

**GOVERNOR OF THE SPECIAL CAPITAL REGION
OF JAKARTA PROVINCE**

**REGULATION OF THE GOVERNOR OF THE SPECIAL CAPITAL REGION OF
JAKARTA PROVINCE**

NUMBER 41 OF 2020

REGARDING

**THE IMPOSITION OF SANCTIONS AGAINST VIOLATIONS OF THE
IMPLEMENTATION OF LARGE-SCALE SOCIAL RESTRICTIONS IN THE MITIGATION
OF THE CORONA VIRUS DISEASE 2019 (COVID-19) IN THE SPECIAL CAPITAL
REGION OF JAKARTA PROVINCE**

WITH THE GRACE OF GOD ALMIGHTY

GOVERNOR OF SPECIAL CAPITAL REGION OF JAKARTA PROVINCE

- Considering :
- a. whereas based on the provisions of Article 27 of Governor Regulation Number 33 of 2020 regarding Large-Scale Social Restrictions in the Mitigation of the Corona Virus Disease 2019 (COVID-19) in the Special Capital Region of Jakarta Province, violations of the implementation of Large-Scale Social Restrictions are imposed with sanctions in accordance with the laws and regulations, including criminal sanctions;
 - b. whereas to ensure legal certainty and effectiveness of the implementation of Large-Scale Social Restrictions, it is necessary for a further regulation regarding the imposition of sanctions as referred to in letter a in accordance with the authority of the Provincial Government of the Special Capital Region of Jakarta Province;
 - c. whereas based on the considerations as referred to in letter a and b, it is necessary to stipulate a Governor Regulation regarding the Imposition of Sanctions Against

Violations on the Implementation of Large-Scale Social Restrictions in the Mitigation of the Corona-Virus Disease 2019 (COVID-19) in the Special Capital Region of Jakarta Province;

- Bearing in Mind :
1. Law Number 4 of 1984 regarding Outbreak of Infectious Diseases (State Gazette of the Republic of Indonesia of 1984 Number 20, Supplement to the State Gazette of the Republic of Indonesia of 1984 Number 3723);
 2. Law Number 29 of 2007 regarding the Government of the Special Capital Region of Jakarta as the Capital of the Unitary State of the Republic of Indonesia (State Gazette of the Republic of Indonesia of 2007 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 4744);
 3. Law Number 23 of 2014 regarding Regional Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as amended several times, lastly by Law Number 9 of 2015 regarding the Second Amendment to Law Number 23 of 2014 regarding Regional Government (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
 4. Law Number 6 of 2018 regarding Health Quarantine (State Gazette of the Republic of Indonesia of 2018 Number 128, Supplement to the State Gazette of the Republic of Indonesia Number 6236);
 5. Government Regulation Number 21 of 2020 regarding Large-Scale Social Restrictions to Accelerate Mitigation of the Corona Virus Disease 2019 (COVID-19) (State Gazette of the Republic of Indonesia of 2020 Number 91, Supplement to the State Gazette of the Republic of Indonesia Number 6487);

6. Regulation of the Minister of Health Number 9 of 2020 regarding Guidelines for Large-Scale Social Restrictions to Accelerate Mitigation of the Corona Virus Disease 2019 (COVID-19) (State Gazette of the Republic of Indonesia of 2020 Number 326);
7. Governor Regulation Number 33 of 2020 regarding Large-Scale Social Restrictions in the Mitigation of the Corona Virus Disease 2019 (COVID-19) in the Special Capital Region of Jakarta Province (Regional Gazette of the Special Capital Region of Jakarta Province of 2020 Number 5503);

HAS DECIDED:

To Stipulate : GOVERNOR REGULATION REGARDING THE IMPOSITION OF SANCTIONS AGAINST VIOLATIONS OF THE IMPLEMENTATION OF LARGE-SCALE SOCIAL RESTRICTIONS IN THE MITIGATION OF THE CORONA VIRUS DISEASE 2019 (COVID-19) IN THE SPECIAL CAPITAL REGION OF JAKARTA PROVINCE

CHAPTER I GENERAL PROVISIONS

Article 1

In this Governor Regulation, what is meant by:

1. Large-Scale Social Restrictions (*Pembatasan Sosial Berskala Besar*) hereinafter abbreviated as PSBB are restrictions on residents' certain activities in the territory of the Special Capital Region of Jakarta Province suspected of being infected with the Corona Virus Disease 2019 (COVID-19) in such a way to prevent the possibility of spreading the Corona Virus Disease 2019 (COVID-19) as regulated under Governor Regulation Number 33 of 2020 regarding Large-Scale Social Restrictions in the Mitigation of the Corona Virus Disease 2019 (COVID-19) in the Special Capital Region of Jakarta Province.

2. Task Force for the Acceleration of the Corona Virus Disease 2019 (COVID-19) Mitigation in the DKI Jakarta Province, hereinafter referred to as the Provincial level COVID-19 Task Force is the Task Force for the Acceleration of the Corona Virus Disease 2019 (COVID-19) Mitigation formed by the Provincial Government of DKI Jakarta at the Provincial level.
3. Passenger Car is a motorized vehicle for the transportation of passengers which holds a maximum of 8 (eight) seats, including the driver seat, or weighs no more than 3,500 (three thousand five hundred) kilograms.
4. Public Motorized Vehicle is every vehicle that is used for the transportation of goods/and or passengers with fees incurred.
5. Written Notice is the notice issued by the Pamong Praja Police Unit/ Transportation Service Office for the towing and the location of storage to the owner/ driver of personal passenger cars, public motorized vehicles for goods and/or passengers, and motorcycles.
6. Stipulation Letter of PSBB Administrative Sanction hereinafter abbreviated as SKDA-PSBB is a decision letter which determines the amount of administrative fines required to be paid by every person, business actor, legal entity, owner of personal car vehicles and owner of motorcycles over for violations during the enforcement of PSBB which shall be deposited to the regional treasury.
7. Towing is an act of the Transportation Service Office for violations on the use of personal passenger cars or motorcycles during the PSBB period to the Sub-district office or the District office.
8. The Special Capital Region of Jakarta Province, hereinafter referred to as the DKI Jakarta Province, is a province that has specificity in the administration of regional government because of its position as the Capital of the Unitary State of the Republic of Indonesia.
9. Provincial Government of the Special Capital Region of Jakarta, hereinafter referred to as the Provincial Government of DKI Jakarta, shall be the Governor and regional apparatus of the DKI Jakarta Province as the element of government administrator of the DKI Jakarta Province.

10. Governor is the Regional Head of the DKI Jakarta Province who, due to his/her position, is also a representative of the Government in the region of DKI Jakarta Province.
11. Police Force is the Police Force of the Republic of Indonesia.
12. Regional Apparatus is the supporting element of the Governor and the Regional Representative Council in the administration of government affairs that is the authority of the DKI Jakarta Province.
13. Pamong Praja Police Unit is the Pamong Praja Police unit in the DKI Jakarta Province.
14. Transportation Service Office is the Transportation Service Office in the DKI Jakarta Province.
15. Capital Investment and One-Stop Integrated Services Service Office is the Capital Investment and One-Stop Integrated Services Service Office in the DKI Jakarta Province.
16. Manpower, Transmigration, and Energy Service Office is the Manpower, Transmigration, and Energy Service Office in the DKI Jakarta Province.
17. City/Regency Administration is the 5 (five) City Administrations and Regency Administrations of Kepulauan Seribu.
18. Sub-District is the Sub-District in the DKI Jakarta Province.
19. District is the District in the DKI Jakarta Province.

CHAPTER II PURPOSE AND OBJECTIVES

Article 2

This Governor Regulation aims to be the standard for the imposition of sanctions against violations of the implementation of PSBB for the purpose of accelerating the mitigation of the Corona Virus Disease 2019 (COVID-19) in the DKI Jakarta Province.

Article 3

This Governor Regulation aims to:

- a. increase the community's compliance of physical distancing, social distancing, and implementing protocols for the prevention of the spread of the Corona Virus Disease 2019 (COVID-19).
- b. provide legal certainty on the imposition of sanctions in implementing PSBB; and
- c. optimizing the enforcement of PSBB in suppressing the spread of the Corona Virus Disease 2019 (COVID-19).

CHAPTER III SANCTIONS FOR PSBB VIOLATIONS

Section One Restriction of Activities Outside of the House

Article 4

- (1) Every person who does not carry out his/her obligations to use a mask outside of the house in public places of public facilities during the enforcement of the implementation of PSBB shall be imposed with sanctions in the form of:
 - a. administrative written warning;
 - b. social work in the form of cleaning the tools in public facilities while wearing a vest; or
 - c. administrative fines of at least Rp. 100,000,00 (one hundred thousand Rupiah) and maximum Rp. 250,000,00 (two hundred fifty thousand Rupiah).
- (2) Imposition of sanctions as referred to in paragraph (1) is carried out by the Pamong Praja Police Unit and may be accompanied by the Police Force.

Section Two
Restriction on the Implementation of Learning
in Schools and/or Educational Institutions

Article 5

- (1) Every person in charge of schools and/or educational institutions in violation of the temporary suspension of activities in schools and/or other educational activities during the enforcement of the implementation of PSBB shall be imposed with administrative sanction in the form of a written warning.
- (2) Imposition of sanctions as referred to in paragraph (1) is carried out by the Pamong Praja Police Unit and may be accompanied by the Police Force.

Section Three

Article 6

Restriction of Work Activities in the Workplace

- (1) Every head of workplace at workplaces/offices that are not exempted which violate the temporary suspension of activities at the workplace during the enforcement of the implementation of PSBB shall be imposed with administrative sanction in the form of:
 - a. temporary suspension of activities in the form of office/workplace sealing; and
 - b. administrative fines of at least Rp. 5.000.000 (five million Rupiah) and maximum Rp. 10,000,000,00 (ten million Rupiah).
- (2) In cases where the workplace/office exempted from the temporary suspension of work activities in the workplace during the enforcement of the implementation of PSBB does not carry out its obligations in the implementation of the prevention of the spread of the Corona Virus Disease 2019 (COVID-19) protocol, the head of the workplace shall be imposed with administrative sanction in the form a written warning and administrative fines of at least Rp. 25,000,000,00 (twenty five million Rupiah) and maximum Rp. 50,000,000,00 (fifty million Rupiah).

- (3) Administrative sanctions as referred to in paragraphs (1) and (2) shall be carried out by the Manpower, Transmigration, and Energy Service Office accompanied by the related Regional Apparatus.
- (4) Office/workplace sealing as referred to in paragraph (1) shall be applicable until the end of the PSBB implementation.

Article 7

- (1) Every person in charge of restaurants/dining places/ similar businesses during the enforcement of the implementation of PSBB that does not carry out the following obligations of:
 - a. restricting services to only those brought home directly (take away), through online orders and/or by telephone/delivery services; and
 - b. implementing the prevention of the spread of the Corona Virus Disease 2019 (COVID-19) protocol.

shall be imposed with administrative sanctions, temporary suspension of activities in the form of sealing restaurants/dining places/ similar businesses and administrative fines of at least Rp.5,000,000.00 (five million Rupiah) and maximum Rp. 10,000,000.00 (ten million Rupiah).

- (2) Administrative sanctions as referred to in paragraph (1) shall be carried out by the Pamong Praja Police Unit with assistance from the relevant Regional Apparatus.

Article 8

- (1) Every person in charge of hotels during the enforcement of the implementation of PSBB that does not carry out the following obligations of:
 - a. terminating activities and/or closing hotel services facilities that can create crowds in the hotel area; and

- b. implementing the prevention of the spread of the Corona Virus Disease 2019 (COVID-19) protocol.

shall be imposed with administrative sanctions, temporary suspension of activities in the form of sealing hotel services facilities and administrative fines of at least Rp.25,000,000.00 (twenty five million Rupiah) and at most Rp. 50,000,000.00 (fifty million Rupiah).

- (2) Administrative sanctions as referred to in paragraph (1) shall be carried out by the Pamong Praja Police Unit accompanied by the relevant Regional Apparatus.
- (3) Sealing of hotel service facilities as referred to in paragraph (1) shall be applicable until the end of the PSBB implementation.

Article 9

- (1) Every head of workplace of construction activities during the enforcement of the implementation of PSBB that does not carry out the obligation to restrict worker activities to only being in the project area and the implementation of the prevention of the spread of the Corona Virus Disease 2019 (COVID-19) protocol, shall be imposed with administrative sanctions in the form of:
 - a. a written warning and administrative fines of at least Rp.25,000,000.00 (twenty five million Rupiah) and maximum Rp. 50,000,000.00 (fifty million Rupiah); and
 - b. if the violation is still committed, a temporary suspension of construction activities will take place in the form of sealing the project area.
- (2) Administrative sanctions as referred to in paragraph (1) shall be carried out by the Manpower, Transmigration and Energy Service Office accompanied by the relevant Regional Apparatus.

- (3) Sealing of the project area as referred to in paragraph (1) letter b shall be valid until the end of the PSBB implementation.

Section Four Restriction of Religious Activities in Houses of Worship

Article 10

- (1) Every person violating the prohibitions in carrying out religious activities in houses of worship and/or in certain places during the enforcement of the implementation of PSBB shall be imposed with administrative sanction in the form of a written warning.
- (2) Administrative sanctions as referred to in paragraph (1) shall be carried out by the Pamong Praja Police Unit and may be accompanied by the Police Force.

Section Five Restriction of Activities in Public Places or Facilities

Article 11

- (1) Every person violating the prohibition on carrying out activities with more than 5 (five) people in public places or facilities during the enforcement of the implementation of PSBB shall be imposed with the following administrative sanctions:
 - a. an administrative written warning;
 - b. social work in the form of cleaning public facilities while wearing vests; or
 - c. administrative fines of at least Rp.100,000.00 (one hundred thousand Rupiah) and maximum Rp. 250,000.00 (two hundred fifty thousand Rupiah).

- (2) Administrative sanctions as referred to in paragraph (1) shall be carried out by Pamong Praja Police Unit and may be accompanied by the Police Force.

Section Six
Restriction of Social and Cultural Activities

Article 12

- (1) Every person or legal entity violating the temporary suspension of social and cultural activities that are not exempted which causes a crowd gathering during the enforcement of PSBB implementation shall be imposed by the following sanctions:
 - a. social work in the form of cleaning public facilities while wearing vests for violations by persons; and
 - b. administrative fines of at least Rp.5,000,000.00 (five million Rupiah) and maximum Rp. 10,000,000.00 (ten million Rupiah) for violations by legal entities.
- (2) In addition to the imposition of administrative sanctions, person in charge /legal entities that violate the provisions as referred to in paragraph (1) are imposed with sanctions of revocation of business license by the Capital Investment and One-Stop Integrated Services Service Office.
- (3) Administrative sanctions as referred to in paragraph (1) shall be carried out by the Pamong Praja Police Unit accompanied by the relevant Regional Apparatus.

Section Seven
Restriction on the Use of Modes of Transportation for the Movement of People
and Goods

Article 13

- (1) Every driver of personal passenger car that violates the maximum 50% (fifty percent) limitation on the number of people in the vehicle's capacity and/or does not use a mask in the vehicle shall be imposed with the following sanctions:
 - a. administrative fines of at least Rp.500,000.00 (five hundred thousand Rupiah) and maximum Rp. 1,000,000.00 (one million Rupiah);
 - b. social work in the form of cleaning public facilities while wearing vests; or
 - c. towing to a motorized vehicle storage facility provided by the Provincial Government of DKI Jakarta.
- (2) Administrative sanctions as referred to in paragraph (1) shall be carried out by the Pamong Praja Police Unit accompanied by the Transportation Service Office and the Police Force.
- (3) The motorized vehicle storage facility as referred to in paragraph (1) letter c may be located at the Sub-District office or the District office.
- (4) In carrying out the towing of vehicle, the Pamong Praja Police Unit is not responsible for the completeness and wholeness of the private passenger car vehicle and its contents.
- (5) After towing the vehicle, the Pamong Praja Police Unit shall deliver a written notification to the owner/driver of the private passenger car within 1 x 24 (one times twenty-four) hours to retrieve their vehicle.

- (6) If after the written notice has been delivered as referred to in paragraph (5), the owner/driver of the vehicle does not retrieve their private passenger car within 3 (three) days, the vehicle will be moved to the motorized vehicle storage facility of the Transportation Service Office of which process will be conducted in accordance with the provisions of laws and regulations.

Article 14

- (1) Every person driving motorcycles in violation of the provision on having passengers and/or not using masks, shall be imposed with the following sanctions:
- a. administrative fines of at least Rp.100,000.00 (one hundred thousand Rupiah) and maximum Rp.250,000.00 (two hundred fifty thousand Rupiah);
 - b. social work in the form of cleaning public facilities while wearing vests; or
 - c. towing measures to a motorized vehicle storage facility provided by the Provincial Government of DKI Jakarta.
- (2) Every driver of motorcycles used as application-based two wheel transportation in violation of the provision on having passengers, shall be imposed with the following sanctions:
- a. administrative fines of at least Rp.100,000.00 (one hundred thousand Rupiah) and maximum Rp.250,000.00 (two hundred fifty thousand Rupiah);
 - b. social work in the form of cleaning public facilities while wearing vests; or
 - c. towing measures to a motorized vehicle storage facility provided by the Provincial Government of DKI Jakarta.

- (3) Exempt from the provisions as referred to in paragraph (1) are passengers with the same address/residence as the driver of the motorcycle proven by their identification card (*Kartu Tanda Penduduk* or KTP).
- (4) Administrative sanctions as referred to in paragraphs (1) and paragraph (2) shall be carried out by the Pamong Praja Police Unit accompanied by the Transportation Service Office and the Police.
- (5) The motorized vehicle storage facility as referred to in paragraph (2) letter c may be located at the Sub-District office or the District office.
- (6) In carrying out the towing of the vehicle, the Pamong Praja Police Unit is not responsible for the completeness and wholeness of the motorcycle and its contents.
- (7) After towing the vehicle, the Pamong Praja Police Unit shall deliver a written notice to the owner/driver of the motorcycle within 1 x 24 (one times twenty four) hours to retrieve their vehicle.
- (8) If after the written notice is delivered as referred to in paragraph (7), the owner/driver of the vehicle does not retrieve their motorbike within 3 (three) days, the vehicle will be moved to the motorized vehicle storage facility of the Transportation Service Office in accordance with the provisions of laws and regulations.

Article 15

- (1) Every person, business actor or legal entity who owns Public Motorized Vehicles for transporting passengers and/or goods in violation of the limitation on the number of people of a maximum of 50% (fifty percent) of the vehicle's capacity and/or does not use masks in the vehicle, and/or restrictions on operating hours in accordance with the regulations of the Provincial Government of DKI Jakarta and/or related agencies, in particular on the transportation of people shall imposed with sanctions in the form of:

- a. administrative fines of at least Rp.100,000.00 (one hundred thousand Rupiah) and maximum Rp. 500,000.00 (five hundred thousand Rupiah);
 - b. social work in the form of cleaning public facilities while wearing vests for violations by legal entity; or
 - c. towing measures to a motorized vehicle storage facility provided by the Provincial Government of DKI Jakarta.
- (2) Administrative sanctions as referred to in paragraph (1) shall be carried out by the Transportation Service Office accompanied by the Pamong Praja Police Unit and the Police Force.
 - (3) The motorized vehicle storage facility as referred to in paragraph (1) letter c may be located at the Sub-District office or the District office.
 - (4) In carrying out towing of the vehicle, the Transportation Service Office is not responsible for the completeness and wholeness of the public motorized vehicles transporting passengers and/or goods and its contents.
 - (5) After towing the vehicle, the Transportation Service Office shall deliver a written notice to the owner/driver of the public motorized vehicles transporting passengers and/or goods within 1 x 24 (one times twenty four) hours to retrieve their vehicle.
 - (6) If after the delivery of the written notice as referred to in paragraph (7), the owner/driver of the vehicle does not retrieve their public motorized vehicles transporting passengers and/or goods within 3 (three) days, the vehicle will be moved to the motorized vehicle storage facility of the Transportation Service Office in accordance with the laws and regulations.
 - (7) In addition to the imposition of administrative fines, every person or business entity who owns public motorized vehicles transporting passengers and/or goods as referred to in paragraph (1), which drives or operates motorized vehicles on the road and does not fulfill the technical

requirements and roadworthiness, shall be imposed with sanctions in accordance with the provisions of laws and regulations.

Section Eight
Administrative Fines

Article 16

- (1) Administrative fines as referred to in Article 5 to Article 14 shall be deposited to the regional treasury.
- (2) For administrative fines as referred to in paragraph (1), an SKDA-PSBB will be issued based on the evidence of violations and is given to the offenders of PSBB to be deposited to the regional treasury through Bank DKI, with the following terms:
 - a. in case of administrative fines for violations as referred to in Article 5, Article 6, Article 9, Article 10, and Article 12, the SKDA-PSBB will be issued by the Pamong Praja Police Unit:
 - b. in case of administrative fines for violations as referred to in Article 8 and Article 11, the SKDA-PSBB will be issued by the Manpower, Transmigration, and Energy Service Office; and
 - c. in case of administrative fines for violations as referred to in Article 14, the SKDA-PSBB will be issued by the Transportation Service Office.
- (3) A photocopy of the receipt of deposit from Bank DKI by the offenders of PSBB as referred to in paragraph (2) for:
 - a. violations of Article 5, Article 6, Article 9, Article 10, and Article 12, shall be submitted to the officer of the Pamong Praja Police Unit in the Sub-District office in the region where the PSBB violation occurred;
 - b. violations of Article 8 and Article 11, shall be submitted to the officer of the Manpower, Transmigration, and Energy Service Office in the City/Regency Administration in the region where the PSBB violation occurred; and

- c. violations of Article 14, shall be submitted to the officer of the Transportation Service Office in the City/Regency Administration in the region where the PSBB violation occurred.

Article 17

The imposition of criminal sanctions for violations of the implementation of PSBB shall be carried out by the Police Force in accordance with the provisions of laws and regulations.

CHAPTER IV MONITORING, EVALUATION, AND REPORTING

Article 18

- 1) The monitoring and evaluation of this Governor Regulation is carried out by the Provincial level of the COVID-19 Task Force.
- 2) The results of monitoring and evaluation reports are reported to the Governor.

CHAPTER V CLOSING PROVISIONS

Article 19

This Governor Regulation comes into force on the date of enactment.

For public cognizance, this Governor Regulation will be promulgated by placing it in the Regional Gazette of the Special Capital Region of Jakarta Province.

Stipulated in Jakarta
on April 30, 2020

GOVERNOR OF THE
SPECIAL CAPITAL
REGION OF JAKARTA

(Signed)

ANIES BASWEDAN

Enacted in Jakarta

On April 30, 2020

REGIONAL SECRETARY OF THE SPECIAL CAPITAL REGION OF JAKARTA
PROVINCE

(Signed)

SAEFULLAH

REGIONAL GAZETTE OF THE SPECIAL CAPITAL REGION JAKARTA
PROVINCE OF 2020 NUMBER 72010

True Copy
HEAD OF LEGAL BUREAU OF
THE REGIONAL SECRETARIAT
OF THE SPECIAL CAPITAL
REGION OF JAKARTA
PROVINCE

(Signed and Stamped)

YAYAN YUHANAH

SSEK Translation
May 12, 2020



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