



LEADERSHIP OF THE REGIONAL HOUSE OF REPRESENTATIVES (DPRD)
KUTAI KARTANEGARA REGENCY
PROVINCE OF EAST KALIMANTAN
DRAFT
REGULATION OF THE REGIONAL HOUSE OF REPRESENTATIVES OF KUTAI
KARTANEGARA REGENCY
NUMBER 1 OF 2024
ON
THE CODE OF PROCEDURE FOR THE HONORARY BODY
BY THE GRACE OF GOD ALMIGHTY
LEADERSHIP OF THE DPRD OF KUTAI KARTANEGARA REGENCY,

Considering:

- a. that in order to implement the provisions of Article 404 and Article 408 paragraph (2) of Law Number 17 of 2014 on the People's Consultative Assembly, the House of Representatives, the Regional Representative Council, and the Regional House of Representatives, and Article 63 of Government Regulation Number 12 of 2018 on Guidelines for the Preparation of Rules of Procedure for Provincial, Regency, and Municipal Regional House of Representatives;
- b. that Regulation of the The Regional House of Representatives Number 3 of 2019 on the Code of Procedure for the Honorary Body is no longer in accordance with the provisions of laws and regulations and current conditions, thereby requiring replacement;
- c. that based on the considerations as referred to in points a and b, it is necessary to establish a Regulation of the Regional House of Representatives concerning the Code of Procedure for the Honorary Body.

Referring to:

1. Law Number 27 of 1959 on the Stipulation of Emergency Law Number 3 of 1953 concerning the Extension of the Establishment of Level II Regions in Kalimantan (State Gazette of 1953 Number 9), as a Law (State Gazette of 1959 Number 72, Supplement to the State Gazette Number 1820), as amended several times, most recently by Law Number 8 of 1965 on the Establishment of Level II Regions of Tanah Laut, Tapin, and

Tabalong, amending Law Number 27 of 1959 concerning the Stipulation of Emergency Law Number 3 of 1953 concerning the Formation of Level II Regions in Kalimantan (State Gazette of 1965 Number 51, Supplement to the State Gazette Number 2756);

2. Law Number 17 of 2014 on the People's Consultative Assembly, the House of Representatives, the Regional Representative Council, and the Regional House of Representatives (State Gazette of the Republic of Indonesia of 2014 Number 182, Supplement to the State Gazette of the Republic of Indonesia Number 5568), as amended several times, most recently by Law Number 13 of 2019 concerning the Third Amendment to Law Number 17 of 2014 on the People's Consultative Assembly, the House of Representatives, the Regional Representative Council, and the Regional House of Representatives (State Gazette of the Republic of Indonesia of 2019 Number 181, Supplement to the State Gazette of the Republic of Indonesia Number 6396), and further amended by Law Number 6 of 2023 on the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation into Law (State Gazette of the Republic of Indonesia of 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856);
3. Government Regulation Number 12 of 2018 on Guidelines for the Preparation of Rules of Procedure for Provincial, Regency, and Municipal The Regional House of Representatives (State Gazette of the Republic of Indonesia of 2018 Number 59, Supplement to the State Gazette of the Republic of Indonesia Number 6197);
4. Regulation of the Regional House of Representatives of Kutai Kartanegara Regency Number 1 of 2024 on Rules of Procedure (Regional Gazette of Kutai Kartanegara Regency of 2024 Number ...);
5. Regulation of the Regional House of Representatives of Kutai Kartanegara Regency Number 2 of 2024 on the Code of Ethics (Minutes of the Regional Gazette of Kutai Kartanegara Regency of 2024 Number ...).

DECIDES:

To establish: REGULATION OF THE REGIONAL HOUSE OF REPRESENTATIVES ON
THE CODE OF PROCEDURE FOR THE HONORARY BODY.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this DPRD Regulation, the following terms shall mean:

1. Region refers to Kutai Kartanegara Regency.
2. Regent refers to the Regent of Kutai Kartanegara Regency.
3. The Regional House of Representatives, hereinafter abbreviated as DPRD, refers to the Regional House of Representatives of Kutai Kartanegara Regency.
4. Members of the DPRD refer to elected members of the DPRD of Kutai Kartanegara Regency, as determined by the decision of the Kutai Kartanegara General Election Commission and inaugurated by a decision of the Minister of Home Affairs based on the Governor of East Kalimantan's proposal.
5. DPRD Leadership refers to the Chairperson and Deputy Chairpersons of the DPRD.
6. The DPRD Honorary Body, hereinafter referred to as the Honorary Body, is a permanent Complementary Organ of the DPRD established during a DPRD plenary session.
7. Faction Leadership refers to the Chairperson, Deputy Chairperson, Secretary, and Treasurer of a DPRD faction.
8. The leadership of the Honorary Body consists of the Chairperson and Deputy Chairperson of the DPRD Honorary Body. Rules of Procedure refers to the DPRD Rules of Procedure.
9. The Oath/Pledge of a DPRD Member is a commitment to perform the duties of a DPRD member to the best of their ability and with utmost fairness, in accordance with the provisions of the prevailing laws and regulations, guided by Pancasila and the 1945 Constitution of the Unitary State of the Republic of Indonesia. The oath/pledge also includes a commitment that DPRD members will work earnestly to uphold democratic values, prioritize the interests of the nation and state over personal, individual, or group interests, and a commitment to advocate for the aspirations of the people they represent to achieve national objectives for the benefit of the nation and the Unitary State of the Republic of Indonesia.
10. The DPRD Rules of Procedure are regulations established by the DPRD that apply within the internal environment of the DPRD of Kutai Kartanegara Regency.
11. DPRD Code of Ethics refers to a set of norms that DPRD members must adhere to while carrying out their duties to uphold the dignity, honor, image, and credibility of the DPRD.
12. An Ethical Opinion is the opinion of the Leadership and all members of the Honorary Body regarding an ethical issue.
13. The Ethical Case Registration Book is a book used to record complaints submitted to the Honorary Body.
14. Confidentiality refers to matters that, by their nature and form, cannot or should not be disclosed to other parties.

15. Rehabilitation is a declaration to restore the reputation of the DPRD Leadership and/or DPRD Members who have not been proven to violate the Rules of Procedure, Code of Ethics, or Oath/Pledge as alleged.
16. A complaint is a report made in writing or orally, accompanied by sufficient initial evidence regarding actions or events suspected to constitute a violation of the Rules of Procedure, Code of Ethics, or Oath of Office committed by a DPRD Member.
17. A violation is an act that breaches norms or regulations concerning mandatory, prohibited, or inappropriate actions as stipulated by the Oath of Office, Rules of Procedure, or Code of Ethics of DPRD Members.
18. A defense is an opportunity granted to the DPRD Leadership and/or DPRD members to defend themselves in relation to an alleged violation.
19. A complainant is the DPRD Leadership, Leadership of Complementary Organ, DPRD Members, individuals or groups from the public, or voters.
20. The reported party is the DPRD Leadership, the Leadership of Complementary Organ, or a DPRD Member who has been reported, caught in the act of committing a violation, or is alleged to have committed a violation widely known to the public.
21. The examined party is a DPRD Member being investigated in a session of the Honorary Body due to allegations of committing a violation.
22. A witness is any individual who can provide information for the investigation of an incident related to the examined case, except for: spouse, former spouse, direct relatives in ascending or descending lines by blood or marriage up to the third degree.
23. An expert witness is an individual with specific expertise who can provide information for the purposes of an investigation.
24. Clarification refers to an initial examination conducted face-to-face to verify the validity of a complaint or allegation.
25. Verification refers to a cross-check process involving parties aware of the alleged violation through direct interviews, evidence, or statements explaining the event in question.
26. An investigation is a series of actions aimed at identifying and discovering an incident suspected of violating the Rules of Procedure and/or the Code of Ethics to determine whether the incident can be submitted to the Honorary Body's hearing.
27. A hearing is a meeting conducted by the Chairperson and Members of the Honorary Body to carry out clarification and/or verification of complaints received by the Honorary Body regarding alleged violations of the Rules of Procedure and/or the Code of Ethics.

CHAPTER II

DUTIES AND AUTHORITIES

Article 2

The Honorary Body is a permanent apparatus of the DPRD established to implement and uphold the Code of Ethics, as determined by a DPRD resolution.

Article 3

- 1) The Honorary Body has the following duties:
 - a. Monitor and evaluate the discipline and compliance of DPRD members with their oath/promise and Code of Ethics;
 - b. Investigate alleged violations of the oath/promise and Code of Ethics committed by DPRD members;
 - c. Conduct investigations, verifications, and clarifications regarding complaints from DPRD leaders, DPRD members, and/or the public;
 - d. Report the Honorary Body's decisions on the results of investigations, verifications, and clarifications as referred to in point I to the plenary meeting; and
 - e. Rehabilitate the reputation of members proven not guilty.
- 2) The tasks of the Honorary Body are carried out to maintain the morality, dignity, honor, image, and credibility of the DPRD.
- 3) In conducting investigations, verifications, and clarifications as referred to in paragraph (1) Letter c, the Honorary Body may seek assistance from independent experts.

Article 4

In carrying out its duties as referred to in Article 3, the Honorary Body is authorized to:

- a. summon DPRD members suspected of violating the oath/pledge and Code of Ethics to provide clarification or defense regarding the reported alleged violations;
- b. request information from the complainant, witnesses, or other related parties, including requesting documents or other evidence; and
- c. impose sanctions on DPRD members proven to have violated the oath/promise and Code of Ethics.

Article 5

- 1) The Honorary Body imposes sanctions on DPRD Members proven to have violated their oath/pledge and Code of Ethics based on the results of Investigation, Verification, and Clarification conducted by the Honorary Body.
- 2) DPRD Members proven to have violated the provisions as referred to in subsection (1) will be sanctioned by the Honorary Body in the form of:
 - a. verbal reprimand;
 - b. written reprimand;
 - c. recommendation for dismissal as the chair of DPRD Complementary Organ;
 - d. recommendation for temporary suspension as a DPRD Member; or
 - e. recommendation for dismissal as a DPRD Member in accordance with the provisions of the applicable laws and regulations.
- 3) The Honorary Body's decision regarding the imposition of sanctions as referred to in subsection (2) will be conveyed by the DPRD Leadership to the concerned DPRD Member, the Faction Leadership, and the Leadership of the relevant Political Party.
- 4) The Honorary Body's decision regarding the imposition of sanctions in the form of dismissal as a DPRD Member shall be processed in accordance with the provisions of the applicable laws and regulations.

CHAPTER III

COMPLAINTS AND COMPLAINT PROCEDURES

Part One

General

Article 6

- 1) Mechanism for filing complaints regarding violations:
 - a. Complaints about violations may be submitted by the DPRD Leadership, DPRD Members, and/or the Public;
 - b. Complaints regarding alleged violations must be submitted in writing to the DPRD Leadership, accompanied by clear identification of the complainant and evidence of the alleged violation, with a copy sent to the Honorary Body;
 - c. Complaints as referred to in Letter a are disregarded if they are not accompanied by clear identification of the complainant and evidence of the alleged violation;
 - d. The DPRD Leadership forwards the complaint as referred to in Letter b to the Honorary Body no later than 7 (seven) days from the date the complaint is received;

- e. If, within the timeframe specified in subsection (2), the DPRD Leadership does not forward the complaint to the Honorary Body, the Honorary Body may take action to follow up on the complaint.
- 2) In the case of alleged violations committed by DPRD Members that have already become widely known by the public and no formal complaint has been filed, the DPRD Leadership may submit the matter to the Honorary Body.
- 3) Widely known by the public as referred to in subsection (2) means the information has been disseminated through print media, electronic media, and/or online media.
- 4) If the DPRD Leadership does not submit the complaint to the Honorary Body, the Honorary Body may propose to the Leadership that the matter be addressed.
- 5) If, within 7 (seven) days, the DPRD Leadership does not act on the matter, the Honorary Body may take the initiative to process it.

Article 7

Handling of violations may be carried out based on complaints, developments in the community, and violations discovered by the Honorary Body.

Article 8

Violations committed by DPRD Members regarding absence from DPRD meetings do not require a complaint.

Part Two

Complaint Procedures

Article 9

- 1) Complaints shall be submitted in writing in the Indonesian language.
- 2) Complaints must clearly describe that the reported party is reasonably suspected of committing a violation.
- 3) Complaints must at least include:
 - a. the complainant's complete identity along with valid personal identification;
 - b. clear identification of the reported party, at least their full name;
 - c. a description of the incident, detailing the facts of the actions committed by the reported party, including clarity on the location and time of occurrence; and
 - d. preliminary evidence.
- 4) Complaints submitted must be signed or thumb-printed by the complainant.

Article 10

- 1) In cases where the complainant is unable to write, the complaint may be submitted orally.
- 2) If the complaint is submitted orally as referred to in subsection (1), the Secretariat shall document the oral complaint in writing.
- 3) The complaint referred to in subsection (2) shall be read back to the complainant and signed or thumb-printed by the complainant.

Article 11

Complaints shall be submitted to the DPRD Leadership with a copy to the Honorary Body as referred to in Article 6 through the Secretariat during working days.

Part Three

Registration of Complaint Reports

Article 12

- 1) Complaint reports that are complete and meet the requirements shall be recorded in the Ethical Case Registration Book and assigned a case number.
- 2) The Honorary Body shall provide the respondent with a copy of the complaint report, including the case number, through an official letter.
- 3) In the event that a complaint report recorded in the Ethical Case Registration Book is withdrawn by the complainant, the Honorary Body shall issue a Registration Cancellation Letter for the complaint report submitted by the complainant and notify the complainant along with returning the complaint report documents.

Part Four

Dismissal of Complaints

Article 13

A complaint is dismissed if:

- a. The respondent passes away;
- b. The respondent resigns as a member of the DPRD; or
- c. The provision allegedly violated is declared invalid or revoked.

CHAPTER IV

EXAMINATION

Article 14

Within a maximum of 7 (seven) days after receiving a complaint regarding an alleged violation, the Honorary Body must actively follow up by conducting a preliminary examination.

Article 15

The examination procedure is carried out through:

- a. Investigation, verification, and clarification;
- b. The process of investigation, verification, and clarification involves obtaining statements and explanations from the complainant, witnesses, and/or the respondent, as well as examining documents and other evidence; and
- c. The Honorary Body concludes the examination results, which are recorded in an official examination report.

Part One

Investigation

Article 16

- 1) If, during the investigation, the Honorary Body concludes that there is insufficient preliminary evidence, the Honorary Body issues a decision stating that no violation occurred and that the complaint cannot be followed up.
- 2) If the complaint cannot be followed up as referred to in subsection (1), the Honorary Body conveys the decision to the DPRD Leadership with copies sent to the complainant and the respondent.
- 3) If, during the investigation, the Honorary Body finds sufficient preliminary evidence, the Honorary Body proceeds to the hearing stage.

Part Two

Verification

Article 17

- 1) Upon receiving a complaint, the Honorary Body conducts a verification of the complaint's completeness, including:
 - a. The complainant's valid identification;
 - b. The respondent's identification;
 - c. The reported issue;
 - d. Evidence related to the reported facts/events; and
 - e. An explanation of the basis for the complaint.

- 2) The explanation as referred to in subsection (1), Letter e, includes:
 - a. The complainant's position and direct connection to the subject of the complaint;
 - b. Detailed written reasons from the complainant, clearly stating that the respondent is reasonably suspected of violating prohibitions, obligations, and/or appropriateness under the Oath/Pledge, DPRD Rules of Procedure, or DPRD Code of Ethics; and
 - c. The report must include supporting reasons and/or other evidence for the complaint.
- 3) To verify the administrative elements and content of the complaint, the Honorary Body is assisted by the Secretariat and the Honorary Body Expert Team.
- 4) The Secretariat and the Honorary Body Expert Team must report the verification results as referred to in subsection (3) to the Honorary Body within no later than five (5) working days.
- 5) If the complaint is declared administratively complete and meets the provisions of the DPRD Rules of Procedure and/or the Code of Ethics, the complaint is accepted by the Secretariat, and the complainant is issued a receipt for the complaint. The complaint is then submitted to the Honorary Body meeting.
- 6) If the complaint is incomplete, the Secretariat notifies the complainant of the deficiencies and requests the complainant to complete the complaint within no later than seven (7) days from the date the notification is received.
- 7) If the complaint's deficiencies as referred to in subsection (6) are not addressed, the complaint is not registered in the complaint register book.
- 8) Complaints that are not accepted within the time limit as referred to in subsection (6) cannot be resubmitted unless new evidence is found.
- 9) Complaints are submitted without incurring any fees.

Article 18

- 1) The Honorary Body conducts verification of complaints regarding alleged violations.
- 2) Verification as referred to in subsection (1) is carried out by summoning the reported party to provide their testimony.
- 3) The verification process is conducted through:
 - a. convening a special hearing attended by at least 3 (three) members, including either the Chair or Deputy Chair of the Honorary Body;
 - b. conducting an examination during the special hearing to hear the testimony of the reported party for evidence of the alleged violation; and

- c. obtaining testimony from the reported party through interviews, direct question-and-answer sessions, or written questions.

Part Three
Clarification
Article 19

- 1) The Honorary Body conducts clarification of complaints regarding alleged violations.
- 2) Clarification of complaints regarding alleged violations is carried out by summoning the complainant or witnesses to present the reported issue directly.
- 3) Clarification is conducted during an Honorary Body hearing, which takes place no later than 14 (fourteen) days from the date of the summons.

Article 20

- 1) The Honorary Body conducts clarification regarding DPRD members who fail to attend similar DPRD meetings three (3) consecutive times without valid reasons, as stipulated in the DPRD Rules of Procedure and/or Code of Ethics.
- 2) The clarification process is carried out by:
 - a. compiling and verifying the validity of the attendance records of DPRD meetings; and
 - b. verifying the validity of leave letters or other related documents.

Article 21

- 1) The Honorary Body's clarification on the attendance of DPRD members at DPRD meetings is conducted and compiled into a report submitted to the DPRD Leadership on a quarterly basis.
- 2) The Honorary Body delivers the attendance record compilation as referred to in subsection (1) to the Leadership, with copies to the Leadership of DPRD Equipment Bodies and the Leadership of Factions.
- 3) The Honorary Body announces the results of the attendance record compilation as referred to in subsection (1) during a plenary session through the DPRD Leadership.
- 4) Before making the announcement as referred to in subsection (3), the Honorary Body must first conduct verification.

Part Four
Examination of the Leadership and/or Members of the Honorary Body

Article 22

- 1) The leadership and members of the Honorary Body, in carrying out their duties and responsibilities, must adhere to this code of procedure.
- 2) If there is a complaint regarding alleged violations committed by the leadership and/or members of the Honorary Body, it shall be followed up by the Honorary Body based on the results of the Honorary Body's meeting.

Article 23

- 1) In the event that the leadership and/or members of the Honorary Body are involved in violations, they are prohibited from participating in the trial process as members of the Honorary Body.
- 2) If the reported party is the leadership and/or members of the Honorary Body, the complaint shall be forwarded by the Honorary Body to the DPRD Leadership and the reported party's Faction Leadership.
- 3) If the complaint is declared complete in the Honorary Body meeting, the leadership of the Honorary Body shall notify the DPRD Leadership and the reported party's Faction Leadership.
- 4) Upon receiving the notification as referred to in subsection (2), the DPRD Leadership shall request the reported party's Faction Leadership to temporarily replace the reported leadership and/or members of the Honorary Body from their membership in the Honorary Body.
- 5) In the event that the leadership and/or members of the Honorary Body are temporarily replaced as referred to in subsection (3), their membership in the Honorary Body shall be replaced by members from their respective Faction.

CHAPTER V

HEARINGS

Part One

Honorary Body Hearings

Article 24

- 1) Hearings on alleged violations that have been reported shall be conducted in the Honorary Body's hearing.
- 2) Honorary Body hearings shall be held at the DPRD office or another location determined by the Honorary Body.

- 3) Decision-making in a hearing is valid if attended by at least 3 (three) members, one of whom must be the Chairperson or Deputy Chairperson of the Honorary Body.
- 4) Honorary Body hearings are chaired by the Chairperson or Deputy Chairperson of the Honorary Body.
- 5) If the Chairperson and Deputy Chairperson of the Honorary Body are unable to attend or are themselves being examined as the reported party, the hearing shall be chaired by one of the Honorary Body members determined through deliberation.
- 6) Minutes of the Honorary Body hearings shall be documented in an official report.
- 7) In conducting hearings, the Honorary Body may be accompanied by an independent expert.
- 8) The selection of an independent expert as referred to in subsection (7) shall be proposed by members of the Honorary Body and determined in an Honorary Body meeting.
- 9) An independent expert, as referred to in subsection (7), shall not be affiliated with any political party.

Article 25

- 1) Hearings of the Honorary Body shall be declared closed to the public.
- 2) Examinations in hearings involving the complainant, the reported party, and witnesses shall be conducted separately at different times.
- 3) Separately at different times, as referred to in subsection (2), means that examinations must not be conducted in the same place or at the same time.
- 4) The examination of the reported party shall be conducted after the examination of the complainant and witnesses.

Article 26

- 1) Hearings shall be conducted solemnly and orderly, reflecting the honor of the DPRD profession.
- 2) All participants in the hearing shall wear neat and proper attire.
- 3) The hearing begins with the reading of the complaint about the alleged violation by the presiding officer.
- 4) The hearing proceeds with obtaining statements from the complainant, witnesses, and the reported party to conduct verification and clarification.
- 5) The hearing agenda includes:

- a. The presiding officer opens the hearing by stating: “The DPRD Honorary Body hearing to examine the Code of Ethics violation against:, position:, faction:, is officially opened and closed to the public,” followed by the gavel strike;
- b. The presiding officer instructs the staff to summon the reported party and their counsel into the hearing room;
- c. The presiding officer verifies the identity of the reported party, including full name, age, address, position, and membership in DPRD Complementary Organs as per case records, and confirms readiness to proceed with the hearing;
- d. The presiding officer reads the complaint regarding the alleged violation by the reported party and the reason for the hearing;
- e. The presiding officer organizes the examination procedure during the hearing;
- f. If the reported party does not respond to questions from the Honorary Body members, the presiding officer continues the hearing and warns the reported party that this could disadvantage them;
- g. The hearing may summon witnesses, the complainant, and/or expert witnesses to complement the reported party’s statements or to substantiate the alleged violation;
- h. If the hearing needs to be adjourned, the presiding officer declares: “The hearing is adjourned and will resume on, date ..., month ..., year ..., at, located at” Followed by the gavel strike;
- i. The presiding officer resumes the hearing by declaring: “The hearing is resumed” Followed by the gavel strike;
- j. If the examination by the Honorary Body is deemed sufficient, the presiding officer allows the reported party to present their defense orally or in writing or through legal counsel and to submit exculpatory witnesses;
- k. If the reported party submits witnesses, the Honorary Body hearing continues with hearing the witness statements;
- l. The Honorary Body’s decision is reached through deliberation and is confidential, signed by the presiding officer and all members;
- m. The decision format includes considerations (recitals) and the ruling (dictum);
- n. The decision is read aloud by the presiding officer during the hearing;
- o. The decision is communicated to the reported party; and
- p. If the presiding officer deems the Code of Ethics violation examination complete, they declare: “The DPRD Honorary Body hearing examining the reported party, name:

....., position:, faction:, is officially closed,” followed by three gavel strikes.

- 6) The Honorary Body hearing, including decision-making, shall not exceed 60 (sixty) days.
- 7) The results of the Honorary Body’s investigation, verification, and clarification are documented in the Minutes of Investigation, Verification, and Clarification.

Part Two

Summoning

Article 27

- 1) The summoning of complainants, the reported party, and/or witnesses shall be conducted officially.
- 2) For DPRD members, an official summoning as referred to in subsection (1) shall be made via an official memorandum signed by the Chair or Deputy Chair of the Honorary Body through the DPRD Leadership with a copy to the Faction Leadership.
- 3) For individuals who are not DPRD members, an official summoning as referred to in subsection (1) shall be conducted through an official letter signed by the DPRD Leadership.
- 4) If the complainant withdraws the report of alleged violations after being officially summoned, the complaint shall be deemed null and void.
- 5) The nullification of a complaint shall be documented in minutes of proceedings, signed by the Chair of the Honorary Body, and reported to the DPRD Leadership.

Article 28

- 1) The reported party must personally attend the summons for examination conducted by the Honorary Body to provide clarification unless there is a valid reason.
- 2) In the event that the reported party does not attend or comply with the first summons, a second summons shall be issued.
- 3) If the reported party does not comply with the second summons as referred to in subsection (2), a third summons shall be issued.
- 4) If the reported party fails to attend after being officially summoned three consecutive times, the Honorary Body shall proceed with the hearing to examine the complaint without the presence of the reported party.

Article 29

- 1) The reported party may fail to attend the hearing as referred to in Article 28 subsection (1) due to illness requiring intensive care or hospitalization, which must be proven by a medical certificate.
- 2) The reported party may fail to attend the hearing as referred to in Article 28 subsection (1) due to official state duties, which must be proven by an assignment letter from the DPRD Leadership.

Article 30

- 1) If the reported party does not attend the hearing due to illness or official state duties as referred to in Article 28, the hearing shall be postponed.
- 2) The postponement period as referred to in subsection (1) shall not exceed 7 (seven) days from the date of the first official and valid summons.

Part Three

Defense

Article 31

- 1) The reported party has the right to present a defense during the Honorary Body hearing.
- 2) The defense, as referred to in subsection (1), shall be delivered personally by the reported party, either orally or in writing.
- 3) The reported party's defense may be considered by the Honorary Body.
- 4) The consideration, as referred to in subsection (3), may result in the acceptance or rejection of part or all of the defense.

Part Four

Protection of the Complainant

Article 32

- 1) The DPRD Leadership and the Honorary Body shall keep the complainant's identity confidential.
- 2) If necessary, the Honorary Body may request law enforcement authorities to provide security protection for the complainant.

CHAPTER VI

EVIDENCE

Article 33

- 1) The complainant shall submit evidence to substantiate the validity of the complaint.
- 2) The reported party has the right to counter the complainant's evidence with other evidence.
- 3) The Honorary Body may request a third party to verify the validity of the submitted evidence.

Article 34

- 1) Decisions shall be based on at least two (2) legally valid pieces of evidence.
- 2) Valid evidence in the Honorary Body hearings includes:
 - a. Witness testimony;
 - b. Expert testimony;
 - c. Written documents;
 - d. Data or information that can be observed, read, or heard; and
 - e. Statements from the parties involved.
- 3) The evidence referred to in subsection (2) must be legally accountable.

Article 35

- 1) Witness testimony, as referred to in Article 34 subsection (2) Letter a, may be provided by witnesses presented by:
 - a. The complainant;
 - b. The reported party; and/or
 - c. The Honorary Body.
- 2) Witnesses, as referred to in subsection (1), are summoned by the Honorary Body to provide testimony in the Honorary Body's clarification hearing.
- 3) Summons, as referred to in subsection (2), shall be made in writing and must be received by the witness no later than three (3) days prior to the clarification hearing.
- 4) Before providing testimony, witnesses must swear an oath in accordance with their religion to testify truthfully.
- 5) Witness testimony that can be used as evidence must be given during the Honorary Body's hearing.

Article 36

- 1) Determination as a witness includes:
 - a. Witness identity; and
 - b. Witness knowledge regarding the subject matter under examination.

- 2) The witness identity referred to in subsection (1) Letter a must include complete and valid identification.
- 3) The witness knowledge referred to in subsection (1) Letter b is limited to what the witness has personally seen, heard, and experienced.

Article 37

- 1) Expert testimony, as referred to in Article 34 subsection (2) Letter b, may be presented by experts proposed by:
 - a. The complainant;
 - b. The reported party; and/or
 - c. The Honorary Body.
- 2) Experts, as referred to in subsection (1), are summoned by the Honorary Body to provide testimony in the Honorary Body hearing.
- 3) The summons referred to in subsection (2) shall be in writing and must be received by the expert no later than three (3) days prior to the Honorary Body hearing.
- 4) Before providing testimony, experts must swear an oath in accordance with their religion to provide truthful testimony based on their expertise.
- 5) Expert testimony that may be used as evidence is that which is provided during the Honorary Body hearing.

Article 38

- 1) Determination as an expert includes:
 - a. Expert identity; and
 - b. Expert knowledge concerning the subject matter under examination or related to documentary evidence and informational data.
- 2) The expert identity referred to in subsection (1) Letter a must include complete and valid identification.
- 3) The expert knowledge referred to in subsection (1) Letter b must be based on education, experience, and/or a reputation that is recognized by the public.

Article 39

Evidence in the form of documents, as referred to in Article 34 subsection (2) Letter c, must match the original if presented as a photocopy or duplicate and must be signed with sufficient official stamping.

Article 40

- 1) Evidence in the form of data or information, as referred to in Article 34 subsection (2) Letter d, may be obtained from:
 - a. the complainant,
 - b. the reported party; and/or
 - c. other accountable sources.
- 2) To determine the validity of the evidence referred to in subsection (1), the Honorary Body may request an expert opinion.

Article 42

Statements, as referred to in Article 34 subsection (2) Letter e, are delivered orally during the session of the Honorary Body.

Article 43

- 1) The Honorary Body evaluates the evidence presented during verification by examining the correlation between one piece of evidence and another.
- 2) The Honorary Body determines the validity of the evidence.

Article 44

If necessary to ensure confidence in the verification process, the Honorary Body may conduct investigations within and outside the jurisdiction of Kutai Kartanegara Regency, as well as with specific institutions.

CHAPTER VII

RIGHTS AND OBLIGATIONS OF THE COMPLAINANT AND THE REPORTED PARTY

Part One

Rights and Obligations of the Complainant

Article 45

- 1) The complainant has the right to:
 - a. provide further explanation supported by evidence during the session of the Honorary Body; and
 - b. be accompanied by an advocate.

- 2) The advocate, as referred to in subsection (1) Letter b, does not have the right to speak during the session of the Honorary Body.
- 3) The complainant is obligated to provide the complaint and statements truthfully.

Part Two

Rights and Obligations of the Reported Party

Article 46

- 1) The reported party has the right to:
 - a. defend themselves;
 - b. be accompanied by one or a maximum of three individuals from their faction or other DPRD members appointed by the examined party;
 - c. present witnesses;
 - d. receive and study the issues presented by the Honorary Body in writing, either individually or with their companion(s), no later than three (3) days before the Honorary Body session is held;
 - e. know and receive the decision of the Honorary Body session; and
 - f. receive rehabilitation if proven not guilty.
- 2) The reported party is obligated to:
 - a. comply with every summons by the Honorary Body, except due to illness (intensive care or hospitalization) supported by a doctor's certificate;
 - b. attend the Honorary Body sessions either individually or with companions;
 - c. respond to all questions posed by the Honorary Body;
 - d. provide truthful statements; and
 - e. adhere to all session rules.

CHAPTER VIII

DECISIONS

Article 47

- 1) Decisions of the Honorary Body are made through deliberation to reach a consensus.
- 2) If the deliberation for consensus as referred to in subsection (1) is not achieved, the decision-making is postponed until the next meeting.
- 3) If consensus is not achieved in the subsequent meeting, the decision is made based on the majority vote.

- 4) The time interval between the first meeting and the next meeting shall not exceed seven (7) to fourteen (14) working days.
- 5) The decisions of the Honorary Body sessions are final and binding and cannot be contested.
- 6) The differing opinions of Honorary Body members with the final decision as referred to in subsection (5) are included in the Honorary Body's decision, unless the concerned member does not wish for their opinion to be included.

Article 48

Each decision of the Honorary Body must include:

- a. A heading stating "BY THE GRACE OF GOD ALMIGHTY";
- b. Complete identity of the complainant;
- c. Complete identity of the reported party;
- d. Summary of the complaint;
- e. Consideration of facts revealed during the hearing process;
- f. Consideration of facts revealed during the evidence presentation;
- g. Consideration of facts revealed during the defense;
- h. Legal considerations serving as the basis for the decision;
- i. Decision ruling;
- j. Differing opinions from members of the Honorary Body;
- k. Date and time of the decision; and
- l. Names and signatures of the Chair and members of the Honorary Body who participated in the hearing.

Article 49

- 1) The ruling as referred to in Article 48 Letter i may declare:
 - a. The reported party is not proven to have violated the Rules of Procedure and/or Code of Ethics; or
 - b. The reported party is proven to have violated provisions of the specified articles and subsections in the Rules of Procedure and/or Code of Ethics.
- 2) In the event that the reported party is not proven guilty as referred to in subsection (1) Letter a, the decision may include rehabilitation for the reported party.
- 3) In the event that the examined party is proven to have committed a violation as referred to in subsection (1) Letter b, the decision shall include sanctions for the examined party as outlined in Article 5 subsection (2).

Article 50

- 1) The decision of the Honorary Body hearing shall be read out in a plenary session.
- 2) A copy of the Honorary Body's decision shall be submitted to:
 - a. The DPRD Leadership;
 - b. The DPRD Secretary;
 - c. The relevant Faction Leadership; and
 - d. The relevant Party Chairperson.

Article 51

A copy of the Honorary Body's decision shall be sent to the complainant and the reported party no later than 7 (seven) days after the decision is finalized in the Honorary Body's decision-making session.

Article 52

- 1) Supervision of the implementation of the Honorary Body's hearing decision is the responsibility of the DPRD Leadership, who is subsequently obligated to process it administratively in accordance with applicable laws and regulations.
- 2) The costs associated with conducting the Honorary Body's hearing are charged to the regional revenue and expenditure budget.

CHAPTER IX

IMPOSITION OF SANCTIONS

Article 53

Sanctions in the form of an oral reprimand, as referred to in Subsection (2), Letter a of Article 5, shall be conveyed by the Honorary Body to the reported party in the Honorary Body Meeting no later than 7 (seven) days from the date the decision is established.

Article 54

- 1) Sanctions in the form of a written reprimand, as referred to in Subsection (2), Letter b of Article 5, shall be conveyed by the Honorary Body to the DPRD Leadership and the Leadership of the reported party's Faction no later than 5 (five) days from the date the decision is established.

- 2) The DPRD Leadership shall deliver the written reprimand, as referred to in Subsection (1), to the concerned DPRD Member no later than 7 (seven) days from the date the decision is received from the Honorary Body.

Article 55

- 1) Sanctions in the form of dismissal from the Leadership of DPRD's Complementary Organs, as referred to in Subsection (2), Letter c of Article 5, shall be conveyed by the Honorary Body to the DPRD Leadership and copied to the Leadership of the Faction of the concerned DPRD Member no later than 5 (five) days from the date the decision is established.
- 2) If the sanctions, as referred to in Subsection (1), are imposed on all members of the Leadership of DPRD's Complementary Organs, the remaining members of the Complementary Organs shall immediately hold a meeting to appoint replacements.
- 3) The Faction Leadership of the sanctioned DPRD Member shall promptly send another representative from the faction as a replacement.

Article 56

- 1) Sanctions in the form of temporary dismissal as a DPRD Member, as referred to in Subsection (2), Letter d of Article 5, shall be conveyed by the Honorary Body to the DPRD Leadership and copied to the Leadership of the DPRD Faction and the concerned Political Party Leadership no later than 5 (five) days from the date the decision is established.
- 2) The temporary dismissal, as referred to in Subsection (1), shall be read out in the first DPRD Plenary Meeting following the receipt of the Honorary Body's Decision by the DPRD Leadership.
- 3) The temporary dismissal, as referred to in Subsection (1), after being decided by the Honorary Body, shall be proposed by the DPRD Leadership to the governor as the representative of the Central Government through the regent.
- 4) If, after 7 (seven) days from the receipt of the Honorary Body's Decision regarding Temporary Dismissal, as referred to in Subsection (1), the DPRD Leadership does not propose the temporary dismissal, as referred to in Subsection (3), the DPRD Secretary shall report the matter to the regent.
- 5) The regent, based on the report from the DPRD Secretary as referred to in Subsection (4), shall propose the temporary dismissal to the governor as the representative of the Central Government.

- 6) The governor, as the representative of the Central Government, shall temporarily dismiss the DPRD Member based on the proposal from the regent as referred to in Subsection (5).
- 7) The temporary dismissal, as referred to in Subsection (1), shall take effect from the date the concerned DPRD Member is designated as a defendant.

Article 57

- 1) Sanctions in the form of dismissal as a DPRD Member, as referred to in Subsection (2), Letter e of Article 5, shall be conveyed by the Honorary Body to the DPRD Leadership and copied to the Leadership of the DPRD Faction and the concerned Political Party Leadership no later than 5 (five) days from the date the decision is established.
- 2) The dismissal, as referred to in Subsection (1), shall be read out in the first DPRD Plenary Meeting following the receipt of the Honorary Body's Decision by the DPRD Leadership.
- 3) If, after 30 (thirty) days from the receipt of the Honorary Body's Decision, the concerned Faction/Political Party Leadership does not issue the dismissal decision, the DPRD Leadership shall forward the Honorary Body's Decision to the governor through the regent.
- 4) No later than 7 (seven) days after the receipt of the dismissal decision, as referred to in Subsection (3), the regent shall forward the decision to the governor.
- 5) The governor shall formalize the dismissal of the DPRD Member, as referred to in Subsection (4), no later than 14 (fourteen) days after receiving the Honorary Body's Decision or the decision from the political party leadership regarding the dismissal of its member.

CHAPTER X

AMENDMENT TO PROCEDURAL RULES OF THE HONORARY BODY

Article 58

- 1) Proposals for amendments to Procedural Rules of the Honorary Body may be submitted by at least 5 (five) DPRD Members from 2 (two) different Factions.
- 2) Proposals for amendments originating from DPRD Members must be submitted in writing to the DPRD Leadership, accompanied by a list of names and signatures of the proposers and their respective Factions.
- 3) The proposal for amendments, as referred to in Subsection (2), shall be presented by the DPRD Leadership in a DPRD Plenary Meeting for a decision.
- 4) If the proposal for amendments is approved in the Plenary Meeting, the DPRD Leadership shall forward it to a Special Committee for further discussion.

- 5) The results of the discussion, as referred to in Subsection (4), shall be submitted in the Plenary Meeting for approval by the DPRD.

CHAPTER XI MISCELLANEOUS PROVISIONS

Article 59

- 1) The Honorary Body shall review the attendance lists of all DPRD meetings.
- 2) The Honorary Body shall recapitulate the attendance lists of all DPRD meetings, assisted by the DPRD Secretariat.
- 3) The Honorary Body and the DPRD Secretariat are prohibited from adding to or removing entries from the attendance lists.

Article 60

The Honorary Body shall clarify with DPRD Members who fail to attend similar meetings without valid reasons for six (6) consecutive times on different days.

CHAPTER XII CLOSING PROVISION

Article 61

At the time this DPRD Regulation comes into effect, DPRD Regulation Number 3 of 2019 concerning the Procedural Rules of the Honorary Body (Regional Gazette of Kutai Kartanegara Regency Year ... Number ...) shall be revoked and declared no longer valid.

Article 62

This DPRD Regulation comes into effect on the date of its promulgation.

Enacted in Tenggarong on ...2024
CHAIRPERSON OF THE DPRD
OF KUTAI KARTANEGARA
REGENCY

ttd

Junaidi

Promulgated in Tenggarong

on 2024

SECRETARY OF KUTAI KARTANEGARA REGENCY

ttd

Sunggono

REGIONAL GAZETTE OF KUTAI KARTANEGARA REGENCY YEAR 2024 NUMBER

.....

Certified copy of the original,

SECRETARY OF THE DPRD OF KUTAI KARTANEGARA REGENCY

ttd

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