



COPY

REGENT OF REMBANG
PROVINCE OF CENTRAL JAVA

REGIONAL REGULATION OF REMBANG REGENCY

NUMBER 7 OF 2020

ABOUT

ARCHIVE MANAGEMENT

BY THE GRACE OF GOD ALMIGHTY

REGENT OF REMBANG,

- Considering:
- a. that the archive is an important and monumental document, a regional identity and identity in making government, development and accountability policies in the life of society, nation and state;
 - b. that the Rembang Regency Regional Regulation Number 5 of 2008 concerning Archive Management is no longer in accordance with Law Number 43 of 2009 concerning Basic Provisions for Archives and Law Number 23 of 2014 concerning Regional Government so that it needs to be replaced;
 - c. that based on the considerations referred to in letters a and b, it is necessary to stipulate a Regional Regulation concerning Archive Management;

- In view of:
1. Article 18 paragraph (6) of the 1945 Constitution of the Republic of Indonesia;
 2. Law Number 13 of 1950 concerning the Establishment of Regency Areas within the Province of Central Java;
 3. Law Number 11 of 2008 concerning Information and Electronic Transactions (State Gazette of the Republic of Indonesia of 2008 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 4843);

4. Law Number 14 of 2008 concerning Public Disclosure of the State Gazette of the Republic of Indonesia of 2008 Number 61, Supplement to the State Gazette of the Republic of Indonesia Number 4846);
5. Law Number 43 of 2009 concerning Archives (State Gazette of the Republic of Indonesia of 2009 Number 152, Supplement to the State Gazette of the Republic of Indonesia Number 5071);
6. Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as amended several times, most recently by Law Number 9 of 2015 concerning the Second Amendment to the Law Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
7. Government Regulation Number 28 of 2012 concerning Implementation of Law Number 43 of 2009 concerning Archives (State Gazette of the Republic of Indonesia of 2012 Number 53, Supplement to State Gazette of the Republic of Indonesia Number 5286);
8. Regional Regulation of Central Java Province Number 1 of 2015 concerning Archive Management in Central Java Province (Regional Gazette of Central Java Province of 2015 Number 1, Supplement to Regional Gazette of Central Java Province Number 75);
9. Regional Regulation of Rembang Regency Number 5 of 2016 concerning the Establishment and Composition of Regional Apparatuses of Rembang Regency (Rembang Regency Regional Gazette of 2016 Number 5, Supplement to Rembang Regency Regional Gazette Number 128) as amended by Rembang Regency Regional Regulation Number 4 of 2020 concerning Amendments on the Rembang Regency Regional Regulation Number 5 of 2016 concerning the Formation and Composition of the Rembang Regency Regional Apparatus (Rembang Regency Regional Gazette of 2020 Number 4, Supplement to the Rembang Regency Regional Gazette Number 151);

With Mutual Agreement

REGIONAL COUNCIL OF REPRESENTATIVES OF THE REGIONAL
REGENCY OF REMBANG
and
REGENT OF REMBANG

DECIDE :

To stipulate: REGIONAL REGULATION CONCERNING ARCHIVE
MANAGEMENT.

CHAPTER I

GENERAL REQUIREMENTS

Article 1

In this Regional Regulation what is meant by:

1. The area is Rembang Regency.
2. Regional Government is the head of the region as an element of the Regional Government administrator who leads the implementation of government affairs which are the authority of the autonomous region.
3. Regent is the Regent of Rembang.
4. The Regional People's Legislative Council of Rembang Regency, hereinafter abbreviated as DPRD, is a regional people's representative institution which is domiciled as an element of Regional Government administration.
5. Regional Apparatuses are Regional Apparatuses of Rembang Regency.
6. Archives are matters relating to archives.
7. Archives are records of activities or events in various forms and media in accordance with information and communication technology developments made and received by state institutions, regional governments, educational institutions, companies, political organizations, community organizations, and individuals in the implementation of social and national life. , and state.
8. Dynamic archives are archives that are used directly in the activities of the archive creator and are stored for a certain period of time.
9. Vital archives are archives whose existence is a basic requirement for the continuity of the operation of the archive creator, cannot be updated, and cannot be replaced if they are damaged or lost.

10. Active archives are archives that use high frequency and/or continuously.
11. Inactive archives are archives whose frequency of use has decreased.
12. Static archives are archives produced by archive creators because they have historical value, have expired retention, and have permanent statements that have been verified either directly or indirectly by the National Archives of the Republic of Indonesia and/or archival institutions.
13. Secured archives are state archives relating to the existence and survival of the nation and state whose integrity, security and safety must be maintained.
14. Public archives are archives that are not included in the category of preserved archives.
15. Digitization of archives is the process of transferring media from printed, audio, and video forms to digital form to create digital document archives, for photocopying functions, and to create digital library collections.
16. Archivist is someone who has competence in the field of archiving obtained through formal education and/or archiving education and training and has the functions, duties and responsibilities of carrying out archival activities.
17. Access to archives is the availability of archives as a result of legal authority and legal authorization as well as the existence of supporting facilities to facilitate the discovery and utilization of archives.
18. An archival institution is an institution that has functions, duties and responsibilities in the field of managing static archives and fostering archives.
19. The National Archives of the Republic of Indonesia, hereinafter abbreviated as ANRI, is an archival institution in the form of a non-ministerial government institution that carries out state duties in the field of archives, which is domiciled in the national capital.
20. Regional archival institutions, hereinafter abbreviated as LKD, are archival institutions in the form of regional apparatuses that carry out governmental tasks in the archives sector of the regional government.
21. Higher education archives are archival institutions in the form of higher education organizational units, both public and private, which carry out

the functions and duties of organizing archives within the higher education environment.

22. Company is any form of business that carries out activities with the aim of obtaining profit or profits in the form of a legal entity that is established and/or domiciled within the territory of the Unitary State of the Republic of Indonesia.
23. Archive creator is a party that has independence and authority in carrying out functions, duties and responsibilities in the field of dynamic archive management.
24. Processing unit is a work unit for archive creators who have the duty and responsibility to process all records related to archive creation activities in their environment.
25. Archive unit is a work unit for archive creators who have duties and responsibilities in organizing archives.
26. Archive retention schedule, hereinafter abbreviated as JRA, is a list containing at least the storage or retention period, types of archives, and information containing recommendations regarding the determination of a type of archive to be destroyed, reassessed, or made permanent which is used as a guideline for shrinking and saving archives.
27. Archival shrinkage is an activity to reduce the number of archives by moving inactive archives from the processing unit to the archival unit, destroying archives that have no use value, and handing over static archives to archival institutions.
28. Organizing archives means all activities including policies, fostering archives, and managing archives in a national archival system supported by human resources, infrastructure and facilities, as well as other resources.
29. Management of dynamic archives is the process of controlling dynamic archives in an efficient, effective and systematic manner including the creation, use and maintenance, as well as the depreciation of archives.
30. Management of static archives is the process of controlling static archives in an efficient, effective and systematic manner including acquisition, processing, preservation, utilization, utilization and public service in a national archival system.
31. Acquisition of static archives is the process of adding to the repertoire of static archives at an archival institution which is carried out through the activity of handing over static archives and their management rights from the archive creator to the archival institution.

32. Regional filing system, hereinafter abbreviated as SKD, is a system that forms a pattern of sustainable relationships between various components that have certain functions and tasks, interactions between actors and other elements that influence each other in regional filing operations.
33. Regional archival information system, hereinafter abbreviated as SIKD, is a regional archival information system managed by an archival institution using regional archival information network facilities.
34. List of searched archives, hereinafter abbreviated as DPA, is a list containing archives that have historical value, which have been verified directly or indirectly by an archival institution and sought by an archival institution and announced to the public.

Section 2

This Regional Regulation is intended to provide legal certainty in the administration of regional archives.

Article 3

Archive management aims to:

- a. ensure the creation of archives of activities carried out by the administration of regional government, village government, BUMD, schools, companies, political organizations, community organizations and individuals;
- b. ensure the availability of authentic and reliable archives as legal evidence;
- c. ensure the realization of reliable, accountable archive management and utilization of archives in accordance with statutory provisions;
- d. ensure the protection of the interests of the state, region and civil rights of the people through the management and utilization of authentic and reliable archives;
- e. dynamically administer regional archives as a comprehensive and integrated system;
- f. ensure the safety and security of archives as proof of accountability in the life of society, nation and state;
- g. ensure the safety of regional assets in the economic, social, political, cultural, defense and security fields as national identity; And
- h. improve the quality of public services in the management and utilization of authentic and trusted archives.

Article 4

Archive management is carried out based on:

- a. legal certainty;
- b. authenticity and trustworthiness;

- c. wholeness;
- d. origin (principle of provenance);
- e. original rules (principle of original order);
- f. security and safety;
- g. professionalism;
- h. responsiveness;
- i. anticipatory;
- j. participation;
- k. accountability;
- l. expediency;
- m. accessibility;
- n. public interest.

CHAPTER II

SCOPE

Article 5

The scope of the Regional Regulation includes:

- a. archive management;
- b. dynamic archive management;
- c. static archive management;
- d. archive authentication;
- e. archival services;
- f. control and supervision;
- g. professional organizations and the active role of the community;
- h. prohibition;
- i. penalty.

CHAPTER III

ARCHIVE MANAGEMENT

Part One General

Article 6

- (1) The administration of regional archives is the responsibility of the Regional Government and is carried out by LKD.
- (2) The administration of regional archives as referred to in paragraph (1) includes regional government, village government, BUMD, companies, educational institutions, political organizations, community organizations and individuals.
- (3) The responsibility for organizing regional archives as referred to in paragraph (1) includes the following activities:

- a. policy setting;
- b. archival development; And
- c. archive management.

Article 7

Determination of regional archive policies as referred to in Article 6 paragraph (3) letter a covers the fields of:

- a. coaching;
- b. archive management;
- c. information and communication technology-based SKD development;
- d. archival organization;
- e. human Resource Development;
- f. infrastructure and facilities;
- g. archive protection and rescue;
- h. archive socialization;
- i. cooperation; And
- j. funding.

Article 8

- (1) The Regional Government carries out archival development as referred to in Article 6 paragraph (3) letter b to archive creators.
- (2) Archive development as referred to in paragraph (1) is carried out by LKD.
- (3) Archive development includes:
 - a. coordination of the administration of archives;
 - b. preparation of filing guidelines;
 - c. archive socialization;
 - d. provision of guidance, supervision and consultation on the implementation of archives;
 - e. technical guidance and archival training;
 - f. archive digitization; And
 - g. planning, monitoring and evaluation.
- (4) The archival unit is responsible for carrying out internal guidance in the management of archives within the environment of the archive creator.
- (5) In order to protect the interests of the state, region and civil rights of the community, LKD can work together with relevant agencies to provide archive management for private and public institutions that carry out public interests.

Article 9

- (1) Management of archives as referred to in Article 6 paragraph (3) letter c is carried out on dynamic archives and static archives.

- (2) Management of dynamic archives as referred to in paragraph (1) is the responsibility of the archive creator.
- (3) Management of static archives as referred to in paragraph (1) is the responsibility of LKD.

The second part
Information and Communication Technology-Based SKD Development

Article 10

- (1) Regional Apparatus guarantees ease, speed and accuracy of access to archives for the benefit of archive users by using information and communication technology equipment implemented in accordance with the configuration of Regional Apparatus data centers.
- (2) In the dynamic archive data center configuration, a closed and/or limited archive access system applies.
- (3) In the static archive data center configuration in LKD, an open archive access system applies.

Article 11

- Archive data center management is centered on LKD, consisting of:
- a. inactive archive data center that has the shortest retention of 10 (ten) years;
 - b. vital archive data center; And
 - c. static archive database.

Article 12

- (1) In utilizing static archives, LKD uses JIKD, for:
 - a. facilitate access and search and search of static archives;
 - b. improve the provision of services using static archives; And
 - c. improve the dissemination and understanding of knowledge in the field of archives.
- (2) In the framework of implementing JIKD, LKD cooperates with archive creators.

Third Part
Archival Organization

Article 13

- (1) Regional archival organizations consist of archival units for archive creators and LKD.

- (2) Archival organizations consist of archival units and processing units.
- (3) The filing unit as referred to in paragraph (1) must be formed by the creator of the archive.

Fourth Part Archives Unit

Article 14

The archive unit for the archive creator as referred to in Article 13 paragraph (1), has the following tasks:

- a. carry out management of inactive records from processing units in their environment;
- b. processing archives and presenting archives into information;
- c. carry out the destruction of archives in the environment;
- d. preparing for the transfer and submission of static archives by the lead creator of the archives to LKD; And
- e. carry out coaching and evaluation in the context of organizing archives in their environment.

Article 15

- (1) Archive creators are responsible for filing management through SKD and the implementation is carried out by the archival unit for each archive creator.
- (2) The archive unit for each archive creator as referred to in paragraph (1) is the responsibility of the secretariat.

Article 16

The processing unit as referred to in Article 13 paragraph (2) has the following tasks:

- a. processing active archives; And
- b. submit inactive archives to the archival unit.

Fifth Part LKD

Article 17

- (1) The Regional Government is obligated to establish LKD.
- (2) The formation of LKD as referred to in paragraph (1) is carried out in accordance with the provisions of the laws and regulations.

- (3) LKD as referred to in paragraph (1) is obliged to carry out the management of static archives received from the creator of the archives.

Article 18

In addition to the obligations referred to in Article 17 paragraph (3), LKD has the task of managing inactive records which have a retention of at least 10 (ten) years originating from Regional Devices, BUMD, Educational Institutions, and, Village Government.

Sixth Part Human Resource Development

Article 19

- (1) The Regional Government provides human resources as referred to in Article 7 letter e consisting of archivists and human resources who have competence and professionalism in the field of archives.
- (2) The Regional Government provides human resources as referred to in paragraph (1) through:
 - a. placement of structural officials who are positioned as managerial staff who have competence and professionalism in the field of archives;
 - b. placement of archivists in LKD and regional apparatus;
 - c. Appointment of archive management personnel from Civil Servants in Regional Apparatuses;
 - d. Appoint non-Civil Servant human resources who have competence and professionalism in the field of filing according to the needs and financial capabilities of the region.
- (3) The Regional Government implements the development of archivists by means of:
 - a. procurement of archivists;
 - b. developing the competence and professionalism of archivists through organizing, regulating and supervising archival education and training;
 - c. regulation of the role and legal position of the archivist;
 - d. minimum standard for the number of archivists; And
 - e. provision of health insurance and professional allowances for archival resources.
- (4) Further provisions regarding the legal status, authority, competence, education and training of archivists, the minimum standard for the number of archivists and the provision of health insurance as referred to in paragraph (2) shall be regulated by a Regent's Regulation.

Seventh Part Infrastructure and Facilities

Article 20

The Regional Government develops filing infrastructure and facilities as referred to in Article 7 letter f by regulating quality standards and specifications in accordance with statutory provisions.

Article 21

- (1) Creators of archives and LKD as referred to in Article 13 paragraph (1) are required to provide archival infrastructure and facilities in accordance with archival standards for archive management.
- (2) Archive infrastructure and facilities as referred to in paragraph (1) include buildings, rooms and equipment.
- (3) The requirements for infrastructure and facilities as referred to in paragraph (1) stipulate the location, construction and layout of the building, archive storage space and specifications for records management equipment.

Eighth Part Archive Protection and Rescue

Article 22

Archives created from the activities of the administration of the Regional Government which are financed using the Regional Revenue and Expenditure Budget are declared as archives owned by the region.

Article 23

- (1) The region organizes the protection and rescue of archives as referred to in Article 7 letter g, both for archives that exist within and outside the region.
- (2) Regions specifically provide protection and rescue of archives as referred to in paragraph (1) relating to history, government, population, territory, borders, work contract agreements and strategic issues of Regional Government.
- (3) The work contract agreement as referred to in paragraph (2), which relates to public and building works, is submitted an authentic copy to LKD after the activity is completed.
- (4) Regions carry out protection and rescue of archives as referred to in paragraph (1) and paragraph (2) from natural disasters, social disasters, criminal acts and criminal acts that contain elements of sabotage, espionage and terrorism.

- (5) The protection and rescue of archives as referred to in paragraphs (1) and (2) are carried out and coordinated by LKD, archive creators and related parties.
- (6) Archive creators and LKD in coordination with the Regional Disaster Management Agency shall protect and save archives due to a disaster that is not declared a national disaster.

Article 24

- (1) In the event of a merger and/or dissolution of a Regional Apparatus, BUMD, Educational Institution, Village Government, Regional Government take action to make efforts to save archives.
- (2) Efforts to save the archives as a result of the merger and/or dissolution as referred to in paragraph (1) are carried out by LKD.

Ninth Part Archive Socialization

Article 25

- (1) LKD activates socialization of archives as referred to in Article 7 letter h in creating an archive-aware society.
- (2) Socialization of archives as referred to in paragraph (1) is carried out through education, training, guidance and counseling as well as through the use of various means of communication and information media.
- (3) Socialization of archives as referred to in paragraph (1) is aimed at archive creators.
- (4) LKD can provide archive information services, consultation and guidance for archive creators.

Part Ten Cooperation

Article 26

- (1) LKD may enter into cooperation as referred to in Article 7 letter i with archive creators and other Regional Governments.
- (2) The cooperation referred to in paragraph (1) is carried out in accordance with the provisions of the laws and regulations.

Eleventh Part Funding

Article 27

Funding for archival management comes from:

- a. Regional Revenue and Expenditure Budget; and/or
- b. other sources of funding that are legal and non-binding.

Article 28

- (1) Funding in the context of protecting and saving archives due to disasters is the responsibility of LKD and archive creators.
- (2) Funding as referred to in paragraph (1), includes preventing damage to archives due to disasters and saving and recovering archives due to disasters.
- (3) Funding for the purpose of protecting and saving archives as referred to in paragraph (1) and paragraph (2) shall be budgeted in the Regional Revenue and Expenditure Budget in accordance with applicable regulations.

Article 29

LKD can allocate funding for awards and/or rewards to community members or institutions that play an active role in activities to protect and save archives and submit archives that are included in the DPA category.

CHAPTER IV

DYNAMIC ARCHIVE MANAGEMENT

Part One Management Scope

Article 30

- (2) The archive creator is obliged to carry out dynamic archive management to ensure the availability of archives in carrying out activities as material for performance accountability and valid evidence.
- (3) Management of dynamic archives as referred to in paragraph (1) includes:
 - a. archive creation;
 - b. use and maintenance of archives; And
 - c. archive depreciation.
- (3) Management of dynamic archives for archive creators is carried out in a regional filing system.

The second part Creation

Paragraph 1

Implementation of Dynamic Records Management

Article 31

- (2) Creation of archives as referred to in Article 30 paragraph (2) letter a includes the following activities:
 - a. archive creation; And
 - b. archive receipt.
- (2) The making and receiving of archives as referred to in paragraph (1) is carried out based on official document administration, archive classification, as well as a security classification system and archive access.

Paragraph 2

Use and Maintenance of Dynamic Archives

Article 32

- (3) The use of dynamic archives as referred to in Article 30 Paragraph (2) letter b is intended for the interests of archive creators
- (3) The availability and authenticity of dynamic archives is the responsibility of the archive creator.
- (4) The head of the processing unit is responsible for the availability, processing, presentation of vital records and active records.
- (5) The head of the filing unit is responsible for the availability, processing and presentation of inactive archives for the benefit of internal use and public interest.
- (6) In the framework of the availability of archives for access purposes, dynamic archives can be transferred media.

Article 33

- (1) Officials who are responsible for territorial activities, borders, agreements, work contracts and strategic Regional Government issues as referred to in Article 23 paragraph (2) are required to file, report and submit their archives to LKD.
- (2) Filing and reporting of archives as referred to in paragraph (1), must be carried out no later than 1 (one) year since the activity occurred.
- (3) Archives created at the Regional Government relating to Article 25 paragraph (2), must be submitted to LKD in the form of an authentic copy of the original manuscript for a maximum of 1 (one) year.

- (4) The official who is responsible as meant in paragraph (1) whose activities took place before the enactment of this Regional Regulation shall be the responsibility of the head of the agency concerned.

Article 34

- (1) The creator of the archive can block access to the archive on the grounds that if the archive is opened to the public it can:
 - a. obstructing the law enforcement process;
 - b. interfere with the interests of protecting intellectual property rights and protection from unfair business competition;
 - c. endanger security and order;
 - d. detrimental to regional economic resilience;
 - e. detrimental to political interests in the Region;
 - f. disclose the contents of an authentic deed that is personal and someone's last will or testament except to those who are legally entitled;
 - g. disclose confidential or personal data; And
 - h. disclose memorandums or letters which by their nature need to be kept confidential.
- (2) The archive creator is obligated to maintain the secrecy of closed archives as referred to in paragraph (1).
- (3) The archive creator is obliged to determine procedures based on minimum service standards and provide facilities for the benefit of archive users.

Article 35

- (1) Maintenance of dynamic archives is carried out to maintain the authenticity, integrity, security and safety of archives.
- (2) Maintenance of dynamic archives includes maintenance of vital archives, active archives and inactive archives, both included in the category of preserved archives and general archives.
- (3) Maintenance of dynamic archives is carried out through the following activities:
 - a. active archival filing;
 - b. inactive archive arrangement;
 - c. archival storage; And
 - d. archive media transfer.

Article 36

- (1) Maintenance of active archives is the responsibility of the head of the processing unit.
- (2) Maintenance of active archives is carried out through filing activities and archive storage.

Article 37

- (1) The filing of active archives as referred to in Article 35 paragraph (3) letter a is carried out on archives that are made and received.
- (2) The filing of active archives as referred to in paragraph (1) is carried out based on the classification of archives.
- (3) Filing of active archives results in the physical arrangement and archive information as well as the compilation of archive lists.
- (4) The list of active archives consists of a list of files and a list of file contents.

Article 38

- (1) Maintenance of inactive archives is the responsibility of the head of the archival unit.
- (2) Maintenance of inactive archives is carried out through structuring and storage activities.

Article 39

- (1) Arrangement of inactive archives as referred to in Article 35 paragraph (3) letter b is carried out based on the principle of origin and the principle of original rules.
- (2) Arrangement of inactive archives in the archive unit is carried out through:
 - a. archive physical arrangement;
 - b. archival information processing; And
 - c. compilation of archive lists.
- (3) The list of inactive archives is compiled by the processing unit every year and submitted to the archival unit accompanied by an official report.

Article 40

- (1) Archive storage as referred to in Article 35 paragraph (3) letter c is carried out for active and inactive archives that have been compiled in the archive list.
- (2) Storage of active and inactive archives as referred to in paragraph (1) is carried out to ensure physical security and archive information during the period of storage of archives based on JRA or use value.
- (3) Active archive storage is the responsibility of the Head of Processing Unit.

- (4) Storage of inactive archives is the responsibility of the Head of the Archives Unit.

Article 41

- (1) Media transfer can be carried out in dynamic archives in accordance with the provisions of laws and regulations.
- (2) Archive media transfer as referred to in paragraph (1) is carried out in various forms and media in accordance with advances in information and communication technology based on statutory provisions.

Article 42

- (1) Media transfer of dynamic archives is carried out by taking into account the condition of the archives and the value of the information.
- (2) Media transfer as referred to in paragraph (1) produces dynamic archives in electronic form and media and/or other media according to the original.
- (3) Archives that are transferred to media are kept for legal purposes based on the provisions of laws and regulations.
- (4) Dynamic archive media transfer is authenticated by the lead author of the archive by providing certain marks attached to or related to the archive resulting from media transfer.
- (5) Transfer of dynamic archive media is carried out by making an official report accompanied by a list of archives being transferred.
- (6) Archives resulting from media transfer and their printed output constitute valid evidence in accordance with the provisions of laws and regulations.
- (7) The list of dynamic archives being transferred shall at least contain:
 - a. archive creator;
 - b. serial number;
 - c. archive type;
 - d. number of archives; And
 - e. period.

Article 43

Further provisions regarding the management of active and inactive dynamic archives are regulated in a Regent's Regulation.

Paragraph 3 Archive Shrinkage

Article 44

- (1) Depreciation of archives as referred to in Article 30 paragraph (2) letter c, is carried out by archive creators based on the JRA by taking into account the interests of archive creators and the interests of the community, nation and State.
- (2) Regional Apparatuses, BUMD, Educational Institutions and Village Governments are required to have JRA.
- (3) JRA as referred to in paragraph (1) is determined by the Regent after obtaining approval from the Head of ANRI.

Article 45

Depreciation of archives as referred to in Article 30 paragraph (2) letter c, includes:

- a. transfer of inactive archives from the processing unit to the archival unit;
- b. the destruction of archives that have expired and have no use value is carried out in accordance with the provisions of laws and regulations; And
- c. submission of static archives by archive creators to LKD.

Article 46

- (1) The transfer of inactive archives as referred to in Article 46 letter a is carried out by taking into account the form and media of the archives.
- (2) The transfer of inactive archives as referred to in paragraph (1) is carried out through:
 - a. selection of inactive archives;
 - b. making a list of inactive archives to be moved; And
 - c. setting of inactive archives to be moved.
- (3) The transfer of inactive archives from the processing unit to the filing unit as referred to in paragraph (2) is the responsibility of the head of the processing unit.
- (4) Implementation of the transfer of inactive archives as referred to in paragraph (3) is carried out by signing the official report and attaching a list of files to be transferred.
- (5) Minutes and list of inactive archives transferred as referred to in paragraph (4) are signed by the head of the processing unit and the head of the filing unit.

Article 47

The transfer of inactive archives within BUMN and BUMD is regulated by BUMD leaders based on guidelines set by the ANRI Head.

Article 48

- (1) Archives as referred to in Article 46 letter b are destroyed for archives that:
 - a. has no use value;
 - b. retention has expired and has been declared destroyed under the JRA;
 - c. there are no laws and regulations that prohibit; And
 - d. not related to the settlement of the process of a case.
- (2) In the event that the archives do not fulfill all the provisions referred to in paragraph (1), the retention is determined again by the leadership of the creator of the archives.
- (3) The destruction of archives as referred to in paragraph (1) must be carried out in accordance with the provisions of the laws and regulations.
- (4) Implementation of the destruction of archives within the Regional Government as referred to in paragraph (1), is the responsibility of LKD.

Article 49

- (1) Regional Apparatuses, BUMDs, Educational Institutions, companies and Village Governments are obliged to submit static archives as referred to in Article 46 letter c to LKD.
- (2) Submission of static archives as referred to in paragraph (1), is carried out on archives that
 - a. has historical use value;
 - b. has exhausted its retention; and/or
 - c. permanent label as per JRA or use value.
- (3) Submission of static archives as referred to in paragraph (2) shall be the responsibility of the lead creator of the archives.
- (4) In addition to static archives as referred to in paragraph (1) and paragraph (2), archives whose creator is not recognized or because they are not listed in the JRA and declared in the DPA by LKD are declared as static archives.

Article 50

- (1) Static archives submitted by archive creators to LKD must be archives that are authentic, reliable, intact and usable.
- (2) In the event that the static archive submitted is not authentic, the archive creator shall authenticate.

- (3) If the archive creator does not authenticate as referred to in paragraph (2), LKD has the right to refuse submission of static archives.
- (4) In the case of static archives whose creator is unknown, authentication is performed by LKD.

Article 51

Further provisions regarding the depreciation of archives are regulated by a Regent's Regulation.

Paragraph 4 Vital Archives

Article 52

- (1) Maintenance of vital archives is carried out by compiling a vital archive program.
- (2) The creator of the archive is obliged to make a vital archive program.
- (3) The vital archive program as referred to in paragraph (1) is carried out through the following activities:
 - a. identification;
 - b. protection and security; And
 - c. rescue and recovery.
- (4) Further provisions regarding the vital archive program are regulated in a Regent's Regulation in accordance with statutory provisions.

CHAPTER V

STATIC ARCHIVES MANAGEMENT

Part One Management Scope

Article 53

- (1) Management of static archives is carried out by LKD.
- (2) Management of static archives as referred to in paragraph (1), includes:
 - a. acquisition of static archives;
 - b. static archive processing;
 - c. static archive preservation; And
 - d. static archive access.

The second part Implementation of Static Archive Management

Paragraph 1
Acquisition of Static Archives

Article 54

- (1) LKD carries out the acquisition of static archives as referred to in Article 53 paragraph (2) letter a from the creator of the archives.
- (2) The acquisition of static archives as referred to in paragraph (1) includes static archives that have been verified directly or indirectly.
- (3) In carrying out the acquisition of static archives, LKD is obligated to make DPA which includes the archives as referred to in paragraph (2), and submit them to the creator of the archives.
- (4) DPA as referred to in paragraph (3) at least contains:
 - a. archive creator;
 - b. archive number;
 - c. classification code;
 - d. archive information description;
 - e. period;
 - f. number of archives; And
 - g. information.
- (5) Regional apparatus, educational institutions, BUMD and Village Government who own or keep static archives as referred to in paragraph (3) must submit them to LKD based on the conditions set out in the DPA announcement.

Article 55

- (1) The acquisition of static archives as referred to in Article 54 must be stated in the minutes of handover and list of static archives.
- (2) Minutes of handover of static archives as referred to in paragraph (1) are signed by the Head of LKD and the leadership of the archive creator, individual or representative party.
- (3) Minutes of handover of static archives as referred to in paragraph (1) contain at least:
 - a. handover time;
 - b. place;
 - c. number of archives;
 - d. responsibilities and obligations of the parties; And
 - e. signatures of the parties.
- (4) The list of static archives as referred to in paragraph (1) is compiled by the creator of the archives, at least containing:

- a. archive creator;
- b. archive number;
- c. classification code;
- d. archive information description;
- e. period;
- f. number of archives; And
- g. Information.

Paragraph 2
Static Archive Processing

Article 56

- (1) Processing of static archives as referred to in Article 53 paragraph (2) letter b, is carried out based on the principle of origin and the principle of original rules.
- (2) The processing of static archives as referred to in paragraph (1) is carried out based on the standard description of static archives.
- (3) Processing of static archives is carried out through the following activities:
 - a. organize static archive information;
 - b. organize static archives physically; And
 - c. preparation of tools for retrieving static archives.
- (4) Supporting facilities for recovering static archives as referred to in paragraph (3) letter c include guides, lists of static archives and archive inventories.
- (5) The list of static archives as referred to in paragraph (3) at least contains:
 - a. archive creator;
 - b. archive number;
 - c. classification code;
 - d. archive information description;
 - e. period;
 - f. number of archives; And
 - g. information.

Paragraph 3
Static Archive Preservation

Article 57

- (1) Preservation of static archives as referred to in Article 53 paragraph (2) letter c is carried out to ensure the safety and preservation of static archives.

- (2) Preservation of static archives as referred to in paragraph (1) is carried out preventively and curatively.
- (3) Preservation of static archives in a preventive manner is carried out by:
 - a. storage;
 - b. integrated pest control;
 - c. reproduction; And
 - d. disaster planning.
- (4) Preservation of static archives in a curative manner is carried out through maintenance of static archives by taking into account the integrity of the information contained in the static archives.

Article 58

- (1) Preservation of static archives through storage as referred to in Article 57 paragraph (3) letter a is carried out by providing infrastructure and facilities according to the specified standards.
- (2) Preservation of static archives through integrated pest control as referred to in Article 57 paragraph (3) letter b is carried out by preventing, exterminating micro-organisms and organisms destroying archives.
- (3) Preservation of static archives through reproduction as referred to in Article 57 paragraph (3) letter c is carried out by transferring media.
- (4) Preservation of static archives through disaster planning as referred to in Article 57 paragraph (3) letter d is carried out by protecting and saving archives from disasters.

Article 59

- (1) Transfer of static archive media is carried out by taking into account the physical condition and value of the information.
- (2) Media transfer as referred to in paragraph (1) produces static archives in electronic form and media and/or other media according to the original.
- (3) The static archives that are transferred are kept for the sake of preservation and archival service.
- (4) The static archive media transfer is authenticated by the head of the LKD.
- (5) Transfer of media for static archives is carried out by making an official report accompanied by a list of archives being transferred.
- (6) Minutes of static archive media transfer contain at least:
 - a. execution time;

- b. place of execution;
- c. media type;
- d. number of archives;
- e. information about the archive being transferred;
- f. description of the media transfer process carried out;
- g. implementation; And
- h. signed by the head of the archival institution.

Paragraph 4
Access Static Archives

Article 60

Access to static archives as referred to in Article 53 paragraph (2) letter d is carried out in the context of utilization, utilization and public services.

Article 61

- (1) Access to static archives for the benefit of archive users is facilitated by LKD.
- (2) To facilitate access to static archives, LKD provides infrastructure and facilities.
- (3) Access to static archives is carried out by considering:
 - a. the principle of integrity, security and safety of static archives; And
 - b. the nature of openness and closure of archives in accordance with the provisions of laws and regulations.
- (4) Access to static archives can be done manually and/or electronically.

Article 62

- (1) If there are certain conditions for access to static archives originating from the archive creator, access is made in accordance with the requirements of the archive creator who owns the archive.
- (2) Certain requirements as referred to in paragraph (1) must comply with the provisions of the laws and regulations.

Article 63

Further provisions regarding the management of static archives are regulated by a Regent's Regulation.

CHAPTER VI

ARCHIVE AUTHENTICATION

Article 64

- (1) Archive authentication is performed on static archives and archives resulting from media transfer against dynamic archives and static archives to ensure the validity of the archives.
- (2) Authentication of static archives as referred to in paragraph (1) is carried out by LKD.
- (3) Provisions regarding the authentication of static archives that are created electronically and/or the results of media transfer as referred to in paragraph (1) must be proven in accordance with the provisions of the laws and regulations.

Article 65

- (1) LKD has the authority to authenticate static archives supported by evidence.
- (2) To support the capability, competence, and independence and integrity in carrying out the functions and tasks of determining the authentication of a statistical archive, LKD must support adequate equipment and technology.
- (3) In establishing authentication for static archives, LKD can coordinate with parties who have the ability and competence.

CHAPTER VII

ARCHIVE SERVICES

Article 66

- (1) LKD performs filing services.
- (2) Types of filing services as referred to in paragraph (1) include:
 - a. consultation and assistance;
 - b. research and tracing;
 - c. improvement and arrangement of archives;
 - d. media duplication and transfer;
 - d. archive lending;
 - e. archival storage;
 - f. archival maintenance and documentation;
 - g. archival publications; And
 - h. archival guidance and training.
- (3) Archiving services as referred to in paragraph (2) may be charged.

- (4) Further provisions regarding the type of service and the amount of service fees are regulated by a Regent's Regulation.

CHAPTER VIII

CONTROL AND SUPERVISION

Article 67

Archive control of implementation by LKD through monitoring, evaluation and reporting activities.

Article 68

- (1) LKD and/or archival unit shall supervise the implementation of archiving.
- (2) Supervision of the administration of archives within the Regional Government and Village Government is carried out by an internal archive monitoring team formed by the Regent.
- (3) Supervision of the management of archives within the BUMD environment is carried out by the BUMD internal supervisory unit.

Article 69

Further provisions regarding control and supervision are regulated by a Regent's Regulation.

CHAPTER IX

PROFESSIONAL ORGANIZATION AND ACTIVE COMMUNITY ROLE

Part One

Professional Organization

Article 70

- (1) Archivists can form professional organizations.
- (2) The fostering of the archivist professional organization as referred to in paragraph (1) shall be carried out by the Regional Government.
- (3) Further provisions regarding the archivist professional organization as referred to in paragraph (1) are regulated in the articles of association and bylaws based on statutory provisions.

The Second Part

Community Active Role and Awards

Article 71

- (1) The public can play an active role in organizing archives.
- (2) The active role of the community is manifested by:
 - a. creating, storing and protecting archives of activities that may result in the emergence of rights and obligations in the framework of guaranteeing the protection of civil rights and intellectual property rights and supporting the orderliness of state administration activities;
 - b. submit static archives to LKD;
 - c. protecting and saving archives and archive storage from natural disasters and social disasters;
 - d. cultivating the use and utilization of archives in accordance with the correct procedures;
 - e. raise and/or donate funds for archival management;
 - f. become a volunteer in managing and saving archives in accordance with their competence; And
 - g. organize archives education and training in accordance with the provisions of laws and regulations.
- (3) The Regional Government can give awards to individuals, groups, private institutions and the public who play an active role in archiving activities.
- (4) The award as referred to in paragraph (3) is given in the form of:
 - a. charter;
 - b. archive facility assistance;
 - c. construction money.
- (5) The regional government can give awards to archive creators, archivists and archivists who excel in archival management.
- (6) The Regional Government can give awards to people who have contributed in protecting and saving archives.
- (7) Further provisions regarding awards are regulated by a Regent's Regulation.

CHAPTER X

PROHIBITION

Article 72

Everyone is prohibited:

- a. master and/or have regional archives;
- b. providing dynamic archives to unauthorized archive users;
- c. does not maintain the integrity, security and safety of archives belonging to the region;

- d. not carrying out filing and reporting;
- e. does not maintain the confidentiality of closed archives;
- f. destroying archives without proper procedures;
- g. trade or hand over archives that have historical use value to other parties other than those specified; And
- h. do not submit archives created from activities funded by the state budget and regional budgets.

CHAPTER XI

ADMINISTRATIVE SANCTIONS

Article 73

- (1) Officials and/or executors within or outside the Regional Apparatus and BUMD environment who violate the provisions referred to in Article 33 paragraph (1), Article 34 paragraph (2), Article 48 paragraph (4) and Article 54 paragraph (5) are subject to sanctions administrative.
- (2) Further provisions regarding administrative sanctions as referred to in paragraph (1) within the Regional Apparatus and BUMD shall be regulated by a Regent's Regulation.
- (3) The implementation of the provisions on administrative sanctions as referred to in paragraph (1) outside the Regional Apparatuses and Regional-Owned Enterprises is in accordance with the provisions of the laws and regulations.

CHAPTER XII

INVESTIGATION PROVISIONS

Article 74

- (1) Certain Civil Servant Officials within the Regional Government are given special authority as Investigators to carry out investigations into violations of the provisions in this Regional Regulation, and the provisions referred to in the applicable Law on Criminal Procedure.
- (2) Investigators as referred to in paragraph (1) are certain Civil Servant Officials within the Regional Government who are appointed by authorized officials in accordance with the Provisions of Legislation.
- (3) The investigator's powers as referred to in section (1) are:
 - a. receive, seek, collect and examine information or reports regarding violations of provisions in this Regional Regulation so that the information or report is complete and clear;

- b. examine, seek and collect information regarding individuals or entities regarding the truth of the actions committed in connection with violations of the provisions in this Regional Regulation;
 - c. request information and evidence from individuals or entities in connection with violations of the provisions of this Regional Regulation;
 - d. examine the books, records and other documents regarding violations of the provisions in this Regional Regulation;
 - e. conduct a search to obtain evidence of bookkeeping, records and other documents as well as confiscate said evidence;
 - f. request the assistance of experts in the framework of carrying out investigation tasks into violations of the provisions in this Regional Regulation;
 - g. order to stop and/or prohibit someone from leaving the room or place while the examination is taking place and check the identity of the person and/or documents being brought as referred to in letter e;
 - h. take a picture of someone related to a violation of the provisions of this Regional Regulation;
 - i. summon people to hear their statements and be examined as suspects or witnesses;
 - j. stop the investigation; And
 - k. take other actions necessary for the smooth running of the investigation into violations of the provisions in this Regional Regulation according to the provisions of the applicable laws and regulations.
- (4) The investigator as referred to in paragraph (1) notifies the start of the investigation and submits the results of his investigation to the Public Prosecutor through the Police of the Republic of Indonesia, in accordance with the provisions stipulated in the applicable Criminal Procedure Law.

CHAPTER XIII

CRIMINAL PROVISIONS

Article 75

- (1) Every person who violates the provisions referred to in Article 72 is subject to imprisonment for a maximum of 6 (six) months or a fine of up to Rp. 50,000,000.00 (fifty million rupiah), unless otherwise provided for in laws and regulations. .
- (2) The crime referred to in paragraph (1) is a violation.

CHAPTER XIV

CLOSING

Article 76

At the time this Regional Regulation came into effect, the Regional Regulation of Rembang Regency Number 5 of 2008 concerning Organizing Archives in Rembang Regency (Rembang Regency Gazette of 2008 Number 5, Supplement to Rembang Regency Regional Gazette number 54) was revoked and declared no longer valid.

Article 77

This local regulation are applied at the date stated.

So that everyone knows about it, it is ordered to promulgate this Regional Regulation by placing it in the Regional Gazette of Rembang Regency

Set in Rembang
on December 7, 2020

REGENT OF REMBANG,

signed

ABDUL HAFIDZ

Promulgated in Rembang
on December 7, 2020

Acting REGIONAL SECRETARY
REMBANG DISTRICT,

signed

EDY SUPRIYANTA

REGIONAL GAZETTE OF REMBANG DISTRICT YEAR 2020 NUMBER 7
NOREG REGIONAL REGULATION OF REMBANG DISTRICT, CENTRAL
JAVA PROVINCE (7-287/ 2020)