

LAW OF THE REPUBLIC OF INDONESIA
NUMBER 20 OF 2011
ON
APARTMENT

BY THE BLESSINGS OF ALMIGHTY GOD

PRESIDENT OF THE REPUBLIC OF INDONESIA

- Considering :
- a. that any person has the right to live in physical and spiritual prosperity, to have a place to live, and to have a good and healthy living environment, which is a basic human need, and which has a very strategic role in the formation of character and personality of nation as one of the efforts to build Indonesian people as a whole, self-identified, independent, and productive;
 - b. that the State is responsible for protecting the entire Indonesian in the administration of housing through decent apartment for a healthy, safe, harmonious, and sustainable life throughout the territory of Indonesia;
 - c. that any person can participate in fulfilling housing needs through the construction of apartment that is decent, safe, harmonious, affordable independently, and sustainably;
 - d. that the State is obligated to meet the needs of affordable housing for low-income people;
 - e. that Law Number 16 of 1985 on Apartment is no longer in accordance with legal developments, the needs of any person, and public participation as well as the responsibilities and obligations of the state in the

administration of apartment so that it needs to be replaced;

- f. that based on the considerations as referred to in point a, point b, point c, point d, and point e, it is necessary to establish a Law on Apartment;

- Observing : 1. Article 20, Article 21, and Article 28H section (1), section (2), and section (4) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 1 of 2011 on Housing and Settlement Areas (State Gazette of the Republic of Indonesia of 2011 Number 7, Supplement to the State Gazette of the Republic of Indonesia Number 5188);

With the Joint Approval of
HOUSE OF REPRESENTATIVE

and

PRESIDENT OF THE REPUBLIC OF INDONESIA

HAS DECIDED:

- To enact : LAW ON APARTMENT

CHAPTER 1
GENERAL PROVISION

Article 1

In this Law:

1. Apartments mean multi-storey buildings that are built in an environment that is divided into functionally structured parts, both horizontally and vertically and are units, which can be owned and used separately, especially for h areas equipped with shared parts, shared objects, and shared land.
2. Administration of apartment mean activities of planning, construction, control and utilization, management, maintenance and care, control, institutions, funding and financing systems, as well as the public participation

which are carried out in a systematic, integrated, sustainable and responsible.

3. Apartment unit (*Satuan rumah susun*) hereinafter referred to as *sarusun* means a unit of apartment the main purpose of which is to be used separately with the main function as for residential purposes and has connecting facilities to public roads.
4. Shared land means a plot of land with rights or leased land for buildings that are used on the basis of joint rights separately on which an apartment is built and the limits are set in the requirements for a building permit.
5. Shared part means apart of an apartment which is not separately owned for joint use in a unitary function with apartment units.
6. Shared object means an object which is not part of the apartment but is part which is not separately owned together for shared use.
7. Public apartments mean apartments that are administrated to meet housing needs for low-income people.
8. Special apartments mean apartments that are administered to meet special needs.
9. State apartments mean apartments that are owned by the State and function as housing or residences, facilities for family development, as well as supporting the implementation of the duties of officials and/or civil servants.
10. Commercial apartments mean apartments that are organized for profit.
11. Certificate of right of ownership of *sarusun* (*Sertifikat Hak Milik*, SHM), hereinafter referred to as SHM of *sarusun*, means a proof of ownership of the apartment unit on land with property rights, right to build or right to use on State land, as well as right to build or right to use on land under right to manage.
12. Certificate of ownership of *sarusun* building (*Sertifikat kepemilikan bangunan gedung sarusun*), hereinafter

referred to as SKBG of *sarusun*, means a proof of ownership of the apartment unit on state/regional assets in the form of land or waqf land by way of lease.

13. The Share value (*Nilai Perbandingan Proporsional*), hereinafter referred to as NPP, means a value that shows the ratio between the *sarusun* and the right to shared part, joint objects, and joint land which is calculated based on the value of the apartment in question to the total value of the apartment as a whole when the developer first calculates the cost of its construction comprehensively to determine the selling price.
14. Low-income communities (*Masyarakat Berpenghasilan Rendah*), hereinafter referred to as (MBR), mean communities which have limited purchasing power so that they need support of the government to obtain public apartment units.
15. Developer in the construction of apartment, hereinafter referred to as the developer in the construction, means any person and/or the government that undertakes the construction of housing and settlements.
16. Any person means an individual or a legal entity.
17. Legal entity means a legal entity established by Indonesian citizens whose activities are in the field of housing and settlement area administration.
18. Owner means any person who owns a *sarusun*.
19. Tenant means a person who occupies a *sarusun*, either as owner or non-owner.
20. Management means a legal entity in charge of managing apartment.
21. Association of apartment owners and occupants (*Perhimpunan pemilik dan penghuni sarusun*), hereinafter referred to as PPSRS, means a legal entity consisting of *sarusun* owners or residents.
22. Central government, hereinafter referred to as the Government, means the President of the Republic of Indonesia who holds the power of government of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia.

23. Local government mean governor, regent or mayor, and regional apparatus as elements of regional administration.
24. Minister means the minister administering government affairs in the field housing and settlement areas.

CHAPTER II PRINCIPLES, OBJECTIVES, AND SCOPE

Article 2

The administration of apartment is based on:

- a. welfare;
- b. justice and equity;
- c. nationalism;
- d. affordability and convenience;
- e. efficiency and utilization;
- f. independence and togetherness;
- g. partnership;
- h. harmony and balance;
- i. integration;
- j. health;
- k. continuity and sustainability;
- l. safety, comfort and convenience; and
- m. security, order and regularity.

Article 3

The administration of apartment aims to:

- a. ensure the realization of liveable and affordable apartment in a healthy, safe, harmonious, and sustainable environment and create integrated settlements to build economic, social and cultural resilience;
- b. improve the efficiency and effectiveness of the use of space and land, as well as provide green open spaces in urban areas in creating a complete and harmonious and balanced residential area by taking into account the principles of sustainable development and environmental insight;

- c. reduce the area and prevent the emergence of housing and slums;
- d. direct the development of urban areas that are harmonious, balanced, efficient, and productive;
- e. meet the social and economic needs that support the lives of residents and the community while still prioritizing the goal of meeting the needs of decent housing and settlements, especially for MBR;
- f. empower stakeholders in the development of apartment;
- g. ensure the fulfilment of the needs of decent and affordable apartment, especially for MBR in a healthy, safe, harmonious, and sustainable in an integrated housing and settlement management system; and
- h. provide legal certainty in the provision, occupancy, management, and ownership of apartment.

Article 4

The scope of the regulation of this law includes:

- a. guidance;
- b. planning;
- c. construction;
- d. control, posses, and utilization;
- e. management;
- f. quality improvement;
- g. control;
- h. institutional;
- i. duties and authorities;
- j. rights and obligations;
- k. funding and financing system; and
- l. community role.

CHAPTER III GUIDANCE

Article 5

- (1) The State is responsible for the administration of apartment whose guidance is carried out by the government.

- (2) The guidance as referred to in section (1) is carried out by:
 - a. Minister at the national level;
 - b. governor at the provincial level; and
 - c. regent/mayor at the regency/municipal level.

Article 6

- (1) The guidance as referred to in Article 5 section (2) includes:
 - a. planning;
 - b. regulation;
 - c. control; and
 - d. supervision.
- 2) In carrying out the guidance as referred to in section (1), the Minister coordinates cross-sectoral, cross-regional, and cross-stakeholder, both vertically and horizontally.

Article 7

- (1) The planning as referred to in Article 6 section (1) point a is an integral part of the national development planning and regional development planning.
- (2) The planning as referred to in section (1) is carried out by the government in accordance with its level of authority and involves the participation of the community.
- (3) The planning as referred to in section (2) is prepared at the national, provincial, and regency/ municipal levels by taking into account the policies and national strategy in the field of apartment in accordance with the provisions of the legislation.
- (4) Planning at the national level becomes a guideline for preparing plans for the administration of apartment at the provincial and regency/ municipal levels.

Article 8

The regulation as referred to in Article 6 section (1) point b include:

- a. development;
- b. control, possession, and utilization;
- c. management;
- d. quality improvement;
- e. institutional; and
- f. funding and financing system.

Article 9

The control as referred to in Article 6 section (1) point c is carried out to ensure that the administration of the apartment is in accordance with its purpose.

Article 10

The supervision as referred to in Article 6 section (1) point d includes monitoring, evaluation, and corrective action in accordance with the provisions of legislation.

Article 11

- (1) The government provides guidance on the administration of apartment on a national basis in order to comply with the orderly administration of apartment.
- (2) The guidance as referred to in section (1) is carried out by:
 - a. coordination of the administration of apartment;
 - b. dissemination of legislation and dissemination of norms, standards, procedures, and criteria;
 - c. providing guidance, supervision, and consultation;
 - d. education and training;
 - e. research and development;
 - f. development of information and communication systems and services; and
 - g. empowerment of apartment stakeholders.
- (3) The government provides guidance for the administration of apartment to the provincial government, regency/municipal government, and the public.
- (4) The guidance of the administration of the apartment as referred to in section (3) is carried out with the aim of:

- a. encouraging the construction of apartment by utilizing appropriate techniques and technology, building materials, construction engineering, and design and taking into account local wisdom and environmental compatibility that is safe for health;
- b. encouraging the construction of apartment capable of driving the national housing industry and maximizing the utilization of local resources, including earthquake-resistant technology;
- c. encouraging the realization of decent and affordable housing for the public as a means of family development; and
- d. encouraging the realization and preservation of the values of the archipelago or national culture in the construction of apartment.

Article 12

Further provisions regarding the guidance as referred to in Article 6 are regulated in a Government Regulation.

CHAPTER IV PLANNING

Article 13

- (1) Planning for the construction of apartment includes:
 - a. determination of the provision of the number and type of apartment;
 - b. determination of zoning for the construction of apartment; and
 - c. determination of the location for the construction of apartment.
- (2) The determination of the supply of the number and type of apartment as referred to in section (1) point a is carried out based on the target group, developers, and development resources which include general apartment, special apartment, state apartment, and commercial apartment.

- (3) The determination of zoning and location for the construction of apartment as referred to in section (1) point b and point c must be carried out in accordance with the provisions of the regency/municipal spatial layout plan.
- (4) In the event that the region does not yet have a regional spatial plan, the governor or regent/mayor with the approval of the Regional House of Representatives determine the zoning and location for the construction of public apartment, special apartment, and state apartment by considering the carrying capacity and capacity of the environment.
- (5) Especially for the Special Capital Region of Jakarta Province, the zoning and location for the construction of apartment are carried out in accordance with the provisions of the Special Capital Region of Jakarta Provincial Spatial Plan.

Article 14

- (1) Planning for the construction of apartment is carried out based on:
 - a. building density;
 - b. population number and density;
 - c. detailed spatial plans;
 - d. infrastructure, facilities, and public utilities services;
 - e. transportation mode services;
 - f. alternative development of the concept of apartment;
 - g. information and communication services;
 - h. the concept of balanced housing; and
 - i. analysis of potential needs for apartment.
- (2) Guidelines for planning for the construction of apartment are regulated by a Ministerial Regulation.

CHAPTER V CONSTRUCTION

Part One General

Article 15

- (1) The construction of public apartment, special apartment, and state apartment is the responsibility of the government.

- (2) The construction of public apartment as referred to in section (1) carried out by any person gets facilities and/or government assistance.
- (3) The construction of general and special apartment as referred to in section (1) may be carried out by non-profit institutions and business entities.

Article 16

- (1) The construction of commercial apartment as referred to in Article 13 section (2) can be carried out by any person.
- (2) The developers in the construction of commercial apartment as referred to in section (1) are obligated to provide public apartment of at least 20% (twenty percent) of the total floor area of the commercial apartment built.
- (3) The obligation as referred to in section (2) can be carried out outside the location of the commercial apartment area in the same regency/ municipality.
- (4) Further provisions regarding the obligation to provide public apartment as referred to in section (2) and section (3) are regulated in a government regulation.

Article 17

Apartment can be built on the ground:

- a. right of ownership;
- b. right to build or right to use state land; and
- c. right to build or right to use over right to manage.

Article 18

Apart from being built on the land as referred to in Article 17, general and/or special apartment can be built by:

- a. utilization of state/regional assets in the form of land; or
- b. utilization of waqf land.

Article 19

- (1) Utilization of state/regional assets in the form of land for the construction of apartment as referred to in Article 18 point a is carried out by means of lease or utilization cooperation.

- (2) The land as referred to in section (1) must have issued a certificate of land rights in accordance with the provisions of the legislation.
- (3) The implementation of the lease or utilization cooperation as referred to in section (1) is carried out in accordance with the provisions of the legislation.

Article 20

- (1) Utilization of waqf land for the construction of apartment as referred to in Article 18 point b is carried out by means of lease or cooperation utilization in accordance with the waqf pledge.
- (2) If the utilization of the waqf land as referred to in section (1) is not in accordance with the waqf pledge, the designation can be changed after obtaining the approval and/or written permission of the Indonesian Waqf Board in accordance with the provisions of the legislation.
- (3) The change of designation as referred to in section (2) can only be made for the construction of public apartment.
- (4) The implementation of the lease or utilization cooperation as referred to in section (1) is carried out in accordance with sharia principles and the provisions of the legislation.
- (5) Further provisions regarding the utilization of waqf land for public apartment are regulated by a Government Regulation.

Article 21

- (1) The use and utilization of land for the construction of apartment as referred to in Article 19 and Article 20 must be carried out by written agreement before the authorized official in accordance with the provisions of the legislation.
- (2) The written agreement as referred to in section (1) at least contains:
 - a. the rights and obligations of tenants and land owners;

- b. the term of the lease on the land;
 - c. certainty of the land owner to get the return of the land at the end of the lease agreement period; and
 - d. Tenant guarantees for the returned land that there are no physical, administrative, and legal problems.
- (3) The term of the lease on the land as referred to in section (2) point b is given for 60 (sixty) years from the signing of the written agreement.
- (4) The government determines the rental rate for land to ensure the affordability of the selling price of public *sarusun* for MBR.
- (5) The written agreement as referred to in section (2) is recorded at the land office

Part Two
Provision of Land

Article 22

- (1) Provision of land for the construction of apartment can be done through:
- a. granting land rights to land directly controlled by the State;
 - b. land consolidation by land owners;
 - c. transfers or waiver of land rights by land rights holders;
 - d. utilization of state assets or regional assets in the form of land;
 - e. utilization of waqf land;
 - f. utilization of part of the state's land former abandoned land; and/or
 - g. land acquisition for development for the public interest.
- (2) The provision of land as referred to in section (1) is carried out in accordance with the provisions of the legislation.
- (3) In the event that the construction of an apartment is carried out on land with rights to build or rights to use over rights to manage as referred to in Article 17 point c,

developer in the construction is obligated to complete the status of rights to build or rights to use over rights to manage in accordance with the provisions of the legislation before selling the *sarusun* concerned.

Part Three
Construction Requirements

Paragraph 1
General

Article 23

- (1) The construction of apartment is carried out through technical planning, implementation, and technical supervision.
- (2) Technical planning, implementation, and technical supervision as referred to in section (1) are carried out in accordance with the provisions of legislation.

Article 24

The requirements for the construction of apartment include:

- a. administrative requirements;
- b. technical requirements; and
- c. ecological requirements.

Article 25

- (1) In constructing apartment, the construction developer is obligated to separate the apartment into the *sarusun*, the shared part, the shared object, and the shared land.
- (2) The shared object as referred to in section (1) becomes a shared part if it is built as part of apartment building.
- (3) The separation as referred to in section (1) provides clarity on:
 - a. *sarusun* boundaries that can be used separately for each owner;

- b. boundaries and descriptions of shared parts and shared objects which are the rights of each *sarusun*; and
- c. boundaries and descriptions of shared land and the size of the portion that is the right of each *sarusun* .

Article 26

- (1) The separation of apartment as referred to in Article 25 section (1) is required to be stated in the form of drawing and descriptions.
- (2) The drawing and descriptions as referred to in section (1) serve as the basis for determining the NPP, SHM of *sarusun* or SKBG of *sarusun* , and binding sale and purchase agreements.
- (3) The drawing and descriptions as referred to in section (1) are made prior to the construction of the apartment.
- (4) The drawing and descriptions as referred to in section (2) are set forth in the form of a deed of separation legalized by the regent/mayor.
- (5) Especially for Special Capital Region of Jakarta Province, the deed of separation as referred to in section (4) is legalized by the Governor.

Article 27

Further provisions regarding the separation of apartment as well as illustrations and descriptions as referred to in Article 25 and Article 26 are regulated by a government regulation.

Paragraph 2

Administrative Requirements

Article 28

In carrying out the construction of apartment, the construction developer must fulfil administrative provisions which include:

- a. status of land rights; and
- b. building permit (IMB).

Article 29

- (1) The construction developer must build apartment and their environment in accordance with the planned function and utilization.
- (2) The function and utilization plan as referred to in section (1) must obtain a permit from the regent/mayor.
- (3) Especially for Special Capital Region of Jakarta Province, the planned function and utilization as referred to in section (2) must obtain the Governor's permit.
- (4) Applications for permits as referred to in section (2) and section (3) are submitted by the construction developer by attaching the following requirements:
 - a. certificate of land rights;
 - b. statement letter of regency/ municipality plan;
 - c. drawing of site plan;
 - d. drawing of architectural plan containing floor plans, views, and pieces of apartments that clearly show the vertical and horizontal boundaries of the *sarusun* ;
 - e. drawing of structure plan with its calculation
 - f. drawing of plan that clearly show the common parts, common objects, and shared land; and
 - g. drawing of plan of public utility and installations and equipment.
- (5) In the event that the apartment is built on leased land, the construction developer must attach a written agreement on the utilization of the land as referred to in Article 21 section (1).

Article 30

The construction developer after obtaining permits as referred to in Article 29 section (2) and section (3) is obligated to request legalization from the local government regarding descriptions that show clear boundaries for each *sarusun*, shared part, shared object, and shared land along with a description of the NPP.

Article 31

- (1) Changes in the plan for the function and utilization of apartment as referred to in Article 29 section (2) must obtain a permit from the regent/mayor.
- (2) Especially for Special Capital Region of Jakarta Province, changes to the plan for the function and utilization of apartment as referred to in section (1) must obtain a permit from the Governor.
- (3) Changes in the plan for the function and utilization of the apartment as referred to in section (1) do not reduce the function of the shared part, the shared object, and the function of the dwelling.
- (4) In the event that the change in the plan for the function and utilization of the apartment as referred to in section (1) results in a change in the NPP, the explanation must be re-legalized from the regent/mayor.
- (5) Specifically, for Special Region of Jakarta Province, changes to the plan for the function and utilization of apartment as referred to in section (4) are legalized by the Governor.
- (6) In order to obtain the change permit as referred to in section (1), the construction developer must submit reasons and proposals for changes by attaching:
 - a. drawing of site plan and their changes;
 - b. drawing of architectural plans and their changes;
 - c. drawing of structural plans and their calculations and their changes ;
 - d. drawing of plan that clearly show the shared parts, shared objects, and shared land and their changes ; and
 - e. drawing of plans for public utilities and their installations and equipment and their changes .
- (7) The application for a change permit as referred to in section (4) and section (5) is subject to a levy.

Article 32

Guidelines for the application of a permit for the plan of function and utilization as well as its change are regulated by a Ministerial Regulation.

Article 33

Further provisions regarding the application for a permit for the function and utilization plan as referred to in Article 29 as well as the application for a permit to change the function and utilization plan as referred to in Article 31 are regulated by a regional regulation.

Article 34

- (1) The construction of apartment is carried out based on the calculation and determination of the building floor and the basic coefficients of the building which is adjusted to the carrying capacity and the carrying capacity of the environment which refers to the regional spatial plan.
- (2) Provisions regarding the building floor coefficient and the basic building coefficient as referred to in section (1) are exempted in the event that there are restrictions on building heights related to:
 - a. provisions for security and safety of flight operations; and/or
 - b. local wisdom.

Paragraph 3

Technical Requirements

Article 35

The technical requirements for the construction of apartment consist of:

- a. building layout which includes requirements for location allocation as well as building intensity and architecture; and
- b. building reliability which includes requirements for safety, health, comfort, and convenience.

Article 36

Provisions on building layout and building reliability as referred to in Article 35 are implemented in accordance with the provisions of the legislation.

Paragraph 4

Ecological Requirements

Article 37

The construction of apartment must meet ecological requirements which include the harmony and balance of environmental functions.

Article 38

The construction of apartment that have a significant impact on the environment must be equipped with environmental impact analysis requirements in accordance with the provisions of the legislation.

Part Four

Certificate of Worthiness

Article 39

- (1) Construction Developer are obligated to apply for Certificate of Worthiness to the regent/mayor after completing all or part of the construction of an apartment as long as it does not conflict with the IMB.
- (2) Especially for Special Capital Region of Jakarta Province, the application for certificate of worthiness as referred to in section (1) are submitted to the Governor.
- (3) The local government issues certificate of worthiness of proper function after conducting an inspection of the worthiness of the apartment building in accordance with the provisions of the legislation.

Part Five
Infrastructure, Facilities, and Public Utilities of the Apartment
Environment

Article 40

- (1) Developers are obligated to complete the apartment environment with public infrastructure, facilities and utilities.
- (2) Public infrastructure, facilities and utilities as referred to in section (1) must consider:
 - a. ease and harmony of relationships in daily activities;
 - b. security in case of dangerous things; and
 - c. structure, size, and strength according to their function and use.
- (3) Public infrastructure, facilities and utilities as referred to in section (1) must meet minimum service standards.
- (4) Further provisions regarding minimum service standards for public infrastructure, facilities and utilities are regulated by a Ministerial Regulation.

Part Six
Construction Through Foreign Investment

Article 41

The construction of apartment can be carried out through foreign investment in accordance with the provisions of the legislation.

Part Seven Marketing and
sale and Purchase of Apartment

Article 42

- (1) Construction developer may conduct marketing before the construction of apartment is carried out.
- (2) In the event that marketing is carried out before the construction of apartment is carried out as referred to in section (1), the construction developer must at least have:

- a. certainty of space allocation;
 - b. certainty of land rights;
 - c. certainty of the ownership status of the apartment;
 - d. permits for the construction of apartment; and
 - e. guarantee for the construction of apartment from the guarantor institution.
- (3) In the event that the marketing is carried out prior to the construction of the apartment as referred to in section (2), everything promised by the construction developer and/or marketing agents is binding as a binding sale and purchase agreement (*Perjanjian Pengikatan Jual Beli*, PPJB) for the parties.

Article 43

- (1) The process of sale and purchase of *sarusun* before the construction is completed can be carried out through PPJB made in front of a notary.
- (2) PPJB as referred to in section (1) is carried out after fulfilling the certainty requirements for:
 - a. land ownership status;
 - b. IMB ownership;
 - c. availability of infrastructure, facilities, and public utilities;
 - d. construction of at least 20% (twenty percent); and
 - e. agreement terms .

Article 44

- (1) The process of sale and purchase, which is carried out after the construction of the apartment is completed, is carried out through a deed of sale and purchase (*Akta Jual Beli*, AJB).
- (2) The construction of an apartment is declared complete as referred to in section (1) if it has been issued:
 - a. Certificate of Worthiness; and
 - b. SHM of *sarusun* and SKBG of *sarusun*

CHAPTER VI
CONTROL, OWNERSHIP, AND UTILIZATION

Part One
Control of *Sarusun*

Article 45

- (1) The control of the *sarusun* in public apartment can be carried out by being owned or rented.
- (2) Control of *sarusun* in special apartment can be carried out by borrowing or renting.
- (3) Control of *sarusun* in state apartment can be carried out by way of borrowing, renting, or rent-to-own.
- (4) The control over the *sarusun* in a commercial apartment can be done by owning or renting it.
- (5) The control of the *sarusun* by means of a rent as referred to in section (1) and section (4) is carried out by means of a written agreement made before the competent authority in accordance with the provisions of legislation.
- (6) The written agreement as referred to in section (5) must be registered with PPSRS.
- (7) The procedure for implementing the borrow-use or rent as referred to in section (2) is regulated in a government regulation.
- (8) The procedure for implementing the borrow-to-use, lease, or lease-purchase as referred to in section (3) is carried out in accordance with the provisions of legislation.

Part Two
Sarusun Ownership

Article 46

- (1) The right of ownership to the *sarusun* is the right of ownership to the apartment unit which is individual apart from the joint rights to the shared part, shared object, and shared land.

- (2) The rights to shared part, shared objects, and shared land as referred to in section (1) are calculated based on the NPP.

Article 47

- (1) As proof of ownership of a *sarusun* on land with ownership rights, rights to build, or rights to use on state land, rights to build, or rights to use on land with rights to manage are issued SHM of *sarusun*.
- (2) SHM of *sarusun* as referred to in section (1) is issued to every person who meets the requirements as a holder of land rights.
- (3) The SHM of *sarusun* as referred to in section (1) is an inseparable unit consisting of:
 - a. a copy of the land book and the letter of measurement on the shared land rights in accordance with the provisions of legislation;
 - b. a drawing of a floor plan at the level of the apartment concerned showing *sarusun* owned; and
 - c. a description of the size of the share of the right to the shared part, the shared object, and the shared land for the person concerned.
- (4) The SHM of *sarusun* as referred to in section (1) is issued by the regency/municipality land office.
- (5) SHM of *sarusun* can be used as collateral for debt with encumbrance rights in accordance with the provisions of legislation.

Article 48

- (1) As proof of ownership of the *sarusun* on state/regional assets in the form of land or waqf land by way of rent, SKBG of *sarusun* is issued.
- (2) The SKBG of *sarusun* as referred to in section (1) is an inseparable unit consisting of:
 - a. a copy of the building book;
 - b. a copy of the land lease agreement;

- c. a drawing of a floor plan at the level of the related apartment showing the *sarusun* owned; and
 - d. a description of the size of the share of the right to the shared part and the shared object concerned.
- (3) The SKBG of *sarusun* as referred to in section (1) is issued by the regency/municipal technical agency in charge and responsible for the building sector.
 - (4) The SKBG of *sarusun* as referred to in section (1) can be used as debt collateral with a fiduciary duty in accordance with the provisions of legislation.
 - (5) SKBG of *sarusun* units which are used as collateral for debt on a fiduciary basis must be registered with the ministry that administers government affairs in the field of law.

Article 49

Further provisions regarding the form of SHM of *sarusun* and SKBG of *sarusun* and the procedures for their issuance as referred to in Article 47 and Article 48 are regulated by a government regulation.

Part Three

Utilization of Apartment

Article 50

Utilization of apartment is carried out in accordance with the functions:

- a. residence; or
- b. mixture.

Article 51

- (1) The utilization of the apartment as referred to in Article 50 may change from a residential function to a mixed function due to a change in the spatial plan.
- (2) The change in function caused by the change in the spatial plan as referred to in section (1) becomes the basis for replacing a number of apartment and/or resetting the owner of *sarusun* that has been converted.

- (3) The party that changes the function of the apartment as referred to in section (2) is obligated to guarantee the right of ownership of *sarusun*.

Part Four

Utilization of *Sarusun*

Article 52

Any person who occupies, inhabits, or owns a *sarusun* is obligated to use the *sarusun* according to its function.

Article 53

- (1) Any person can rent a *sarusun*.
- (2) The rental of the apartment unit as referred to in section (1) includes the rights of individuals to the *sarusun* and the utilization of the shared part, shared object, and shared land.

Article 54

- (1) Public *sarusun* that obtain facilities from the government can only be owned or rented by MBR.
- (2) Any person who owns a public *sarusun* as referred to in section (1) can only transfer his ownership to another party in the event that:
 - a. inheritance;
 - b. apartment ownership engagement after a period of 20 (twenty) years; or
 - c. change of residence as evidenced by a certificate of moving from the competent authority.
- (3) The transfer as referred to in section (2) point b and point c can only be made to the implementing agency.
- (4) Further provisions regarding the transfer as referred to in section (2) and section (3) are regulated in a government regulation.
- (5) Provisions regarding the criteria and procedures for providing facilities for public *sarusun* ownership as referred to in section (1) are regulated by a Ministerial Regulation.

Article 55

- (1) *Sarusun* in state apartment can be rented by individuals or groups with facilities from the government.
- (2) Provisions regarding the *sarusun* rental guidelines as referred to in section (1) are regulated by a government regulation.

CHAPTER VII
MANAGEMENT

Article 56

- (1) Management of apartment includes operational activities, maintenance and care of shared parts, shared objects, and shared land.
- (2) The management of apartment as referred to in section (1) must be carried out by managers who are legal entities, except general rental apartment, special apartment, and state apartment.
- (3) The legal entity as referred to in section (2) must register and obtain a business license from the regent/mayor.
- (4) Especially for Special Capital Region of Jakarta Province, the legal entity as referred to in section (3) must register and obtain a business license from the Governor.

Article 57

- (1) In carrying out the management as referred to in Article 56 section (2), the manager is entitled to receive a certain amount of management fee.
- (2) The management fee as referred to in section (1) are borne proportionally by the owner and occupant.
- (3) The cost of managing rental general apartment and government-owned special apartment can be subsidized by the government.
- (4) The amount of the management fee as referred to in section (1) is calculated based on the real need for operational, maintenance and maintenance costs.

- (5) Further provisions regarding the procedure for calculating the amount of the management fee are regulated in a ministerial regulation in charge of building.

Article 58

In carrying out its obligations as referred to in Article 56 section (2), the manager may cooperate with individuals and legal entities.

Article 59

- (1) Developer in the construction who builds public-owned apartment and commercial apartment in the transition period prior to the establishment of PPSRS are obligated to manage apartment.
- (2) The transition period as referred to in section (1) is stipulated no later than 1 (one) year from the first delivery of the *sarusun* to the owner.
- (3) The construction developer in the management of apartment as referred to in section (1) may cooperate with managers.
- (4) The amount of the cost of managing the apartment during the transition period as referred to in section (1) is borne by the developer and the owner of the *sarusun* based on the NPP of each *sarusun*.

Article 60

Further provisions regarding the management of apartment, the transition period, and the procedure for the first submission as referred to in Article 56, Article 57, Article 58, and Article 59 are regulated by a government regulation.

CHAPTER VIII

QUALITY IMPROVEMENT

Article 61

- (1) Quality improvement must be carried out by the *sarusun* owner for apartment that:

- a. unfit for function and cannot be repaired; and/or
 - b. may pose a hazard in the utilization of the apartment building and/or the apartment environment.
- (2) Improvement of the quality of apartment other than those referred to in section (1) may be carried out on the initiative of the *sarusun* owner.

Article 62

- (1) Quality improvement as referred to in Article 61 is carried out by reconstruction apartment.
- (2) The reconstruction of the apartment as referred to in section (1) are carried out through demolition, structuring, and construction.

Article 63

Quality improvement as referred to in Article 62 section (1) is carried out while protecting ownership rights, including the interests of the owner or occupant by taking into account social, cultural and economic fair factors.

Article 64

The determination to improve the quality of apartment as referred to in Article 61 section (1) is the authority of the regional government.

Article 65

- (1) The initiative to improve the quality of apartment as referred to in Article 61 section (2) is carried out by:
 - a. owners of *sarusun* for public-owned apartment and commercial apartment through PPSRS;
 - b. Government, local government, or owner for general rental apartment and special apartment; or
 - c. Government or local government for state apartment.
- (2) The apartment quality improvement initiative originating from the owner as referred to in section (1) point a must be approved by at least 60% (sixty percent) of PPSRS members.

Article 66

The proponent of improving the quality of the apartment as referred to in Article 65 section (1) must:

- a. notify the plan to improve the quality of the apartment to the occupants at least 1 (one) year prior to the implementation of the plan;
- b. provide an opportunity for the owner to provide input on the quality improvement plan; and
- c. prioritizing the old owner to get apartment unit that has been improved in quality.

Article 67

- (1) In the implementation of improving the quality of apartment as referred to in Article 65 section (1) point a, PPSRS may cooperate with the construction developer of apartment.
- (2) The cooperation as referred to in section (1) is carried out based on a written agreement made before an authorized official based on the principle of equality.
- (3) The implementation of improving the quality of general and special apartment is carried out by the implementing agency.

Article 68

- (1) Developers are responsible for the implementation of quality improvement, provision of decent temporary shelter by taking into account the distance factor, facilities, infrastructure, and public utilities, including funding.
- (2) PPSRS is responsible for the reoccupation of the old owner after the quality improvement of the apartment has been completed.
- (3) In the case of re-occupation of the old owner as referred to in section (2), the owner is not subject to customs duties on the acquisition of land and building rights.

Article 69

Further provisions regarding the improvement of the quality of apartment are regulated in a government regulation.

CHAPTER IX
CONTROL

Article 70

- (1) Control of the administration of apartment is carried out at the following stages:
 - a. planning;
 - b. construction;
 - c. control, ownership, and utilization; and management.
- (2) Control of the implementation of apartment at the planning stage as referred to in section (1) point a is carried out through an assessment of:
 - a. suitability of quantity and type;
 - b. zoning suitability;
 - c. location suitability; and
 - d. certainty of the availability of infrastructure, facilities, and public utilities.
- (3) Control of the administration of apartment at the construction stage as referred to in section (1) point b is carried out on:
 - a. proof of land tenure; and
 - b. conformity between the implementation of the construction and the building permit.
- (4) Control of the administration of apartment at the stage of control, ownership, and utilization as referred to in section (1) point c is carried out through:
 - a. granting of Certificate of Worthiness ; and
 - b. proof of control and ownership of the *sarusun* .
- (5) Control of the administration of apartment at the management stage as referred to in section (1) point d is carried out through:

- a. supervision of the establishment of PPSRS; and
- b. supervision of the management of shared parts, shared objects, and shared land.

Article 71

- (1) Control of the implementation of the apartment as referred to in Article 70 section (1) is carried out by the government through:
 - a. licensing;
 - b. inspection; and
 - c. order.
- (2) Further provisions regarding the control of the implementation of the apartment as referred to in section (1) are regulated by a Government Regulation.

CHAPTER X INSTITUTIONAL

Part One Implementing agencies

Article 72

- (1) To realize the provision of decent and affordable apartment for MBR, the Government assigns or establishes an implementing agency.
- (2) The assignment or establishment of the implementing agency as referred to in section (1) aims to:
 - a. accelerates the provision of public apartment and special apartment, especially in urban areas;
 - b. ensure that public apartment are only owned and occupied by MBR;
 - c. ensures the achievement of the principle of the benefits of apartment; and
 - d. implements various policies in the field of general apartment and special apartment.
- (3) The implementing agency as referred to in section (1) has the function of implementing construction, transfer of

ownership, and distribution of general and special apartment in a coordinated and integrated manner.

- (4) To carry out the functions as referred to in section (3), the implementing agency be in charge:
 - a. carry out the construction of general apartment and special apartment;
 - b. organize cross-sectoral operational coordination, including in the provision of infrastructure, facilities, and public utilities;
 - c. carry out quality improvement of general and special apartment;
 - d. facilitate the provision of land for the construction of general and special apartment;
 - e. facilitating the occupancy, transfer, utilization, and management of general and special apartment;
 - f. carry out verification of fulfilment of requirements for prospective owners and/or occupants of general and special apartment; and
 - g. develop cooperative relations in the field of apartment with various institutions at home and abroad.

Article 73

Further provisions regarding the assignment or establishment of the implementing agency as referred to in Article 72 are regulated by a Government Regulation.

Part Two

Association of Apartment Owners and Occupants
(Perhimpunan Pemilik dan Penghuni Satuan Rumah
Susun/PPPSRS)

Article 74

- (1) Owners of *sarusun* are required to form PPPSRS.
- (2) PPPSRS as referred to in section (1) consists of owners or occupants who have the power of attorney from the *sarusun* owner.

- (3) PPPSRS as referred to in section (1) is given the position as a legal entity based on this law.

Article 75

- (1) The construction developer are obligated to facilitate the formation of PPPSRS not later than the end of the transition period as referred to in Article 59 section (2).
- (2) In the event that the PPPSRS has been established, the construction developer immediately hand over the management of the shared property, shared part, and shared land to the PPPSRS.
- (3) The PPPSRS as referred to in section (1) is obligated to take care of the interests of the owners and occupants related to the management of ownership of shared objects, shared part, shared land, and occupancy.
- (3) PPPSRS as referred to in section (1) may establish or appoint managers.

Article 76

The procedure for managing the interests of the owners and occupants concerned with the occupancy as referred to in Article 75 is regulated in the PPPSRS Articles of Association and Bylaws.

Article 77

- (1) In the event that PPPSRS decides something related to the ownership and management of apartment, each member has the same rights with proportional comparison value (NPP).
- (2) In the event that PPPSRS decides something related to the interest of apartment dwelling, each member has the right to cast one vote.

Article 78

Further provisions regarding PPPSRS as referred to in Article 74, Article 75, Article 76, and Article 77 are regulated by a Government Regulation.

CHAPTER XI
DUTIES AND AUTHORITIES

Part One

General

Article 79

- (1) The government in carrying out the development of the administration of apartment has duties and authorities.
- (2) The duties and authorities as referred to in section (1) are carried out by the government in accordance with their respective levels of authority.

Part Two

Task

Paragraph 1

Government

Article 80

The government in carrying out the development of the administration of apartment has the following duties:

- a. formulating policies and strategies in the field of apartment at the national level;
- b. formulating plans and programs for the construction and development of apartment at the national level;
- c. organizing synchronization and dissemination of legislation as well as policies and strategies for organizing apartment at the national level;
- d. carrying out the function of operationalizing the implementation of the policy on the provision of apartment and developing the apartment environment as part of settlements at the national level;
- e. empowering stakeholders in the field of apartment at the national level;
- f. compiling and setting minimum service standards for apartment;

- g. coordinating and facilitating the preparation and provision of a database of apartment at the national level;
- h. allocating funds and/or development costs to support the realization of public apartment, special apartment, and state apartment;
- i. facilitating the provision of apartment for the community, especially for MBR ;
- j. facilitating the provision of infrastructure, facilities, and public utilities for apartment provided for MBR ;
- k. organizing the preparation of national policies on the utilization and utilization of the results of engineering technology in the field of apartment; and
- l. reserving or procuring land for public apartment, special apartment, and state apartment in accordance with the designation of the location for the construction of apartment.

Paragraph 2

Provincial government

Article 81

The provincial government in carrying out the development of the administration of apartment has the following duties:

- a. formulating policies and strategies in the field of apartment at the provincial level by referring to national policies and strategies;
- b. formulating plans and programs for the construction and development of apartment at the provincial level by referring to the national planning;
- c. carrying out synchronization and dissemination of legislation as well as policies and strategies for organizing apartment at the provincial level;
- d. implementing the function of operationalizing the policy for the provision of apartment and developing the residential environment for apartment as part of the residential area at the provincial level;

- e. empowering stakeholders in the field of apartment at the provincial level;
- f. implementing minimum service standards for apartment;
- g. carrying out coordination and facilitation for the preparation and provision of a database of apartment in regencies/municipalities in the province;
- h. allocating funds and/or development costs to support the realization of public apartment, special apartment, and state apartment;
- i. facilitating the provision of apartment for the community, especially for MBR ;
- j. facilitating the provision of infrastructure, facilities, and public utilities for apartment provided for MBR ;
- k. implementing provincial policies regarding the use and utilization of technological engineering results in the field of apartment by referring to national policies; and
- l. reserving or procuring land for public apartment, special apartment and state apartment in accordance with the designation of the location for the construction of apartment.

Paragraph 3

Regency/Municipal Government

Article 82

The regency/municipality government in carrying out the development of the administration of apartment has the following duties:

- a. formulating policies and strategies at the regency/municipal level in the field of apartment by referring to provincial and/or national policies and strategies;
- b. formulating the plans and programs for the construction and development of apartment at the regency/municipal level by referring to the provincial and/or national planning;

- c. carrying out synchronization and dissemination of legislation and policies and strategies for organizing apartment at the regency/municipal level;
- d. carrying out the function of operationalizing the policy of providing and structuring the residential environment for apartment at the regency/municipal level;
- e. empowering stakeholders in the field of apartment at the regency/municipal level;
- f. implementing minimum service standards for apartment;
- g. carrying out coordination and facilitation for the preparation and provision of a database of apartment at the regency/municipal level;
- h. allocating funds and/or development costs to support the realization of public apartment, special apartment, and state apartment;
- i. facilitating the provision of apartment for the community, especially for MBR ;
- j. facilitating the provision of infrastructure, facilities, and public utilities for the construction of apartment for MBR;
- k. implementing regional policies on the use and utilization of technological engineering results in the apartment sector by referring to provincial and/or national policies;
- l. reserving or procure land for general apartment, special apartment, and state apartment in accordance with the designation of the location for the construction of apartment;
- m. facilitating the maintenance and maintenance of the infrastructure, facilities, and public utilities of apartment which were built independently by the community; and
- n. inventorying, record, and map land, infrastructure, facilities, public utilities, and buildings that are part of the apartment

Part Three
Authority

Paragraphn 1
Government

Article 83

The government in carrying out the development of the administration of apartment has the authority to:

- a. establishing policies and strategies in the field of apartment at the national level;
- b. stipulating laws and regulations, including norms, standards, procedures, and criteria in the field of apartment;
- c. supervising and controlling the implementation of policies, strategies, and programs in the field of apartment at the national level;
- d. supervising the implementation of the operationalization of policies and strategies in the field of apartment at the national level;
- e. facilitating the management of shared parts and shared objects of public apartment, special apartment, and state apartment;
- f. facilitating cooperation at the national level between the government and legal entities or international cooperation between the government and foreign legal entities in the administration of apartment;
- g. coordinating the use of environmentally friendly technology and design as well as the use of the building material industry that prioritizes domestic resources and local wisdom that are safe for health;
- h. coordinating the supervision of the implementation of laws and regulations in the field of apartment; and
- i. facilitating the improvement of the quality of public apartment, special apartment, and state apartment at the national level.

Paragraph 2
Provincial government

Article 84

The provincial government in carrying out the development of the administration of apartment has the authority to:

- a. establishing policies and strategies in the field of apartment at the provincial level by referring to national policies and strategies;
- b. compiling and perfecting laws and regulations in the field of apartment at the provincial level by referring to national norms, standards, procedures and criteria;
- c. preparing guidelines for implementing norms, standards, procedures and criteria in the field of apartment that have been determined by the Government;
- d. monitoring and evaluating the implementation of operationalization of policies and strategies in the field of apartment at the provincial level;
- e. carrying out supervision and control over the implementation of laws and regulations, policies, strategies, and programs in the field of apartment at the provincial level;
- f. facilitating the management of shared parts and shared objects of general apartment, special apartment, and state apartment at the provincial level;
- g. facilitating cooperation at the provincial level, between provincial, regency/municipal governments, and legal entities in the administration of apartment;
- h. implementing the use of environmentally friendly technology and design as well as the use of the building material industry that prioritizes domestic resources and local wisdom that are safe for health;
- i. carrying out supervision of the implementation of laws and regulations in the field of apartment; and
- j. facilitating the improvement of the quality of public apartment, special apartment, and state apartment at the provincial level.

Paragraph 3
Regency/Municipal Government

Article 85

The regency/municipal government in carrying out the development of the administration of apartment has the authority to:

- a. establishing policies and strategies in the field of apartment at the regency/municipal level by referring to national and provincial policies and strategies;
- b. compiling and perfecting laws and regulations in the field of apartment at the regency/municipal level by referring to provincial and/or national norms, standards, procedures and criteria;
- c. compiling guidelines for implementing norms, standards, procedures and criteria in the field of apartment that have been determined by the provincial government and/or Government;
- d. monitoring and evaluating the implementation of policy and strategy operationalization in the apartment sector;
- e. carrying out supervision and control of the implementation of laws and regulations, policies, strategies, and programs in the field of apartment at the regency/municipal level;
- f. facilitating the management of shared parts and shared objects of public apartment, special apartment, and state apartment at the regency/municipal level;
- g. determining the zoning and location for the construction of apartment;
- h. facilitating cooperation at the regency/municipal level between regency/municipal governments and legal entities in the administration of apartment;
- i. implementing the use of environmentally friendly technology and design as well as the use of the building material industry that prioritizes domestic resources and local wisdom that are safe for health;

- j. carrying out supervision of the implementation of laws and regulations in the field of apartment; and
- k. facilitating the improvement of the quality of public apartment, special apartment, and state apartment at the regency/municipal level.

Part Four

Assistance and Convenience

Article 86

The government provides assistance and facilities for the construction, occupancy, control, ownership and utilization of apartment for MBR.

Article 87

- (1) The government and/or regional government are responsible for land acquisition for the construction of general apartment, special apartment, and/or state apartment.
- (2) The responsibility for land acquisition as referred to in section (1) is carried out in accordance with the spatial plan.
- (3) The cost of land acquisition as referred to in section (1) are borne by the Government and/or regional government in accordance with their level of authority.

Article 88

- (1) The government and/or local government provide incentives to developers in the construction of general and special apartment as well as provide assistance and facilities for MBR.
- (2) The incentives given to developer as referred to in section (1) are in the form of:
 - a. facilitation in land acquisition;
 - b. facilitation in the land certification process;
 - c. facilitation in the licensing process;
 - d. construction credit facilities with low interest rates;

- e. tax incentives in accordance with the provisions of legislation; and/or
 - f. assistance for the provision of infrastructure, facilities, and general utilities.
- (3) The assistance and facilities provided to MBR as referred to in section (1) are in the form of:
- a. *sarusun* ownership credit with low interest rates;
 - b. relief of *sarusun* rental fees;
 - c. insurance and credit guarantee for apartment ownership;
 - d. tax incentives in accordance with the provisions of legislation; and/or
 - e. *sarusun* certification.
- (4) Further provisions regarding the form and procedure for providing incentives to the construction developer in the construction of general and special apartment as well as assistance and facilities to MBR are regulated in a government regulation.

CHAPTER XII RIGHTS AND OBLIGATIONS

Part One Rights

Article 89

- (1) Any person has the right to live in a *sarusun* that is appropriate, affordable, and sustainable in a healthy, safe and harmonious environment.
- (2) In the administration of apartment, any person has the right to:
- a. provide inputs and proposals in the formulation of policies and strategies for apartment at the national, provincial, and regency/municipal levels;
 - b. supervise the compliance of stakeholders towards the implementation of policies, strategies and programs for the construction of apartment in

accordance with the stipulated provisions, both at the national, provincial, and regency/municipal levels;

- c. obtain information, conduct research, and develop knowledge and technology of apartment;
- d. participate in helping to manage information on apartment, both at the national, provincial, and regency/municipal levels;
- e. build apartment;
- f. obtain benefits from the administration of apartment;
- g. obtain appropriate compensation for losses directly experienced as a result of the implementation of the apartment;
- h. strive interagency cooperation and partnerships between the government and the community in business activities in the apartment sector; and
- i. file a representative lawsuit to the court against the administration of apartment that are detrimental to the community.

Part Two Obligation

Article 90

- (1) Any person is obliged to comply with the implementation of policies, strategies and programs for the construction of apartment which are carried out in accordance with the provisions of laws and regulations regarding apartment.
- (2) Any person in using their rights as referred to in Article 89 is obligated to comply with the provisions of the laws and regulations regarding apartment.
- (3) In the administration of apartment, any person is obliged to:
 - a. maintain security, order, cleanliness, and health in the apartment environment;

- b. participate in preventing the implementation of apartment that are detrimental and harmful to other people and/or the public interest;
- c. maintain and maintain environmental infrastructure and facilities as well as public utilities located in the apartment environment; and
- d. supervise the utilization and functioning of infrastructure, facilities, and public utilities in the apartment environment.

CHAPTER XIII
FUNDING AND FINANCING SYSTEM

Part One
General

Article 91

- (1) Funding and financing system is intended to ensure the availability of long-term sustainable low-cost funds and funds to meet the needs of apartment.
- (2) The government and regional governments encourage the empowerment of the financing system as referred to in section (1).

Part Two
Funding

Article 92

Sources of funds to meet the needs of apartment come from:

- a. state budget;
- b. regional budgets; and/or
- c. other sources of funds in accordance with the provisions of legislation.

Article 93

The funds as referred to in Article 92 are used to support:

- a. the administration of general apartment, special apartment, and state apartment; and/or

- b. providing assistance and/or facilitation for the construction of general apartment, special apartment, and state apartment.

Part Three
Financing System

Paragraph 1
General

Article 94

- (1) The government and/or regional governments make efforts to develop a financing system for the operation of apartment.
- (2) The development of the financing system as referred to in section (1) includes:
 - a. financial institutions;
 - b. mobilization and accumulation of funds;
 - c. utilization of cost sources; and
 - d. facilities or financial assistance.
- 3) The financing system as referred to in section (1) is implemented in accordance with the provisions of legislation.

Paragraph 2
Utilization of Cost Sources

Article 95

Utilization of cost sources as referred to in Article 94 section (2) point c is used for:

- a. the construction of apartment;
- b. acquisition of *sarusun* ;
- c. maintenance and care of apartment;
- d. improve the quality of apartment; and/or
- e. other interests in the field of apartment in accordance with the provisions of legislation.

CHAPTER XIV
PUBLIC PARTICIPATION

Article 96

- (1) The administration of apartment is carried out by the government in accordance with its level of authority by involving public participation .
- (2) The public participation as referred to in section (1) is carried out by providing input in:
 - a. preparation of plans for the construction of apartment and their environment;
 - b. implementation of the construction of apartment and their environment;
 - c. utilization of apartment and their environment;
 - d. maintenance and repair of apartment and their environment; and/or
 - e. supervision and control of the administration of apartment and their environment.
- (3) The community can form a forum for the development of apartment.
- (4) The forum as referred to in section (3) has the following functions and duties:
 - a. accommodate and channel the aspirations of the community in the development of apartment
 - b. discuss and formulate ideas for the direction of the development of the administration of apartment;
 - c. increasing the role and supervision of the community;
 - d. provide input to the government; and/or
 - e. perform the role of arbitration and mediation in the field of the administration of apartment.
- (5) Establishment of the forum as referred to in section (3) which carried out in accordance with the provisions of legislation.
- (6) Further provisions regarding the role of the community in the administration of apartment and the forum for the development of apartment as referred to in sections (1) and (3) are regulated in a Ministerial regulation.

CHAPTER XV
PROHIBITION

Article 97

Every the construction developer in the construction of commercial apartment is prohibited from denying his/her obligation to provide public apartment of at least 20% (twenty percent) of the total floor area of commercial apartment built as referred to in Article 16 section (2).

Article 98

The construction developer are prohibited from making Sale and Purchase Binding Agreement (PPJB):

- a. which is not in accordance with the marketed; or
- b. before fulfilling the certainty requirements as referred to in Article 43 section (2).

Article 99

Any person is prohibited:

- a. damage or change the infrastructure, facilities, and public utilities that exist in the apartment environment;
- b. carry out actions that endanger other people or the public interest in the apartment environment;
- c. changing the function and utilization of *sarusun*; or
- d. converting public infrastructure, facilities, and utilities, as well as shared objects, shared parts, and shared land in the construction or management of apartment.

Article 100

Any person is prohibited from building apartment outside the designated location.

Article 101

- (1) Any person is prohibited from:
 - a. change the designation of the location of the apartment that has been determined; or
 - b. change the function and use of apartment.

- (2) The prohibition as referred to in section (1) is excluded if there is a change in spatial planning.

Article 102

Every official is prohibited from:

- a. determine locations that have the potential to pose a hazard for the construction of apartment; or
- b. issue a permit to construct apartment building that is not in accordance with the allotted location.

Article 103

Any person is prohibited from renting out or transferring ownership of a public *sarusun* to another party, except as referred to in Article 54 section (2).

Article 104

Any person is prohibited from obstructing the activities to improve the quality of the apartment as referred to in Article 61 section (1), Article 62, Article 64, and Article 65.

CHAPTER XVI

DISPUTE RESOLUTION

Article 105

- (1) Settlement of disputes in the field of apartment first are attempted based on deliberation to reach consensus.
- (2) In the event that dispute resolution through deliberation for consensus is not reached, the aggrieved party may sue through a court located within the general court or outside the court based on the choices agreed upon by the disputing parties through alternative dispute resolution.
- (3) Settlement of disputes outside the court as referred to in section (2) is carried out through arbitration, consultation, negotiation, mediation, conciliation, and/or expert judgment in accordance with the provisions of legislation.

- (4) Settlement of disputes outside the court as referred to in section (3) does not eliminate criminal responsibility.

Article 106

The lawsuit as referred to in Article 105 section (2) can be made by:

- a. individual;
- b. legal entity;
- c. public; and/or
- d. government or related agencies.

CHAPTER XVII

ADMINISTRATIVE SANCTIONS

Article 107

Any person who operates apartment does not meet the provisions as referred to in Article 16 section (2), Article 22 section (3), Article 25 section (1), Article 26 section (1), Article 30, Article 39 section (1), Article 40 section (1), Article 51 section (3), Article 52, Article 59 section (1), Article 61 section (1), Article 66, Article 74 section (1) are subject to administrative sanctions.

Article 108

- (1) The administrative sanctions as referred to in Article 107 can be in the form of:
 - a. written warning;
 - b. limitation of construction activities and/or business activities;
 - c. temporary suspension of construction implementation work;
 - d. temporary suspension or permanent termination of the management of the apartment;
 - e. imposition of administrative fines;
 - f. revocation of Building Permit (IMB);
 - g. revocation of certificate of worthiness ;
 - h. revocation of SHM of *sarusun* or SKBG of *sarusun*;

- i. orders for demolition of apartment; or
 - j. revocation of business license.
- (2) The imposition of administrative sanctions as referred to in section (1) does not eliminate the responsibility for recovery and punishment.
- (3) Further provisions regarding administrative sanctions, procedures, and the number of administrative fines is regulated in a government regulation.

CHAPTER XVIII CRIMINAL PROVISIONS

Article 109

Every construction developer in the construction of commercial apartment who denies his/her obligation to provide public apartment of at least 20% (twenty percent) of the total floor area of commercial apartment built as referred to in Article 97 are punished with imprisonment for a maximum of 2 (two) years or a maximum fine of Rp 20,000,000,000.00 (twenty billion rupiah).

Article 110

The construction developer who makes Sale and Purchase Binding Agreement (PPJB):

- a. which is not in accordance with the marketed; or
- b. before fulfilling the certainty requirements as referred to in Article 43 section (2); as referred to in Article 98, is sentenced with imprisonment for a maximum of 4 (four) years or subject to fine for a maximum of Rp4,000,000,000.00 (four billion rupiah).

Article 111

- (1) Any person who:
- a. damage or change the infrastructure, facilities, and public utilities that exist in the apartment environment;

- b. carry out actions that endanger other people or the public interest in the apartment environment;
- c. changing the function and utilization of the *sarusun*;
or
- d. converting public infrastructure, facilities, and utilities, as well as shared objects, shared parts, and joint land in the construction or management of apartment,

is sentenced with imprisonment for a maximum of 1 (one) year or subject to fine for a maximum of Rp50,000,000.00 (fifty million rupiah).

- (2) In the event that the act as referred to in section (1) causes danger to the life of people or property, the perpetrator is sentenced with imprisonment for a maximum of 5 (five) years or subject to fine for a maximum of Rp250,000,000.00 (two hundred and fifty million rupiah).

Article 112

Any person who builds apartment outside the designated location as referred to in Article 100 is sentenced with imprisonment for a maximum of 2 (two) years or subject to fine for a maximum of Rp2,000,000,000.00 (two billion rupiah).

Article 113

- (1) Any person who:
 - a. change the allocation of the location of the apartment that has been determined; or
 - b. changing the function and utilization of the apartment as referred to in Article 101 is sentenced with imprisonment for a maximum of 1 (one) year or subject to fine for a maximum of Rp50,000,000.00 (fifty million rupiah).
- 2) In the event that the act as referred to in section (1) causes danger to the life of people or property, the perpetrator is sentenced with imprisonment for a

maximum of 5 (five) years or subject to fine for a maximum of Rp250,000,000.00 (two hundred and fifty million rupiah).

Article 114

Any official who:

- a. determine locations that have the potential to pose a hazard for the construction of apartment; or
- b. issue a permit to construct apartment that is not in accordance with the allotted location as referred to in Article 102, is sentenced with imprisonment for a maximum of 5 (five) years or subject to fine for a maximum fine of Rp5,000,000,000.00 (five billion rupiah).

Article 115

Any person who rents out or transfers ownership of public *sarusun* to another party, as referred to in Article 103, is subject to fine for a maximum of Rp150,000,000.00 (one hundred and fifty million rupiah).

Article 116

Any person who prohibits the activity of improving the quality of the apartment as referred to in Article 104 is sentenced with imprisonment for maximum of 2 (two) years or subject to fine for a maximum of Rp200,000,000.00 (two hundred million rupiah).

Article 117

- (1) In the event that the acts as referred to in Article 109 to Article 116 are committed by a legal entity, then in addition to imprisonment and a fine against the management, a criminal offense may be imposed against the legal entity in the form of a fine with a weighting of 3 (three) times the criminal fine against a person.
- (2) In addition to the fine as referred to in section (1), legal entities may be subject to additional penalties in the form of:

- a. revocation of business license; or
- b. revocation of legal entity status.

CHAPTER XIX
CLOSING PROVISIONS

Article 118

At the time this Law comes into force:

- a. Law Number 16 of 1985 on Apartment (State Gazette of the Republic of Indonesia of 1985 Number 75, Supplement to the State Gazette of the Republic of Indonesia Number 3318) is repealed and declared ineffective.
- b. All legislation which are implementing regulations of Law Number 16 of 1985 on Apartment are declared to remain effective to the extent not contrary with or have not been replaced by new implementing regulations based on this Law.

Article 119

The implementing regulation mandated in this Law are completed not later than 1 (one) year as of the promulgation of this Law.

Article 120

This Law comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Law by its placement in the State Gazette of the Republic of Indonesia.

Enacted in Jakarta
on 10 November 2011

PRESIDENT OF REPUBLIC OF INDONESIA

signed

DR. H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta
on 10 November 2011
MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA

signed

AMIR SYAMSUDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2011 NUMBER 108

Jakarta, 18 October 2022
Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION AD INTERIM,

DHAHANA PUTRA

ELUCIDATION
OF
LAWS OF THE REPUBLIC INDONESIA
NUMBER 20 OF 2011
ON APARTMENT

I. GENERAL

The 1945 Constitution of the Republic of Indonesia, Article 28H section (1) affirms that any person has the right to live in prosperity, physically and mentally, to live, and to have a good and healthy environment. The place of residence has a strategic role in shaping the character and personality of the nation as well as one of the efforts to build Indonesian people as a whole, self-identified, independent, and productive. Therefore, the State is responsible for ensuring the fulfilment of the right to housing in the form of decent and affordable housing.

The fulfilment of the right to housing is a national issue whose impact is felt throughout the country. This can be seen from the number of MBR who have not been able to live in decent houses, especially in urban areas which has resulted in the formation of slum areas. One of the ways to fulfil housing needs is through the construction of apartment as part of housing development considering the limited land in urban areas. The construction of apartment is expected to be able to encourage urban development which is also a solution for improving settlement quality.

The provisions regarding apartment have been regulated by Law Number 16 of 1985 on Apartment, but in its development, the law is no longer in accordance with legal developments, the needs of any person in the occupancy, ownership, and utilization of apartment. In addition, the influence of globalization, culture, and people's lives as well as the dynamics of society make the law no longer adequate as a guide in regulating the administration of apartment.

This law creates a firm legal basis relating to the administration of apartment based on the principles of welfare, justice and equity, nationality, affordability and convenience, efficiency and benefit, independence and togetherness, partnership, harmony and balance, integration, health, continuity and sustainability, safety, comfort, and convenience, as well as security, order, and discipline.

In this law, the implementation of apartment aims to ensure the realization of affordable and liveable apartment, increase efficiency and effectiveness of space utilization, reduce the area and prevent the emergence of housing and slums, direct the development of urban areas, meet social and economic needs, empower residents' stakeholders, as well as providing legal certainty in the provision, occupancy, management, and ownership of apartment. The regulation in this law also show the state's alignment in meeting the needs of affordable housing for MBR and community participation in the administration of apartment.

This law gives broad authority to the Government in the field of organizing apartment and gives authority to local governments to carry out the administration of apartment in the regions in accordance with their authority. The given authority is supported by funding from the state budget as well as regional budgets.

This Law regulates the implementation of apartment comprehensively covering guidance, planning, construction, control, ownership, and utilization, management, quality improvement, control, institutions, duties and authorities, rights and obligations, funding and financing system, and public participation.

The basic matters regulated in this Law, among others, are the guarantee of legal certainty of ownership and occupancy of sarusun for MBR ; the existence of an agency that guarantees the provision of general apartment and special apartment; utilization of state/regional assets in the form of land and utilization of waqf land; the obligation of actors in the construction of commercial apartment to provide public apartment; providing incentives to actors in the construction of general and special apartment; assistance and facilities for MBR ; and consumer protection.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Point a

The term "principle of welfare" means the condition of meeting the needs of decent apartment for the community so that they are able to develop themselves so that they can carry out their social functions.

Point b

The term "principles of justice and equity" means to provide development results in the field of apartment so that they can be enjoyed proportionally and equitably for all the people.

Point c

The term " principle of nationalism " means to provide a basis so that the ownership of the sarusun is utilized as much as possible for the national interest.

Point d

The term "the principle of affordability and convenience" means to provide a foundation so that the results of the construction of apartment can be reached by the society, and encouraging the creation of a conducive climate by providing facilities for MBR .

Point e

The term "principles of efficiency and utilization " means to provide the basis for the implementation of apartment which are carried out by maximizing the potential of land resources, engineering design technology, and industrial healthy buildings materials and provide the greatest benefit to the welfare of the people.

Point f

The term "principles of independence and togetherness" means to provide the basis for the implementation of apartment based on initiatives, self-help, and community participation so that they are able to build their own confidence, abilities, and strengths and the creation of cooperation between stakeholders.

Point g

The term "principle of partnership" means to provide a basis so that the implementation of apartment is carried out by the Government and local governments by involving business actors and the community with the principle of mutual support.

point h

The term "principle of harmony and balance" means to provide a basis so that the implementation of apartment is carried out by realizing harmony and balance in the pattern of space utilization.

Point i

The term "principle of cohesiveness " means to provide a basis so that apartment is organized in an integrated manner in terms of policies in planning, implementation, utilization, and control.

Point j

The term " principle of health " means to provide a basis for the construction of apartment to meet healthy house standards, environmental health requirements, and healthy living behaviour.

Point k

The term "principles of continuity and sustainability" means to provide a basis for apartment to be run by maintaining a balance of the environment and adapting to the needs that continue to increase in line with the rate of population growth and limited land.

Point l

The term "principles of safety, comfort, and convenience" means to provide a foundation so that the apartment building complies with the safety requirements, namely the ability of the apartment building to support the load, fire safety and lightning hazards; requirements for comfort of space and movement between spaces, air conditioning, views, vibrations, and noise; as well as requirements for ease of connection to, from, and within buildings, completeness of infrastructure, and flat facilities including facilities and accessibility for persons with disabilities and the elderly.

Point m

The term "principles of security, order and regularity" means to provide a basis so that the management and utilization of

apartment can guarantee the building, the environment, and the occupants of all security disturbances and threats; order in carrying out residential life and social life; as well as regularity in the fulfilment of administrative provisions.

Article 3

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Sufficiently clear.

Article 12

Sufficiently clear.

Article 13

Section (1)

Point a

Sufficiently clear.

Point b

The construction of apartment refers to the regency/municipality spatial layout plan and its zoning.

Point c

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 14

Section (1)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

The term "balanced housing" means housing or residential environment that is built in a balanced way between commercial apartment and public apartment.

Point i

Sufficiently clear.

Section (2)

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Sufficiently clear.

Article 17

Sufficiently clear.

Article 18

Sufficiently clear.

Article 19

Sufficiently clear.

Article 20

Sufficiently clear.

Article 21

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

The term "recorded at the land office" means to be recorded in the land book and in the certificate of land rights.

Article 22

Section (1)

Point a

Sufficiently clear.

Point b

The term "land consolidation" means the realignment of control, ownership, use, and utilization of land in accordance with the regional spatial layout plan in an effort to provide land for the development of apartment.

Point c

The term "transfer of land rights" means buying and selling, grants, or exchanging of land rights.

The term "relinquishment of land rights" means the release carried out by the holder of land rights in the presence of an authorized official to become land that is directly controlled by the State.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 23

Sufficiently clear.

Article 24

Point a

The term "administrative requirements" means the permit required as a condition to carry out the construction of an apartment.

Point b

The term "technical requirements" means requirements related to building structure, building security and safety, environmental health, comfort, and others related to design and construction, including the completeness of environmental infrastructure and facilities.

Point c

The term "ecological requirements" means requirements that meet environmental impact analysis in terms of the construction of apartment.

Article 25

Section (1)

The term "shared parts" are, among others, foundations, columns, beams, walls, floors, roofs, gutters, stairs, elevators, corridors, channels, pipes, electricity, gas and telecommunications networks.

The term "shared objects", among others, are meeting rooms, plants, gardening, social facilities, places of worship, playgrounds, and parking lots which are separated or integrated with the structure of the apartment building.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Sufficiently clear.

Article 28

Sufficiently clear.

Article 29

Sufficiently clear.

Article 30

Sufficiently clear.

Article 31

Sufficiently clear.

Article 32

Sufficiently clear.

Article 33

Sufficiently clear.

Article 34

Section (1)

The term "building floor coefficient" means the ratio between the total floor area of the building and the area of the parcel/plot/block designation.

The term "basic building coefficient" means the ratio between the area of the ground floor of the building and the area of the parcel/plot/block designation.

Calculation and determination of the building floor coefficient and the basic building coefficient, including the height of the building at a location in accordance with the spatial planning provisions regulated by the regional government through building and environmental planning plans in accordance with the legislation.

Section (2)

Sufficiently clear.

Article 35

Point a

The term "location allocation" means the provision on the type of function or combination of functions of the apartment building that may be built in a certain location or area.

The term "building intensity" means the technical provisions regarding the density and height of the flat building required at a certain location or area which includes the basic building coefficient, the building floor coefficient, and the number of building floors.

Point b

The term "safety requirements" means the ability of the apartment to support the load and to prevent and overcome the danger of fire and lightning.

"Health requirements" include ventilation systems, lighting, sanitation, and the use of building materials.

"Convenience requirements" include the comfort of movement space and the relationship between spaces, indoor air conditions, views, and the influence of vibration levels and noise levels.

"Convenience requirements" include ease of connection to, from, and within the apartment building as well as facilities and infrastructure in the utilization of the apartment building.

Article 36

Sufficiently clear.

Article 37

The term "harmony and balance of environmental functions" means the harmony between the artificial environment, the natural environment and social culture, including the cultural values of the nation that need to be preserved.

Article 38

Sufficiently clear.

Article 39

Section (1)

The term "fit for function" means the functioning of all or part of the apartment which can guarantee the fulfillment of the requirements for building layout and the reliability of the apartment in accordance with the function specified in the Building Permit (IMB).

The term "partial construction of apartment" means one apartment building or more of the entire plan of apartment in environmental units.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 40

Section (1)

The term "environment of apartment" means a plot of land with clear boundaries upon which an apartment is built, including infrastructure, facilities, and public utilities which as a whole constitute a unitary settlement.

The term "infrastructure" means the basic physical completeness of the apartment dwelling environment that meets certain standards for the need for a decent, healthy, safe, and comfortable place to live, including road network, drainage, sanitation, clean water, and garbage bins.

The term "facilities" means facilities in the residential environment of apartment that function to support the implementation and development of social, cultural and economic life including socio-economic facilities (education, health, worship and commerce) and public facilities (green open spaces, recreation areas, sports facilities, public cemeteries, government facilities, and others).

The term "public utility" means the supporting equipment for the service of the residential environment of the apartment which includes the electricity network, telephone network, and gas network.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 41

Sufficiently clear.

Article 42

Section (1)

Self-explanatory.

Section (2)

Point a

The certainty of the spatial designation is shown through a city plan certificate that has been approved by the regional government.

Point b

Certainty of land rights is shown through certificates of land rights.

Point c

The certainty of ownership status between the SHM of sarusun or the SKBG of sarusun must be explained to the prospective buyer who is shown based on a description legalized by the local government.

Point d

Permits for the construction of apartment are shown through the IMB.

Point e

The term "guarantee for the construction of apartment" may be in the form of a point of support from a bank or nonbank.

Section (3)

Sufficiently clear.

Article 43

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

The term "at least 20% (twenty percent) construction" is 20% (twenty percent) of the volume of construction of apartment being marketed.

Point e

The term "the agreed terms" is the condition of the sarusun which is built and sold to consumers who are marketed, including through the media promotions, among others, location of apartment, form of apartments, building specifications, prices of apartments, infrastructure, facilities, and public utilities of apartment, other facilities, and the handover time of the apartment unit.

Article 44

Section (1)

Deed of Sales and Purchase (AJB) is made before a PPAT notary for SHM of sarusun and a notary for single SKBG of sarusun as proof of the transfer of rights.

Section (2)

Sufficiently clear.

Article 45

Sufficiently clear.

Article 46

Sufficiently clear.

Article 47

Sufficiently clear.

Article 48

Sufficiently clear.

Article 49

Sufficiently clear.

Article 50

point a

Sufficiently clear.

point b

The term "mixed function" means a mixture of residential and non-residential functions.

Article 51

Sufficiently clear.

Article 52

Sufficiently clear.

Article 53

Sufficiently clear.

Article 54

Section (1)

Sufficiently clear.

Section (2)

point a

The term "inheritance" means the transfer of rights that occurs by law with the death of the devisor.

point b

Sufficiently clear.

point c

"Change of residence", among others, because of changing domicile, experiencing changes in living standards, moving work locations, and being terminated.

Section (3)

The term "transfer" means the transfer of ownership and evidenced by a deed drawn up by PPAT for SHM of sarusun and by a notary for SKBG of sarusun.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 55

Section (1)

Individual tenants or groups are officials or civil servants or people related to the implementation of state duties.

Section (2)

Sufficiently clear.

Article 56

Section (1)

The term "maintenance" means the activity of maintaining the reliability of the building and its infrastructure and facilities so that they are always functional.

The term "maintenance" means the activity of repairing and/or replacing parts of the building, components, building materials, and/or infrastructure and facilities so that the building remains functional.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 57

Section (1)

Sufficiently clear.

Section (2)

The term "proportional" means that the costs and operations and maintenance are borne by the occupants; maintenance costs are borne by the owner.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 58

Sufficiently clear.

Article 59

Section (1)

The term "transition period" means the period when the sarusun has not been completely sold.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 60

Sufficiently clear.

Article 61

Sufficiently clear.

Article 62

Sufficiently clear.

Article 63

Sufficiently clear.

Article 64

Sufficiently clear.

Article 65

Sufficiently clear.

Article 66

Sufficiently clear.

Article 67

Sufficiently clear.

Article 68

Sufficiently clear.

Article 69

Sufficiently clear.

Article 70

Section (1)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

The term "ownership" means the sarusun object owned by a person or entity as evidenced by the SHM of sarusun or the SKBG of sarusun.

Point d

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Point a

Sufficiently clear.

Point b

The term "proof of control and ownership of the sarusun " is the apartment unit SHM, the apartment unit SKBG, or a written lease or lease-to-use agreement.

Section (5)

Sufficiently clear.

Article 72

Section (1)

Sufficiently clear.

Section (2)

point a

Sufficiently clear.

point b

Sufficiently clear.

point c

Sufficiently clear.

point d

The term "implementing various policies" means to actualize the separation between implementers and policymakers and supervisors.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 73

Sufficiently clear.

Article 74

Section (1)

Sufficiently clear.

Section (2)

The power of the owner to the occupants is limited to occupancy matters, for example, in terms of determining the amount of contributions for security, cleanliness, or social activities.

Section (3)

Sufficiently clear.

Article 75

Sufficiently clear.

Article 76

Sufficiently clear.

Article 77

Section (1)

Sufficiently clear.

Section (2)

The term "every member has the right have one vote" means that if the sarusun is already inhabited, the vote of the owner can be authorized for every occupant of the sarusun .

If the sarusun is not yet occupied, each name of the owner has only one vote even though the owner in question has more than one sarusun .

Article 78

Sufficiently clear.

Article 79

Sufficiently clear.

Article 80

Sufficiently clear.

Article 81

Sufficiently clear.

Article 82

Sufficiently clear.

Article 83

Sufficiently clear.

Article 84

Sufficiently clear.

Article 85

Sufficiently clear.

Article 86

Sufficiently clear.

Article 87

Sufficiently clear.

Article 88

Sufficiently clear.

Article 89

Sufficiently clear.

Article 90

Sufficiently clear.

Article 91

Section (1)

The term "financing system" means a system that regulates the mobilization, fertilization, distribution, and utilization of funds from parties with excess funds to parties with lack of funds carried out by financial institutions with or without facilities and/or assistance.

Section (2)

Sufficiently clear.

Article 92

Point a

Sufficiently clear.

Point b

Sufficiently clear.

point c

The term "other sources of funds" means funds generated from agreements or collective agreements which can be in the form of grants, assistance, or loans, both from domestic and foreign sources of funds.

Article 93

Sufficiently clear.

Article 94

Sufficiently clear.

Article 95

Sufficiently clear.

Article 96

Sufficiently clear.

Article 97

Sufficiently clear.

Article 98

Sufficiently clear.

Article 99

Sufficiently clear.

Article 100

Sufficiently clear.

Article 101

Sufficiently clear.

Article 102

point a

The term "locations that have the potential to cause a hazard " are, among others, railroad borders, under bridges, extra high voltage airways, river border areas, disaster prone area, and specific areas such as military areas.

point b

Sufficiently clear.

Article 103

Sufficiently clear.

Article 104

Sufficiently clear.

Article 105

Sufficiently clear.

Article 106

Sufficiently clear.

Article 107

Sufficiently clear.

Article 108

Section (1)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

Sufficiently clear.

Point i

Sufficiently clear.

Point j

The term "business license" in this provision means a business license related to the operation of apartment, including business licenses construction services and management business permits.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 109

Sufficiently clear.

Article 110

Sufficiently clear.

Article 111

Sufficiently clear.

Article 112

Sufficiently clear.

Article 113

Sufficiently clear.

Article 114

Sufficiently clear.

Article 115

Sufficiently clear.

Article 116

Sufficiently clear.

Article 117

Sufficiently clear.

Article 118

Sufficiently clear.

Article 119

Sufficiently clear.

Article 120

Sufficiently clear.

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