the election of Bupati/Deputy Bupati or Walikota/Deputy Walikota.
- (4) Support for independent candidates as meant in paragraph (3) must be accompanied by valid proof of identity such as KTP, Indonesian passport, driving license, or other form of resident identification issued by an official who has the appropriate authority.
- (5) Support as meant in paragraph (4) consists of a written statement, which is signed by the supporter, or bears the person's thumbprint, in the event that the person concerned cannot sign his/her name.
- (6) Every voter is permitted to give his/her support as meant in paragraphs (4) and (5) to only one candidate pairing.
- (7) Support that is given to more than one candidate will be deemed invalid and therefore not counted.
- (8) Caretaker or appointed Governors, Bupatis and Walikota are not permitted to become candidates to be directly elected and are not permitted to resign from their office as Governor, Bupati or Walikota with the intention of becoming a candidate.

23. Stipulation Article 35 has been changed so that it now reads as follows:

Article 35

- (1) KIP determines at least 2 (two) candidate pairings after conducting an administrative check and examination of the conditions of candidature as meant in Article 33 paragraph (2);
- (2) Candidate pairings as meant in paragraph (1) convey their vision and mission in a special plenary meeting of the DPRA/DPRK which is held especially for that purpose and is declared open and public;
- (3) Whenever a candidate pairing as meant in paragraph (2) is elected to become Governor/Deputy Governor, Bupati/Deputy Bupati or Walikota/Deputy Walikota then their vision and mission become official regional documents.
- (4) Regulation of the presentation of vision and mission as meant in paragraph (2) is determined by KIP.

24. In stipulation Article 36, paragraphs (1), (2), (2b), and (4), have been changed and paragraph (2a) has been deleted so that Article 36 now reads as follows:

Article 36

- (1) Whenever a prospective candidate dies or suffers a permanent impediment, then the political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties concerned can nominate a replacement no later than 7 (seven) days prior to official determination of candidate pairings by KIP, by following the stipulations as meant in Article 33 and Article 34.
- (2) Whenever one of the prospective candidates from an independent pairing dies or suffers a permanent impediment, then his/her running partner can nominate a replacement candidate by following the stipulations as meant in Article 33 and Article 34, at the latest 15

(fifteen) days prior to official determination of candidate pairings by KIP.

(2a) Deleted.

(2b) Political parties, local political parties, coalitions of political parties, coalitions of local political parties, coalitions of local political parties with political parties and independent candidates are prohibited from withdrawing their candidate or themselves, and/or the candidate partner, from the candidate pairing after the official determination of candidate pairings by KIP.

(3) In the event that the day of voting is approaching and the number of candidate pairings is less than 2 (two), then the day of voting will be postponed and the process of nomination will be recommenced with the stipulations, and candidate pairings that have already been determined, still applicable.

(4) In the event that the situation described in paragraph (3) occurs, then the election period will be extended for up to 90 (ninety) days, during which the government will appoint a caretaker Governor or Bupati or Walikota.

25. In stipulation Article 38 paragraph (1) and paragraph (5) have been changed, after paragraph (5) has been added 1 (one) paragraph, that is paragraph (6), so that Article 38 now reads as follows:

(1) Every candidate pairing can implement its campaign with the purpose of persuading the people by offering their vision and mission.

(2) For the election of Governor/Deputy Governor the campaign will be conducted all over Aceh and for election of Bupati/Deputy Bupati and Walikota/Deputy Walikota, the campaign area will comprise the total territory of the Kabupaten/Kota.

- (3) The campaign will be implemented by the candidate pairing or by the campaign director and will be organized by the campaign team of the candidate pairing.
- (4) Responsibility for the campaign lies with the campaign team in accordance with the level as meant by paragraph (2).
- (5) The campaign team, which is formed by the candidate pairing, must register their team with KIP in accordance with the level.
- (6) The schedule for implementation of the campaign is determined by KIP in accordance with the level whilst paying attention to recommendations from the candidate pairings.

26. In stipulation Article 39, paragraphs (4), (5), (6) and (7) have been changed, with the addition of 7 (seven) paragraphs, that is (8) until (14), so that Article 39 now reads as follows:

Article 39

- (1) Apart from the candidate pairing, the campaign director must be registered with the campaign team, and the candidate pairing and all followers must be registered with KIP Aceh, KIP Kabupaten/Kota or PPK in accordance with the regional level concerned for the campaign.
- (2) Every campaign director is permitted only to campaign for one candidate and in the territory that accords with the level of the campaign where he/she is registered.
- (3) Those eligible to become campaign directors are Indonesian citizens who have the right to vote.
- (4) Civil servants, and active members of the TNI/Polri are prohibited from becoming campaign directors.
- (5) During the campaign, candidate pairings and the campaign team are prohibited from involving in their campaign:

- a. Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota;
 - b. Judges;
 - c. Officials of BUMN/BUMD;
 - d. Structural and functional officials;
 - e. Resident religious leaders or same by other name;
 - f. Village heads or same by other name.
- (6) This prohibition as meant in paragraphs (4) and (5) does not apply in the case that one of these officials becomes a candidate for Governor/Deputy Governor, Bupati/Deputy Bupati or Walikota/Deputy Walikota.
- (7) Officials as referred to in paragraph (5) are prohibited from making decisions and/or taking action that will advantage or disadvantage one of the candidate pairings during the campaign period.
- (8) State officials as meant in paragraphs (5) and (6), who become candidates, in implementing their campaigns are not permitted to use the facilities related to their position and must take leave.
- (9) Leave of state officials as meant in paragraph (8), for Governor/Deputy Governor is approved by the Minister for the Interior in the name of the President and for Bupati/Deputy Bupati and Walikota/Deputy Walikota it is approved by the Governor in the name of the Minister for Interior.
- (10) Permission to take leave as given in the manner meant in paragraph (8), must be communicated to KIP Aceh/KIP Kabupaten/Kota and the Oversight Committee.
- (11) Civil Servants who become candidates for Governor/Deputy Governor Bupati/Deputy Bupati and Walikota/Deputy Walikota follow the mechanism as regulated in the legislative regulations.

- (12) The candidate pairings in elections are prohibited from implementing their campaigns on the same day.
- (13) Candidate pairings are prohibited from involving employees of the civil service, members of the national defence forces and members of the national police as participants in the campaign and as campaign directors in elections.
- (14) Candidate pairings and/or campaign teams are prohibited from promising and/or giving money or other materials to influence voters.

27. Between Article 39 and Article 40 has been inserted 1 (one) Article, that is Article 39A, so that it reads as follows:

Article 39A

- (1) Violations of the prohibitive stipulations regarding implementation of the campaign as meant in Article 39 paragraph (4) will attract sanctions for violation of discipline in accordance with the legislative regulations.
- (2) Violations of prohibitive stipulations regarding implementation of the campaign as meant in Article 39 paragraphs (5), (23) and (13) will be sanctioned by KIP with the cessation of the right to campaign for the duration of the campaign period.
- (3) Violations of prohibitive stipulations relating to campaign implementation as meant in Article 39, paragraph (14), based on the decision of the courts which have the final legal authority, will attract the sanction of cancellation of status as a candidate pairing by KIP.
- (4) The regulation of sanctions towards violations of prohibitions regarding implementation of campaigns as meant in paragraph (2) will be determined by KIP.

28. In stipulation Article 40, paragraphs (1), (2a), (2b), (2c) and (4) have been changed, so that Article 40 now reads as follows:

Article 40

- (1) The campaign period is for no more than 14 (fourteen) days and will cease 3 (three) days prior to the day of casting of votes.
- (1a) The three days prior to the casting of votes as meant in paragraph (1) constitutes a quiet period.
- (2) The campaign can be implemented every day, from 09.00 WIB until 18.00WIB, except through electronic media. On Fridays, the campaign may be implemented only from 14.30 until 18.00 WIB.
- (2a) The first day of the campaign is conducted through a plenary meeting of the DPRA/DPRK with presentation of visions and missions from all candidate pairings in succession with equal allocation of time and without dialogue.
- (2b) The form and format of the vision and mission as meant in paragraph (2a) must observe the regulations pertaining to design composition.
- (2c) Whenever a candidate pairing is elected to become Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota, the vision and mission, as meant in paragraph (2a) becomes an official regional document.
- (3) Campaign activities must cease at the moment that the call to prayer is heard and can only be recommenced after prayer has finished.
- (4) Whenever there is a violation towards the stipulations as meant in paragraphs (1), (1a), (2) and (3), KIP can order the campaign activities to cease.

29. Stipulation Article 41 paragraph (3) has been changed, so that Article 41 now reads as follows:

Article 41

- (1) The campaign is implemented in places that can be freely attended by the community.
- (2) The campaign cannot be held in places of worship, education, government offices, and places that can cause disturbances to public order and the flow of traffic.
- (3) Whenever two campaigns are implementing activities at the same time, both candidates must maintain a distance of at least 2 (two) kilometers between them.
- (4) Organization of the time and place of the campaign as meant in paragraph (3) is determined by KIP Province, KIP Kabupaten/Kota or the Sub-district Election Committee in accordance with the regional level concerned for the campaign.

30. In stipulation Article 51, paragraph (2) letter b has been changed and paragraph (3) has been deleted so that Article 51 now reads as follows:

Article 51

- (1) The Sub-district election Committee determines the number and location of TPS.
- (2) The number and location of TPS as meant in paragraph (1) are based on the following:
 - a. the number of voters at every TPS can not exceed 600 (six hundred) people;
 - b. location of TPS as meant in letter a are must be areas which are easy to reach, including for the disabled, pregnant women and elderly people in order to guarantee that every voter can cast their vote directly, freely and in secret;
 - c. The number, form and regulation of the location of TPS are determined by KIP Kabupaten/Kota.

(3) Deleted.

31. In stipulation Article 56, paragraph (2) has been changed, so that Article 56 now reads as follows:

Article 56

- (1) Ballot papers, which include the name, photo, and number of the candidate, will be provided by KIP and be at the KPPS at the latest three days prior to the casting of votes.
- (2) The number of ballot papers for every TPS will conform with the number of permanent voters registered at each TPS, with an additional supplement of no more than two-and-a-half per cent.

32. The stipulation contained in Article 58 paragraphs (1) to (3) has been changed, so that Article 58 now reads as follows:

Article 58

- (1) The chair of the KPPS opens the vote-casting activities by reading an address from the chair of KIP.
- (2) The chair of KPPS opens the ballot paper box and shows it to the people, to convince people that the box is really empty, then it is re-locked, all witnessed by voters and witnesses.
- (3) Prior to the casting of votes commencing, witnessed by the voters and witnesses, the chair of the KPPS counts and signs as many ballot papers as there are voters registered at that TPS with a ballpoint pen, and the remainder are stored in a place to be determined.

33. In stipulation Article 66 paragraphs (1), (3) and (4) have been changed, so that Article 66 now reads as follows:

Article 66

- (1) No later than three days after the casting of votes, the PPK will conduct a collation and count of all votes at the sub-district level, based on the formal report of the counting of votes from all TPS in

the territory of each sub-district, in a meeting of the PPK which is attended by overseers and witnesses at the level of the sub-district.

- (2) The results of the vote-count as meant in paragraph (1) are included in the formal report of the vote-count at the sub-district level and signed by the PPK, the Sub-district Oversight Committee and witnesses.
- (3) Witnesses who have complaints against the results of the vote-count as meant in paragraph (2), may submit a protest through overseers who will immediately hold a meeting and take a decision toward the witness' complaint.
- (4) Whenever the witness' protest is accepted, then the counting of the vote as meant in paragraph (1) is repeated and whenever the witness' protest is rejected, then an account of the issue is included in the official report and the results of the vote-count are declared valid.
- (5) The report of the vote-count as meant in paragraph (1), along with the ballot boxes and ballot papers as meant in Article 70 paragraph (1), are sent to KIP Kabupaten/Kota at the latest two days after the counting of votes at the sub-district level.
- (6) A copy of the official report as meant in paragraph (2) and paragraph (4) is provided to overseers and witnesses.

34. Between Article 66 and Article 67 has been inserted 1 (one) part, that is Part Three, so that it now reads as follows:

Part Three

Right to Submit Protests

And Resolution of Disputes over Election Results

35. Between Article 66 and Article 67 has been inserted 1 (one) article, that is Article 66A, so that it now reads as follows:

Article 66A

- (1) Participants in the election have the right to submit protests against the results of the election as determined by KIP.
 - (2) Protests as meant in paragraph (1) may only be submitted by candidate pairings to the Supreme Court no later than three (3) working days after the results of the election are determined.
 - (3) Protests as meant in paragraph (1) can only be made against the results of a vote-count where it would influence the candidate pairing elected.
 - (4) The Supreme Court will resolve disputes over the results of the vote-count as meant in paragraphs (1), (2) and (3) no later than 14 (fourteen) days after the protest is received.
 - (5) The Supreme Court delivers its decision on disputes over the results of the vote-count as meant in paragraph (4) to:
 - a. KIP;
 - b. The candidate pairing;
 - c. The DPRA/DPRK;
 - d. Governor/Bupati/Walikota; and
 - e. Political party or coalition of political parties, local political party or coalition of local political parties or coalitions political parties with local political parties who nominate candidates.
 - (6) The decision of the Supreme Court as meant in paragraph (4) and paragraph (5) is final and binding.
36. The stipulation contained in paragraphs (1) and (1b) has been changed, paragraph (1a) and paragraph (1c) have been deleted, between paragraph (1d) and (1e) has been added one paragraph, that is a new paragraph (1e),

so that the previous paragraph (1e) becomes the new paragraph (1f) so that Article 69 now reads as follows:

Article 69

(1) The candidate pairing for Governor/Deputy Governor that receives more than 50% (fifty per cent) of the total valid vote, will be declared the elected Governor/Deputy Governor.

(1a) Deleted.

(1b) In the event that the threshold of 50 per cent as meant in paragraph is not reached, the candidate pairing that receives more than 25% (twenty-five per cent) from the total valid vote, and obtains the most votes of any candidate pairing, will be declared the elected Governor/Deputy Governor.

(1c) Deleted.

(1d) Whenever the stipulation as meant in paragraph (1b) cannot be fulfilled or there is no candidate that obtains 25% (twenty-five per cent) of the valid vote, a second round election will be held involving only the candidate pairings who received the greatest and second greatest number of votes.

(1e) Implementation of the second round election as meant in numeral (1d) will be carried out at the latest 60 days after the results of the vote count in the first round are determined.

(1f) In the event that two candidate pairings for Governor/Deputy Governor as meant in paragraph (1d) obtain the same number of votes, determination of the elected candidate pairing will be based on which candidate pairing obtains its votes across the wider territory, as determined by which candidate has obtained the greater number of votes in the greater number of kabupaten/kota.

(1g) In the event that the voting results as meant in paragraph (1e) show that a number of candidate pairings have obtained the same share of votes, then a second round election will be held.

(1h) Whenever no candidate pairing obtains a majority of votes as meant in paragraph (1f), then the candidate pairing who receive the most and the second most votes will contest a second round election.

(2) The candidate pairing for Governor/Deputy Governor that obtains the most votes in the second round election as meant in paragraph (1g) will be declared the elected Governor/Deputy Governor.

37. In stipulation Article 70 paragraph (1) until paragraph (4) have been changed, so that Article 70 now reads as follows:

Article 70

(1) The collation of the vote-count results for the election of Governor/Deputy Governor is determined by KIP Aceh through a plenary meeting.

(2) KIP Aceh will provide the DPRA with an Official Report of the collation of vote-count results.

(3) The DPRA will forward the results of the election along with the administrative documents and recommendation for the ratification of the appointment of the elected candidate pairing to the President through the Minister for the Interior.

(4) The forwarding of the results of the election as meant in paragraph (3) above is implemented no more than 3 (three) days after the results of the election and the administrative documents are received from KIP Aceh as meant in paragraph (2).

(5) Deleted.

38. In stipulation Article 71, paragraph (1) and paragraph (1a) have been deleted, paragraph (1b) has been changed, paragraph (1c) has been

deleted, between paragraph (1d) and paragraph (1e) has been added one paragraph, that is a new paragraph (1e), the previous paragraph (1e) becomes the new paragraph (f), so that Article 71 now reads as follows:

Article 71

(1) The candidate pairing for Bupati/Deputy Bupati and Walikota/Deputy Walikota who obtain more than 50% (fifty per cent) of the vote from the total valid vote, will be declared as the elected Bupati/Deputy Bupati and Walikota/Deputy Walikota.

(1a) Deleted.

(1b) In the event that the conditions for a result as meant in paragraph (1) have not been met, the candidate pairing which obtains more than 25% (twenty-five per cent) of the valid vote, and obtains the greatest share of the vote will be declared the elected Bupati/Deputy Bupati or Walikota/Deputy Walikota.

(1c) Deleted.

(1d) Whenever the stipulation as meant by paragraph (1b) cannot be fulfilled because no candidate obtains 25% of the valid vote, a second round election will be held to be contested by the candidates who received the greatest and second greatest number of votes.

(1e) Implementation of the second round election as meant in numeral (1d) will be carried out at the latest 60 days after the results of the vote count in the first round are determined.

(1f) In the event that two candidate pairings for Bupati/Deputy Bupati or Walikota/Deputy Walikota as meant in paragraph (1d) obtain the same number of votes, determination of the elected candidate pairing will be based on which candidate pairing obtains its votes across the wider territory, as determined by which candidate has obtained the greater number of votes in the greater number of sub-districts.

- (1g) In the event that the result of the vote as meant in paragraph (1e) is that a number of candidate pairings have obtained the same number of votes, then a second round election will be held.
- (1h) Whenever no candidate pairing obtains a result as meant in paragraph (1f), then the candidate pairing who receive the greatest and the second greatest number of votes will contest a second round election.
- (2) The candidate pairing for Bupati/Deputy Bupati or Walikota/Deputy Walikota that obtains the most votes in the second round election as meant in paragraph (1g) will be declared the elected Bupati/Deputy Bupati and Walikota/Deputy Walikota.
39. In stipulation Article 72, paragraph (1) until paragraph (4) have been changed, so that Article 72 now reads as follows:

Article 72

- (1) The collation of the vote-count results for the election of Bupati/Deputy Bupati and Walikota/Deputy Walikota is determined by KIP Kabupaten/Kota through a plenary meeting.
- (2) KIP Kabupaten/Kota will provide the DPRK with an Official Report of the collation of vote count results.
- (3) The DPRK will forward the results of the election along with the administrative documents and recommendation for the ratification of the appointment of the elected candidate pairing to the Minister for the Interior through the Governor.
- (4) The forwarding of the results of the election as meant in paragraph (3) above is implemented no more than 3 (three) days after the results of the election and the administrative documents are received from KIP Kabupaten/Kota as meant in paragraph (2).
- (5) Deleted.

40. In stipulation Article 75, paragraph (1) until paragraph (5) have been changed and after paragraph (2) has been inserted a new paragraph (3), and the previous paragraph (3) and paragraph (4) have become the new paragraph (4) and (5), and a new paragraph (6) has been added, whilst the old paragraph (6) has become the new paragraph (7), so that Article 75 now reads as follows:

Article 75

- (1) The costing budget for elections includes all costs that are incurred in the course of implementing elections and will be managed by KIP.
- (2) The budget for election of Governor/Deputy Governor is provided by APBA, whilst the budget for election of Bupati/Deputy Bupati or Walikota/Deputy Walikota is met by APBK and APBA.
- (3) The funding of election activities that are implemented for the first time since the Law on Governance for Aceh was passed is met by APBN, APBA and APBK.
- (4) The election budget as meant in paragraph (1) is submitted by KIP Aceh to the Governor to be budgeted in the RAPBA and the budget for election of Bupati/Deputy Bupati and Walikota/Deputy Walikota is submitted by KIP Kabupaten/Kota to the Bupati/Walikota to be budgeted in RAPBK.
- (5) The KIP Secretariat Aceh and the KIP Secretariat Kabupaten/Kota manage the election budget in accordance with the program and directives of KIP Aceh or KIP Kabupaten.
- (6) Determination of the size of expenditure, services and operational costs for the coordinator of elections is regulated with legislative regulations.
- (7) The management of the election budget is done in accordance with the active stipulations for management of state/regional budgets according to legislative regulations.

41. Between the stipulations Article 75 and Article 76 has been added one Article, that is Article 75A which reads as follows:

Article 75A

- (1) In elections for Governor/Deputy Governor that are carried out at the same time as elections for Bupati/Deputy Bupati and Walikota/Deputy Walikota the funding will be provided by APBA and APBK.
- (2) The funding stipulation as meant in paragraph (1) will be regulated further by Gubernuratorial Regulations.

42. In stipulation Article 85, paragraphs (1) and (1a) have been changed, paragraph (1b) and paragraph (3) have been deleted, so that Article 85 now reads as follows:

Article 85

- (1) The staging of elections for Bupati/Deputy Bupati and Walikota/Deputy Walikota whose terms in office cease between August 2006 and January 2007, will be implemented at the same time as the election for Governor/Deputy Governor.
- (1a) In the event that one electoral region suffers a natural disaster, riot, security disturbance or other kind of disturbance which prevents the implementation of elections in all or some of the territory of the electoral region, the election will be postponed, with the following stipulation:
 - a. the postponement of all phases of the election for Governor/Deputy Governor will require a submission from the Governor to the President and copied to the Minister for Interior based on the recommendation of KIP Aceh through the leadership of the DPRA.
 - b. the postponement of part of the election phases for Governor/Deputy Governor, will require a submission from

the Governor to the Minister for Interior based on the recommendation of KIP Aceh through the leadership of the DPRA;

- c. postponement of all or part of the phases of the election for Bupati/Deputy Bupati or Walikota/Deputy Walikota will require a submission from the Governor to the Minister for Interior copied to the Bupati/Walikota based on the recommendation of KIP Kabupaten/Kota through the leadership of DPRK.

(1b) Deleted.

- (2) Whenever the Governor/Deputy Governor who is currently in office dies, resigns, suffers a permanent impediment, or is dismissed, then the election for the replacement Governor/Deputy Governor is implemented according to the stipulation in this Qanun.

(3) Deleted.

43. Between Article 85 and Article 86 has been inserted 5 (five) articles, that is Article 85A, Article 85B, Article 85C, Article 85D and Article 85E, which read as follows:

Article 85A

The KIP that is in place at the moment that this Qanun passes into law will continue to carry out its tasks until the end of its term.

Article 85B

- (1) For the first instance, the formation of the Aceh Electoral Oversight Committee will be carried out by DPRA and Formation of the Kabupaten/Kota Electoral Oversight Committee will be carried out by the Aceh Electoral Oversight Committee.
- (2) For the Kabupaten/Kota Electoral Oversight Committees where the implementation of the elections is not concurrent with the election of

Governor/Deputy Governor, the task of forming the Electoral Oversight Committee is delegated to the DPRK in the kabupaten/kota concerned.

Article 85C

The stipulations that regulate independent candidates in elections as meant in Article 33, are active and implemented only for the first election after this Qanun passes into law.

Article 85D

All terms which appear in the Qanun No.2, 2004 as changed with Qanun No.3 2005, which have not been changed, conform to their usage in this Qanun.

Article 85E

Issues that have not been regulated in this Qanun relating to the technical aspects of elections will be further regulated by KIP.

Article II

This Qanun becomes active on the date that it enters into law.

So that every person is informed of it, it is hereby ordered that this Qanun enactment is placed in the Aceh Regional Gazette.

Ratified in Banda Aceh

On 11 August, 2006

17 Rajab, 1427

PJ GUBERNOR ACEH,

(signed)

MUSTAFA ABUBAKAR

Ratified in Banda Aceh

On 11 August, 2006

17 Rajab, 1427

REGIONAL SECRETARY ACEH

(signed)

HUSNI BAHRI TOB

ACEH REGIONAL GAZETTE 2006, NO.7

EXPLANATORY NOTE
TO
QANUN ACEH
NO.7, 2006
REGARDING
THE SECOND CHANGE TO QANUN NO.2, 2004
REGARDING
ELECTION OF GOVERNOR/DEPUTY GOVERNOR, BUPATI/DEPUTY
BUPATI AND WALIKOTA/DEPUTY WALIKOTAA IN THE PROVINCE OF
NANGGROE ACEH DARUSSALAM

1. GENERAL EXPLANATION

Aceh, as a region of special governance has a unique character and resilience as well as high capacity for struggle, with a strong Islamic culture which made Aceh one of the model regions for struggle in claiming and defending independence of the Unitary State of the Republic of Indonesia which is based on the Pancasila and the Constitution of the State of the Republic of Indonesia 1945.

The Memorandum of Understanding on Peace and Law No.11, 2006 regarding Governance for Aceh, constituted one valuable initiative of reconciliation towards social and economic development based on democracy and politics which can accommodate the national and local aspirations in Aceh continuously.

The ideal of political development has brought philosophical, juridical and sociological consideration toward the peaceful staging of elections for Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota in Aceh.

Arrangements for the election of Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota in Aceh which previously were regulated

by Qanun No.2, 2004 regarding the Election of Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota in the Province of Nanggroe Aceh Darussalam and as changed by the Qanun No.3, 2005, viewed as not sufficient to carry the political aspirations of Aceh forward.

Acehnese society desires an election by the people once every five years through direct, public, free, secret, and fair elections, and this policy will contribute to a reality of governance from the people, by the people and for the people.

In relation to this issue then, the Qanun No. 2004 regarding the Election of Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/ Deputy Walikota in the Province of Nanggroe Aceh Darussalam as changed by Qanun No.3, 2005, needs to be made consistent with this Qanun.

II Article by Article

Article 1

Numeral 1 same as 8c

Clear enough

Numeral 8d

What is meant by ‘with other name’ is a governing administrative territory the same as a village (gampong) as a social legal unit that has a territorial boundary and which has the authority to regulate and organize society in that place based on the nature of the customary law such as ‘Kampung’ in Aceh Tengah, Bener Meriah, Aceh Tamiang, Simeulue and Kute in Aceh Tenggara.

Numeral 9 until and including Numeral 38

Clear enough

Article 4

Clear enough

Article 5

Clear enough

Article 6

Clear enough

Article 7

Clear enough

Article 8

Clear enough

Article 9

Paragraph (1)

Letter a until and including letter h

Clear enough

Letter i

In conducting an audit and report on the campaign funds
KIP can appoint a public accountant as an auditor.

Letter j until and including l

Clear enough

Paragraph (2)

Clear enough

Paragraph (3)

Delegation of tasks and authority by KIP Aceh as meant in this
paragraph are also applicable for the Electoral Committees in
Kelurahan.

Article 9A

Clear enough

Article 11

Clear enough

Article 12

Clear enough

Article 13

Paragraph (1)

The stipulation relating to the formation of PPG as meant in this paragraph also applies in the environment of Kelurahan

Paragraph (2)

Clear enough

Paragraph (3)

Clear enough

Article 16

Paragraph (1)

Clear enough

Paragraph (2)

Letter a until and including letter c

Clear enough

Letter d and letter e

This stipulation also applies for the formation of Electoral Committees at the level of Kelurahan.

Paragraph (3)

Clear enough

Paragraph (4)

Clear enough

Article 20

Clear enough

Article 21

Clear enough

Article 22

Clear enough

Article 26

Clear enough

Article 27

Paragraph (1) until and including paragraph (4)

Clear enough

Paragraph (5) letter a

Included in the administrative examination of prospective candidates is a factual verification of prospective independent candidate pairings.

Letter b and letter c

Clear enough

Paragraph (6)

Clear enough

Article 28

Clear enough

Article 31

Clear enough

Article 33

Paragraph (1)

Clear enough

Paragraph (1a) until and including paragraph (1g) letter a until and including letter d

Clear enough

Letter e

written statement of willingness to resign from a position if elected applies for all civil servants, members of the TNI and Polri, leaders/members of DPR, DPD, DPRA, DPRK and officials, officials in companies, whether privately, state or provincially owned, or institutions in any field whatsoever, including lawyers, judicial or other professional fields.

Paragraph (2)

Letter a

Clear enough

Letter b

For candidate pairings whose religion is Islam, they must be able to read the Al-Qur'an, whilst non-Muslim candidate pairings must follow the tenets of their religion.

Letter c until and including letter m

Clear enough

Letter n

What is meant by public office is any position that is ranked as echelon I or II, as well as leaders of BUMN/BUMD in their region, whilst political office is office of Governor/Deputy Governor, Bupati/Deputy Bupati and

Walikota/Deputy Walikota along with leaders of DPRA/DPRK in Aceh. The condition as meant applies whenever a candidate pairing is elected as Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota.

Article 33A

That the person concerned has not previously occupied office for two terms in the same or other region, with the counting of two terms in office taken from the moment of appointment.

Article 34

Paragraph (1) until and including paragraph (3)

Clear enough

Paragraph (4)

What is meant by other form of resident identity is an explanatory letter that affirms residency and is issued by the Keuchik/Lurah or same by other name.

Paragraph (5) same as paragraph (8)

Clear enough

Article 35

Clear enough

Article 36

Paragraph (1)

Clear enough

Paragraph (2)

Nomination of replacement candidates as meant in this article is done by the member of the candidate pairing who is still alive.

Paragraph (2a) and paragraph (2b)

Clear enough

Paragraph (3) until and including paragraph (4)

Clear enough

Article 38

Clear enough

Article 39

Clear enough

Article 39A

Clear enough

Article 40

Clear enough

Article 41

Clear enough

Article 51

Clear enough

Article 56

Clear enough

Article 58

Clear enough

Article 66

Clear enough

Article 66A

Clear enough

Article 69

Clear enough

Article 70

Clear enough

Article 71

Clear enough

Article 72

Clear enough

Article 75

Clear enough

Article 75A

Clear enough

Article 85

Clear enough

Article 85A

Clear enough

Article 85B

Clear enough

Article 85C

Clear enough

Article 85D

Clear enough

Article 85E

Clear enough

SUPPLEMENT TO ACEH REGIONAL GAZETTE NO.7