



**BADAN PENGAWAS PEMILIHAN UMUM
REPUBLIK INDONESIA**

THE REGULATION OF THE ELECTION SUPERVISORY BOARD OF
THE REPUBLIC OF INDONESIA
NUMBER 2 OF 2015

ON

AMENDMENT TO THE REGULATION OF THE ELECTION SUPERVISORY
BOARD OF THE REPUBLIC OF INDONESIA NUMBER 11 OF 2014 ON
ELECTION SUPERVISION

BY THE BLESSINGS OF THE ALMIGHTY GOD

THE CHAIRMAN OF THE ELECTION SUPERVISORY BOARD OF
THE REPUBLIC OF INDONESIA,

- Considering : a. that with the Promulgated of Law Number 1 of 2015 on Stipulation of Government Regulation in Lieu of Law Number 1 of 2014 on the Election of Governors, Regents, and Mayors into Law as amended by Law Number 8 of 2015 on Amendment of Law Number 1 of 2015 on Stipulation of Government Regulation in Lieu of Law Number 1 of 2014 on the Election of Governors, Regents, and Mayors into Law, some of the provisions in the Regulation of the Election Supervisory Board Number 11 Year 2014 on Election Supervision needs to be changed;
- b. that based on the considerations referred to in paragraph a, it is necessary to issue the Regulation of the Election Supervisory Board on amendment to the Regulation of the Election Supervisory Board Number 11 Year 2014 on Election Supervision;

- Observing : 1. Law Number 15 of 2011 on Election Administrators (State Gazette Republic of Indonesia of 2011 Number 101, Supplement to State Gazette of the Republic of Indonesia Number 5246);
2. Law Number 1 of 2015 on Stipulation of Government Regulation in Lieu of Law Number 1 of 2014 on the Election of Governors, Regents, and Mayors into Law (State Gazette of the Republic of Indonesia of 2015 Number 23, Supplement to State Gazette of the Republic of Indonesia Number 5656) as amended by Law Number 8 of 2015 on Amendment of Law Number 1 of 2015 on Stipulation of Government Regulation in Lieu of Law Number 1 of 2014 on the Election of Governors, Regents, and Mayors into Law (State Gazette of the Republic of Indonesia of 2015 Number 57, Supplement to State Gazette of the Republic of Indonesia Number 5678);
3. The Regulation of the Election Supervisory Board of the Republic of Indonesia Number 11 of 2014 on Election Supervision (State Bulletin of the Republic of Indonesia of 2014 Number 792);

HAS DECIDED:

- To enact : THE REGULATION OF THE ELECTION SUPERVISORY BOARD ON AMENDMENT TO THE REGULATION OF THE ELECTION SUPERVISORY BOARD OF THE REPUBLIC OF INDONESIA NUMBER 11 OF 2014 ON ELECTION SUPERVISION

Article I

The provisions in The Regulation of the Election Supervisory Board of the Republic of Indonesia Number 11 of 2014 on Election Supervision (State Bulletin of the Republic of Indonesia of 2014 Number 792) is amended to read as follows:

1. The provisions of Article 1 is amended to read as follows:

Article 1

In this Regulation of the Election Supervisory Board:

1. Election hereinafter referred to as Pemilu means a tool to implement people's sovereignty held based on

direct, general, free, confidential, honest, and fair principles in the Republic of Indonesia under Pancasila and the 1945 Constitution of the Republic of Indonesia.

2. Election of the House of Representatives, Regional Representatives Council, and Regional House of Representatives means the Election for electing members of the House of Representatives, Regional Representatives Council, Provincial House of Representatives and Regency/Municipal House of Representatives in the Republic of Indonesia under Pancasila and the 1945 Constitution of the Republic of Indonesia.
3. House of Representatives hereinafter referred to as DPR means the House of Representatives referred to in the 1945 Constitution of the Republic of Indonesia.
4. Regional Representatives Council hereinafter referred to as DPD means the Regional Representatives Council referred to in the 1945 Constitution of the Republic of Indonesia.
5. Regional House of Representatives hereinafter referred to as DPRD means the provincial House of Representatives and regency/municipal House of Representatives referred to in the 1945 Constitution of the Republic of Indonesia.
6. Presidential Election means the election for electing President and Vice President of the Republic of Indonesia under Pancasila and the 1945 Constitution of the Republic of Indonesia.
7. The election of Governor and Vice Governor, Regent and Vice Regent, as well as the Mayor and Deputy Mayor, hereinafter referred to as Pemilihan is the implementation of the sovereignty of the people in the province and regency/municipal to elect the Governor and the Deputy Governor, the Regent and

Vice Regent, as well as the Mayor and Deputy Mayor direct and democratic.

8. Election Contestant means any political party for the Election of members of DPR, Provincial DPRD, and Regency/Municipal DPRD and any individual for the Election of members of DPD.
9. Contestant of the Presidential Election means any candidate pair for President and Vice President who have been determined by the National Election Commission.
10. The participants of Election are Governor and Vice Governor Candidates set by the Provincial KPU or Regent and Vice Regent/Mayor and Vice Mayor Candidates stipulated by the regency/municipal KPU.
11. Governor and Vice Governor Candidates are the participants of Election proposed by a political party, coalition of political parties, or individuals who register or be registered in the Provincial KPU.
12. Regent and Vice Regent/Mayor and Vice Mayor Candidates are the participants of Election proposed by a political party, coalition of political parties, or individuals who register or be registered in the regency/municipal KPU.
13. Electoral Management Bodies mean Election institutions that consist of the National Election Commission and the Election Supervisory Board as an integral function to implement the direct Election of the House of Representatives, Regional Representatives Council, Regional House of Representatives members, the President and the Vice President, as well as the democratic Election of governors, regents and mayors.
14. National Election Commission hereinafter referred to as KPU means a national, permanent, and independent administrator charged of implementing the Election.

15. Provincial Election Commission hereinafter referred to as Provincial KPU means an Election Administrator in a province.
16. Regency/Municipal Election Commission hereinafter referred to as regency/municipal KPU means an Election Administrator in a regency/municipality.
17. District Election Committee, hereinafter referred to as PPK means a committee established by Regency/Municipal KPU to implement the Election at sub-district levels or other names.
18. Voting Committee, hereinafter referred to as PPS means a committee established by Regency/Municipal KPU at village levels or other names/wards.
19. Election Supervisor means the Election Supervisory Board, the Provincial Election Supervisory Board, the Regency/Municipal Election Committee, the Sub-district Election Supervisor, the Village Election Supervisor, and the Overseas Election Supervisor.
20. Election Supervisory Board hereinafter referred to as Bawaslu means the Election institution that supervises the Election in the entire territory of the Republic of Indonesia.
21. Provincial Election Supervisory Board hereinafter referred to as the Provincial Bawaslu means any board established by Bawaslu to supervise the Election in provincial areas.
22. Regency/Municipal Election Supervisory Committee hereinafter referred to as the Regency/Municipal Panwaslu means any committee established by Provincial Bawaslu to supervise the Election in regency/municipal areas.
23. Sub-district Election Supervisory Committee hereinafter referred to as the Sub-district Panwaslu means any committee established by the Regency/Municipal Panwaslu to supervise the Election at sub-district areas or other names.

24. Village Election Supervisor means any official assigned by the Sub-district Panwaslu to supervise the Election at villages or other names/wards.
25. Polling Place Supervisor hereinafter referred to as Pengawas TPS is the officer formed by Sub-district Panwaslu to assist PPL.
26. Overseas Election Supervisor means any official assigned by Bawaslu to supervise the Election overseas.
27. Polling Place hereinafter referred to as TPS means any place where votes are casted.
28. Overseas Polling Place, hereinafter referred to as TPSLN, means any place where votes are casted overseas.
29. Election Supervision means any activity to monitor, observe, examine and assess the implementation process of the Election in accordance with laws and regulations.
30. Fraud Prevention means any action, measure, early prevention against potential frauds that violate the integrity of the process and result of the Election.
31. Enforcement means series of fraud proceedings that include the findings, acceptance of the reports, collection of evidences, clarification, observation, and/or recommendations as well as forward the results of a review of the findings/reports to the competent authorities for further action.
32. Findings mean the supervision result containing any alleged fraud.
33. Alleged Fraud Reports mean written reports delivered by Complainant to the Election Supervisor about any alleged fraud of the Election.
34. Complainant means any Indonesian eligible to vote, observer, contestant who is entitled to report any alleged fraud of the Election.

35. Electoral Fraud means any action that is contrary to or inconsistent with laws and regulations regarding the Election.
 36. Administrative Election Fraud means any offense that includes guidance, procedure, and mechanism related to the administration of implementing the Election in each stage of the Implementation of the Election.
 37. Electoral Crime means any felony offense and/or any crime against the provisions of the Election crime as enacted in the Law on Election of President and Vice-President and the Law on the Election of Members of DPR, DPD and DPRD.
 38. Code of ethics fraud are Electoral administrators code fraud guided by the oath and/or promise before stints as Electoral administrators.
 39. Electoral Dispute is a dispute between Election Participants, or disputes among Participants Election by Electoral administrators.
 40. Day is 1 x 24 (one times twenty four) hours in a day according to the calendar.
2. Among paragraph (5) and paragraph (6) Article 4, inserted 1 (one) paragraph, namely paragraph (5a), Article 4 to read as follows:
- Article 4
- (1) Bawaslu shall supervise the Election for the entire territory of the Republic of Indonesia.
 - (2) Provincial Bawaslu shall supervise the Election in provincial areas.
 - (3) Regency/Municipal Panwaslu shall supervise the Election in Regency/Municipal areas.
 - (4) Sub-district Panwaslu shall supervise the Election in sub-district areas or other names.
 - (5) Village Election Supervisor shall supervise the Election at village areas or other names.

- (5a) Pengawas TPS conduct supervision over elections in the TPS level.
- (6) Overseas Election Supervisor shall supervise the Election overseas.

- 3. Among paragraph (5) and paragraph (6) Article 6, inserted 1 (one) paragraph, namely paragraph (5a), Article 6 to read as follows:

Article 6

- (1) Bawaslu shall supervise:
 - a. the preparation for the Election including:
 - 1. the planning and scheduling of the Election stages;
 - 2. the procurement and distribution of the Election logistics;
 - 3. the socialization of the Election; and
 - 4. the determination of electoral districts and the number of seats on each district of the Election of members of the Provincial and Regency/Municipal DPRD.
 - b. the Election stages including:
 - 1. the updating of voter data and the determination of temporary voter list and fixed voter list;
 - 2. the registration and the verification of political parties as Election contestants;
 - 3. the determination of Election contestants for the Election of members of DPR, DPD and DPRD;
 - 4. the nomination requirements and procedures until the determination of candidates for members of Provincial DPR, DPD, and DPRD and Regency/Municipal DPRD;
 - 5. the nomination requirements and procedures for the verification of candidate pairs for the Presidential Election and the

- Gubernatorial, Regent and Mayoral Election;
 - 6. the determination of candidate pairs for the Presidential Election and Gubernatorial, Regent and Mayoral Election;
 - 7. the implementation of campaign;
 - 8. the procurement and distribution of the Election logistics and;
 - 9. the implementation of voting and counting at TPS;
 - 10. the aggregation of ballots, the minutes of counting and vote result certificate from TPS to PPK;
 - 11. recapitulation process at PPS, PPK, Regency/Municipal KPU, Provincial KPU and KPU;
 - 12. the implementation of recounting and revoting, delayed Election, and the suspended Election; and
 - 13. the determination process of the Election results.
 - c. the Follow-up of Findings and Reports of the Electoral Fraud;
 - d. the implementation of the court decision and the Election Administrator Ethics Council as well as the recommendation of the Election Supervisor.
- (2) The Provincial Bawaslu shall supervise:
- a. the Election Stages in provincial areas including:
 - 1. the updating of the voter data based on demographic data and the determination of the temporary voter list and the fixed voter list;
 - 2. the verification of political parties as candidates for the Election Contestant;
 - 3. the nomination requirements and

- procedures of members of the DPD, Provincial DPRD and the verification of nomination for governor;
4. the determination process of candidates for Members of DPD, Provincial DPRD, and candidates for governor;
 5. the determination of candidates for governor;
 6. the implementation of campaign;
 7. the procurement and distribution of Election logistics and;
 8. the implementation of voting and counting of the Election result;
 9. the whole process of v counting in the work area;
 10. the aggregation of ballots from TPS to PPK;
 11. the recapitulation process of ballots from all regencies/municipalities conducted by Provincial KPU;
 12. the implementation of recounting and revoting, the delayed Election, and the suspended Election; and
 13. the process of the Election results in province.
- b. the follow-up of Findings and Reports of the Electoral Fraud;
 - c. the socialization of the Election; and
 - d. the follow-up of recommendations of the Election Supervisor.
- (3) Regency/Municipal Panwaslu shall supervise:
- a. the Election stages in regency/municipal area including:
 1. the updating of the voter data based on demographic data and the determination of the temporary voter list and the fixed voter list;
 2. the verification of political parties as

- candidates for the Election Contestant;
3. the nomination requirements and procedures of candidates for members of DPD, members of Regency/Municipal DPRD and the verification of candidates for regent/mayor;
 4. the nomination process of candidates for members of Regency/Municipal DPRD and candidates for regent/mayor;
 5. the nomination of candidates for members of Regency/Municipal DPRD and candidates for regent/mayor;
 6. the implementation of campaign in the regency/municipality;
 7. the procurement and distribution of Election logistics and;
 8. the implementation of voting and counting the Election result;
 9. the aggregation of ballots from TPS to PPK;
 10. the aggregation of ballots and/or the minutes of recapitulation of the counting result at sub-district;
 11. the recapitulation of ballots process carried out by Regency/Municipality from all sub-districts;
 12. the implementation of revoting and recounting, the delayed Election, and the suspended General Election; and
 13. the process of determining the results of the Election of members of Regency/Municipal DPRD and the Election of regent/mayor.
- b. the follow-up Findings and Reports of the Electoral Fraud;
 - c. the Election socialization; and
 - d. the follow-up of recommendations of the Election Supervisor.

- (4) Sub-district Panwaslu shall supervise over:
- a. the Election stages in sub-district or other names including:
 1. the updating of voter data based on demographic data and the determination of the temporary voter list and the fixed voter list;
 2. the verification of political parties as candidates for the Election Contestant;
 3. the process of nomination requirements and procedures as well as the factual verification of independent candidates' support for the governor, regent or mayor;
 4. the implementation of campaign in the work area;
 5. the equipment and distribution of Election logistics and;
 6. the implementation of voting and counting;
 7. the aggregation of ballots from TPS to PPK;
 8. the recapitulation process of ballots undertaken by PPK from the recapitulation result in all PPS; and
 9. the implementation of recounting and revoting, the delayed Elections, and the suspended Election.
 - b. the follow-up of Findings and reports of the Electoral Fraud;
 - c. the socialization of Election;
 - d. the follow-up the Election Supervisor; and
 - e. the implementation of supervision as referred to in point a, point b, and point c, under the instruction of Regency/Municipal Panwaslu.
- (5) Village Election Supervisor shall supervise:
- a. the Election stages at the village level or other names including:
 1. the updating of the voter data based on demographic data and the determination of

- the temporary voter list, the revised voter list, and the fixed voters list;
 - 2. the verification of political parties as candidates for the Election Contestants;
 - 3. the factual verification of independent candidate support for the governor, regent or mayor;
 - 4. the implementation of campaign in the work area;
 - 5. the equipment and distribution of Election logistics and;
 - 6. the implementation of voting and counting process at each polling station;
 - 7. the announcement of the results of vote counting at each polling station;
 - 8. the announcement of counting result from polling stations affixed to the secretariat of PPS;
 - 9. the aggregation of ballots from TPS to PPK; and
 - 10. the implementation of revoting and recounting, the delayed Elections, and the suspended Election.
 - b. the follow-up of findings and reports of the Electoral Fraud;
 - c. the Election socialization;
 - d. the follow-up of Election Supervisor's recommendations; and
 - e. the supervision as referred to in point a, point b, point c, and point d based on the instruction of Regency/Municipal Panwaslu through the Sub-district Panwaslu.
- (5a) Pengawas TPS in assisting PPL in monitoring has the duty and authority to:
- a. supervise the preparation of voting and counting;
 - b. supervise the voting;

- c. supervise the preparation of the count;
 - d. supervise the counting;
 - e. submit an objection in the case of the discovery of the alleged fraud, errors and/or deviation in the voting and counting administration;
 - f. received a copy of the official report and certificates of voting and counting; and
 - g. duties and other authority granted by PPL in accordance with the provisions of the Laws and Regulations.
- (6) Overseas Election Supervisor shall supervise over:
- a. the Election stages of the overseas Election including:
 - 1. the updating of the voter data based on demographic data and the determination of the temporary voter list, the revised voter list, and the fixed voter list;
 - 2. the implementation of campaign in the work area;
 - 3. the equipment and distribution of Election logistics;
 - 4. the implementation of voting and the process of counting in each TPSLN;
 - 5. the announcement of the counting result in each TPSLN;
 - 6. the recapitulation process undertaken by the Overseas Election Supervisor from all TPSLN;
 - 7. the aggregation of ballots from TPSLN to the Overseas Election Administrator; and
 - 8. the implementation of recounting and revoting, the delayed Elections, and the suspended Election.
 - b. the follow-up of findings and reports of the Electoral Fraud
 - c. the Election socialization;
 - d. the follow-up of the Election Supervisor's

recommendations; and

- e. supervision referred to in point a, point b, and point c, under the instruction of Bawaslu.

- 4. The provisions of Article 17 is amended to read as follows:

Article 17

In addition to prevent the potential vulnerable as referred to in Article 12, Election Supervisor prevent Electoral Fraud in the implementation of stages by:

- a. the observation and/or inspection of the stages of implementation of the Election;
- b. ensuring completeness, correctness, accuracy and validity of data and documents becoming the object of supervision on every activity and/or stages of the Election;
- c. confirming to the party-related in terms of early indications of Frauds; and
- d. obtaining information and/or data required from the KPU in stages.

- 5. The provisions of Article 36 is amended to read as follows:

Article 36

- (1) The Election Supervisor decides whether to follow up or not Findings or Reports of Alleged of Regional Head and Deputy Regional Head Electoral Fraud not later than 3 (three) days since the Alleged Fraud Findings/Reports are accepted.
- (2) In the event that the Election Supervisor needs additional information to follow up alleged Fraud as referred to section (1), the proceeding time will be extended for not later than 5 (five) days since the alleged Fraud is accepted.

6. The provisions of paragraph (2) Article 41 be amended, the Article 41 read as follows:

Article 41

- (1) The Election Supervisor decides whether the Reports or Findings are fraud or not based on the observation result.
 - (2) The Election Supervisor provides recommendation on Reports or Findings which are alleged as administrative Election fraud.
 - (3) The Election Supervisor delivers recommendation and observation files of alleged administrative Election fraud to KPU, Provincial KPU, Regency/Municipal KPU, PPK or PPS on their respective levels as form Model A.10 which is attached in the annex of this Regulation.
 - (4) The alleged administrative Election fraud recommendation and observation files delivery as referred to in section (1) shall attach fraud files and alleged fraud observation result.
 - (5) In the event that alleged administrative Election fraud recommendation addressed to KPU, Provincial KPU, Regency/Municipal KPU, PPK, PPS or Election Participants is not proceeded then Bawaslu gives sanction verbal or written warning.
7. Among Article 41 and Article 42 inserted 2 (two) Articles, namely Article 41A and Article 41B, to read as follows:

Article 41 A

- (1) Panwaslu Kecamatan, PPL, dan/atau Pengawas TPS shall forwards alleged report and findings fraud of the Election to Regency/Municipal Panwaslu for further action.
- (2) In case of alleged administrative Election fraud recommendations addressed to the KPU, Provincial KPU, regency/municipal KPU, PPK, PPS or Election Contestant was not followed up, Provincial Bawaslu and/or Regency/Municipal Panwaslu sanction both

verbal or written.

Article 41B

Administrative fraud which have been followed up upon by Election Supervisor providing corrections administrative recommendation, followed by the recommendations of sanctions against the alleged offender of administration.

8. The provisions of Article 42 be amended to read as follows:

Article 42

- (1) The alleged electoral crime forwarded by the Election Supervisor to the Indonesian National Police Investigator in accordance with its respective level which is attached in the annex of this Regulation.
- (2) The alleged electoral crime fraud shall be forwarded to the Indonesian National Police not later than 1 x 24 (one time twenty-four) hours since it is decided by the Election Supervisor.
- (3) The alleged election crime Fraud forward Report as referred to section (2) shall be not later than 5 (five) days of time of electoral Fraud proceeding.
- (4) The alleged Electoral crime fraud forward report as referred to section (1) shall be attached with Fraud files and observation result.

Article II

The word Pemilu in this Regulation of Election Supervisory Board same interpreted as Pemilihan.

Article III

This Regulation of Election Supervisory Board comes into effect on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Regulation of Election Supervisory Board by its placement in the State Bulletin of the Republic of Indonesia.

Issued in Jakarta

on May 22, 2015

CHAIRMAN OF THE ELECTION SUPERVISORY
BOARD OF THE REPUBLIC OF INDONESIA,

Signed

MUHAMMAD

Promulgated in Jakarta

on May 26, 2015

THE MINISTER OF LAW AND HUMAN RIGHTS OF
THE REPUBLIC OF INDONESIA,

Signed

YASONNA H. LAOLY

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2015 NUMBER 773