



REGIONAL REGULATION OF BANTEN PROVINCE

NUMBER 7 OF 2011

ABOUT

ORGANIZING ONE-STOP INTEGRATED SERVICES IN THE FIELD OF
CAPITAL INVESTMENT

BY THE GRACE OF GOD ALMIGHTY THE

GOVERNOR OF BANTEN,

- Considering :
- a. that in order to improve the quality of public services in Banten Province based on the principles of good governance, it is necessary to organize integrated services in the field of Investment;
 - b. that based on the considerations as referred to in letter a, it is necessary to form a Regional Regulation on the Implementation of One-Stop Integrated Services in the Investment Sector;

- In view of :
1. Article 18 paragraph (6) of the 1945 Constitution of the Republic of Indonesia;
 2. Law Number 23 of 2000 concerning the Establishment of Banten Province; (State Gazette of the Republic of Indonesia Year 2000 Number 182, Supplement to State Gazette of the Republic of Indonesia Number 4210);
 3. Law Number 32 of 2004 concerning Regional Government (State Gazette of the Republic of Indonesia of 2004 Number 125, Supplement to State Gazette of the Republic of Indonesia Number 4437) as amended several times, most recently by Law Number 12 of 2008 concerning the Second Amendment to Law Number 32 of 2004 concerning Regional Government (State Gazette of the Republic of Indonesia of 2008 Number 59, Supplement to State Gazette of the Republic of Indonesia Number 4844);
 4. Law Number 25 Year 2007 on Capital Investment (State Gazette of the Republic of Indonesia Year 2007 Number 67, Supplement to State Gazette of the Republic of Indonesia Number 4724);
 5. Law Number 25 of 2009 concerning Public Services (State Gazette of the Republic of Indonesia of 2009 Number 112, Supplement to State Gazette of the Republic of Indonesia Number 5038);

6. Government Regulation Number 65 of 2005 concerning Guidelines for the Preparation and Implementation of Minimum Service Standards (State Gazette of the Republic of Indonesia 2005 Number 150, Supplement to State Gazette of the Republic of Indonesia Number 4585);
7. Government Regulation No. 38 of 2007 on the Division of Government Affairs between the Government, Provincial Regional Government, and Regency/City Regional Government (State Gazette of the Republic of Indonesia Year 2007 Number 82, Supplement to State Gazette of the Republic of Indonesia Number 4737);
8. Government Regulation No. 45/2008 on Guidelines for Providing Incentives and Easing Investment in the Regions (State Gazette of the Republic of Indonesia Year 2008 Number 88, Supplement to State Gazette of the Republic of Indonesia Number 4861);
9. Presidential Regulation No. 27/2009 on One-Stop Integrated Services in the Investment Sector;
10. Regulation of the Minister of Home Affairs Number 24 of 2006 concerning Guidelines for the Preparation of One-Stop Integrated Services;
11. Regulation of the Minister of Home Affairs Number 20 of 2008 concerning Guidelines for the Organization and Work Procedures of Integrated Service Units in the Regions;
12. Banten Province Regional Regulation Number 4 of 2008 concerning the Establishment of Organization and Work Procedures of Regional Technical Institutions of Banten Province (Banten Province Regional Gazette 2008 Number 4);

By Mutual Consent

REGIONAL PEOPLE'S REPRESENTATIVE COUNCIL OF BANTEN PROVINCE
And
GUBERNOR OF BANTEN

DECIDE:

Establish : A REGIONAL REGULATION ON THE IMPLEMENTATION OF
ONE- STOP INTEGRATED SERVICES IN THE FIELD OF
CAPITAL INVESTMENT.

CHAPTER I
GENERAL PROVISIONS
Article 1

In this Regional Regulation, what is meant by:

1. The region is Banten Province.
2. The Regional Government is the Governor and Regional Apparatus as the organizing element of the Regional Government of Banten Province.
3. Governor is the Governor of Banten.
4. Agency is the Regional Investment Coordinating Board of Banten Province.
5. Head of Agency is the Head of the Banten Province Regional Investment Coordinating Board.
6. Investment is any form of investment activity, both by domestic investors and foreign investors to conduct business in the territory of the Republic of Indonesia.
7. One Stop Integrated Service, hereinafter abbreviated as PTSP, is an activity of organizing a license and non-license that gets delegation or delegation of authority from an institution or agency that has the authority for licensing and non-licensing, the management process of which starts from the application stage until the document issuance stage which is carried out in one place.

8. Licensing and Non-Licensing Management is the procedure, formal requirements, and work process that must be fulfilled by the organizer in order to determine licensing and non-licensing decisions.
9. Permit is a document issued by the Local Government based on Local Regulations or provisions of laws and regulations which is proof of legality, stating that it is legal or permissible for a person or entity to conduct certain businesses or activities.
10. Access to Information is the ease of access with the availability of information that can be easily and directly accessed by the public.
11. Licensing is any form of approval for investment issued by the government and local government that has the authority in accordance with the provisions of laws and regulations.
12. Non-licensing is any form of ease of service, fiscal facilities, and information regarding investment, in accordance with the provisions of laws and regulations.
13. Minimum Service Standards, hereinafter abbreviated as SPM, are provisions regarding the type and quality of basic services which are mandatory regional affairs that every citizen is entitled to obtain at a minimum.

Article 2

The purpose of this Regional Regulation is to improve services to the public and business entities that will conduct investment activities in Banten Province.

Article 3

The objectives of this Regional Regulation are:

- a. provide speed, accuracy, simplicity, transparency, and legal certainty in conducting business activities in Banten Province;
- b. provide certainty of time for completion of licensing and non-licensing in the field of investment to the public.

Article 4

Implementation of One-Stop Integrated Services in the Investment Sector is based on:

- a. legal certainty
- b. openness;
- c. Accountability;
- d. equal treatment
- e. equitable efficiency;

CHAPTER II

SCOPE

Article 5

- (1) The scope of One Stop Integrated Services in the Investment Sector includes:
 - a. investment;
 - b. industry and trade;
 - c. culture and tourism;
 - d. Education;
 - e. cooperative;
 - f. labor and transmigration;
 - g. mining and Energy;
 - h. Health;
 - i. agriculture and animal husbandry;
 - j. forestry;
 - k. Social;
 - l. Water Resources;
 - m. bina marga and spatial planning.
- (2) Services Integrated One At Field Investment as referred to in paragraph (1) shall be implemented by the Agency.

CHAPTER III

TYPES OF ONE-STOP INTEGRATED SERVICES IN THE FIELD OF INVESTMENT

Article 6

- (1) Types of One-Stop Integrated Services in the Investment Sector include:

- a. licensing services; and
 - b. non-licensing services.
- (2) Licensing services as referred to in paragraph (1) letter a and letter b, are listed in the Appendix which is an integral part of this Regional Regulation.
- (3) Further provisions concerning the management of licensing and non-licensing as referred to in paragraph (2), shall be regulated by a Governor Regulation.

CHAPTER IV
ONE-STOP INTEGRATED SERVICE SYSTEM AND STANDARDS IN THE
FIELD OF CAPITAL INVESTMENT

Article 7

One-Stop Integrated Services in the Investment Sector are implemented through:

- a. electronic investment licensing and information service system;
- b. implementation mechanism work and management type licensing and non-licensing services.

Article 8

One-Stop Integrated Service Standards in the Investment Sector are implemented based on Minimum Service Standards.

CHAPTER V
RIGHTS AND OBLIGATIONS

Part One

Rights and Obligations of the Agency

Article 9

In the event that the applicant does not complete the licensing requirements as referred to in Article 6 paragraph (3), the Agency has the right to reject the license application.

Article 10

The Agency in organizing One Stop Integrated Services in the Investment Sector is obliged to:

- a. provide services in accordance with the principles and service standards.

- b. develop an electronic investment information and licensing service system and integrate it with licensing and non-licensing information systems;
- c. organize training and technical assistance;
- d. conduct human resource development.
- e. responsible for the security and continued operation of the integrated system during the development phase.

Article 11

- (1) The Agency is obliged to provide licensing and non-licensing services that are carried out in a timely manner.
- (2) The period of completion of licensing and non-licensing services as referred to in paragraph (1), is no later than 15 (fifteen) working days from the receipt of the application file and all its completeness.

Second Part

Rights and Obligations of the Community

Article 12

Every person or legal entity has the right:

- a. obtain services based on service principles, service standards, and the right to be considered in filing objections to activities or plans for activities of other parties that are feared or that interfere with life.
- b. gain access to on-line system information.
- c. access to data and information on investment licensing and non-licensing.

Article 13

Every person or legal entity applying for licensing and non-licensing in the investment sector must comply with the licensing and non-licensing requirements as referred to in Article 6 paragraph (3).

CHAPTER VI
COORDINATION IN THE FIELD OF CAPITAL INVESTMENT

Article 14

- (1) In order to improve licensing and non-licensing services in the field of investment, the Agency coordinates with the Government, other Regional Apparatus within the Provincial Government and Regency / City governments at the planning and supervision stages.
- (2) Coordination as referred to in paragraph (1), is carried out by a head of the Agency and is responsible to the Governor.

CHAPTER VII
HUMAN RESOURCES

Article 15

- (1) Employees assigned to the Agency must have competence.
- (2) Employees who carry out the task of one-stop integrated services in the field of investment as referred to in paragraph (1), may be given a special allowance in accordance with regional financial capacity, the amount of which is determined by a Governor Decree.

CHAPTER VIII
INFORMATION DISCLOSURE

Article 16

- (1) The agency provides information that is accurate, correct, and not misleading to any person or legal entity.
- (2) Information as referred to in paragraph (1) in the form of:
 - a. types of licensing and non-licensing services;
 - b. licensing and non-licensing requirements;
 - c. time certainty;
 - d. magnitude of costs;
 - e. licensing and non-licensing service procedures; and
 - f. procedures for complaints.

Article 17

The Agency shall disseminate information as referred to in Article 16 paragraph (2) to the public and business actors, through print and/or electronic media.

Article 18

The Agency organizes an information system for licensing and non-licensing services in the field of investment electronically based on information and communication technology that can be accessed by the public and business actors.

CHAPTER IX

COMPLAINT HANDLING

Article 19

- (1) In the event that the Agency does not carry out services in accordance with the norms, standards and procedures for licensing and non-licensing services, the applicant may submit a complaint.
- (2) Complaints as referred to in paragraph (1) shall be made orally and/or in writing through the media provided, no later than 30 (thirty) days after the applicant receives licensing and non-licensing services.
- (3) The Agency is obliged to respond and follow up on complaints as referred to in paragraph (2), quickly and appropriately no later than 14 (fourteen) working days from the receipt of the complaint.
- (4) Procedures and mechanisms for complaints about licensing and non-licensing services are further regulated by Governor Regulation.

CHAPTER X

COMMUNITY SATISFACTION INDEX

Article 20

- (1) In terms of measuring changes in the level of public satisfaction in receiving licensing and non-licensing services, at least 1 (one) time in 1 (one) year, periodic and continuous surveys are conducted.

- (2) The implementation of the survey as referred to in paragraph (1) shall be carried out by the Agency or may cooperate with other parties.
- (3) The survey results as referred to in paragraph (1) shall be submitted to the public through print or electronic media.
- (4) In the event that there is a value discrepancy between the survey results and the licensing service standards, guidance and capacity building for the implementation of licensing services will be carried out.

CHAPTER XI
GUIDANCE, CONTROL AND SUPERVISION

First Section Guidance

Article 21

- (1) The Governor provides guidance in the implementation of one-stop integrated licensing services in the investment sector.
- (2) The coaching as referred to in paragraph (1) includes:
 - a. system development;
 - b. human resources;
 - c. Guidance;
 - d. supervision;
 - e. education and training; and
 - f. Evaluation.

Second Section

Control and Supervision

Article 22

- (1) In terms of controlling licensing and non-licensing in the field of investment, the Agency together with other Regional Apparatus conducts control and supervision.
- (2) Control and supervision as referred to in paragraph (1), regarding:
 - a. the period of expiration of the license;
 - b. license changes;
 - c. changes in business scale.

- (3) The procedures for control and supervision as referred to in paragraph (1), are further regulated by a Governor Regulation.

CHAPTER XII
REPORTING
Article 23

- (1) The Head of the Agency makes a written report on the implementation of one-stop integrated services in the field of investment in the region to:
- a. Governor through the Regional Secretary; and
 - b. Relevant technical ministries.
- (2) The report as referred to in paragraph (1) is at least 1 (one) time every 3 (three) months.

CHAPTER XIII
INCENTIVES
Article 24

- (1) Every potential investor who will invest in the Region can be given incentives and facilities.
- (2) Incentives
- a. incentives, which can be in the form of:
 1. reduction, relief, or exemption from local taxes;
 2. reduction, relief, or exemption of regional retribution;
 3. provision of stimulant funds; and/or
 4. provision of capital assistance.
 - b. the provision of convenience, can be in the form of:
 1. provision of data and information on investment opportunities;
 2. provision of facilities and infrastructure;
 3. provision of land or location;
 4. provision of technical assistance; and/or
 5. acceleration of licensing.
- (3) The procedures for providing incentives and facilities as referred to in paragraph (2) shall be further regulated by a Governor Regulation.

CHAPTER XIV
CLOSING PROVISIONS
Article 25

If there is a delegation of authority in the field of investment from the Government to the Governor, licensing and non-licensing services are carried out by the Agency.

Article 26

Implementing regulations for this Regional Regulation must be stipulated no later than 1 (one) year as of the promulgation of this Regional Regulation.

Article 27

This Regional Regulation shall come into force on the date of promulgation. In order that everyone may know it, it is ordered that this Regional Regulation be promulgated by placing it in the Banten Province Regional Gazette.

Set in Serang
on November 2, 2011
GUBERNOR OF BANTEN,
TTD

RATU ATUT CHOSIYAH

Promulgated in Serang
on November 3, 2011

REGIONAL SECRETARY OF
BANTEN PROVINCE,

TTD

M U H A D I

REGIONAL SHEET OF BANTEN PROVINCE 2011 NUMBER 7

EXPLANATION OF
REGIONAL REGULATION OF BANTEN PROVINCE
NUMBER 7 OF 2011
ABOUT
ORGANIZING ONE-STOP INTEGRATED SERVICES IN THE FIELD OF
CAPITAL INVESTMENT

I. GENERAL

In order to assist investors in obtaining ease of service, fiscal facilities, and information on investment, by accelerating, simplifying services, and reducing or even eliminating the costs of licensing and non-licensing, a one-stop integrated service in the field of investment is needed that can create simplification of licensing and accelerate its completion so as to attract the interest of the public and business actors.

The implementation of one-stop integrated licensing services in the investment sector aims to realizing licensing management in accordance with the principles of good governance and providing information to recipients of licenses and non-licenses.

Furthermore in Regulation Regional Regulation on the Implementation of One-Stop Integrated Services in the Investment Sector, is expected to prevent corruption, collusion and nepotism in the issuance of licenses and non-licenses, encourage the growth of investment in Banten Province, improve the quality of licensing and non-licensing services, avoid procedural errors, and abuse of authority in the issuance of licenses and non-licenses, synchronize and harmonize licensing and non-licensing between fields.

In order to implement the laws and regulations in the field of investment, such as Law No. 27 of 2009 on Investment and Presidential Regulation No. 27 of 2009 on One-stop Integrated Services, the Government of Indonesia has issued the following regulations

The Banten Provincial Government feels the need to have a legal device that regulates the implementation of one-stop integrated services in the field of investment in order to provide legal certainty. The content material in this Regional Regulation contains, among others:

1. Scope;
2. Types of One-Stop Integrated Services in the Investment Sector;
3. One-Stop Integrated Service System and Standards in the Investment Sector
4. Rights and Obligations;
5. Investment coordination;
6. Human Resources;
7. Information Disclosure;
8. Complaint Handling
9. Community Satisfaction Index
10. Guidance, Control and Supervision
11. Reporting; and
12. Incentives.

II. ARTICLE BY ARTICLE

Article 1

Clear enough.

Article 2

Clear enough.

Article 3

Clear enough.

Article 4

Letter a

What is meant by "Legal Certainty Principle" is a principle that is open to the public's right to obtain correct, honest, and non-discriminatory information about investment activities.

Letter b

"Openness principle" means a principle that is open to the public's right to obtain correct, honest, and non-discriminatory information about investment activities.

Letter c

"Accountability Principle" means a principle that determines that every activity and the final result of the implementation of capital investment must be accounted for.

Letter d

"The principle of equal treatment" means the principle of non-discrimination service treatment based on the provisions of laws and regulations, both between domestic investors and foreign investors and between investors from one foreign country and investors from other foreign countries.

Letter e

"Principle of efficiency with justice" is the principle underlying the implementation of investment by prioritizing efficiency with justice in an effort to realize a fair, conducive, and competitive business climate.

Article 5

Clear enough.

Article 6

Clear enough.

Article 7

Clear enough.

Article 8

Clear enough.

Article 9

Clear enough.

Article 10

Clear enough.

Article 11

Article 12 is
clear enough

Clear enough.

Article 13

Clear enough.

Article 14

Paragraph (1)

What is meant by "other Regional Apparatus" is a regional apparatus within the Banten Provincial Government which originally had the function of issuing licenses and non-licenses.

Paragraph (2)

Clear enough.

Article 15

Clear enough.

Article 16

Clear enough.

Article 17

Clear enough.

Article 18

Clear enough.

Article 19

Clear enough.

Article 20

Clear enough.

Article 21

Clear enough.

Article 22

Clear enough.

Article 23

Clear enough.

Article 24

Clear enough.

Article 25

Clear enough.

Article 26

Clear enough.

Article 27

Clear enough.

ADDITION TO THE REGIONAL SHEET OF BANTEN PROVINCE NUMBER 35

Annex to the Regional Regulation

Number : 7 Year 2011

Date : November 2, 2011

NO	FIELD	TYPE OF SERVICE	
		Licensing	Non-licensing
1	2	3	
1.	Investment	1. Principle License for New Investment; 2. Principle Expansion Permit; 3. Business License; 4. Expansion Business License; 5. Change Permit: a) Changes Shareholders; b) Changes Line of Business; c) Changes Company Address; d) Changes Company Name; e) Changes Project Completion Plan; f) Project Completion; g) Changes Investment Value; h) Changes Production Capacity 6. Licens Business Merger 7. License Business Beyond	

		Industrial Estates; 8. Business License in Industrial Estate for Domestic Investment Domestic Capital Investment.	
2.	Industry and Trade	1. Industrial Business License with Investment Scale above Above Rp. 10,000,000,000.00 (ten billion rupiah) excluding land and premises except for the type of industry which is under the authority of the minister; 2. Industrial Expansion License with Investment Scale in Above Rp. 10,000,000,000.00 (ten billion rupiah) excluding land and buildings of the premises except the type of industry that becomes ministerial authority.	
3.	Culture and Tourism		1. Recommendation for Registration of Travel Services Business; 2. Recommendation for Registration of Accommodation Service Provider Business; 3. Recommendation for Registration of Food and Beverage Service Business; 4. Recommendation for Registration of Tourism Area Services Business;

			<p>5. Recommendation for Registration of Tourist Transportation Services Business;</p> <p>6. Recommendation for Registration of Tourism Attraction Services Business;</p> <p>7. Recommendation for Business Registration of Entertainment and Recreation Activities;</p> <p>8. Recommendation for Tourist Service Business Registration;</p> <p>9. Recommendation for Registration for the Organization of Meetings, Travel, Intensive, Conference and Exhibitions;</p> <p>10. Recommendation for Tourism Consultant Services Business Registration;</p> <p>11. Recommendation for Tourism Information Services Business Registration;</p> <p>12. Tirta Tourism Business Registration Recommendation;</p> <p>13. Spa Business Registration Recommendation;</p>
4.	Education		<p>1. Recommendations for the Establishment and Closure of Higher Education Institutions.</p>
5.	Cooperative		<p>1. Recommendation ratification of the deed of establishment of the cooperative;</p> <p>2. Recommendation ratification of deed of amendment to the budget</p>

			<p>cooperative foundation;</p> <p>3. Recommendation dissolution of the cooperative;</p> <p>4. Recommendation opening of cooperative branch offices;</p>
6.	Labor	<p>1. Renewal permit to employ workers work (IMTA) Across districts/cities;</p> <p>2. Extension of the plan for the use of foreign workers (RPTKA);</p> <p>3. Operational Permit for Private Placement of Indonesian Workers (PPTKIS) branch office.</p>	
7.	Mining and Energy	<p>1. License Business Mining (IUP); production operations for non-metallic minerals and assistance across districts/cities</p> <p>2. License Business Mining (IUP) Operation production of Non-Metallic Minerals and Assistance at a maximum distance of 12 (twelve) nautical miles measured from the coastline towards the open sea. and/or to island waters.</p> <p>3. License Business Mining (IUP) operation special production of mineral and coal</p>	<p>1. Recommendations on the purchase and use of explosives;</p>

		<p>transportation across Regency / City;</p> <p>4. Permissions Transportation/Filling and use of explosives (handak warehouse license);</p> <p>5. Explosive permit card (KIM);</p> <p>6. Licensing of business entities services mineral, coal and geothermal mining in the framework of PMA and PMDN across districts / cities</p>	
8.	Health	<p>1. Midwife license;</p> <p>2. Nurse's license;</p> <p>3. Dental nurse license (SIPG);</p> <p>4. Physiotherapist License (SIF);</p> <p>5. License Refractionist Optisien (SIRO) License;</p> <p>6. Permissions Assistant Pharmacist Assistant License (SIAA);</p> <p>7. License Therapist SpeechTherapist License (SITW);</p> <p>8. Radiographer's License (SIR);</p> <p>9. Principle License for Traditional Medicine Small Industry (IKOT);</p> <p>10. RSU Establishment Permit</p>	<p>1. Traditional Medicine Industry (IOT) Principle license recommendation;</p> <p>2. Traditional Medicine Industry (IOT) business license recommendation;</p> <p>3. Recommendation for Cosmetics Production license;</p> <p>4. Recommendation certificate of production of medical devices (Alkes);</p> <p>5. Recommendation Production Certificate Household Health Supplies;</p> <p>6. Recommendation clearance</p>
		<p>Government Class B Non-education.</p> <p>11. License to operate a non-educational Class B government hospital;</p> <p>12. License Extension of</p>	<p>merchant Big Pharmacy (PBF) Center;</p> <p>7. Recommendation Distributor of Pharmaceutical Raw Materials (PBBBF) license;</p> <p>8. Recommendation for</p>

		<p>the implementation of Class B Non-Educational Government Hospital;</p> <p>13. Establishment license for class B government specialty hospitals.</p> <p>14. License to operate a class B government hospital;</p> <p>15. License extension of the operation of a class B government special hospital;</p> <p>16. Establishment license of class B private hospital;</p> <p>17. License to operate a class B private hospital.</p> <p>18. License extension of the operation of Class B Private Hospital;</p> <p>19. Establishment license for class B private specialty hospitals;</p> <p>20. License to operate a Class B private specialty hospital;</p> <p>21. License extension of the operation of a class B private specialty hospital;</p> <p>22. Permissions extension Organization RS Specialized private class B;</p> <p>23. Branch pharmaceutical wholesaler license (PBF Cab);</p> <p>24. Distributor Branch License Health;</p>	<p>Medical Device Distributor License (IPAK);</p>
9.	Agriculture and Livestock	<p>1. License business license veterinary drug distributor;</p>	

		<ol style="list-style-type: none"> 1. Permissions Sawmill Industry License; 2. Wood chip industry license; 3. Veneer industry license; 4. Plywood industry license; 5. Laminated veneer lumber (LVL); 6. Non-timber Forest Products Industry; 7. Timber Forest Products Primary Industry expansion license; 8. Rejuvenation (reengineering); 9. Business cultivation of plantation crops; 10. Business processing industry plantation products; 11. Plantation cultivation and processing industry; 	<ol style="list-style-type: none"> 1. Land Expansion; 2. Crop Type Change; 3. Capacity Addition; 4. Business Diversification; 5. Place Registered timber storage (TPT); 6. Recommendations (technical considerations) in the framework of exchange of forest area; 7. Recommendation (technical consideration) technical considerations) in the context of borrowing and use of forest areas;
11.	Social		<ol style="list-style-type: none"> 1. Collection recommendation money or goods; 2. Recommendations for free sweepstakes with prizes; 3. Money/goods collection recommendation; 4. Recommendation Registration Mark social organization/foundation/L SM_UKS
12.	NATURAL RESOURCES and Settlement	<ol style="list-style-type: none"> 1. Permission water resources area management license. 	

13.	Binamargaand Spatial Planning	1. Permissions Usage permit landin the road right-of- way.	
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GOVERNOR OF BANTEN,

TTD

RATU ATUT CHOSIAH