



LEGAL DOCUMENTATION AND INFORMATION NETWORK GOVERNMENT OF GORONTALO PROVINCE

IMPLEMENTATION-OF-BUSINESS-LICENSING

GORONTALO PROVINCE REGIONAL REGULATION NO. 6, STATE GAZETTE 2023/NO. 6, REGISTRATION NUMBER: 5-291/2024: 29 PAGES

REGIONAL REGULATION OF THE PROVINCE OF GORONTALO CONCERNING THE IMPLEMENTATION OF BUSINESS LICENSING

ABSTRACT : - That in order to enhance investment and ease of doing business, support economic growth, and encourage the participation of the community and the private sector in regional development;

- That the implementation of business licensing is carried out in the context of improving the investment ecosystem and business activities, as well as maintaining the sustainability of business licensing service performance in order to realize public welfare;
- That in order to provide legal certainty in conducting business, and to maintain accountable licensing quality, it is necessary to support the implementation of licensing that is fast, simple, integrated, transparent, efficient, and accountable.
- That pursuant to the provisions of Article 3 of Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions, Regional Governments are authorized to implement risk-based business licensing.
- The legal basis for the establishment of this Regional Regulation is the 1945 Constitution of the Republic of Indonesia, Law Number 38 of 2000, Law Number 25 of 2007 as amended by Law Number 6 of 2023, Law Number 23 of 2014 as last amended several times by Law Number 6 of 2023, Law Number 6 of 2023, Government Regulation Number 5 of 2021, Government Regulation Number 6 of 2021, and Government Regulation Number 7 of 2021.
- This Regional Regulation contains provisions concerning General Provisions, Authority for the Implementation of Risk-Based Business Licensing, Implementation of Risk-Based Business Licensing, Organization of One-Stop Integrated Services (PTSP), Granting of Business Incentives and Facilities, Reporting on the Implementation of Risk-Based Business Licensing, Guidance and Supervision, Rights, Obligations, and Responsibilities of the Community and/or Investors, Sanctions, Funding, Closing Provisions, and Explanatory Notes

NOTES: - This Regional Regulation comes into force on the date of its promulgation, namely 28 December 2023

- This Regional Regulation revokes Regional Regulation of Gorontalo Province Number 2 of 2004, Regional Regulation of Gorontalo Province Number 3 of 2017, **and** Regional Regulation of Gorontalo Province Number 62 of 2020.
- This Regional Regulation consists of 29 pages.



GOVERNOR OF GORONTALO

REGIONAL REGULATION OF GORONTALO PROVINCE
NUMBER 6 OF 2023

CONCERNING
THE IMPLEMENTATION OF BUSINESS LICENSING
BY THE GRACE OF GOD ALMIGHTY
THE GOVERNOR OF GORONTALO,

- Considering : a. that in order to increase investment and ease of doing business, support economic growth, and encourage community and private sector participation in regional development;
- b. that the implementation of Business Licensing is carried out to enhance the investment ecosystem and business activities and to maintain the sustainability of business licensing service performance in order to realize public welfare;
- c. that in order to provide legal certainty in conducting business and to maintain accountable licensing quality, it is necessary to support licensing implementation that is fast, simple, integrated, transparent, efficient, effective, and accountable;
- d. that pursuant to Article 3 of Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions, Regional Governments are authorized to implement risk-based business licensing;
- e. that based on the considerations as referred to in letter a, letter b, letter c, and letter d, it is necessary to enact a Regional Regulation concerning the Implementation of Business Licensing;
- Bearing in mind : 1. Article 18 paragraph (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 38 of 2000 concerning the Establishment of Gorontalo Province (State Gazette of the Republic of Indonesia Year 2000 Number 258, Supplement to the State Gazette of the Republic of Indonesia Number 4060);
3. Law Number 25 of 2007 concerning Investment (State Gazette of the Republic of Indonesia Year 2007 Number 67, Supplement to the State Gazette of the Republic of

- Indonesia Number 4724), as amended by Law Number 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (State Gazette of the Republic of Indonesia Year 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856);
4. Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia Year 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587), as last amended by Law Number 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (State Gazette of the Republic of Indonesia Year 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856);
 5. Law Number 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (State Gazette of the Republic of Indonesia Year 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856);
 6. Government Regulation Number 24 of 2019 concerning the Granting of Investment Incentives and Facilities in the Regions (State Gazette of the Republic of Indonesia Year 2019 Number 63, Supplement to the State Gazette of the Republic of Indonesia Number 6330);
 7. Government Regulation Number 5 of 2021 concerning the Implementation of Risk-Based Business Licensing (State Gazette of the Republic of Indonesia Year 2021 Number 15, Supplement to the State Gazette of the Republic of Indonesia Number 6617);
 8. Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions (State Gazette of the Republic of Indonesia Year 2021 Number 16, Supplement to the State Gazette of the Republic of Indonesia Number 6618);
 9. Government Regulation Number 7 of 2021 concerning the Facilitation, Protection, and Empowerment of Cooperatives and Micro, Small, and Medium Enterprises (State Gazette of the Republic of Indonesia Year 2021 Number 17, Supplement to the State Gazette of the Republic of Indonesia Number 6619);

With The Joint Approval of
THE REGIONAL HOUSE OF REPRESENTATIVES OF GORONTALO
PROVINCE
and
THE GOVERNOR OF GORONTALO

HEREBY DECIDES:

To Stipulate : REGIONAL REGULATION CONCERNING THE
IMPLEMENTATION OF BUSINESS LICENSING.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Regional Regulation, the following terms shall have the meanings ascribed to them below:

1. Implementation of Business Licensing means business licensing activities whose management process is conducted electronically from the application stage to the issuance of documents, carried out in an integrated manner through a One-Stop Service in the Region.
2. Business Licensing means legality granted to business actors to commence and carry out their business and/or activities.
3. Risk means the potential occurrence of injury or loss arising from a hazard or a combination of the likelihood and consequences of a hazard.
4. Risk-Based Business Licensing means Business Licensing based on the level of risk of business activities.
5. One-Stop Integrated Service, hereinafter abbreviated as PTSP, means services integrated into a single process starting from the application stage to the completion stage of one-stop integrated service products.
6. Electronically Integrated Business Licensing System (Online Single Submission), hereinafter referred to as the OSS System, means an integrated electronic system managed and operated by the OSS Institution for the implementation of Risk-Based Business Licensing.
7. OSS Managing and Operating Institution, hereinafter referred to as the OSS Institution, means the government institution that administers governmental affairs in the field of investment coordination.
8. Business Actor means an individual or a business entity conducting business and/or activities in a particular field.
9. Community means an individual or group of individuals who are citizens of the Republic of Indonesia who own and/or conduct business activities in accordance with laws and regulations.
10. Investor means an individual or business entity investing capital, including domestic and foreign investors.

11. Capital means assets in the form of money or other non-monetary forms owned by an Investor that have economic value.
12. Granting of Incentives means fiscal policy support from the Regional Government to the Community and/or Investors to increase regional investment.
13. Granting of Facilities means the provision of non-fiscal facilities by the Regional Government to the Community and/or Investors to facilitate investment activities and increase regional investment.
14. Supervision means efforts to ensure that business activities are carried out in accordance with business activity standards through a risk-based approach and obligations to be fulfilled by Business Actors.
15. Indonesian Standard Classification of Business Fields, hereinafter abbreviated as KBLI, means classification codes regulated by a non-ministerial government institution administering governmental affairs in the field of statistics.
16. Licensing means the granting of documents and proof of legal approval from the government to a person or business actor/activity in accordance with laws and regulations.
17. Non-Licensing means the granting of documents or proof of legality confirming the validity of something to a person or group of persons in service and information facilitation in accordance with laws and regulations.
18. Delegation of Authority means the transfer of duties, rights, obligations, and responsibilities for Licensing and Non-Licensing, including the authority to sign on behalf of the delegating authority.
19. Public Service Charter, hereinafter abbreviated as MPP, means a statement of commitment by the Regional Government in delivering public services.
20. Community Satisfaction Survey, hereinafter abbreviated as SKM, means a comprehensive measurement of public satisfaction levels obtained from measuring public opinions regarding services received from public service providers.
21. Region means Gorontalo Province.
22. Regional Government means the Governor as the organizer of Regional Government who leads the implementation of governmental affairs under the authority of the autonomous Region.
23. Governor means the Governor of Gorontalo.
24. Agency (Dinas) means the Investment and One-Stop Integrated Services Agency of Gorontalo Province.
25. Regency/Municipal Agency means the Regency/Municipal Agency in Gorontalo Province responsible for administering governmental affairs in the investment sector under Regency/Municipal authority.
26. Bureau means the Bureau within the Regional Secretariat of Gorontalo Province responsible for legal affairs.
27. Technical Regional Apparatus means Regional Apparatus Organizations responsible for risk-based business licensing by sector.

28. Day means a working day as determined by the Government.

Article 2

The scope of this Regional Regulation includes:

- a. authority over the implementation of risk-based business licensing;
- b. implementation of risk-based business licensing;
- c. organization of PTSP;
- d. granting of incentives and business facilities;
- e. ereporting on the implementation of risk-based business licensing;
- f. guidance and supervision;
- g. rights, obligations, and responsibilities of the Community and/or Investors;
- h. sanctions; and
- i. funding.

CHAPTER II AUTHORITY FOR THE IMPLEMENTATION OF RISK-BASED BUSINESS LICENSING

Article 3

The Regional Government has the authority to implement Risk-Based Business Licensing.

Article 4

- (1) The Governor delegates the authority for the implementation of Risk-Based Business Licensing to the Head of the Agency.
- (2) The delegation of authority as referred to in paragraph (1) includes:
 - a. the implementation of Risk-Based Business Licensing that falls under the authority of the Regional Government in accordance with laws and regulations;
 - b. the implementation of Risk-Based Business Licensing that falls under the authority of the Central Government and is delegated to the Governor based on the principles of deconcentration and co-administration; and
 - c. the implementation of Non-Business Licensing that falls under the authority of the Regional Government in accordance with laws and regulations.
- (3) Further provisions regarding the delegation of authority as referred to in paragraph (2) shall be regulated by a Governor Regulation.

CHAPTER III IMPLEMENTATION OF RISK-BASED BUSINESS LICENSING Section One General

Article[Ma1] 5

- (1) The implementation of Risk-Based Business Licensing is carried out to enhance the investment ecosystem and business activities in the Region.
- (2) The enhancement of the investment ecosystem and business activities as referred to in paragraph (1) includes:
 - a. risk-based business licensing;
 - b. basic requirements for risk-based business licensing; and
 - c. sectoral business licensing and facilitation of investment requirements.
- (4) Risk-Based Business Licensing as referred to in paragraph (2) letter a is carried out based on the determination of the risk level and business scale ranking of business activities.
- (5) Basic requirements for Risk-Based Business Licensing as referred to in paragraph (2) letter b include:
 - a. conformity of spatial utilization activities;
 - b. environmental approval; and
 - c. building approval and certificate of proper function.
- (6) Sectoral Business Licensing as referred to in paragraph (2) letter c consists of the following sectors:
 - a. marine affairs and fisheries;
 - b. agriculture;
 - c. environment and forestry;
 - d. energy and mineral resources;
 - e. nuclear energy;
 - f. industry;
 - g. trade;
 - h. public works and public housing;
 - i. transportation;
 - j. health, pharmaceuticals, and food;
 - k. education and culture;
 - l. tourism;
 - m. religious affairs;
 - n. postal services, telecommunications, broadcasting, and electronic systems and transactions;
 - o. defense and security; and
 - p. manpower.
- (7) The nuclear energy, religious affairs, and defense and security sectors as referred to in paragraph (5) letters e, m, and o are under the authority of the Central Government, the licensing process of which is integrated with business licensing services in the Region.
- (8) In enhancing the investment ecosystem and business activities in the sectors as referred to in paragraph (5), Business Actors shall be granted facilitation of investment requirements and Business Licensing in accordance with laws and regulations.

- (9) Risk-Based Business Licensing, basic Business Licensing requirements, sectoral Business Licensing, and facilitation of investment requirements as referred to in paragraph (2) shall be implemented in accordance with laws and regulations.
- (10) Sectoral Business Licensing as referred to in paragraph (5) shall refer to the KBLI in accordance with laws and regulations.

Section Two Management of Implementation

Article 6

- (1) The implementation of Risk-Based Business Licensing shall be carried out by the Agency.
- (2) The Agency as referred to in paragraph (1) shall integrate PTSP with Technical Regional Apparatus.

Article 7

- (1) In implementing Risk-Based Business Licensing services, the Agency shall apply business licensing management.
- (2) Business licensing management as referred to in paragraph (1) includes:
 - a. service implementation;
 - b. management of public complaints;
 - c. information management;
 - d. public outreach;
 - e. consultation services; and
 - f. legal assistance.
- (3) The management of Risk-Based Business Licensing as referred to in paragraph (2) shall be provided free of charge.

Article 8

- (1) The implementation of business licensing services by the Agency as referred to in Article 7 paragraph (2) letter a must use the OSS System in accordance with laws and regulations.
- (2) The implementation of business licensing services as referred to in paragraph (1) shall be equipped with special services for vulnerable groups, the elderly, and persons with disabilities.
- (3) The Regional Government may develop a supporting system for the implementation of the OSS System in accordance with applicable norms, standards, procedures, and criteria.

Article 9

- (1) OSS System services for business licensing shall be carried out independently by Business Actors using their own equipment/facilities or those provided by the Agency.

- (2) If OSS System services cannot yet be implemented independently, the Agency shall provide:
 - a. assisted services; and/or
 - b. mobile services.
- (3) Assisted services as referred to in paragraph (2) letter a shall be carried out interactively between the Agency and Business Actors.
- (4) Mobile services as referred to in paragraph (2) letter b shall be carried out by improving service accessibility to Business Actors using transportation facilities or other means.

Article 10

- (1) Assisted services as referred to in Article 9 paragraph (2) letter a shall be provided if the OSS System services:
 - a. are not yet available; or
 - b. experience technical disruptions.
- (2) If assisted services are required as referred to in paragraph (1), the Agency shall coordinate with the OSS Institution to ensure continuity of services.
- (3) If the OSS System services are not yet available as referred to in paragraph (1) letter a, assisted services shall be carried out through the following stages:
 - a. Business Actors submit Business Licensing applications offline to Agency officers;
 - b. Agency officers connect the offline Business Licensing applications as referred to in letter a into the OSS System at the Agency; and
 - c. approval or rejection of the issuance of Business Licensing documents shall be communicated to Business Actors through communication media.
- (4) Standards for assisted services as referred to in paragraph (3) shall be stipulated by a Governor Decree.

Article 11

- (1) If the OSS System services experience technical disruptions as referred to in Article 10 paragraph (1) letter b, assisted services must be available no later than 1 (one) day from the declaration of the technical disruption.
- (2) The declaration of OSS System service technical disruption as referred to in paragraph (1) shall be conveyed to the public by the Head of the Agency.
- (3) Provisions regarding assisted service standards when OSS System services are not yet available as referred to in Article 10 paragraph (4) shall apply mutatis mutandis to assisted services in the event of technical disruptions.

Article 12

- (1) For Business Actors in underdeveloped, frontier, outermost areas and/or areas that do not yet have adequate accessibility, Business Licensing applications may be submitted at sub-district offices or village/urban village offices.
- (2) In addition to submission at sub-district or village/urban village offices as referred to in paragraph (1), Business Actors may submit Business Licensing applications through mobile services organized by the Agency.
- (3) Business Licensing applications as referred to in paragraphs (1) and (2) shall be registered in the OSS System by sub-district or village/urban village officials using access rights owned by the Business Actor no later than 3 (three) days after receipt of the application from the authorized Business Actor.
- (4) The Regional Government may facilitate Business Licensing applications and registration under Regional authority as referred to in paragraphs (1) and (3) by coordinating with Regency/Municipal Governments.

Article 13

The Agency shall not be burdened with targets for regional original revenue.

Article 14

- (1) The management of public complaints as referred to in Article 7 paragraph (2) letter b shall be carried out in a prompt, accurate, transparent, fair, non-discriminatory manner and free of charge.
- (2) The management of public complaints as referred to in paragraph (1) shall be implemented through the following stages:
 - a. receiving and issuing a receipt;
 - b. examining the completeness of documents;
 - c. classifying and prioritizing resolution;
 - d. reviewing and responding;
 - e. administering records;
 - f. reporting the results; and
 - g. monitoring and evaluating.
- (3) The implementation of public complaint management as referred to in paragraph (1) shall be integrated with Ministries/Institutions and Technical Regional Apparatuses through the OSS system.
- (4) Further provisions regarding the procedures for complaint management as referred to in paragraph (2) shall be regulated in a Governor Regulation.

Article 15

- (1) Information management as referred to in Article 7 paragraph (2) letter c shall be conducted openly and easily accessible to the public.

- (2) The implementation of information management as referred to in paragraph (1) shall at least include:
 - a. receiving requests for information services; and
 - b. providing and delivering information related to business licensing services.

Article 16

- (1) The provision and delivery of information as referred to in Article 15 paragraph (2) letter b shall be carried out through the information service subsystem within the OSS system.
- (2) In addition to the information services as referred to in paragraph (1), the Regional Government may provide and deliver other information containing:
 - a. institutional profiles of Regional Apparatuses;
 - b. standards of business licensing services; and
 - c. assessment of PPSP performance.
- (3) Information services as referred to in paragraph (1) shall be carried out through electronic media and print media.

Article 17

The institutional profile of Regional Apparatuses as referred to in Article 16 paragraph (2) letter a constitutes the institutional profile of Regional Apparatuses related to the authority for issuing sectoral business licenses as referred to in Article 5 paragraph (5).

Article 18

- (1) The standards of business licensing services as referred to in Article 16 paragraph (2) letter b include:
 - a. standards of business licensing services in accordance with norms, standards, procedures, and criteria that have been integrated into the OSS system;
 - b. standards of business licensing services that have not yet been integrated into the OSS system; and
 - c. standards of non-business licensing services.
- (2) The standards of business licensing services as referred to in paragraph (1) letter a shall refer to the prevailing laws and regulations.
- (3) The standards of business licensing services and non-business licensing services as referred to in paragraph (1) letters b and c shall be determined by a Governor's Decree.

Article 19

- (1) The performance assessment of the One-Stop Integrated Service (PTSP) as referred to in Article 16 paragraph (2) letter c shall be conducted by taking into account the achievement of investment realization target values, the improvement of public service quality, and the enhancement of accountability of the Agency's performance.

- (2) The performance assessment of the Agency shall be carried out in accordance with the provisions of laws and regulations.

Article 20

- (1) Public outreach as referred to in Article 7 paragraph (2) letter d includes:
 - a. the rights and obligations of the Regional Government and the community concerning risk-based business licensing services;
 - b. the benefits of risk-based business licensing for the community;
 - c. requirements and service mechanisms for risk-based business licensing;
 - d. service time and place; and
 - e. the risk level of business activities.
- (2) Public outreach as referred to in paragraph (1) shall be conducted through:
 - a. electronic media;
 - b. print media; and/or
 - c. meetings.
- (3) The implementation of outreach as referred to in paragraphs (1) and (2) shall be carried out by the Agency in coordination with Technical Regional Apparatuses.

Article 21

- (1) Consultation services as referred to in Article 7 paragraph (2) letter e shall at least include:
 - a. technical consultation on types of business licensing services;
 - b. consultation on legal aspects of business licensing; and
 - c. technical assistance.
- (2) Consultation services as referred to in paragraph (1) shall be conducted in designated consultation rooms and/or offline.
- (3) Consultation services as referred to in paragraph (1) shall be conducted by the Agency in coordination with Technical Regional Apparatuses in an interactive manner.

Article 22

- (1) Legal assistance as referred to in Article 7 paragraph (2) letter f shall be provided in the event that legal issues arise in the process and implementation of licensing involving the Agency.
- (2) Legal assistance as referred to in paragraph (1) shall be provided by the Bureau.

Part Three
Facilities and Infrastructure

Article 23

- (1) The implementation of business licensing at the Agency must be equipped with facilities and infrastructure in accordance with service standards.
- (2) Facilities and infrastructure as referred to in paragraph (1) shall at least include:
 - a. front office;
 - b. back office;
 - c. supporting rooms; and
 - d. supporting equipment/facilities.
- (3) Facilities and infrastructure for the implementation of electronic services shall at least consist of:
 - a. internet connectivity;
 - b. data centers and application servers;
 - c. communication equipment; and
 - d. information and communication technology security systems.

Part Four
Apparatus Human Resources

Article 24

The implementation of business licensing at the Agency must be supported by civil servants who serve as executors of the duties and functions of business licensing services, provided proportionally and professionally to support the Agency's performance.

Article 25

- (1) Civil servants assigned to the Agency must meet the established qualification and competency standards.
- (2) The competency of civil servants as referred to in paragraph (1) may be enhanced through competency development.
- (3) Civil servants serving as executors of the duties and functions of regional business licensing services at the Agency may be transferred in accordance with the provisions of laws and regulations after obtaining a recommendation from the Head of the Agency.

Article 26

In improving the performance of business licensing service implementation, the Governor shall grant additional employee income to civil servants at the Agency in accordance with regional financial capacity and the provisions of laws and regulations.

Part Five
Working Relationship Procedures

Article 27

In carrying out its duties, the Agency shall have working relationships that include:

- a. working relationships between the Agency and government institutions administering governmental affairs in the field of investment coordination as the OSS Institution;
- b. working relationships between the Agency and vertical agencies in the region;
- c. working relationships between the Agency and Technical Regional Apparatuses; and
- d. working relationships between the Agency and Regency/Municipal Agencies.

Article 28

- (1) The working relationship between the Agency and the OSS Institution as referred to in Article 27 letter a shall be conducted functionally in implementing business licensing in the Region.
- (2) Functional working relationships as referred to in paragraph (1) include:
 - a. assistance in the implementation of business licensing;
 - b. verification of business licensing proposals;
 - c. development of human resource competencies;
 - d. procurement of hardware and software to support the implementation of the OSS system; and
 - e. handling of business licensing service complaints.

Article 29

- (3) The working relationship between the Agency and Technical Regional Apparatuses as referred to in Article 27 letter c shall be conducted functionally and coordinatively in the implementation of risk-based business licensing located at the Agency.
- (4) Functional and coordinative working relationships as referred to in paragraph (1) include:
 - a. implementation of risk-based business licensing in the Region in accordance with respective authorities;
 - b. verification of risk-based business licensing in the Region;
 - c. monitoring and evaluation in the context of supervision of risk-based business licensing in the Region;
 - d. facilitation of the resolution of risk-based business licensing issues in the Region; and
 - e. synergy of programs and activities for risk-based business licensing in the Region.

CHAPTER IV
IMPLEMENTATION OF ONE-STOP INTEGRATED SERVICES (PTSP)

Article 30

The Regional PTSP that administers Licensing and Non-Licensing services is institutionally attached to the Agency in accordance with the provisions of laws and regulations.

Article 31

The delegation of authority as referred to in Article 4 paragraph (1), in the administration of Licensing and Non-Licensing services by the PTSP, includes:

- a. receipt and/or rejection of application documents;
- b. issuance of licensing and non-licensing documents;
- c. delivery of licensing and non-licensing documents; and
- d. revocation and cancellation of licensing and non-licensing documents.

Article 32

- (1) In the administration of Licensing and Non-Licensing services, VPSP is administratively responsible, while technical responsibility lies with the relevant technical regional apparatus.
- (2) Supervision and evaluation after the issuance of Licensing and Non-Licensing are carried out and become the responsibility of the Agency and the Technical Regional Apparatus in accordance with the provisions of laws and regulations.

Article 33

- (1) In order to support the smooth implementation of PTSP that provides services, a technical team shall be established as necessary, representing the technical regional apparatus.
- (2) The PTSP Technical Team as referred to in paragraph (1) is authorized to provide technical considerations and issue recommendations for Licensing and Non-Licensing.
- (3) The establishment and membership of the technical team as referred to in paragraph (2) shall be stipulated by a Governor's Decree in accordance with the provisions of laws and regulations

Article 34

- (1) In administering Licensing and Non-Licensing services, the Regional Government is required to establish a Service Charter (MPP) for Licensing and Non-Licensing.
- (2) The Service Charter (MPP) for Licensing and Non-Licensing as referred to in paragraph (1) shall at least contain:
 - a. types of services provided;
 - b. requirements;
 - c. procedures;

- d. fees;
 - e. timeframes;
 - f. rights and obligations of the Regional Government and the public;
and
 - g. the official responsible for service delivery.
- (3) The Service Charter (MPP) for Licensing and Non-Licensing of the Regional Government as referred to in paragraph (1) shall be signed by the authorized official in accordance with the provisions of laws and regulations and shall be widely disseminated to the public.

Article 35

The service timeframe for Licensing and Non-Licensing shall be in accordance with the provisions of laws and regulations.

Article 36

- (1) In the administration of PTSP, service ethics shall be applied.
- (2) Service ethics as referred to in paragraph (1) constitute the attitudes of service personnel in the delivery of Licensing and Non-Licensing services.

Article 37

- (1) Service ethics as referred to in Article 36 include:
- a. discipline;
 - b. promptness;
 - c. firmness;
 - d. politeness;
 - e. friendliness and empathy;
 - f. fairness / non-discrimination;
 - g. openness and honesty;
 - h. loyalty;
 - i. patience;
 - j. compliance;
 - k. exemplary conduct;
 - l. communicativeness;
 - m. creativity;
 - n. responsibility; and
 - o. objectivity.
- (2) Discipline as referred to in paragraph (1) letter a is demonstrated by punctual attendance in accordance with working hours, orderly attire in compliance with official dress regulations, proper speech within ethical and moral boundaries, and compliance with applicable laws and regulations.
- (3) Promptness as referred to in paragraph (1) letter b is demonstrated by completing various public service matters that constitute the obligations and responsibilities of service providers in accordance with predetermined service schedules.

- (4) Firmness as referred to in paragraph (1) letter c is demonstrated by providing no tolerance for collusion, corruption, and nepotism in any form related to Licensing and Non-Licensing services.
- (5) Politeness as referred to in paragraph (1) letter d is demonstrated by proper behavior and appropriate speech in accordance with ethics and norms of courtesy when serving users of Licensing and Non-Licensing services.
- (6) Friendliness and empathy as referred to in paragraph (1) letter e are demonstrated by courteous language, pleasant speech, and agreeable conduct in providing Licensing and Non-Licensing services.
- (7) Fairness / non-discrimination as referred to in paragraph (1) letter f is demonstrated by providing equal opportunities to all service users.
- (8) Openness and honesty as referred to in paragraph (1) letter g are demonstrated by providing clear and accurate information regarding service materials, data, and processes.
- (9) Loyalty as referred to in paragraph (1) letter h is demonstrated by carrying out superiors' instructions and promptly and accurately reporting to superiors regarding service implementation.
- (10) Patience as referred to in paragraph (1) letter i is demonstrated by controlling emotions when hearing statements or encountering behaviors of service users that may be offensive.
- (11) Compliance as referred to in paragraph (1) letter j is demonstrated by completing all service activities in accordance with service standards and standard operating procedures to achieve service user satisfaction.
- (12) Exemplary conduct as referred to in paragraph (1) letter k is demonstrated by setting a good example for colleagues and service users of Licensing and Non-Licensing services.
- (13) Communicativeness as referred to in paragraph (1) letter l is demonstrated by effective communication with service users during the provision of Licensing and Non-Licensing services.
- (14) Creativity as referred to in paragraph (1) letter m is demonstrated by carrying out constructive and productive innovations to accelerate and optimize the delivery of Licensing and Non-Licensing services.
- (15) Responsibility as referred to in paragraph (1) letter n is exercised in accordance with the provisions of laws and regulations.
- (16) Objectivity as referred to in paragraph (1) letter o is demonstrated by impartiality toward any service user of Licensing and Non-Licensing services.

Article 38

- (1) PTSP shall conduct a Community Satisfaction Survey (SKM) to measure the quality and standards of services provided to the public.
- (2) The Community Satisfaction Survey (SKM) as referred to in paragraph (1) shall be conducted periodically at least once a year.

- (3) The Community Satisfaction Survey (SKM) as referred to in paragraph (1) shall be conducted through internal and/or external surveys.

Article 39

- (1) The Regional Government may undertake innovations to improve the performance of PTSP implementation in accordance with the provisions of laws and regulations.
- (2) Innovations as referred to in paragraph (1) encompass all forms of renewal in the administration of PTSP.

Article 40

The types, procedures, and methods of innovative PTSP implementation as referred to in Article 39 shall be stipulated in a Governor's Regulation.

Article 41

- (1) In the implementation of PTSP, the Regional Government may establish a communication forum between the Regional Government, the public, and relevant stakeholders.
- (2) The membership of the communication forum as referred to in paragraph (1) shall at least consist of elements from:
 - a. Provincial PTSP and/or Regency/Municipal PTSP;
 - b. representatives of service recipient associations;
 - c. the Ombudsman; and
 - d. other relevant elements.
- (3) The communication forum as referred to in paragraph (1) shall have at least the following functions:
 - a. resolving issues related to Licensing and Non-Licensing;
 - b. evaluating the implementation of PTSP; and
 - c. providing recommendations to the Regional Head.
- (4) The communication forum as referred to in paragraph (1) shall be established by a Governor's Decree.

CHAPTER V

GRANTING OF INCENTIVES AND BUSINESS FACILITIES

Article 42

The Regional Government may grant incentives and/or investment facilities in the Region to the Community and/or Investors in accordance with its authority.

Article 43

- (1) The granting of incentives and/or facilities to the Community and Investors may be provided in accordance with laws and regulations.
- (2) Provisions regarding procedures for granting incentives and/or facilities as referred to in paragraph (1) shall be regulated by a Governor Regulation based on each sector as referred to in Article 5.

CHAPTER VI
REPORTING ON THE IMPLEMENTATION OF
RISK-BASED BUSINESS LICENSING

Article 44

The Governor shall submit a report on the implementation of Business Licensing to the Minister responsible for domestic governmental affairs.

Article 45

- (1) The report as referred to in Article 44 shall at least include:
 - a. the number of licenses issued;
 - b. investment plans and realization; and
 - c. constraints and solutions.
- (2) The report as referred to in paragraph (1) shall include:
 - a. quarterly reports;
 - b. semester reports; and
 - c. annual reports.
- (3) The report as referred to in paragraph (1) shall be submitted at least once a year or at any time when necessary.

CHAPTER VII
GUIDANCE AND SUPERVISION

Article 4

- (1) The Governor shall conduct guidance and supervision over the implementation of Business Licensing carried out by the Agency.
- (2) Technical supervision as referred to in paragraph (1) shall be carried out by the Regional Apparatus administering governmental affairs in the field of supervision.

CHAPTER VIII
RIGHTS, OBLIGATIONS, AND RESPONSIBILITIES
OF THE COMMUNITY AND/OR INVESTORS

Article 47

Every member of the Community and/or Investor shall have the right to:

- a. certainty of rights, law, and protection;
- b. open information regarding the business sector being conducted;
- c. service rights; and
- d. various forms of facilitation in accordance with laws and regulations.

Article 48

Every member of the Community and/or Investor shall be obligated to:

- a. prepare reports on business activities and submit them to the Agency;
- b. respect the cultural traditions of communities surrounding the business location; and
- c. comply with all provisions of laws and regulations.

Article 49

Every member of the Community and/or Investor shall be responsible for:

- a. ensuring the availability of Capital originating from sources that do not conflict with laws and regulations;
- b. bearing and resolving all obligations and losses if the Community and/or Investor unilaterally terminates, abandons, or neglects business activities in accordance with laws and regulations;
- c. creating a healthy competitive business climate, preventing monopolistic practices, and other actions detrimental to the State;
- d. preserving environmental, social, and cultural sustainability of local communities;
- e. creating safety, health, comfort, and welfare for workers; and
- f. complying with all provisions of laws and regulations.

CHAPTER IX SANCTIONS

Article 50

- (1) Business entities or individual businesses as referred to in Article 5 that fail to fulfill obligations as stipulated in Article 15 may be subject to administrative sanctions in the form of:
 - a. written warning;
 - b. restriction of business activities;
 - c. suspension of business activities and/or investment facilities; or
 - d. revocation of business activities and/or investment facilities.
- (2) Administrative sanctions as referred to in paragraph (1) shall be imposed by the authorized institution or agency in accordance with laws and regulations.
- (3) In addition to administrative sanctions, business entities or individual businesses may be subject to other sanctions in accordance with laws and regulations.

CHAPTER X FUNDING

Article 51

The costs for implementing Business Licensing shall be borne by:

- a. the Regional Revenue and Expenditure Budget; and
- b. other lawful and non-binding sources in accordance with laws and regulations.

CHAPTER XI
CLOSING PROVISIONS

Article 52

At the time this Regional Regulation comes into force:

- a. Regional Regulation of Gorontalo Province Number 2 of 2004 concerning the Principles of Ease of Doing Business is revoked and declared invalid;
- b. Regional Regulation of Gorontalo Province Number 3 of 2017 concerning the Implementation of One-Stop Integrated Services is revoked and declared invalid;
- c. Governor Regulation of Gorontalo Number 62 of 2020 concerning the Implementing Regulation of Regional Regulation of Gorontalo Province Number 3 of 2017 concerning the Implementation of One-Stop Integrated Services is revoked and declared invalid.

Article 53

Implementing regulations of this Regional Regulation shall be stipulated no later than 1 (one) year from the promulgation of this Regional Regulation.

Article 54

This Regional Regulation shall enter into force on the date of its promulgation.

To ensure that everyone is aware of it, this Regional Regulation shall be promulgated by placing it in the Regional Gazette of Gorontalo Province.

Stipulated in Gorontalo
on 28 December 2023

ACTING GOVERNOR OF GORONTALO

ISMAIL PAKAYA

Promulgated in Gorontalo
on 28 December 2023
REGIONAL SECRETARY OF GORONTALO PROVINCE

SOFIAN IBRAHIM

REGIONAL GAZETTE OF GORONTALO PROVINCE YEAR 2023 NUMBER 6

EXPLANATORY NOTES
ON
REGIONAL REGULATION OF GORONTALO PROVINCE
NUMBER 6 OF 2023
CONCERNING
THE IMPLEMENTATION OF BUSINESS LICENSING

I. GENERAL

The Preamble of the 1945 Constitution of the Republic of Indonesia mandates that the objective of the establishment of the Republic of Indonesia is to realize a society that is prosperous, just, affluent, and equitable, both materially and spiritually. In line with this objective, Law Number 11 of 2020 concerning Job Creation, as replaced by Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation, provides that all laws and regulations constituting implementing regulations of Law Number 11 of 2020 concerning Job Creation shall remain in force insofar as they do not conflict with Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation.

Two of the Government Regulations implementing Law Number 11 of 2020 concerning Job Creation that are directly related to the Implementation of Business Licensing are Government Regulation Number 5 of 2021 concerning Risk-Based Business Licensing and Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions.

Therefore, in order to fulfill the obligation of the Region to make adjustments to various laws and regulations related to Business Licensing, it is necessary to establish a Regional Regulation of Gorontalo Province concerning the Implementation of Business Licensing. Philosophically, this Regional Regulation is expected to ensure that the implementation of Business Licensing is carried out in order to enhance the investment ecosystem and business activities, as well as to maintain the sustainability of the performance of business licensing services, so as to realize public welfare. Furthermore, sociologically, the formation of this Regional Regulation is expected to reflect that conducting business activities in the Region requires legality, business certainty, and efforts to control business activities; therefore, it is necessary to provide facilitation and simplification of business licensing in accordance with the scope of authority that can improve the economy in order to realize regional development objectives.

The substantive provisions of this Regional Regulation elaborate Government Regulation Number 6 of 2021 concerning the Implementation of Business Licensing in the Regions and several of its implementing regulations, adjusted to the authority of the Regional Government. With regard to the substance of Government Regulation Number 5 of 2021 concerning Risk-Based Business Licensing, this Regional Regulation only regulates the delegation of sectoral authority that falls under the authority of

the Regional Government through a Governor Regulation, and fills the legal vacuum in the regulation of non-business licensing.

II. ARTICLE-BY-ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear.

Article 3

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

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Article 8

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Article 48
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Article 49
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Article 50
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Article 51
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Article 52
Sufficiently clear.
Article 53
Sufficiently clear.

SUPPLEMENT TO THE REGIONAL GAZETTE OF GORONTALO PROVINCE
NUMBER 6

Translate on January 10, 2026

Salinan sesuai dengan aslinya

Kepala Biro Hukum

Setda Provinsi Gorontalo,



Muhammad Irizal Entengo, S.H., M.H.

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