

# Increasing local government responsibility for communal scale sanitation

Part 2: Using Regional Budget (APBD) to support post-construction sustainability of communal sanitation

CONSULTANT REPORT



# Increasing local government responsibility for communal scale sanitation

Part 2: Using Regional Budget (APBD) to  
support post-construction sustainability of  
communal sanitation

CONSULTANT REPORT

Date : 28 February 2017

## **INDONESIA INFRASTRUCTURE INITIATIVE**

This document has been published by the Indonesia Infrastructure Initiative (IndII), an Australian Government supported project designed to promote economic growth in Indonesia by enhancing the relevance, quality and quantum of infrastructure investment.

The views expressed in this report do not necessarily reflect the views of the Australia Indonesia Partnership or the Australian Government. Please direct any comments or questions to the IndII Director, tel. +62 (21) 7278-0538, fax +62 (21) 7278-0539. Website: [www.indii.co.id](http://www.indii.co.id).

## **ACKNOWLEDGEMENTS**

This report has been prepared under the leadership of Mohamad Mova AlÁfghani, PhD, Centre for Regulation, Policy and Governance, Universitas Ibn Khaldun Bogor (CRPG) who was engaged under the Indonesia Infrastructure Initiative (IndII), an Australian Aid project managed by SMEC on behalf of the Australian Government, as part of the Activity U100.02 Developing Effective Governance for Community Scale Sanitation, working in partnership with Institute for Sustainable Futures, University of Technology Sydney.

The support provided by Bappenas, Kotamadya Bogor, BPKP and Ministry of Home Affairs is gratefully acknowledged. Support from Ikabul Arianto and Jim Coucouvinis is also gratefully acknowledged. Any errors of fact or interpretation are solely those of the authors.

Authors: Mohamad Mova AlÁfghani, Dessy Eko Prayitno, Freya Mills and Juliet Willetts

28 February 2017

© IndII 2016

All original intellectual property contained within this document is the property of the Indonesia Infrastructure Initiative (IndII). It can be used freely without attribution by consultants and IndII partners in preparing IndII documents, reports designs and plans; it can also be used freely by other agencies or organisations, provided attribution is given.

Every attempt has been made to ensure that referenced documents within this publication have been correctly attributed. However, IndII would value being advised of any corrections required, or advice concerning source documents and/ or updated data.

Cover photo: Kabupaten Bantaeng Community Scale Systems ISF-UTS 2016.



# TABLE OF CONTENTS

ACRONYMS .....	II
EXECUTIVE SUMMARY .....	III
CHAPTER 1: INTRODUCTION.....	1
1.1    PURPOSE OF THIS DOCUMENT .....	1
1.2    BACKGROUND .....	1
1.3    AIMS.....	2
CHAPTER 2: METHODOLOGY .....	1
2.1    UPDATED LEGAL ANALYSIS .....	1
2.2    SELECTED CASE LAW .....	1
2.3    STAKEHOLDER ENGAGEMENT.....	1
2.4    GUIDELINE DEVELOPMENT PROCESS .....	2
2.5    LIMITATIONS .....	2
CHAPTER 3: FINDINGS AND ANALYSIS.....	3
3.1    GOVERNMENT FINANCIAL SUPPORT FOR COMMUNITY-SCALE SYSTEMS.....	3
3.2    AVAILABLE CHANNELS TO FINANCE POST-CONSTRUCTION THROUGH LOCAL REVENUE AND EXPENDITURE BUDGET.....	6
3.2.1 Direct Expenditures (Belanja Langsung) .....	6
3.2.1.1 Employees Expenditure (Belanja Pegawai) .....	6
3.2.1.2 Goods and services expenditure (Belanja barang dan jasa).....	7
3.2.1.3 Belanja Modal (Capital Expenditure).....	8
3.2.2 Belanja Tidak Langsung (Indirect Expenditure).....	9
3.2.2.1 Employee Expenditures (Belanja Pegawai) .....	9
3.2.2.2 Belanja Subsidi.....	9
3.2.2.3 Belanja Hibah.....	11
3.2.2.4 Bantuan Sosial .....	12
3.2.3 Special Regulations on Grant .....	13
3.2.3.1 Accounting Rules concerning Grants.....	14
3.2.3.2 Grant Procedure .....	14
3.2.4 Provisions on Grant Object .....	15
3.2.4.1 Provisions concerning grantee .....	16
3.3    GUIDELINE FOR EXPENDITURE ON ASSETS NOT OWNED BY GOVERNMENT.....	18
3.3.1 The guideline.....	18
3.3.2 Adoption.....	19
CHAPTER 4: CONCLUSION AND LOOKING FORWARD.....	20
ANNEX 1: LIST OF INTERVIEWS .....	22
ANNEX 2A: GUIDELINE (ENGLISH) .....	24
ANNEX 2B: GUIDELINE (INDONESIAN).....	41

## ACRONYMS

---

APBD	Local Government Revenue and Expenditure Budget
APBN	State Revenue and Expenditure Budget
Bappeda	Local Development Planning Agency
Bappenas	National Development Planning Agency
BPK	State Audit Agency
BPKP	Development Finance Controller
BUMD	Regional Owned Enterprise
BUMN	State Owned Enterprise
DFAT	Department of Foreign Affairs and Trade
Dinas	Provincial Sub-Project Management
DRPD	Regional Parliament
Keuda	Directorate General of Regional Finance
MOHA	Ministry of Home Affairs (Kementrian Dalam Negeri)
NPHD	Grant Agreement
Pemda	Local Government
Perda	Local Government Work Unit
PP	Government Regulation
RPP SPAM	Draft Regulation of Drinking Water Provision System
Sekda	Secretary of Local Government
SKPD	Local Government Work Unit
SPAM	Drinking Water Provision System
SPAL	Tap Water Provision System
UPTD	Regional Technical Implementation Unit (sub unit of local agency)
Wasbangkim	Supervisory Agency of Building and Housing

## EXECUTIVE SUMMARY

---

This document outlines the research approach and background that informed the “Guideline on APBD budgeting for community-based sanitation infrastructure whose assets are not owned by the government” (Guideline). The Guideline was created because local governments (*Pemda*)– in spite of their commitment to support the operation and maintenance of communal scale sanitation are reluctant and apprehensive about funding these wastewater services. The uncertainty– as to whether a particular budget line items can be used– is due to the view that Pemda could not fund the operation and maintenance of assets that it does not own. While this view is correct, the research shows that Pemda can still contribute to the operation and maintenance of infrastructure services that it does not own through the use of various budget line items.

In drafting the project report and the attached Guideline, we drew on legal analysis from a previous ISF-UTS legal review, and also updated this analysis and conducted selective court case reviews. In addition, we undertook key informant interviews and facilitated a focus group discussion and workshop, and sought expert review of the Guideline.

Our findings conclude that several types of account expenditure or budget line items can still be used although assets are not owned by Pemda. These line items are Direct Expenditure (Employee Expenditure, Goods and Service Expenditure, Capital Expenditure) and Indirect Expenditure (Employee Expenditure, Subsidy Expenditure, Hibah Expenditure and Social Assistance Expenditure). Each of these accounts can be used in order to directly or indirectly support communal sanitation infrastructure. The Guideline presented as an Annex to this document provides guidance for Pemda to legally finance communal scale sanitation for assets government does not own. It is proposed that this Guideline be included in subsequent updates to the Ministry of Public Works SANIMAS Guidelines or ideally, that Ministry of Home Affairs issues an instruction to local governments to use this Guideline to support sustainability of these systems.

In conducting the research to develop the Guideline, certain legal complexities and prerequisites were surfaced. Amongst others, for instance, that funding through grant (*hibah*) mechanism cannot be employed regularly, and requires community groups requesting the grant (KSM/KPP) to be legal entities (when in reality this is rare). For funding larger costs, such as rehabilitation, extension or retrofitting, this grant (*hibah*) mechanism is the only option, and yet, it appears, is not generally feasible if applied on a regular basis.

This situation leads to the conclusion that, in general, it is much easier to allocate operation and maintenance funds– particularly for large costs, for which there is agreement that it should be borne by government as legally responsible for services– if wastewater assets are owned by Pemda. And hence the research also explored the advantages and disadvantages for the situation where assets are owned by government and where they are not owned by government. An unresolved question is whether the Pemda should own community wastewater assets (so that the maintenance and operation funds can be easily allocated from Pemda buget) or that community wastewater assets remain not owned by Pemda (but regional budgeting rules are amended to allow for exceptions in the form of routine grants from the government). The Bappenas will take both this issue and the potential for adoption of the Guideline into their regular inter-ministerial meeting.

## EXECUTIVE SUMMARY (BAHASA INDONESIA)

Dokumen ini menguraikan pendekatan yang diambil serta latar belakang penelitian yang menjadi dasar dari "*Pedoman Penggunaan APBD untuk Mendukung Infrastruktur Sanitasi Berbasis Masyarakat yang Asetnya Tidak Dimiliki oleh Pemerintah*" (Pedoman). Pedoman tersebut dibuat karena pemerintah daerah (Pemda) -terlepas dari komitmen mereka untuk mendukung operasi dan pemeliharaan sanitasi skala komunal, enggan dan khawatir tentang pendanaan layanan air limbah tersebut. Ketidakpastian -mengenai apakah mata anggaran tertentu bisa digunakan- adalah karena pandangan bahwa Pemda tidak bisa mendanai operasi dan pemeliharaan aset yang tidak dimilikinya. Sementara pandangan ini benar, penelitian ini menunjukkan bahwa Pemda masih bisa berkontribusi untuk operasi dan pemeliharaan layanan infrastruktur yang tidak dimilikinya melalui penggunaan berbagai mata anggaran lain.

Dalam menyusun laporan ini dan Pedoman terlampir, kami melakukan analisis hukum dari tinjauan hukum ISF-UTS sebelumnya, kemudian memperbarui analisis ini dan melakukan ulasan terhadap beberapa putusan pengadilan terpilih. Selain itu, kami melakukan wawancara terhadap narasumber kunci serta menyelenggarakan diskusi terfokus kelompok dan lokakarya, dan meminta ahli untuk memberikan masukan terhadap Pedoman tersebut.

Temuan kami menyimpulkan bahwa beberapa jenis akun belanja atau mata anggaran masih bisa digunakan meskipun aset tidak dimiliki oleh Pemda. Akun belanja ini adalah Belanja Langsung (Belanja Pegawai, Belanja Barang dan Jasa, Belanja Modal) dan Belanja Tidak Langsung (Belanja Pegawai, Belanja Subsidi, Belanja Hibah dan Belanja Bantuan Sosial). Setiap akun belanja tersebut dapat digunakan secara langsung maupun tidak langsung untuk mendukung infrastruktur sanitasi skala komunal. Pedoman yang disajikan sebagai Lampiran dokumen ini memberikan panduan bagi Pemda untuk secara legal membiayai sanitasi skala komunal yang asetnya tidak dimiliki oleh pemerintah. Kami mengusulkan agar Pedoman tersebut dimasukkan dalam revisi Pedoman SANIMAS yang dimiliki oleh Kementerian Pekerjaan Umum atau idealnya, Kementerian Dalam Negeri mengeluarkan instruksi kepada pemerintah daerah untuk menggunakan Pedoman tersebut dalam mendukung keberlanjutan sistem ini.

Dalam melakukan penelitian untuk mengembangkan Pedoman kami menghadapi kompleksitas hukum dan prasyarat pendanaan. Antara lain, misalnya, bahwa pendanaan melalui mekanisme hibah tidak dapat digunakan secara rutin dan terus menerus, dan membutuhkan kelompok masyarakat yang berstatus badan hukum (walaupun pada kenyataannya jarang ada yang berstatus badan hukum). Untuk pendanaan yang lebih besar, seperti rehabilitasi, perluasan atau penguatan, mekanisme hibah adalah satu-satunya pilihan, namun, tampaknya, umumnya tidak cocok jika dilakukan secara rutin dan terus menerus.

Situasi ini mengarah pada kesimpulan bahwa, secara umum, jauh lebih mudah untuk mengalokasikan anggaran operasi dan pemeliharaan -- terutama untuk pekerjaan yang memerlukan biaya besar, dimana ada kesepakatan diantara pemangku kepentingan bahwa pembiayaan untuk hal tersebut harus ditanggung oleh pemerintah yang memang secara hukum bertanggung jawab untuk memberikan pelayanan -- jika aset air limbah dimiliki oleh Pemda. Oleh karena itu, penelitian ini juga menguraikan keuntungan dan kerugian untuk situasi di mana aset dimiliki dan tidak dimiliki oleh pemerintah. Sebuah pertanyaan yang belum terselesaikan adalah apakah Pemda harus memiliki aset air limbah yang saat ini dimiliki oleh masyarakat (sehingga dana operasi dan pemeliharaan dapat dengan



mudah dialokasikan dari anggaran Pemda) atau aset air limbah tetap tidak dimiliki oleh Pemda (tapi aturan penganggaran daerah diubah untuk memungkinkan pengecualian mekanisme hibah rutin dan terus menerus dari pemerintah). Bappenas akan mendiskusikan secara internal kedua masalah ini dan kemungkinan untuk mengadopsi Pedoman terlampir ke pertemuan rutin mereka antar kementerian.



## CHAPTER 1: INTRODUCTION

---

### 1.1 PURPOSE OF THIS DOCUMENT

This document provides the research background for ‘Local Government’s Expenditure Guidance in Support of the Post Construction Phase of Community Scale Wastewater’ – the Guidelines attached as an Annex to this document. The document was developed as a part of Indonesia Infrastructure Initiative (INDII) Project *Developing Effective Governance for Community Scale Sanitation – Component 3: Guidance for a national expenditure policy*. This project is a continuation of the previous ISF-UTS led research project that included a component focused on review of the legal framework in relation communal scale wastewater delivery (hereinafter referred to as ‘Legal Review’). The Legal Review is available in English and Bahasa Indonesia),<sup>1</sup> as part of ISF-UTS Australian aid funded research project “Effective Governance for Successful Long-Term Operation of Community Scale Wastewater Systems in Indonesia”.

### 1.2 BACKGROUND

Wastewater is a basic service- a mandatory affair for local governments. Thousands of local scale communal scale wastewater infrastructure which has been built requires financial support in order to be sustainable. In the previous research conducted by ISF-UTS and Bappenas, it was found that local government faces regulatory challenges in providing financial support for the operation and maintenance of these systems. Since most wastewater infrastructure assets are not registered as local government’s (“Pemda”) assets<sup>2</sup>, Pemdads are unable to allocate the maintenance and operation expenditure of such infrastructure using *belanja operasi dan pemeliharaan* (operation and maintenance expenditure) as well as various other budget line items normally used to maintain and repair Pemda’s assets.

In various discussions with Pemda,<sup>3</sup> it was revealed that Pemda has commitment to financially support communal scale wastewater. However, Pemda require clarity, in national regulation, on the possibilities for using available budget line items to support communal wastewater infrastructures so that it will not face legal problems.

---

<sup>1</sup> Mohamad Mova AlAfghani et al., ‘Review of Regulatory Framework for Local Scale “Air Limbah”’. Prepared under the Australian Development Research Award Scheme (ADRAS) Project: ‘Effective Governance for the Successful Long-Term Operation of Local Scale Wastewater Systems’ (Center for Regulation, Policy and Governance (CRPG) and Institute for Sustainable Futures, UTS 2015) <[http://communitysanitationgovernance.info/wp-content/uploads/2016/09/ISF-UTS\\_2015\\_Local-ScaleSanitationIndonesia\\_Legal-Review-Report.pdf](http://communitysanitationgovernance.info/wp-content/uploads/2016/09/ISF-UTS_2015_Local-ScaleSanitationIndonesia_Legal-Review-Report.pdf)> accessed 30 November 2016.

<sup>2</sup> ‘Meeting with Bappeda Bogor’ (21 November 2016); ‘Interview with Sekda Bogor and Other High Ranking Government Officials’ (11 November 2016); AlAfghani and others (n 1).

<sup>3</sup> ‘Meeting with Bappeda Bogor’ (n 2); ‘Interview with Sekda Bogor and Other High Ranking Government Officials’ (n 2); ‘Lokakarya Diseminasi Hasil Penelitian Pengelolaan Air Limbah Skala Komunal Yang Efektif, Bappenas’ (22 November 2016).

This research will discuss in more detail, budget line items that can be utilised by Pemda in order to support the sustainability of local scale wastewater, as well as broader implications for design and implementation of communal scale wastewater infrastructure and the question of asset ownership, given its significant influence on mechanisms to fund ongoing operation and maintenance.

### **1.3 AIMS**

This project aimed to develop a Guideline for using Regional Budget to Finance the Operation and Maintenance of Local Scale Wastewater (hereafter referred to as "Guideline"). In doing so, the project applied the methodology described in the following chapter. This document and its accompanying Guideline are expected to reduce uncertainty in terms of utilising Pemda's budget to finance the operation and maintenance of communal scale wastewater systems.

## CHAPTER 2: METHODOLOGY

---

The following sections outline the methodology followed, including legal analysis, selected case law, stakeholder engagement and the process to develop the Guideline.

### 2.1 UPDATED LEGAL ANALYSIS

This research updates the previous Legal Review, especially Chapter 3, concerning regional expenditure.<sup>4</sup> Many parts of this section are taken directly from Chapter 3 of the previous report, and updated as necessary. New regulations concerning public finance, grants and assets have been issued after the ISF-UTS report was published, and have been integrated. In addition, this research revealed several important new findings on issues pertaining assets and budgets, which warrants further discussion by relevant Ministries and wider stakeholders.

### 2.2 SELECTED CASE LAW

The research conducts brief reviews of court cases pertaining the use of Local Government Budget, particularly on grants and capital expenditure. These have been integrated into the overall narrative and provided as examples or justifications in footnotes to the analysis.

### 2.3 STAKEHOLDER ENGAGEMENT

Interviews were conducted with national, regional and local government officials. The stakeholders were selected based on previous research and relevance to the topic.

In terms of national stakeholders, the Ministry of Home Affairs (MOHA), in particular the Directorate General of Regional Finance (Keuda) was interviewed. The role of Keuda is considered central because rules on regional budgeting at MOHA are drafted by this Directorate General and enforced throughout Indonesia. The MOHA represents the “regulator” point of view. Unfortunately, only one stakeholder in Keuda was available to participate.

Other stakeholders at the national level were the Development Finance Comtroller (BPKP) and the State Audit Agency (BPK). Both stakeholders represent the “auditor” perspective on the use of regional budget. Several BPKP officials were interviewed. In the case of BPK, request was made seeking an interview however a formal letter was issued refusing to be interviewed.

Local stakeholders included the Government of the Kota Bogor. Interviews are conducted towards Wasbangkim officials, Bappeda officials (including several members

---

<sup>4</sup> AIAfghani and others (n 1).

of the regional budgeting team or TAPD), BPKAD officials as well as several conversations with the Sekda. In these interviews we seek to understand how the national budgeting rules are interpreted at the local level. Interviews with Bogor is considered sufficient and viewpoints from other Pemda is obtained during workshop.

## 2.4 GUIDELINE DEVELOPMENT PROCESS

Following all of the process above (updated legal analysis, selected case law review and stakeholder interviews) the Guideline was developed in three stages:

- Workshop: A workshop “Penggunaan APBD untuk Mendukung Operasi dan Pemeliharaan Infrastruktur Air Limbah Berbasis Masyarakat” (Utilization of APBD/Regional Budget to Support the Operation and Maintenance of Community Based Wastewater) was hosted by Bappenas on October 25, 2016. The workshop featured three speakers, Dr. AlAfghani from CRPG, representative of the City of Bogor (Bappeda) and Ibu Aisyah from BPKP. Keuda was invited to the workshop but was not able to attend. The workshop was attended by 25 representatives from various government agencies, donor agencies and NGO which contribute on the discussion session.
- Drafting and review of guideline: A guideline was drafted based on the information collected during the previous stages above, and also drawing on categories of costs that were identified in previous ISF-UTS research for communal scale systems.<sup>5</sup> An expert was consulted in order to provide feedback and review the draft guideline.
- Final national workshop: A dissemination workshop was organized by Bappenas on November 22<sup>nd</sup>, 2016 and was attended by various national government agencies, development agencies and representatives from Kota Bogor and Kabupaten Bantaeng. The hard copy of the draft Guideline was distributed and presented on the workshop to solicit feedback.

## 2.5 LIMITATIONS

The main limitation in the research and drafting process was engagement from key national government counterparts. Contacts with Keuda took time to establish, however eventually a contact was made and proved to be indispensable in developing the guideline. Nevertheless, contacts with other directorates within Keuda, such as that directorate which deals with regional assets, could not be established. The BPK refuse to give interview through a formal letter, on the grounds that it serves no function in providing advice. Despite these limitations, and given the wide engagement from other stakeholders, the Guideline is considered sound and appropriate for adoption and use.

---

<sup>5</sup> Mitchell, C, Abey Suriya, K, Ross K. 2016. A review and comparative analysis of indicative service costs for different sanitation service scales in Indonesia. Prepared by the Institute for Sustainable Futures, University of Technology Sydney.

## CHAPTER 3: FINDINGS AND ANALYSIS

### 3.1 GOVERNMENT FINANCIAL SUPPORT FOR COMMUNITY-SCALE SYSTEMS

The research revealed that the use of budget line items is very much dependent on the status of assets. All participants during the October 25 and November 22 Bappenas workshops agreed that – from the regulatory standpoint -- it would be much easier to allocate maintenance and operation budget if communal scale wastewater assets were owned by the government. Several stakeholders during the October 25 workshop commented that in some regions the assets are owned by Pemda, although this is not common.<sup>6</sup> Similar information was relied by a government stakeholder on the Bappenas workshop of 22<sup>nd</sup> November.<sup>7</sup> However, the research team is unable to clarify if such “ownership” by Pemda’s can be legally verified. The previous Legal Review devised an ownership test to evaluate the legal status of assets but this was not employed in this case.<sup>8</sup>

The current project developed further tests to evaluate not only the ownership of an asset, but also the status of registration with the government. This was incorporated in the Guideline which require that, in order to validate the ownership of an assets to Pemda, verification shall be conducted by evaluating: *Daftar Barang Milik Daerah* (Assets Registry) dan *Dokumen Kepemilikan* (Certificates – Ownership Test as explained above), *Kartu Inventaris Barang* (Goods Inventory List) at each SKPD. If they are not listed or absent, then it cannot be regarded as a government asset.

As such, the research team devised various options where assets could be owned – contractually or as a legal title – by Pemda which then allows for the use of various budget line items which are otherwise not allowed if the assets do not belong to the Pemda. In response to this, the Guideline also mentions the circumstances where assets are owned by the government – although the main focus remained on situations where assets are not owned by local government.

For assets owned by government, the following direct and indirect expenditure budget lines are applicable (Table 1).

<sup>6</sup> ‘Workshop Penggunaan APBD Untuk Mendukung Operasi Dan Pemeliharaan Lnfrastruktur Air Limbah Berbasis Masyarakat, Bappenas’ (25 October 2016).

<sup>7</sup> ‘Lokakarya Diseminasi Hasil Penelitian Pengelolaan Air Limbah Skala Komunal Yang Efektif, Bappenas’ (n 3).

<sup>8</sup> In order to test the legality of ownership, we develop an “ownership test” in the previous ADRAS Report. See AlAfghani and others (n 1).

Table 1: Expenditure accounts applicable for government owned communal scale wastewater assets

Expenditure Account	Use
<b>Direct Expenditure</b>	
Employee expenditure	Honorarium to operate certain programs and activities. For example: meeting honorarium, honorarium for a KSM/KPP operator etc.
Goods and Service expenditure	Can be used to pay for pipes and paints, equipment, consumables, etc. <i>Note: It can also be used for maintenance. The budgeting can be done at SKPD and Kelurahan levels.</i>
Capital expenditure	To fund procurement of infrastructure and repairs at large scale.
<b>Indirect Expenditure</b>	
Employee Expenditure	Used to pay for employee who works in Dinas/UTPD whose task is to provide technical and institutional support to communal sanitation.
Subsidy Expenditure	<i>Not necessary</i>
Grant Expenditure	<i>Not necessary</i>
Social Assistance Expenditure	<i>Not necessary</i>

Another option is for such assets to remain on the ownership of KSM. The government can still finance post-construction repairs, rehabilitation or extension through *Hibah* (Grant), but this cannot occur regularly. However, the important finding from our interview with the Keuda (Regional Finance) Directorate General of the Ministry of Home Affairs is that the existing *Hibah* rules can be relaxed and exemptions can be made, so that KSM which owns the assets can be regularly financed by Local Government.<sup>9</sup> This however, would require, at least, a national Government Regulation. We are of the opinion that the future national Government Regulation on Sanitation can contain a clause, which permits the KSM to be financed regularly. Some of the participants of the October 25 and November 22 workshops considered this to be a more viable option than the previous alternative in which assets are owned by Local Government. However equally, one of the case study district governments' participating in this study, Kabupaten Bantaeng, were committed to own the communal scale sanitation assets. Hence there remain a variety of different views on this matter.

*For assets not owned by government, the following direct and indirect expenditure budget lines are applicable (*

Table 2).

<sup>9</sup> 'Interview with an Official at the Ministry of Home Affairs' (7 October 2016); 'Interview with an Official at the Ministry of Home Affairs' (25 November 2016).



Table 2: Expenditure accounts applicable for communal scale wastewater assets not owned by government

Expenditure account	Use
<b>Direct Expenditure</b>	
Employee Expenditure	Can be used for honorarium to implement certain <b>programs</b> and activities. For example: meeting honorarium, honorarium for a KSM/KPP operator etc.
Goods and Service Expenditure	One of the sub-item that can be used is 'goods and service expenditure that is transferred to community', also called a "goods grant". The procedure follows grant procedure which needs to be preceded by submitting proposal and followed by a verification from relevant SKPD. Therefore, use of this account requires KSM to be a legal entity. In addition, incentive for a community accomplishment can also be given from this expenditure account. However it should be noted that this incentive is different from grant.
Capital Expenditure	This account is not to be used to directly finance community's assets. However, it can be used to purchase long term assets for SKPD/Dinas which supports communal scale wastewater which has use value of more than 12 months. For example, it can be in the form of purchase of vehicles (for example, for desludging community tanks) or other fixed asset.
<b>Indirect Expenditure</b>	
Employee Expenditure	This account can be used to pay for government employees who work in Dinas/UPTD whose task is to maintain communal scale sanitation.
Subsidy Expenditure	This account can be used to subsidize some of KSM costs. However, it is likely to be difficult in practice, as it requires detailed pre-audit and post-audit of KSM's financial records. KSM must have a clear structure of unit cost and must have a good quality financial records, likely beyond current KSM capacity.
Hibah Expenditure	It is referred to as a monetary grant. Similar to goods grant, this follows the regular grant mechanism. It can be used to finance incidental repairs. However, it must be preceded with a proposal and verification from the relevant SKPD. KSM must also have legal entity status to access a grant.
Social Assistance Expenditure	This account can only be used if there is a social, economic, political disaster or natural phenomenon and the condition is

unstable. It is therefore not suitable for financing predicted ongoing maintenance needs, but could be used to repair damage in the event of a disaster.

### 3.2 AVAILABLE CHANNELS TO FINANCE POST-CONSTRUCTION THROUGH LOCAL REVENUE AND EXPENDITURE BUDGET

This section describes in further detail the channels available to local government to finance different aspects of communal scale sanitation service delivery. It includes footnoted references to the sources which support our analysis and conclusions, which include examples of how regional budgets have been used in the past, and includes references to selected legal cases. It also includes the relevant account codes that should be used.

In general, regional expenditure (*belanja daerah*) is used by regencies/cities to finance mandatory and optional affairs. Based on Ministry of Home Affairs Regulation (MOHA Regulation) 13/2006<sup>10</sup> consists of direct expenditure (*Belanja Langsung*) and indirect expenditure (*Belanja Tidak Langsung*) and each can be broken down into several other categories. The following two sections describe how Direct Expenditures (Section 3.2.1) and Indirect Expenditure (Section 3.2.2) may be applied for supporting the financing of ongoing operation and maintenance of communal scale systems.

#### 3.2.1 DIRECT EXPENDITURES (BELANJA LANGSUNG)

Direct expenditure is a type of expenditure directly related to the implementation of program and activities.<sup>11</sup> It consists of four categories: employee expenditure, goods and services expenditure and capital expenditure.<sup>12</sup>

##### 3.2.1.1 Employees Expenditure (Belanja Pegawai)

This type of expenditure is used to pay *honorarium* in conjunction with certain program or activities.<sup>13</sup> As an example, one region utilized this line item for paying sanitation meeting *honorarium* (paid at the attendance each meeting) and for paying the *honorarium* of technical implementers.<sup>14</sup>

---

<sup>10</sup> Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 13 Tahun 2006 Tentang Pedoman Pengelolaan Keuangan Daerah.

<sup>11</sup> *ibid.*, Pasal 36(3)

<sup>12</sup> Minister of Home Affairs Regulation No. 13/2006 regarding Pedoman Pengelolaan Keuangan Daerah, Pasal 50

<sup>13</sup> Minister of Home Affairs Regulation No. 13/2006 regarding Pedoman Pengelolaan Keuangan Daerah, Pasal 51

<sup>14</sup> [http://ppsp.nawasis.info/dokumen/perencanaan/sanitasi/pokja/bp/kab.sukamara/21.14%20koordinasi%20perencanaan%20pembangunan%20bidang%20fisik%20dan%20prasarana\(2\).pdf](http://ppsp.nawasis.info/dokumen/perencanaan/sanitasi/pokja/bp/kab.sukamara/21.14%20koordinasi%20perencanaan%20pembangunan%20bidang%20fisik%20dan%20prasarana(2).pdf)

Another interesting use of this line item is in Jakarta, where it is used to pay for the *honorarium* of KSM involved in the management of solid waste.<sup>15</sup> This line item used account code 5.2.1.02.02 (Note: account codes may change with latest regulation). Under the regulation on regional finance, this code is used for the expenditure for the remuneration of non-state (non-permanent) employees (known in Indonesia as *pegawai honorer*).<sup>16</sup> Interestingly, in Jakarta this code is utilised for paying non-state employees, working on non-state institutions, in this case, KSM operating “waste bank” (*bank sampah*).

Such codes have been used to pay for the remuneration of KSM officers operating communal wastewater systems. There might be argument that they do not work for government institution –KSM, a non-government entity – however, they are serving *some* governmental functions as both solid waste and wastewater management are parts of mandatory government affairs under regional autonomy laws. In order for local government to allocate *honorarium* for KSM members, relevant SKPD who has the task for supporting community wastewater infrastructure should issue decision letter (*Surat Keputusan*) signed by its head, appointing KSM members as *honorary* employee.

### 3.2.1.2 Goods and services expenditure (Belanja barang dan jasa)

This type of expenditure can be used to pay for logistics whose use-value is less than 12 months, such as consumables, insurances, vehicle maintenance, renting of heavy equipment and office equipment.<sup>17</sup> The regulation stipulates that this type of expenditure can be used to pay for goods and services which will be transferred or sold to “masyarakat” (it does not specify individual or legal entity) or third parties (*barang dan jasa yang diserahkan kepada masyarakat*).

Various types of expenditure in this category can only be used for internal use. For example, it includes expenditures for office supplies (consumables), materials, vehicle services and parts replacements, rents, official travels, assets maintenance, etc. These expenditures can be used to maintain the value of **government’s assets**, such as wastewater treatment plants and equipments. Thus, these expenditures can be used to support post-construction of local scale sanitation *indirectly*. For example, by facilitating the logistics of SKPD or other entities tasked with overseeing communal scale wastewater systems. In one Kabupaten, the budget line item for consumables, food and grocery shopping, “services for third parties”, etc have been used to facilitate the Bappeda’s meeting and coordination for drafting *Buku Putih Sanitasi* and buying equipment related to such purpose.<sup>18</sup>

<sup>15</sup> See ‘Dokumen Pelaksanaan Anggaran Satuan Kerja Perangkat Daerah Provinsi Daerah Khusus Ibukota Jakarta Tahun Anggaran 2013, Dinas Kebersihan’ (n 164).

<sup>16</sup> Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 13 Tahun 2006 Tentang Pedoman Pengelolaan Keuangan Daerah (n 10). Attachment A

<sup>17</sup> Peraturan Menteri Dalam Negeri Nomor 21 Tahun 2011 Tentang Perubahan Kedua Atas Peraturan Menteri Dalam Negeri Nomor 13 Tahun 2006 Tentang Pedoman Pengelolaan Keuangan Daerah. Pasal 52 (1), (2)

<sup>18</sup>[http://ppsp.nawasis.info/dokumen/perencanaan/sanitasi/pokja/bp/kab.sukamara/21.14%20koordinasi%20perencanaan%20pembangunan%20bidang%20fisik%20dan%20prasarana\(2\).pdf](http://ppsp.nawasis.info/dokumen/perencanaan/sanitasi/pokja/bp/kab.sukamara/21.14%20koordinasi%20perencanaan%20pembangunan%20bidang%20fisik%20dan%20prasarana(2).pdf)

A sub-category of expenditure that is used for *direct* support of communal scale sanitation is goods expenditure to be transferred (granted) or sold to third parties (*Belanja barang untuk diserahkan kepada masyarakat*). We received information through interview– but were unable to validate – that in one city, this line item is used for rehabilitation (painting) and extending household connection.<sup>19</sup> Presumably, in that city, this line item is used to procure pipes and paints which will then be transferred to KSMs through grant (*hibah*) scheme. note that there is another budget line for grant scheme, called *belanja belanja hibah* – will be discussed below). This is important to add since both accounts – goods and services expenditure to be transferred to community (*belanja barang yang diserahkan kepada masyarakat*) and grant expenditure (*belanja hibah*) are used for grants (*hibah*) which must go through grant mechanism. Under a 2011 accounting rule, this line item account code is 5.2.2.23.01.<sup>20</sup>

MOHA Regulation 14/2016 (second amendment to MOHA Regulation 32/2011) clarified that if the grant (*hibah*) is in the form of goods and services, then this should be formulated on the SKPD (branch or regional government) as goods and services expenditure, expenditure object goods and services to be transferred to third parties or the community (*jenis belanja barang dan jasa, obyek belanja hibah barang atau jasa dan rincian obyek belanja hibah barang atau jasa yang diserahkan kepada pihak ketiga/masyarakat pada SKPD*). As such, the MOHA regulation clarified that grant which take the form of goods and services needs to be accounted using budget line item “goods and services to be transferred to third parties” and must go through the normal grant (*hibah*) process. This procedure will be explained below.

### 3.2.1.3 Belanja Modal (Capital Expenditure)

Another important budget category is capital expenditure (*Belanja Modal*). According to a 2006 regulation, this category is used for expenditure involving the purchase or procurement of tangible fixed assets with use value of more than 12 months.<sup>21</sup> This category is divided into several budget line items for example land expenditure, machinery and equipment expenditure and building expenditure. The 2011 regulation provides account code 5.2.3.23.xx for capital expenditure of water networks.<sup>22</sup> Goods that are meant to be transferred to third parties or “masyarakat” **should not** be categorized as capital expenditure. They should be categorised as goods and services expenditure to be transferred to masyarakat/third parties as discussed earlier above.

---

<sup>19</sup> Interview with a government official, ISF Team, 12/18/15

<sup>20</sup> Peraturan Menteri Dalam Negeri Nomor 21 Tahun 2011 Tentang Perubahan Kedua Atas Peraturan Menteri Dalam Negeri Nomor 13 Tahun 2006 Tentang Pedoman Pengelolaan Keuangan Daerah (n 17). Lihat lampiran A.VIII.a.1

<sup>21</sup> Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 13 Tahun 2006 Tentang Pedoman Pengelolaan Keuangan Daerah (n 10). Pasal 53

<sup>22</sup> Peraturan Menteri Dalam Negeri Nomor 21 Tahun 2011 Tentang Perubahan Kedua Atas Peraturan Menteri Dalam Negeri Nomor 13 Tahun 2006 Tentang Pedoman Pengelolaan Keuangan Daerah (n 17). See attachment A.VIII.a.1

Goods or assets which are categorized under capital expenditure but are then transferred to the “masyarakat” have, in practice, triggered corruption investigation.<sup>23</sup>

The capital expenditure category can certainly be used for wastewater infrastructure, such as treatment plant, buildings and equipment, including its maintenance, to the extent that the assets are owned by the government.

### 3.2.2 BELANJA TIDAK LANGSUNG (INDIRECT EXPENDITURE)

Indirect expenditure is a type of expenditure not directly related to program or activities. It is divided into several categories: employee expenditure, interest expenditure, subsidy expenditure, grants expenditure, social assistance expenditure, profit-sharing expenditure, financial assistance to other local governments or village and contingencies. A subset of these categories, which are relevant to communal scale sanitation, are discussed in more detail in the following section.

#### 3.2.2.1 Employee Expenditures (Belanja Pegawai)

This type of expenditure is not related to certain activities or program, thus different from *honorarium* line item discussed in direct expenditure above. Employee expenditure pays for salaries of state employees regional heads, parliament’s members, etc.<sup>24</sup> These salaries are paid irrespective of productivity or organisational goals. To the extent that it is used to pay for the salaries of SKPD or units tasked with supporting communal scale sanitation, this budget line item could indicate the status and level of support from local government to communal scale sanitation.

#### 3.2.2.2 Belanja Subsidi

This expenditure aims to subsidise *production costs* so that the selling price becomes affordable for “masyarakat”.<sup>25</sup> This budget is mainly for "Public Service Obligation" where the government intervenes the selling price.

Typically, subsidies are provided only to support regional or state owned enterprises. However, the 2006 rule on regional finance does not require subsidy recipients to be a regional owned enterprise, it only requires that the company or institution (to be subsidized) produce goods or public services.<sup>26</sup> We’d also like to note that the definition of “company” and “institution” under the regulation is still a matter of debate. The subsidy mechanism also requires the recipient to be audited at the outset and again later

<sup>23</sup> ‘Temuan BPK RI Sudah Di Tindaklanjuti - Radar Nusantara’ <<http://www.radamusantara.com/2013/09/temuan-bpk-ri-sudah-di-tindaklanjuti.html>> accessed 18 December 2015.

<sup>24</sup> Minister of Home Affairs Regulation No. 13/2006 regarding Pedoman Pengelolaan Keuangan Daerah, Pasal 38 (1)

<sup>25</sup> Minister of Home Affairs Regulation No. 13/2006 regarding Pedoman Pengelolaan Keuangan Daerah, Pasal 41 (1)

<sup>26</sup> Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 13 Tahun 2006 Tentang Pedoman Pengelolaan Keuangan Daerah (n 10). Pasal 41

on, to deliver an accountability report to regional heads. The subsidy scheme is a part of APBD and thus its accountability procedures is part of APBD accountability procedure.

The 2006 rule authorised regional heads (*walikota/bupati*) to regulate this area in more detail in walikota/bupati regulation<sup>27</sup>. This provides ample flexibility for regional heads to regulate subsidies in its territory.

Since the 2006 regulation leave the regional heads to regulate in detail, the regulatory practice of subsidy varies from region to region. For example, in Natuna, a subsidy must be proposed by relevant SKPD/Dinas, specifying the technical consideration for such proposal including presentation of an audit report and other prerequisites.<sup>28</sup> This is preceded by a proposal from candidate recipient and a statement of ultimate responsibility. In another example, in Palembang, a specific *Walikota* regulation is issued for the subsidy of a transport company (region-owned).<sup>29</sup> In Pekanbaru, the subsidy regulation also regulates grants and social assistance fund.<sup>30</sup>

The subsidy scheme could potentially be used to provide *direct support* to communal scale sanitation because the regulation does not strictly regulate the type of recipient. The fact that KSM serve public service function should adequately justify the subsidy. It can also be used to provide *indirect support* if it is allocated to subsidize water treatment facilities (IPLT) so that it can charge more affordable prices to KSMs.

If subsidies are to be used for supporting communal scale sanitation, then there are several issues that need attention: (i) the role of SKPD is proposing and later on supervising the subsidy, (ii) the inclusion of the subsidy in the regional budget cycle/APBD and (iii) the reporting capacity of recipient KSMs.

As noted earlier, this scheme is likely to be highly impractical for the moment as this requires KSM/KPP to have advanced financial reporting capacity that reflects the exact unit costs and the costs to be subsidised. Also, at present, there are tens of KSMs in a single city. This could also complicate the situation as each of them would be required to submit an advance cost accounting and be audited by the government, before any subsidy could be approved.

In the future, KSM/KPPs might be reorganized into one single legal entity in each city – which has consolidated financial reporting mechanism over their assets in the whole city. However, this would require a rethinking of KSM/KPP's internal governance.

---

<sup>27</sup> *ibid.* Pasal 41

<sup>28</sup> Peraturan Bupati Natuna Nomor 61 Tahun 2014.

<sup>29</sup> Peraturan Walikota Palembang Nomor 9 Tahun 2014 Tentang Tata Cara Penyediaan, Pencairan dan Pertanggungjawaban Belanja Subsidi Angkutan Bus Rapid Transmisi (BRT).

<sup>30</sup> Peraturan Walikota Pekanbaru Nomor 4 Tahun 2011 Tentang Tata Cara Pemberiandan Pertanggungjawaban Belanja Subsidi, Hibah Dan Bantuansosial.

### 3.2.2.3 Belanja Hibah

Grants expenditure and social assistance expenditure are the type of budget line items which often trigger corruption investigation<sup>31</sup> as they are prone to be politicized or used as a campaign gimmick. As such, in 2014, the new law on regional government stipulates that only organizations with legal entity status can receive grant (*hibah*).<sup>32</sup>

In MOHA Regulation 13/2006 on Regional Finance, grant expenditure (*belanja hibah*) is a part of indirect expenditure. Attachment A of MOHA Regulation 13/2006 stipulates that grant expenditure (*belanja hibah*) is designated with account code 5.1.xx.xx.xx. (The xx is a variable which denotes that each region could have different account codes). More specifically, grant expenditure to community/individual (*Belanja Hibah Kepada Kelompok Masyarakat/Perorangan*) is designated with 5.1.4.06.xx. MOHA Regulation 13/2006 was amended by MOHA Regulation 21/2011. In MOHA Regulation 21/2011 the account code for grant expenditure (*belanja hibah*), remains the same, however, the explanation for account code is different, namely “*Belanja Hibah kepada Kelompok/Anggota Masyarakat*” (grant expenditure to groups/community members)—no longer using the term “individual”.

Nevertheless, the distribution of grants to individual or members of the community group may no longer be in line with Law 23 of 2014 on Regional Government (Law 23) Article 298 (5) as discussed earlier. In this respect, the utilisation of grant budget line item and especially concerning the recipient of grants, will need to be interpreted in line with Law 23. This will be discussed further in Section 3.2.3 below.

MOHA Regulation 14/2016 (second amendment to MOHA Regulation 32/2011) Article 11 stipulates that if the grant takes the form of money, it must be accounted as grant expenditure, object: grant expenditure, object detail: grant expenditure on PPKD. As such, this account is utilized for money grant. This account can be used for any operation and maintenance activities as long as it is not employed on a regular basis.

As noted on the beginning of this section, this account is vulnerable to corruption and there are various cases in which the Court has rendered its verdict, in relation to the utilization of this account. In these cases, the Courts decides that grant funds that has been transferred by the Pemdasa to the recipient accounts were misused.<sup>33</sup>

Our interviews with MOHA<sup>34</sup> also reveal that *belanja hibah*, also known as “money grant” are relevant to corruption, primarily because recipients may not always spend the money transferred to them in accordance to the purposes of the grant, but spent it

<sup>31</sup> Lihat Putusan Pengadilan Tindak Pidana Korupsi pada Pengadilan Negeri Samarinda Nomor 20/Pid.Tipikor/2014/PN.Smda. Untuk kesalahan penggunaan dana hibah, lihat Putusan Pengadilan Negeri Bandung nomor 59/Pid.Sus/TPK/2014/PN.Bdg.

<sup>32</sup> Undang Undang Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah. Pasal 298 (5)

<sup>33</sup> Lihat Putusan Pengadilan Tindak Pidana Korupsi pada Pengadilan Negeri Samarinda Nomor 20/Pid.Tipikor/2014/PN.Smda. Untuk kesalahan penggunaan dana hibah, lihat Putusan Pengadilan Negeri Bandung nomor 59/Pid.Sus/TPK/2014/PN.Bdg.

<sup>34</sup> ‘Interview with an Official at the Ministry of Home Affairs’ (n 9).

on other items or to their personal benefit. Money grant recipient would also be required to submit evidence on how the money has been spent. Any lack of reporting or lack of evidence to justify spending can trigger corruption investigation. As such, notwithstanding KSM/KPP's reporting capacity, goods grants under *Belanja Barang dan Jasa Untuk Diserahkan Kepada Masyarakat* (Goods and Services to be Transferred to the Community discussed under 3.2.1.2 above) are more appropriate, especially since the community receives in the form of goods and no complicated reporting is required.

#### 3.2.2.4 Bantuan Sosial

The 2011 regulation also covers social assistance expenditure. It stipulates that the government can provide social assistance to members (individuals) or group of "masyarakat" in accordance with the region's financial capability.<sup>35</sup>

The social assistance can be in monetary or physical form (goods). As this is a part of the APBD, it cannot be promptly disbursed, it must go through several stages: written proposal from individuals/"masyarakat" to regional heads, evaluation from related SKPD, recommendation from SKPD, inclusion in the RKA-SKPD (SKPD budget planning document) and so on until the APBD is finally approved, executed and reported.

One of the important part in the 2011 regulation is that it stipulates<sup>36</sup> that social assistance in the form of money should go into the *belanja bantuan sosial* account (social assistant account code is 5.1.5.xx.xx according to the accounting rule<sup>37</sup>), whereas if it is in the form of goods, it must be lodged as goods and services expenditure (more specifically "*belanja barang yang akan diserahkan kepada masyarakat*" the code is 5.2.2.23.xx according to the accounting rule).

There are generally two recipients: individuals/"masyarakat" and organizations. The first category is individuals, families and/or "masyarakat" with unstable condition due to social, economics, political, disaster or natural phenomenon *crisis*, with the purpose of fulfilling their minimum living requirement.<sup>38</sup> The 2011 regulation thus requires a somewhat more restrictive condition, a *crisis* for the use of this expenditure. However, the types of crisis covered are many, covering economic to natural disaster and also the phrase "minimum living requirement", which could potentially cover different basic necessities from food to health and sanitation. As such, this expenditure has been used for various "poverty alleviation" programs. The second category, non-government

---

<sup>35</sup> Peraturan Menteri Dalam Negeri Nomor 32 Tahun 2011 Tentang Pedoman Pemberian Hibah Dan Bantuan Sosial Yang Bersumber Dari Anggaran Pendapatan Dan Belanja Daerah. Pasal 22

<sup>36</sup> *ibid.* Pasal 30

<sup>37</sup> Peraturan Menteri Dalam Negeri Nomor 21 Tahun 2011 Tentang Perubahan Kedua Atas Peraturan Menteri Dalam Negeri Nomor 13 Tahun 2006 Tentang Pedoman Pengelolaan Keuangan Daerah (n 17). Attachment A.VIII.a.1

<sup>38</sup> Peraturan Menteri Dalam Negeri Nomor 32 Tahun 2011 Tentang Pedoman Pemberian Hibah Dan Bantuan Sosial Yang Bersumber Dari Anggaran Pendapatan Dan Belanja Daerah (n 178). Pasal 23



organizations, in the fields of education, religion or other fields who protects individuals/groups/”masyarakat” from “social risks”.<sup>39</sup>

Additionally, the regulation requires fulfilment of additional criteria for the use of this expenditure category. The first criterion is *selective* which means that the recipient must face “social risks”. The second criterion is clear identity (of the recipient) and domiciled in the jurisdiction of the local government. The aid must be temporary and not continual, which means that there is no obligation that it continues to be budgeted every financial year, but it can be budgeted every year until the recipient is free from “social risks”.<sup>40</sup>

The 2011 regulation also stipulates that the use of this expenditure must be for (any) of the purposes which have been restrictively determined. The purposes are as follows: social rehabilitation (the purpose of which is to address social dysfunction; recover and develop a person(s) social function); social protection (the purpose of which is to prevent and mitigate social vulnerabilities so that the individual/community groups can fulfil its minimum basic needs); social empowerment (to enable individuals/groups with capability in fulfilling their own needs); social security (an institutionalized scheme which guarantees its recipient in fulfilling a decent life); poverty alleviation (programs for individuals/families/groups which does not have sustainable means of living or occupation and unable to fulfil basic needs) and disaster mitigation (which are aimed at rehabilitation).<sup>41</sup>

Basic urban sanitation can fall under various criteria stipulated above. Therefore, this type of expenditure is suitable for the construction phase of communal scale sanitation, or in the event of major structural damage due to disasters. The restriction on this type of expenditure is similar to grant expenditure, namely, that it should be temporary. Furthermore, the expenditure cannot be used to finance ongoing or continuous maintenance and operation as it can only be disbursed if there is a “crisis”. Hence this budget line is only useful during post-contrsuction phase for repairs following a natural disaster or similar, but is not appropriate for financing predicted on-going maintenance needs.

### 3.2.3 SPECIAL REGULATIONS ON GRANT

MOHA Regulation 32/2011 concerning grants and social help (hibah dan bantuan sosial) regulates detail mechanism on grants and social help.<sup>42</sup> The 2011 regulation defines grant as the transfer of money or goods or services to another party, which has been specifically determined, non-obligatory in nature, not binding, temporary and with a purpose to “support” program and government activities.<sup>43</sup>

---

<sup>39</sup> *ibid.* Pasal 23

<sup>40</sup> *ibid.* Pasal 24

<sup>41</sup> *ibid.* Pasal 25

<sup>42</sup> *ibid.*

<sup>43</sup> *ibid.* Pasal 4

This understanding means that grants are considered only in terms of a “supporting” role of government’s core functions. The temporary nature of grants means that it is difficult to rely on grant in order to support KSM/KPP and the sustainability of communal scale wastewater, but it is suitable for an incidental purposes, such as during the construction stages. The provisions of materials or funding to KSM/KPP on a continual basis during the post construction stage will be in contradiction to the 2011 MOHA Regulation.

### 3.2.3.1 Accounting Rules concerning Grants

Article 1 (14) of MOHA regulation define grant as the transfer of money or goods or services. As such, grant could take the form of goods grant or money grant. MOHA Regulation 32/2011 as amended by MOHA Regulation 14/2016 regulates the accounting of grant into two: (1) grant in the form of money is accounted as indirect expenditure (kelompok belanja tidak langsung), type of expenditure: grant, detail of expenditure object on PPKD. (2) Grant in the form of goods and services shall be accounted as direct expenditure, formulated into program and activities, detailed into goods and services type of expenditure, expenditure object: goods and services expenditure, detailed into goods and services expenditure transferred to third parties/community on the SKPD.

### 3.2.3.2 Grant Procedure

- Written Proposal

Grant proposal shall be drafted by the central government, other local government, state or regional owned enterprises, institutions and bodies (*badan dan lembaga*) and mass organizations (*organisasi kemasyarakatan*)<sup>44</sup>

- Evaluation and Consideration

Related SKPD then conducts verification towards such proposal and consider technical aspects related to the proposal, such consideration shall be given to TAPD (regional government budgeting team – usually consist of high ranking Bappeda Officials and Sekda, among other). TAPD will use SKPD recommendations as an input and will consider the grant based on priorities and the region’s fiscal capacity. Recommendation from the head of SKPD and the consideration of TAPD becomes the basis of the allocation of grant in the general guidelines of APD and the priority and Plafond of Draft Budget.

- NPHD

Other important element from MOHA Regulation 32/2011 is the obligation of the grant recipient to – together with regional heads – sign regional grant agreement document (NPHD), which contain provisions concerning grantor and

---

<sup>44</sup> Pasal 8 *ibid.* Sebagaimana diubah oleh Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 19 Tahun 2016 Tentang Pedoman Pengelolaan Barang Milik Daerah.

grant recipient (grantee), the purpose of grant, details and amount of grant, rights and obligations of each parties, disbursement or transfer mechanism and the reporting mechanism.<sup>45</sup>

- Determination on the list of grantee

Grant for each financial year must be determined in the list of grantee which specifies the amount of money or type of goods to be granted. Such list of grantee shall be enacted through the decree of regional heads, based on the regional by law on APBD and the regional heads regulation on the enumeration of APBD.<sup>46</sup>

- Grant Accountability

Either grantor or grantee must be accountable for grant. For grantor, which is, the local government, must submit the evidence of transfer (for money grant) Minutes of Transfer (Berita Acara Serah Terima) for goods and services. Grantees are required to make: a. grant utilization report; b. statement letter that grants which are received have been utilized in accordance with grant agreement (NPHD); and c. complete and legal evidence of expenses in accordance with prevailing regulations for money grant or evidence of transfer of goods/services for goods and services grant.<sup>47</sup> Note that money grants are considered to be vulnerable to corruption. Officials at the Ministry of Home Affairs considered that goods and services grant are more appropriate. Misuse of grant money and misreporting of expenses from money grant can entail criminal provisions. Such cases have been tried on State Court.<sup>48</sup>

### 3.2.4 PROVISIONS ON GRANT OBJECT

Based on MOHA Regulation 19/2016, the goods to be granted shall not pertain to state/regional secret, is not goods that is considered to control the livelihood of many people and that the good(s) is no longer used (*tidak digunakan lagi*) for the undertaking of main tasks and functions of the regional government.<sup>49</sup> Costs from grant process must be fully borne by grantee. It is not clear if the clause *meant* that only goods which are no longer used for specific task and functions can be granted to “masyarakat”. For example, if governments bought pipes and paints for their building, and the repair works have

<sup>45</sup> Peraturan Menteri Dalam Negeri Nomor 32 Tahun 2011 Tentang Pedoman Pemberian Hibah Dan Bantuan Sosial Yang Bersumber Dari Anggaran Pendapatan Dan Belanja Daerah (n 35).Pasal 13

<sup>46</sup> Pasal 14 ibid. Sebagaimana diubah oleh Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 19 Tahun 2016 Tentang Pedoman Pengelolaan Barang Milik Daerah (n 44).

<sup>47</sup> Pasal 18 dan 19 14 Peraturan Menteri Dalam Negeri Nomor 32 Tahun 2011 Tentang Pedoman Pemberian Hibah Dan Bantuan Sosial Yang Bersumber Dari Anggaran Pendapatan Dan Belanja Daerah (n 35).

<sup>48</sup> Hibah uang lebih rawan korupsi. Ketidaksiuaian uang yang dihibahkan dengan realisasinya dapat diberikan sanksi pidana. Lihat Putusan Pengadilan Tindak Pidana Korupsi pada Pengadilan Negeri Kelas IA Jayapura Nomor 15/Tipikor/2011/PN-JPR

<sup>49</sup> Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 19 Tahun 2016 Tentang Pedoman Pengelolaan Barang Milik Daerah (n 44). Pasal 397

been completed and there was excess of stocks, they can transfer the goods to the community. The original intention for this was that the government would own the goods.

What is obvious is that MOHA Regulation 19/2016 Article 400 (3) categorizes regional assets other than land that can be granted into two: (i) goods in which from the beginning of its procurement is intended to be granted and; (ii) goods which are more optimal to be granted. As such, it appears that not only goods which are no longer utilized (used or second) goods that can be granted, but also goods which are purchased for grant purpose.

All sorts of transfers, including grant, may require the approval of local parliament (DPRD). Grants (outside of buildings and lands) which worth more than IDR 5 billion must be approved by Local Parliament (DPRD).<sup>50</sup> Land and buildings grant must generally be approved by DPRD, unless in cases where public interest is involved.<sup>51</sup> This is further explained in Article 335 which enumerates that such exception can be invoked if it involves activities which pertains to the interest of state and the nation, the society in general, the people, and or in the interest of development such as foreign relation or relation with international organization. Other activities which require no approval includes drinking water network, clean water, wastewater network, water outlet, dam, dikes and other irrigation infrastructures. Although no approval of the local parliament is required, such hibah must be approved by Governor/Regent/Mayor (Gubernur/Bupati/Walikota).<sup>52</sup>

#### 3.2.4.1 Provisions concerning grantee

The Law on Regional Government regulates hibah and require grantee to be a legal entity. Article 298 of Law 23 Year 2014 stipulates that other than to Central government/Regional Government and BUMN/BUMD, grants can be provided to other three category of recipients: **body, institutions, and mass organizations** with Indonesian legal entity. One question remains: which of the three categories of recipients above should have a legal entity status – all of the three or only mass organizations?

In other to clarify the above provision, Ministry of Home Affairs issued circular No. 900/4627/SJ concerning clarification (*Penajaman*) of Article 298 (5) of Law No. 23 Year 2014 on regional government (MOHA Circular). The MOHA Circular clarifies that grant recipients (body, institusion and mass organizations) shall be entities which have legal personality status and legalized by a government entity or registered by the government.<sup>53</sup>

---

<sup>50</sup> *ibid.* Pasal 331 (1) (b)

<sup>51</sup> *ibid.* Pasal 331(2)(d)

<sup>52</sup> *ibid.* Pasal 336

<sup>53</sup> Ketentuan Angka 2, 3, 4, 5, 6, dan 7 Surat Edaran No. 900/4627/SJ.

One example of how the MOHA Circular (and the Regional Government provisions on grant) is applied in practice is a circular issued by Bekasi Mayor (SE 900/6951-BPKAD) which change its policy so that grantee can only be bodies, institutions or organisations which are legal entity or listed in the government register. Previous grant recipients (in Bekasi) such as Mosques, Mushalla, community quranic recital gatherings, other places of workshops including private schools and foster homes which are not run by government – according to the Bekasi Mayor Circular, cannot be provided with grants.

In order to adjust to new provisions of Article 298 (5) Law 23/2014 concerning grant, MOHA Regulation 32/2011 Article 6, which does not require legal entity status for grantee was finally revised by MOHA Regulation 14/2016.

In MOHA Regulation 14/16 the definition of “body and institutions” (Article 6 (5), point a, b and c) is as follows:

- a. yang bersifat nirlaba, sukarela dan sosial yang dibentuk berdasarkan peraturan perundang-undangan;*
  - b. yang bersifat nirlaba, sukarela dan sosial yang telah memiliki Surat Keterangan Terdaftar yang diterbitkan oleh Menteri Dalam Negeri, Gubernur atau Bupati/Walikota; atau*
  - c. yang bersifat nirlaba, sukarela bersifat sosial kemasyarakatan berupa kelompok masyarakat/kesatuan-kesatuan masyarakat hukum adat sepanjang masih hidup dan sesuai dengan perkembangan masyarakat, dan keberadaannya diakui oleh pemerintah pusat dan/atau pemerintah daerah melalui pengesahan atau penetapan dari pimpinan instansi vertikal atau kepala satuan kerja perangkat daerah terkait sesuai dengan kewenangannya.]*
- a. Which operates on a non-profit basis, voluntary and social, which are formed based on prevailing laws and regulations;
  - b. Which operates on a non-profit basis, voluntary and social, and has obtain Letter of Registration Status published by the Ministry of Home Affairs, Governor and/or Mayor; or;
  - c. Which operates on a non-profit basis, voluntary and social in the form of community groups/native legal communities, whose existence are recognized by the central government and/or regional government by way of enactment or legalization from vertical organizations or regional government agencies in accordance with its authority.

On the other hand, community organizations are defined as follows (Article 6 (6)):

*[Hibah kepada organisasi kemasyarakatan yang berbadan hukum Indonesia [.....] diberikan kepada organisasi kemasyarakatan yang berbadan hukum yayasan atau organisasi kemasyarakatan yang berbadan hukum perkumpulan yang telah mendapatkan pengesahan badan hukum dari kementerian yang membidangi urusan hukum dan hak asasi manusia sesuai peraturan perundang-undangan.]*

Grants to mass organizations which have the status of Indonesian legal entity [...] are provided to mass organizations which have the status of a foundation or mass organizations which have the status of association which have been legalized to be a legal entity by the Ministry of Law and Human Rights in accordance with prevailing regulations.

Grants for mass organizations require that at least such mass organizations have been registered for 3 years and have a permanent secretariat (Article 7 of MOHA Regulation 14/16).<sup>54</sup>

We have explored the possibilities for KSM/KPP to be recognized as bodies and institutions under Article 6 (5) of MOHA Regulation 14/16, point a, b and c – as they do not require legal entity status – but finds that these entities are usually semi-government entities which are regulated in special legislations – such as the Red Cross, the national committee for youth, the national AIDS commission, etc. Interviews<sup>55</sup> and Workshop/FGDs<sup>56</sup> also tend to interpret KSM/KPP as mass organizations under Article 6 (6) of MOHA Regulation 14/16. We believe that this interpretation is more in line with Regional Autonomy Law 23/2014 Article 298 (5). One of the problems that may arise with this interpretation is that MOHA Regulation 14/16 require that the organization have been registered for at least 3 years, despite having a legal entity status. This is not problematic in terms of post-construction – i.e. for existing KSM (provided that they have legal entity status) -- but would be problematic for the disbursement of fund in future water and sanitation construction projects.

One way to avoid such problem is to ask MOHA to issue special regulation exempting Article 7 requirement for having been registered for 3 years. Alternatively, Ministry of Public Works could issue such regulation, which would have similar legal effects. Nevertheless, as this is very much related to audit, in practice Pemas and auditor would observe MOHA Regulation compared with one from Public Work's.

### 3.3 GUIDELINE FOR EXPENDITURE ON ASSETS NOT OWNED BY GOVERNMENT

#### 3.3.1 THE GUIDELINE

At the moment, Pemda may incorrectly use budget line items to support the operation and maintenance of communal scale wastewater. An example is this in using capital expenditure (*belanja modal*) to conduct repairs or network extension in the case that local government does not own the asset. Guideline on APBD budgeting for community-based sanitation infrastructure whose assets are not owned by the government

---

<sup>54</sup> Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 14 Tahun 2016 Tentang Perubahan Kedua Atas Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 32 Tahun 2011 Tentang Pedoman Pemberian Hibah Dan Bantuan Sosial Yang Bersumber Dari Anggaran Pendapatan Dan Belanja Daerah.

<sup>55</sup> Interviews with BPKAD Bogor (November 2016), Ministry of Home Affairs (November 2016)

<sup>56</sup> Workshop on Regional Expenditure, Bappenas Building, Jakarta, October 25, 2016

("Guideline" see Annex) require, at Part 4, Pemdast to check the status of each assets. Incorrect use of budget line items can be regarded as findings (*temuan*) by auditors.

The Guideline is intended to overcome this challenge, and provide local governments with certainty concerning how different budget lines can be used to support on-going operation and maintenance of communal scale sanitation systems.

The Guideline consisted of 7 parts.

1. Introduction. This part outlines the aim and objectives of the Guideline
2. The guideline discussed several important aspects of budgeting.
3. Planning and budgeting. This part elaborates the relationship between budget planning and the use of account expenditure.
4. Assets ownership status. This part describes the requirement to check assets ownership and the consequences of assets ownership with budget line item.
5. Expenditure account that is used. This part inventarizes types of expenditure that *can* be used to finance the operation and maintenance of community based infrastructure whose assets are not owned by the government.
6. Rules regarding expenditure. This part detail the prerequisites for using each budget line items.
7. Reporting. This part emphasizes the importance of reporting mechanism.

### 3.3.2 ADOPTION

The workshops to date have address the question of the most appropriate mechanism for adoption of this Guideline. However, these workshops did not yet reach a final consensus in answering this question. According to some participants, MOHA would be a suitable institution to adopt the Guideline. However, according to the Bangda representative on our final workshop, MOHA usually only adopts general regulation (thus, not focused on sanitation).<sup>57</sup> BAPPENAS will attempt to bring this discussion forward to inter-ministerial Echelon meeting to decide on the most appropriate approach to adoption.

---

<sup>57</sup> 'Workshop Penggunaan APBD Untuk Mendukung Operasi Dan Pemeliharaan Lnfrastruktur Air Limbah Berbasis Masyarakat, Bappenas' (n 6). Also 'Lokakarya Diseminasi Hasil Penelitian Pengelolaan Air Limbah Skala Komunal Yang Efektif, Bappenas' (n 3).

## CHAPTER 4: CONCLUSION AND LOOKING FORWARD

---

### 4.1 CONCLUSIONS

As elaborated above, the status of communal scale sanitation infrastructure assets ownership has legal implications on the possibility for obtaining Pemda's financial support.

Pemda's-owned assets can generally be easily allocated with operation and maintenance funds. This document has listed the budget line items that can be used. This document and the Guideline have also devised a checklist in order to validate whether particular assets belong to Pemda (see Part 4 of the Annex). Along these lines, the future policy option is for the Pemda to take-over KSM owned assets (and for future projects, assets should remain under LG's ownership) and put KSM in charge only to day-to-day maintenance roles. However, as discussed above, there are disagreement among stakeholders as to whether LG should take over assets.

Assets that do not belong to Pemda can still be allocated with APBD for their maintenance and operation, however, the process is much more complicated. In particular, there are very limited options for paying for large costs, such as rehabilitation, extension or retrofitting, and yet there was agreement across local and national stakeholders in this project, that these costs should be incurred by government rather than community. This document and the Guideline explores and elaborates Budget Line Items and account codes that can be used for other areas of operation and maintenance, such as honorarium for community members operating the systems etc. The aforementioned limitations can be relaxed if the government is willing to insert a clause in a high-level in a secondary legislation which allows for the budgeting rules to be relaxed. As such, the future policy scenario along this line is for assets to remain within KSM ownership but the budgeting rules are relaxed.

### 4.2 LOOKING FORWARD

The issue of operation and maintenance and post construction in general, as well as the implementation of co-management principles as advocated by the previous ISF-UTS research hinges on regulations pertaining regional assets, regional budget and regional budget planning. All of these are the competences of the Ministry of Home Affairs.

In our observation, representatives of the Bangda (Directorate General of Regional Development) have been present in various discussion with Bappenas. However, it has proved quite difficult to pursue the active participation of the Directorate General of Keuda (Regional Finance). This directorate general is critically important since they



oversee the regulations of budget line items (in specific, the Directorate of Regional Budget Planning and Directorate of Regional Budget Implementation and Accountability) and the regulation of regional assets (Directorate of Regional SOE, Regional General Services Body and Regional Assets).

We are of the opinion that all guidelines (including Sanimas Program Guidelines), planning and regulations for communal scale wastewater, must be sufficiently coordinated with the Directorate General of Regional Finance. We have started to open contact with the Keuda and BPKP. Any future project must increase the institutional buy-in of Keuda. If this can be achieved, then there is potential to much improve the sustainability of the large-scale investments currently being made in communal scale sanitation.

## ANNEX 1: LIST OF INTERVIEWS

No	Interviewee	Institution	Points of Discussion
1	WITHHELD	Indonesian Budget Center (NGO)	<ul style="list-style-type: none"> <li>The budget line items of APBD that could be used to finance maintenance and operation of community scale wastewater. the recommendations are: hibah and bansos.</li> <li>Problem implementatons of hibah and bansos: corruption, misuse of budget, lack of monitoring of budget implementation, etc.</li> <li>There are many corruption cases in the hibah and bansos. but the Interviewee not stated clearly which corruption case.</li> <li>In terms of community scale wastewater, Interviewee recommend to use the village fund (Law No. 6 of 2014 regarding Village).</li> </ul>
2	WITHHELD	BPKP	<ul style="list-style-type: none"> <li>The budget line items of APBD that could be used to finance maintenance and operation of community scale wastewater. the recommendations are: belanja subsidi and belanja honorarium. Note that: in general, it is not possible to allocate funds for community or KSM, especially if there is a transfer funds (or items) to community or KSM, since the asset are not owned by the government.</li> <li>On the guideline, Interviewee suggested to include the guideline in MOHA regulation or officially published by MOHA.</li> </ul>
4	WITHHELD	BPKAD Bogor	<ul style="list-style-type: none"> <li>The budget line items of APBD that could be used to finance maintenance and operation of community scale wastewater. the recommendations are: belanja hibah, bansos, hadiah, and subsidi (the grantee should be business entities having scope of business on public services).</li> </ul>
5	WITHHELD	Directorate General of Regional Development (MOHA)	<ul style="list-style-type: none"> <li>The budget line items of APBD that could be used to finance maintenance and operation of community scale wastewater. Interviewee said that, there are number of budget line items could be used to fund the maintenance and operation of community scale wastewater. But the most important is that it should be included first on working plan of local govt (RKPD), so that can be a basis of budget allocation.</li> </ul>
6	WITHHELD	Bappeda Bogor	<ul style="list-style-type: none"> <li>Increasing funding for communal sanitation. Discussion on Tupoksi between UPTD Pal and Wasbangkim. Complexity on budgeting rule and the need for socialization on budgeting rules. Exploration on budget used ofr solid waste versus wastewater.</li> </ul>

7	WITHHELD	Wasbangkim Bogor	<ul style="list-style-type: none"><li>• Granting procedure, types of proposals, examples of repairs taking place and currently planned. Complexity around budgeting issues.</li></ul>
---	----------	------------------	---

# **Guideline on ABPD budgeting for urban community-based sanitation infrastructure whose assets are not owned by the government**

Guideline on budgeting for urban community-  
based sanitation infrastructure whose assets  
are not owned by the government

*Written by:*

*Mohammad Mova Al'Afghani, PhD*

*Dessy Eko Prayitno, S.H.*

## Part 1- Introduction

### 1.1. BACKGROUND

Wastewater is a part of local government's basic service-mandatory-concurrent-affairs. Thus, since 2003, numerous communal scale sanitation systems have been built. However, thousands of these systems require funding assistance, particularly from local government, in order to maintain sustainability. This is required even though the asset of wastewater infrastructure is not included as regional asset.

As per our discussion with local government, it should be noted that local government is committed to support the funding of community-based water waste infrastructure. Nevertheless, local government needs clarity on national level policies regarding the possibility of budget allocation for the community-based wastewater infrastructure in order to avoid any legal problems that might arise in the future as a result of the budget allocation.

To respond to the need for clarity of policy and the use of budget in APBD to support the funding and maintenance of community-based sanitation infrastructure, the "Guideline for APBD budgeting for community-based urban sanitation infrastructure whose assets are not owned by the government" was developed. This guideline is based on prevailing laws and regulations to avoid any complication and problems that might occur during implementation of budget planning, execution, process of disbarment, reporting, and financial audit.

### 1.2. OBJECTIVE

This guideline is intended to provide guidance and direction of the utilization of APBD for local government in allocating APBD to support the funding and maintenance of community-based sanitation infrastructure.

### 1.3. SCOPE

The scope of this guideline is as follows:

1. Planning and budgeting. This part elaborates budgeting process which is important in supporting the funding and maintenance of community-based sanitation infrastructure.
2. Assets ownership status. This part describes the difference in the utilization of expenditure accounts in relation with the ownership status of sanitation assets-whether they are owned by the government or community.
3. Expenditure account that is used. This part explains: *first*, things that should be noted in determining expenditure accounts in the APBD budget. Second, selection of expenditure accounts in the APBD budget that can be used to

support the funding and maintenance of community-based sanitation infrastructure.

Rules regarding utilization and acceptance of budget This part explains various rules and requirements derived from the APBD to support the funding and maintenance of community-based sanitation infrastructure.

4. Reporting. This part explains about the mechanism and reporting standard which must be set.

## Part 2- Legal Basis

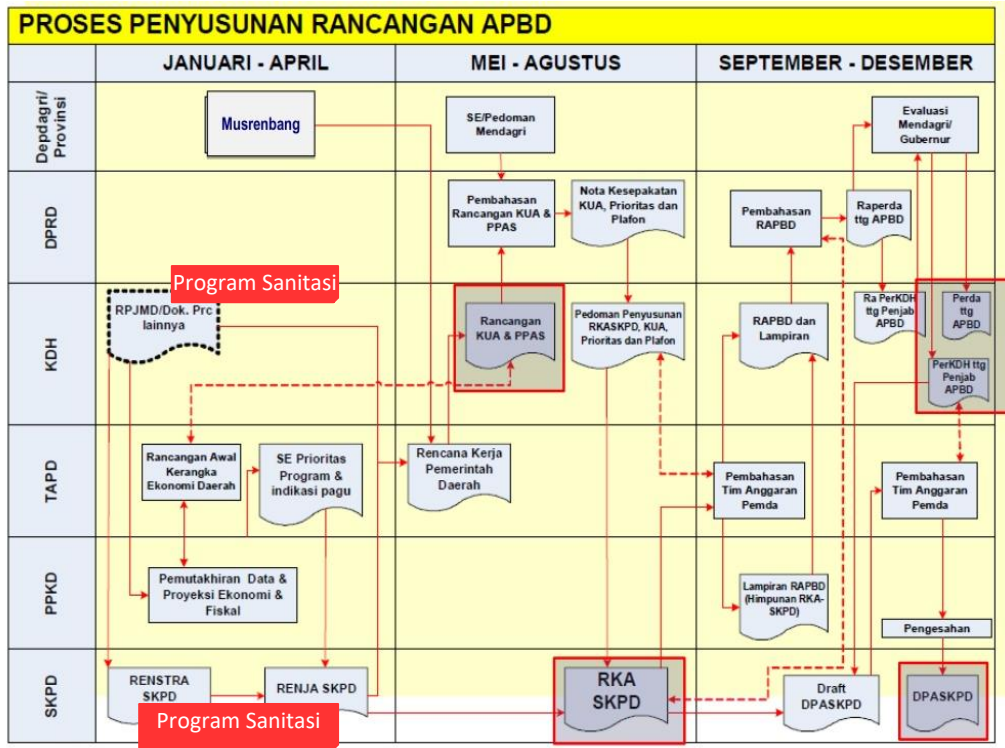
This guideline is based on various relevant laws and regulations pertaining the planning of budget management and government's assets management, which are as follows:

- a) Laws Number 17/ 2003 concerning State Finance;
- b) Laws Number 23/2014 concerning Regional Government;
- c) Government Regulation Number 58/2005 concerning Regional Financial Management;
- d) Government Regulation Number 27/ 2014 concerning Management of state/regional-owned goods;
- e) Ministry of Home Affairs Regulation No 13/2006 concerning Guidelines of Regional Financial Management as amended by Ministry of Home Affairs regulation No 59/2007 and Ministry of Home Affairs Regulation No 21/2011 on 2<sup>nd</sup> amendment of Ministry of Home affairs No 13/2006 concerning Guidelines of regional financial management;
- f) Ministry of Home Affairs Regulation No 32/2011 concerning Guidelines of Grant and Social Assistance which derived from APBD as amended by Ministry of Home Affairs No 39/2012 and Ministry of Home Affairs Regulation No 14/2016 on 2<sup>nd</sup> amendment of Ministry of Home Affairs No 32/2011 concerning Guidelines of Grant and Social Assistance which derived from APBD;
- g) Ministry of Home Affairs Regulation No 19/2016 concerning Guidelines of Regional-Owned Goods Management;
- h) Ministry of Home Affairs decree No 900/4627/SJ on Focusing/Specifying the Article 298 (5) Law No 23 Year 2014 on regional government.

## Part 3 – Planning and Budgeting

Planning is the basic of budgeting. Therefore, local government is obligated to include sanitation program in their regional planning documents (RPJMD, Renstra, SKPD, rencana Kerja SKPD, etc) which later would become the basis for creating RKPD, and its budgeting allocation.

The process of creating the draft of APBD and the integration of sanitation program can be described below:<sup>58</sup>



In order to obtain a certainty of budget allocation for sanitation program, local government needs to make sure that the sanitation program is included in their regional planning documents (RPJMD, Renstra SKPD, Rencana Kerja SKPD, etc). In this regard, the government needs to set a strategic sanitation program. If we look at the RPJMN 2015-2019 which observes that in 2019 Indonesia must reach universal access that is related with 100% community access (both city and village areas) to drink water sources and proper sanitation facilities, therefore local government must include it in the RPJMD of a sanitation program.

Referring to the RPJMN 2015-2019, local government must ensure that the sanitation program is included in each of the RPJMD. With this mandate, the related SKPD is supposed to conduct identification and planning of strategic sanitation program. Therefore, with this strategic sanitation program, local government will be able to set the RKPDP which will ensure the implementation of community access to proper sanitation facility.

<sup>58</sup> Sumber gambar: Siklus Perencanaan dan Penanganan Formal, <http://www.slideshare.net/infosanitasi/memorandum-program-42-siklus-perencanaan-dan-penganggaran-formal> (diakses 01-12-2016)

## Part 4 – Assets Ownership Status

Asset of sanitation infrastructure in communal scale can be in the form of land or building. A small portion of communal sanitation infrastructure is built on government land or the building becomes a government's asset. To ensure the status of the land or building, therefore we should check whether or not the asset is listed in Daftar Barang Milik Daerah dan Dokumen Kepemilikannya (List of regional-owned goods and its ownership document) and if it is registered in the Kartu Inventaris Barang (Inventory card) of related SKPD.

The difference in status of ownership will determine which expenditure accounts that can be used.

### 4.1. EXPENDITURE ACCOUNTS THAT CAN BE USED WHEN ASSETS ARE OWNED BY GOVERNMENT (PEMDA)

Expenditure Account	Use
<b>Direct Expenditure</b>	
Employee expenditure	Honorarium to operate certain program. For example: meeting honorarium, honorarium as KSM operator, etc
Goods and Service expenditure	Can be used to pay for pipes and paints, equipment, consumables, etc. <i>Note:</i> <i>It can also be used for maintenance. The budgeting can be done in SKPD and Kelurahan level.</i>
Capital expenditure	To fund procurement of infrastructure and repairs in large scale.
<b>Indirect Expenditure</b>	
Employee Expenditure	It is used to pay for employee who works in Dinas/UTPD whose task is to maintain communal sanitation.
Subsidy Expenditure	<i>Not necessary</i>
Grant Expenditure	<i>Not necessary</i>
Social Assistance Expenditure	<i>Not necessary</i>



As stated above, budgeting for maintenance and operation of sanitation asset that is owned by the government is simpler than the case when the assets are not owned by government.

#### 4.2. EXPENDITURE ACCOUNT THAT CAN BE USED IF ASSET IS NOT OWNED BY THE GOVERNMENT

Expenditure account	Use
<b>Direct Expenditure</b>	
Employee Expenditure	Honorarium to implement certain programs and activities. For example: meeting honorarium, honorarium for KSM operator, etc.
Goods and Service Expenditure	Object of goods and service expenditure that is transferred to community is called "goods grant". The procedure follows grant procedure which needs to be preceded by submitting proposal and verification. Therefore, it requires KSM to be a legal entity. In addition, incentive for a community accomplishment can also be given from this expenditure account. However it should be noted that this incentive is different from grant.
Capital Expenditure	Purchasing and big maintenance of government asset/SKPD which has use value of more than 12 months. It can be in the form of vehicles (desludging) or other fixed asset.
<b>Indirect Expenditure</b>	
Employee Expenditure	It is used to pay for employee who work in Dinas/UPTD whose task is to maintain communal sanitation.
Subsidy Expenditure	It can be used to subsidize a part of KSM cost. However, it can be difficult in practice as it requires pre-audit and post-audit. KSM must have a clear structure of unit cost and must have a good financial statement.
Hibah Expenditure	It is called as monetary grant. It can be used to finance incidental cost. However it must be preceded with proposal and verification. KSM must also obtain a legal entity status.
Social Assistance Expenditure	This can only be used if there is a social, economic, political disaster or natural phenomenon and the condition is unstable.

If asset of sanitation infrastructure is not owned by the government, therefore the use of expenditure account will become more complex as it is involved monetary/goods transfer to third party/community. Therefore, in this guideline, the abovementioned expenditure accounts must be discussed in detail.

## Part 5 – Expenditure Account that is used

### 5.1. THINGS THAT SHOULD BE NOTED IN DETERMINING EXPENDITURE ACCOUNT

Several things that need to be taken into account in selecting expenditure account in order to support the funding and maintenance of community-based sanitation infrastructure include:

1. Take into consideration the function of each account;
2. Selection of type of expenditure should be based upon characteristic of the work;
3. Selection of type of expenditure must consider the need of financial statement and audit;
4. Selection of imposition on capital expenditure must consider the registration and asset management in the future;
5. The use of grant expenditure and social assistance has to be very selective in accordance with prevailing laws and regulation.

### 5.2. EXPENDITURE ACCOUNT THAT IS USED

Expenditure accounts that can be used by the local government to support the funding and maintenance of community-based sanitation infrastructure consist of two groups: Direct Expenditure and Indirect Expenditure, where each is broken down into several categories as stated below:

#### 5.2.1. DIRECT EXPENDITURE

Direct expenditure is a type of expenditure that is directly related with the implementation of certain programs and activities. This expenditure consists of three categories, namely: Employee expenditure, goods and service expenditure, and capital expenditure.

- Employee Expenditure

Employee expenditure is used to pay for honorarium/wage in implementing certain local government's programs or activities. This expenditure is a compensation for employee,

both in form of monetary or goods, which must be paid to state employee and employee who is employed by the government but is/has not obtained a state employee status.

- Goods and service expenditure

Goods and service expenditure is used to pay for purchase/procurement of goods whose use-value is less than 12 months and/or service used in implementing programs and activities of local government. This expenditure includes: consumable, material, insurance, maintenance of vehicles, procurement, rent of heavy machinery and equipment, office equipment, official travel, official uniform, rent of building/parking lot, and food and grocery shopping.

In addition, goods and service expenditure can be used to pay for goods and service that will be transferred or sold to community. If the goods and service are to be transferred to community, then the transfer should use grant mechanism.

In the context of supporting the financing and maintenance of community-based sanitation infrastructure, this account can be used for:

Detail cost	Expenditure code
Official travel	5 2 2 x x
Insurance	5 2 2 x x
Rent of mobile facility	5 2 2 x x
Rent of heavy machinery	5 2 2 x x
Rent of office equipment	5 2 2 x x
Food and beverage	5 2 2 x x
Office uniform/attire	5 2 2 x x
Procurement of goods and service that are transferred to community through the grant scheme	5 2 2 x x
Paying for desludging service	5 2 2 x x

- Capital Expenditure

Capital expenditure is used for expenditure involving purchase/procurement or building of tangible fixed asset whose use-value is more than 12 months to be used for government's activities, such as in the form of land, equipment and machinery, buildings, road, irrigation and network, and other fixed asset.

In the context of supporting the financing and maintenance of community based sanitation infrastructure this expenditure account can be used, such as for: construction of wastewater infrastructure, building and equipment and maintenance. The most important thing is that this infrastructure or asset stays as government's asset and the ownership cannot be transferred to the community.

### 5.2.2. Indirect expenditure

Indirect expenditure is a type of expenditure which is not directly involved with the implementation of the programs and activities. This type of expenditure is utilized to support the financing and maintenance of community based sanitation infrastructure. This expenditure consists of several categories: employee expenditure, subsidy expenditure, grant expenditure and social assistance expenditure.

#### 1. Employee expenditure

Employee expenditure which is part of the indirect expenditure is a compensation in the form of salary and other benefits that are paid to state employees, regional head, and parliament member.

This expenditure is not - directly involved with certain programs or activities.

This expenditure can be given in order to give additional pay to the state employee:

- a) Additional pay to improve the welfare of employee based on workload, workplace, or work condition, "profession scarcity", and achievement.
- b) Additional pay in order to add more workload to finish tasks that are deemed to exceed normal workload;
- c) Additional pay for employee who works in area with difficulty and remote area;
- d) Additional pay for employee who works in high risk area/workplace;
- e) Additional pay for employee who has special skills and rare skills in accomplishing her/his work;
- f) Additional pay for employee who has work achievement.

In the context of supporting the financing and maintenance of community based sanitation infrastructure, this account can be used to pay SKPD employee who is assigned to support community based sanitation.

#### 2. Subsidy Expenditure

Subsidy expenditure is used to subsidize a production cost of an enterprise or certain institution so that the selling price will be affordable for public.

This expenditure can be given to institution or enterprise which produce goods or public service which previously has been audited in accordance with provisions regarding management audit and state financial accountability.

It is important to note that subsidy expenditure is budgeted in accordance with the need of enterprise that receive the subsidy as stated in regional regulation concerning APBD. In addition, regional is required to set a regional head regulation with regard to the implementation of this expenditure.

Subsidy expenditure is potentially be used to give direct support to community based sanitation, particularly for the undertaker of community based sanitation infrastructure (or known as KSM). KSM as an undertaker of community based sanitation clearly provides a good public service. Therefore, it can be considered to receive the subsidy expenditure. KSM can be categorized as institution that can receive subsidy.

The purpose of subsidy expenditure is an intervention of selling price that is produced by institution or enterprises that produce goods or public service. In the context of allocating subsidy expenditure to KSM, therefore KSM must first set a real cost for the allocation of community-based sanitation service.

Nevertheless, in order to obtain subsidy expenditure, KSM must be previously audited, so that it will fulfil the requirement of subsidy recipient. This can create a difficulty since it requires KSM to have adequate capacity of financial report in order to determine a clear cost component and report it in accounting system. Other thing that can complicate the process is that there can be several KSM in one city. This means each KSM that will receive the subsidy must be firstly audited. This approach is not efficient. In the future, there can be one KSM with legal entity status and has adequate capacity of financial report, established to supervise all KSM in one city. Then this KSM is justified to receive a subsidy. However, it requires capacity improvement and internal management within KSM.

Thus, subsidy expenditure is possible, however at the moment it is not realistic to be implemented.

### 3. Grant Expenditure

Grant expenditure is a grant from regional government to central government or other regional government. BUMN (state owned enterprise)/BUMD (regional owned enterprise), institution, and mass organization with legal entity status, which its task and function have been determined, is not mandatory and not binding, also not continuously, aims to sustain the implementation of local government affairs.

It should be taken into consideration that grant expenditure is an expenditure account which often provokes corruption investigation, as it is prone from being politicized or used as campaign gimmick.

Since monetary grant is prone from corruption, grant would better be done through goods grant mechanism which is budgeted as goods and service expenditure, detailed object of goods and service expenditure that are transferred to community as part of indirect expenditure as mentioned above.

### 4. Social assistance expenditure

Social assistance expenditure is an social assistance in the form of monetary or goods from local government to individual, family, social group, or community which is temporary and not continual, selective and aims to protect individual, family, social groups, or community from the possibility of the emerging social risk. Social risk is a phenomenon which creates potential of social vulnerability faced by individual, family,

group or community as a result of social, economic, and political crisis, natural phenomenon and natural disaster in which if social assistance is not given, people will not be able to live in proper living condition.

In giving social assistance, there are several things that should be noted:

- a) Social assistance is given in accordance with the region's financial capability;
- b) Social assistance is given after prioritizing the fulfillment of mandatory affairs spending and it should pay attention to the principle of justice, fairness, rationality, and benefit for community;
- c) Social assistance is given with condition:
  - 1) Not mandatory, not binding or not continual which means there is no obligation that it continues to be budgeted every fiscal year;
  - 2) Meet requirement of grant recipient.

## **Part 6 – Provision on Budget Granting and Receival**

Provisions on expenditure and income budget are heavily dependent on each account that will be used.

### **1. Employee Expenditure**

Employee expenditure which falls under either the direct expenditure or indirect expenditure can be used for remuneration for PNS in SKPD whose task and function are to support community based sanitation. Employee expenditure that is part of direct expenditure can be used to pay for honorarium of KSM undertaker or person in charge who is tasked to support community based sanitation by assigning the person in a letter of assignment from the head of SKPD which clearly assigns the appointed person to support sanitation.

### **2. Subsidy Expenditure**

Subsidy Expenditure must be done in accordance with these provisions:

- a) It is given to an institution or enterprise that produces goods or public service;
- b) Institution or enterprise which will receive the subsidy firstly must be audited in accordance with rules of management audit and state financial accountability.
- c) It is budgeted in accordance with the need of the institution or subsidy recipient.
- d) Subsidy recipients are obligated to deliver their accountability report regarding the use of subsidy to the regional head.

3. Goods and Service expenditure that are transferred to community, grant expenditure, and social assistance expenditure

In terms of sanitation infrastructure is owned by community, then the expenditure and income budget are conducted with applying a proposal from the community to the regional head. On the other hand, if infrastructure is owned by the government, then the government allocates the budget since setting up the regional government's work planning.

4. Grant expenditure and social assistance expenditure are given based on written application of either grant request or social assistance request which is proposed by the candidate of grant recipient and social assistance recipient.

Grant expenditure and social assistance expenditure are given in accordance with these rules:

- a) It is given in accordance with region's financial capability;
- b) It is given after prioritizing the fulfillment of mandatory affairs and optional affairs expenditure;
- c) It is not mandatory, non-binding, and non-continual, which means there is no obligation that it continues to be budgeted every fiscal year;
- d) Meet the requirement of grant recipient and social assistance recipient.

#### **Special provision on hibah**

Particularly for grant, there are several provisions which need to be taken into account:

- a) The function and tasks have been determined
- b) The aim of giving grant is to sustain an accomplishment of target program and regional activities in accordance with urgency and regional interest in supporting the function of governance, development, and public service with respect to principle of justice, fairness, rationality, and benefit of community.
- c) Giving beneficial values for regional government in supporting the implementation of governance, development, and social function.

In relation with grant recipient and social assistance recipient, requirements have been set:

- a) Recipient is a body, institution, and mass organization which has obtained legal entity and is verified by the government agency (such as verification approved by ministry of law and human rights)
- b) Recipient is a body, institution or mass organization which is nonprofit, voluntary, and social;
- c) Recipient has a clear secretariat in the related area;

- d) Has certificate of domicile from *lurah*/regional head.
- e) Be located within the administrative area of related regional government.

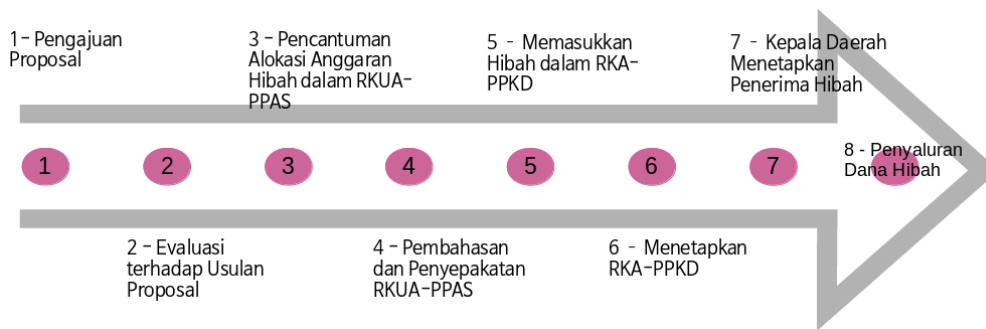
**PROVISIONS CONCERNING GRANT OBJECTS**

MOHA Regulation 19/2016 regulates that goods to be granted shall not pertain to state secret / regional secret, not a type of good which controls the livelihood of many people and is no longer used to provide “core task and functions” of regional government.

The costs of grant process should be borne entirely by grant recipient.

Grants that require DPRD (Local Parliament’s) approval are grants of lands and buildings whose value exceeds IDR 5 billion

**Steps of grant application:**



<b>Keterangan:</b>	
<b>1</b>	<b>Proposal Application</b> Written grant application is delivered to local government.
<b>2-6</b>	<b>Proposal Evaluation</b> <b>Related SKPD verifies the proposal and considers technical matters regarding grant proposal and then the result will be recommended to TAPD</b> TAPD will use the recommendation as an input and they will create a judgement based on priority and region’s financial capability The recommendation from head of SKPD and TAPD consideration will become the basis of including grant budgeted allocation in the draft of Kebijakan Umum APD and Prioritas dan Plafon Anggaran sementara
<b>7</b>	<b>Regional Head Decides on Grant Recipient</b> Regional head decides the list of grant recipient for the related financial/fiscal year. The list will also include the amount of money or types of goods or services that will be granted.



	Regional head and grant recipient are obligated to sign the regional grant agreement (NPHD), which sets the grantor and grantee, purpose of grant, the amount and detailed utilization of the grant, right and obligation of each party, fund transfer procedure and reporting mechanism
<b>8</b>	<p><b>Transfer of Grant and Accountability</b></p> <p>After the signing of NPHD and the assignment of grant recipient, grant will be distributed to be used in accordance with its proposal.</p> <p>Regarding the use of the grant, both grantor and grantee are obligated to create a grant accountability report.</p>

## Part 7 - Reporting

Reporting budget granting and receival, at the latest, is done 1 month after activities in fiscal year are conducted. The reporting and audit are conducted in accordance with rules regarding the management audit and state financial accountability report.

### LAMPIRAN

#### Indicative Costs Components and Possible Uses of Expenditure Accounts

Note:

Subsidy expenditure can be utilized for most expenses below, however, various prerequisites must be met

Jenis Biaya	Detail (Indikatif)	Jumlah (Indikatif)	Akun Belanja
Worker	Operator	100.000,- – 800.000,-/ bulan	Honorarium Non-PNS (BL)
	Management Time	2 hari/bulan (± 200.000,-)	Honorarium Non-PNS (BL)
	Fee Collection	0.5 – 1 hari/ bulan	Honorarium Non-PNS (BL)

		(± 50.000 – 100.000)	
Consumables	Electricity	49.000,- 200.000,-/ bulan	– If assets are owned by Pemda, Belanja Jasa Kantor (BL) [Services Expenditure].  If assets are owned by community, then through Iuran
	Fawcett, Inventories, Cleaner	50.000,- 60.000,-/ bulan	– Belanja Barang dan Jasa yang Akan Diserahkan Kepada Masyarakat/Pihak Ketiga (BL) [Goods and Services Expenditure transferred to third parties]
Desludging	Desludging	0.1 – 1 juta/ site	Sebaiknya Dinas/UPTD mengalokasikan sumber daya teknis/ personel. Dibayar dengan Belanja Pegawai (BTL) [UPTD should allocate technical resources, funded through employee expenditure]
Desludging Equipment	Motorbikes	45 million	Sebaiknya dimiliki pemerintah. Untuk pembelian awal menggunakan Belanja Modal Pengadaan Alat-Alat Angkutan Darat Tidak Bermotor (BL). [Should be owned by government, for initial purchase, use Capital Expenditure for Motorbike]  Sedangkan untuk pemeliharaan menggunakan Belanja Barang dan Jasa Belanja Perawatan Kendaraan Bermotor  [For maintenance and operation, use Goods and Services Expenditure, Maintenance of Vehicles]
	Cart	20 million	Sebaiknya dimiliki pemerintah. Untuk pembelian awal menggunakan Belanja Modal Pengadaan Alat-Alat Angkutan Darat Tidak Bermotor (BL)

			[Should be owned by government, for initial purchase, use Capital Expenditure for non motor vehicle]
Routine Maintenance	Pump repairs	0.1 – 0.5 million/ tahun	Belanja Barang dan Jasa yang Akan Diserahkan Kepada Masyarakat/Pihak Ketiga (BL)  [Goods and Services Expenditure transferred to third parties]
	Pipes	0.1 – 0.6 million	Belanja Barang dan Jasa yang Akan Diserahkan Kepada Masyarakat/Pihak Ketiga (BL)  [Goods and Services Expenditure transferred to third parties]
Repairs and optimization	Installation Repairs	75 – 85 million/ KSM	Belanja Barang dan Jasa yang Akan Diserahkan Kepada Masyarakat/Pihak Ketiga (BL)  [Goods and Services Expenditure transferred to third parties]
	Expansion to hybrid MCK	150 million	Belanja Barang dan Jasa yang Akan Diserahkan Kepada Masyarakat/Pihak Ketiga (BL)  [Goods and Services Expenditure transferred to third parties]
Connection	Materials	1 million/ rumah	Belanja Barang dan Jasa yang Akan Diserahkan Kepada Masyarakat/Pihak Ketiga (BL)  [Goods and Services Expenditure transferred to third parties]
	Workers	0.3 million/ rumah	Honorarium Non-PNS (BL)

Monitoring	Water quality testing/Puskesmas	95 million	Alat pengujian dimiliki pemerintah. Pembelian menggunakan Belanja Barang dan Jasa atau Belanja Modal, tergantung pada masa hidup peralatan dimaksud. (BL)  [Testing equipment owned by government. Use of account depends on the lifetime of the assets, could be capital expenditure or goods and services expenditure]
	Tes laboratorium (ph, BOD, etc.)	948.200,-	1. Material pengujian dimiliki oleh pemerintah: Belanja Barang dan Jasa atau Belanja Modal (BL);  [Testing equipment owned by government, use capital or goods and services expenditure]  2. Personel laboratorium digaji dengan Belanja Pegawai (BTL) [Lab personnels to be paid by employee expenditure]
	Monitoring by AKSANSI	50.000,- – 150.000,-/ site	Honorarium Non-PNS (BL)

**ANNEX 2B: GUIDELINE (INDONESIAN)**

---

**Pedoman Penganggaran  
APBD untuk  
Infrastruktur Sanitasi  
Perkotaan Berbasis  
Masyarakat**

Yang Asetnya Tidak Dimiliki Pemerintah

*Penyusun:*

*Mohammad Mova Al'Afghani, PhD*

*Dessy Eko Prayitno, S.H.*

# Bagian 1 – Pendahuluan

## 1.1. LATAR BELAKANG

Air limbah merupakan urusan wajib bagi pemerintah daerah. Oleh karena itu, sejak tahun 2003 telah banyak dibangun infrastruktur sanitasi berbasis masyarakat. Namun demikian, ribuan instalasi infrastruktur air limbah berbasis masyarakat yang sudah dibangun memerlukan bantuan pendanaan, khususnya dari pemerintah daerah, untuk dapat menunjang keberlangsungannya. Hal ini meskipun aset infrastruktur air limbah berbasis masyarakat bukan merupakan aset daerah.

Kemudian, dalam diskusi dengan pemerintah daerah ditemukan bahwa pemerintah daerah memiliki komitmen untuk memberikan dukungan pendanaan terhadap infrastruktur air limbah berbasis masyarakat tersebut. Namun demikian, pemerintah daerah memerlukan kejelasan kebijakan di tingkat nasional mengenai kemungkinan pengalokasian anggaran untuk infrastruktur air limbah berbasis masyarakat tersebut, sehingga di kemudian hari tidak akan terjerat masalah hukum akibat pengalokasian anggaran tersebut.

Untuk menjawab kebutuhan mengenai kejelasan kebijakan dan penggunaan anggaran dalam APBD untuk mendukung pembiayaan dan pemeliharaan infrastruktur sanitasi berbasis masyarakat, disusunlah “Penggangan APBD untuk Infrastruktur Sanitasi Perkotaan Berbasis Masyarakat yang Asetnya Tidak Dimiliki Pemerintah.” Pedoman ini didasarkan pada peraturan perundang-undangan, agar terhindar dari berbagai komplikasi permasalahan dalam pelaksanaan perencanaan penganggaran, pelaksanaan pekerjaan, proses pencairan anggaran, dan pelaporan, serta audit keuangan.

## 1.2. TUJUAN

Tujuan disusunnya Pedoman ini adalah untuk memberikan pedoman dan arah penggunaan APBD bagi pemerintah daerah dalam mengalokasikan APBD untuk mendukung pembiayaan dan pemeliharaan infrastruktur sanitasi berbasis masyarakat.

## 1.3. RUANG LINGKUP

Ruang lingkup Pedoman ini adalah:

1. Perencanaan dan penganggaran. Bagian ini menguraikan mengenai proses penganggaran untuk mendukung pembiayaan dan pemeliharaan infrastruktur sanitasi berbasis masyarakat.

2. Status kepemilikan aset. Bagian ini menggambarkan mengenai perbedaan penggunaan akun belanja dikaitkan dengan status kepemilikan aset sanitasi, apakah dimiliki oleh pemerintah atau masyarakat.
3. Akun belanja yang digunakan. Bagian ini menguraikan mengenai: pertama, hal-hal apa saja yang harus diperhatikan dalam menentukan akun-akun belanja APBD. Kedua, pemilihan akun-akun belanja dalam APBD yang dapat digunakan untuk mendukung pembiayaan dan pemeliharaan infrastruktur sanitasi berbasis masyarakat.
4. Ketentuan pemberian dan penerimaan anggaran. Bagian ini menguraikan mengenai berbagai ketentuan atau persyaratan dalam pemberian dan penerimaan anggaran yang bersumber dari APBD untuk mendukung pembiayaan dan pemeliharaan infrastruktur sanitasi berbasis masyarakat.
5. Pelaporan. Bagian ini menguraikan bagaimana mekanisme dan standar pelaporan yang harus disusun.

## Bagian 2 – Dasar Hukum

Pedoman ini mendasarkan pada berbagai peraturan perundang-undangan terkait dengan perencanaan pengelolaan penganggaran dan aset pemerintah, antara lain:

- a. Undang-Undang Nomor 17 Tahun 2003 tentang Keuangan Negara;
- b. Undang-Undang Nomor 23 Tahun 2014 tentang Pemerintahan Daerah;
- c. Peraturan Pemerintah Republik Indonesia Nomor 58 Tahun 2005 tentang Pengelolaan Keuangan Daerah;
- d. Peraturan Pemerintah Republik Indonesia Nomor 27 Tahun 2014 Tentang Pengelolaan Barang Milik Negara/Daerah;
- e. Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 13 Tahun 2006 tentang Pedoman Pengelolaan Keuangan Daerah sebagaimana diubah lewat Peraturan Menteri Dalam Negeri Nomor 59 Tahun 2007 tentang Perubahan Atas Peraturan Menteri Dalam Negeri Nomor 13 Tahun 2006 tentang Pedoman Pengelolaan Keuangan Daerah dan Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 21 Tahun 2011 tentang Perubahan Kedua Atas Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 13 Tahun 2006 tentang Pedoman Pengelolaan Keuangan Daerah;
- f. Peraturan Menteri Dalam Negeri Nomor 32 Tahun 2011 tentang Pedoman Pemberian Hibah Dan Bantuan Sosial Yang Bersumber Dari Anggaran Pendapatan

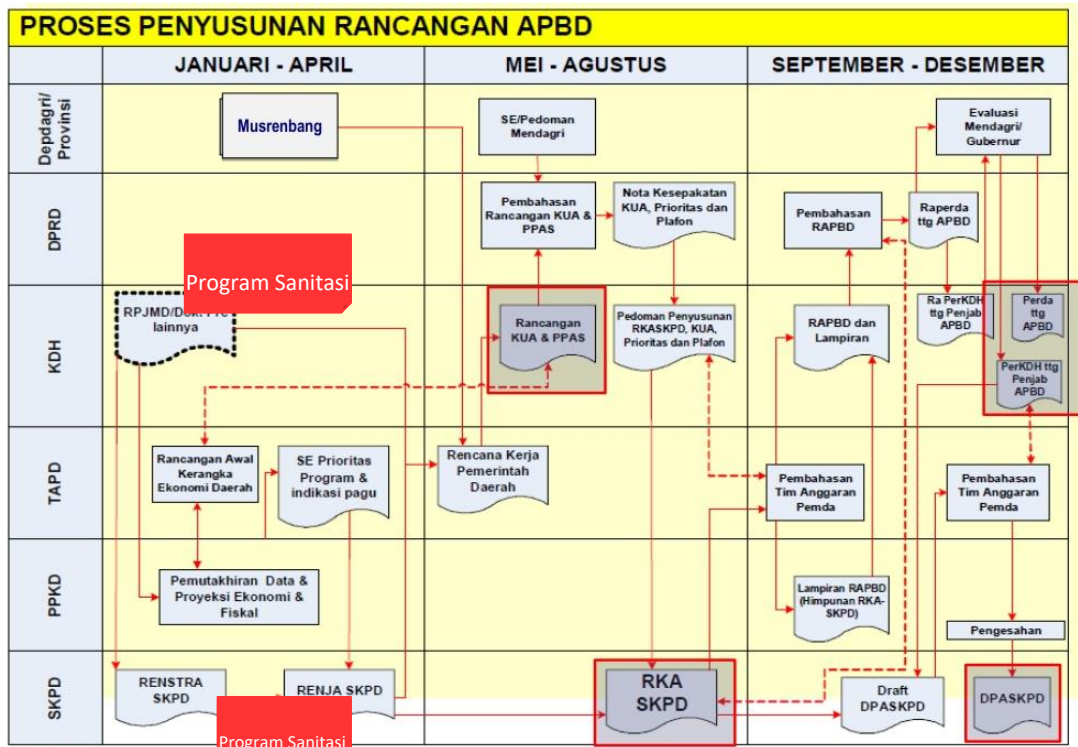
Dan Belanja Daerah sebagaimana diubah lewat Peraturan Menteri Dalam Negeri Nomor 39 Tahun 2012 tentang Perubahan Atas Peraturan Menteri Dalam Negeri Nomor 32 Tahun 2011 tentang Pedoman Pemberian Hibah dan Bantuan Sosial Yang Bersumber Dari Anggaran Pendapatan dan Belanja Daerah dan Peraturan Menteri Dalam Negeri Nomor 14 Tahun 2016 tentang Perubahan Kedua Atas Peraturan Menteri Dalam Negeri Nomor 32 Tahun 2011 tentang Pedoman Pemberian Hibah Dan Bantuan Sosial Yang Bersumber Dari Anggaran Pendapatan Dan Belanja Daerah;

- g. Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 19 Tahun 2016 tentang Pedoman Pengelolaan Barang Milik Daerah;
- h. Surat Edaran No. 900/4627/SJ tentang Penajaman Ketentuan Pasal 298 ayat (5) Undang-Undang No. 23 Tahun 2014 tentang Pemerintahan Daerah.

## **Bagian 3 – Perencanaan dan Penganggaran**

Perencanaan merupakan dasar dari penganggaran. Oleh karena itu, Pemerintah Daerah harus memasukkan program sanitasi dalam dokumen perencanaan daerah mereka (RPJMD, Renstra SKPD, Rencana Kerja SKPD, dll) untuk kemudian menjadi dasar dalam penyusunan RKPD, dan kemudian pengalokasian anggarannya.





Proses penyusunan Rancangan APBD dan pengintegrasian program sanitasi dapat digambarkan sebagai berikut.<sup>59</sup>

Untuk mendapatkan kepastian alokasi anggaran bagi program sanitasi, Pemerintah Daerah perlu memastikan program sanitasi masuk dalam dokumen perencanaan daerah mereka (RPJMD, Renstra SKPD, Rencana Kerja SKPD, dll). Dalam kaitannya dengan hal ini, pemerintah perlu menyusun semacam program strategis sanitasi. Jika melihat RPJMN 2015-2019 yang mengemukakan bahwa pada tahun 2019 Indonesia harus mencapai *universal access* terkait dengan 100% akses masyarakat (kota maupun desa) terhadap sumber air minum dan fasilitas sanitasi yang layak, maka Pemerintah Daerah, harus memasukkan dalam RPJMD-nya program sanitasi.

Merujuk pada RPJMN 2015-2019, Pemerintah Daerah harus memastikan program sanitasi masuk dalam RPJMD-nya masing-masing. Dengan mandat ini, SKPD terkait selanjutnya melakukan identifikasi dan perencanaan program strategis sanitasi. Sehingga dengan program strategis sanitasi ini, Pemerintah Daerah dapat menyusun RKP yang akan menjamin pelaksanaan akses masyarakat terhadap fasilitas sanitasi yang layak.

<sup>59</sup> Sumber gambar: Siklus Perencanaan dan Penanggaran Formal, <http://www.slideshare.net/infosanitasi/memorandum-program-42-siklus-perencanaan-dan-penganggaran-formal> (diakses 01-12-2016)

## Bagian 4 – Status Kepemilikan Aset

Aset infrastruktur sanitasi skala komunal dapat berupa tanah maupun bangunan. Sebagian kecil infrastruktur sanitasi komunal didirikan di atas tanah pemerintah atau bangunannya menjadi aset pemerintah. Untuk memastikan status aset tanah atau bangunan maka harus terlebih dahulu diperiksa apakah aset yang dimaksud tercantum dalam Daftar Barang Milik Daerah dan Dokumen Kepemilikannya, dan tercatat pada Kartu Inventaris Barang (KIB) SKPD terkait.

Perbedaan status kepemilikan aset akan menentukan akun belanja yang dapat dipergunakan.

### 4.1. AKUN BELANJA YANG DAPAT DIGUNAKAN APABILA ASET DIMILIKI PEMERINTAH

Akun Belanja	Penggunaan
<b>Belanja Langsung</b>	
Belanja Pegawai	Honor untuk menjalankan suatu program tertentu. Misalnya: honor pertemuan, honor sebagai operator KSM, dll.
Belanja Barang dan Jasa	Untuk membeli pipa, persediaan, cat, dll. <i>Catatan:</i> <i>Objek belanja pemeliharaan dalam akun Belanja Barang dan Jasa juga dapat dipergunakan. Untuk penganggarannya dapat dilakukan pada tingkat SKPD dan Kelurahan.</i>
Belanja Modal	Untuk membiayai pengadaan infrastruktur dan perbaikan skala besar.
<b>Belanja Tidak Langsung</b>	
Belanja Pegawai	Dipergunakan untuk membayar pegawai yang bekerja di <b>Dinas/UPTD yang memiliki tupoksi</b> untuk merawat sanitasi komunal.
Belanja Subsidi	<i>Tidak perlu.</i>

Belanja Hibah	<i>Tidak perlu.</i>
Belanja Sosial	<i>Tidak perlu.</i>

Tampak di atas bahwa penganggaran untuk pemeliharaan dan operasi aset sanitasi yang dimiliki pemerintah lebih sederhana.

#### 4.2. AKUN BELANJA YANG DAPAT DIGUNAKAN APABILA ASET TIDAK DIMILIKI PEMERINTAH

Akun Belanja	Penggunaan
<b>Belanja Langsung</b>	
Belanja Pegawai	Honor untuk menjalankan suatu program tertentu. Misalnya: honor pertemuan, honor sebagai operator KSM, dll.
Belanja Barang dan Jasa	Objek belanja Barang dan Jasa yang diserahkan kepada masyarakat disebut dengan hibah barang. Prosedurnya mengikuti prosedur hibah, yaitu harus didahului dengan pengajuan proposal dan verifikasi. Untuk itu, KSM harus berstatus badan hukum.  Selain itu, pemberian hadiah atas suatu prestasi kelompok masyarakat juga dapat diberikan dari akun belanja ini. Perlu dicatat bahwa pemberian hadiah ini berbeda dengan pemberian hibah.
Belanja Modal	Pembelian dan perawatan besar aset pemerintah/SKPD yang > 12 bulan. Bisa berupa kendaraan (kedoteng untuk penyedotan) dan aset tetap lainnya.
<b>Belanja Tidak Langsung</b>	

Belanja Pegawai	Dipergunakan untuk membayar pegawai yang bekerja di <b>Dinas/UPTD yang memiliki tupoksi</b> untuk merawat sanitasi komunal.
Belanja Subsidi	Dapat digunakan untuk mensubsidi sebagian dari biaya KSM. Namun prakteknya mungkin sulit, perlu pre-audit, dan post-audit. KSM harus memiliki struktur biaya yang jelas (unit cost), harus memiliki laporan keuangan yang baik.
Belanja Hibah	Disebut sebagai hibah uang. Dapat dipergunakan untuk membiayai biaya insidental. Harus didahului proposal dan verifikasi. KSM harus berstatus badan hukum.
Belanja Sosial	Hanya dapat dipergunakan apabila terjadi bencana atau krisis.

Apabila aset infrastruktur sanitasi tidak dimiliki oleh pemerintah, maka penggunaan akun belanja menjadi lebih kompleks karena melibatkan transfer uang/barang kepada pihak ketiga/masyarakat. Penggunaan akun belanja diatas didiskusikan secara mendetail dalam Pedoman ini.

## Bagian 5 – Akun Belanja yang Digunakan

### 5.1. HAL-HAL YANG HARUS DIPERHATIKAN DALAM MENENTUKAN AKUN BELANJA

Beberapa hal yang perlu diperhatikan dalam pemilihan akun belanja untuk mendukung pembiayaan dan pemeliharaan infrastruktur sanitasi berbasis masyarakat, antara lain sebagai berikut:

1. Memperhatikan peruntukkan masing-masing akun belanja;
2. Pemilihan jenis belanja harus didasarkan pada karakteristik pekerjaan yang akan dilakukan;
3. Pemilihan jenis belanja harus mempertimbangkan keperluan laporan keuangan dan audit;

4. Pemilihan pembebanan pada jenis belanja modal harus mempertimbangkan pencatatan dan pengelolaan aset kedepan;
5. Penggunaan belanja hibah dan bantuan sosial harus benar-benar selektif sesuai dengan ketentuan yang berlaku.

## 5.2. AKUN BELANJA YANG DIGUNAKAN

Akun-akun belanja yang dapat digunakan oleh pemerintah daerah untuk mendukung pembiayaan dan pemeliharaan infrastruktur sanitasi berbasis masyarakat terdiri dari Kelompok Belanja Langsung dan Kelompok Belanja Tidak Langsung, di mana masing-masing dipecah menjadi beberapa kategori sebagaimana dibahas di bawah ini:

### 5.2.1. Kelompok Belanja Langsung

Belanja Langsung merupakan kelompok belanja yang dianggarkan terkait secara langsung dengan pelaksanaan program dan kegiatan. Dalam kelompok Belanja Langsung ketiga jenis belanja yang dapat dimanfaatkan untuk mendukung pembiayaan dan pemeliharaan infrastruktur sanitasi berbasis masyarakat, yaitu: belanja pegawai, belanja barang dan jasa, dan belanja modal.

- Belanja Pegawai

Belanja Pegawai digunakan untuk membayar honorarium/upah dalam melaksanakan program atau kegiatan pemerintahan daerah. Belanja Pegawai ini merupakan pengeluaran yang merupakan kompensasi terhadap pegawai, baik dalam bentuk uang atau barang, yang harus dibayarkan kepada pegawai negeri sipil, pejabat negara, dan pegawai yang dipekerjakan oleh pemerintah yang belum/tidak berstatus PNS sebagai imbalan atas pekerjaan yang telah dilakukan.

- Belanja Barang dan Jasa

Belanja Barang dan Jasa digunakan untuk pengeluaran pembelian/pengadaan barang yang nilai manfaatnya kurang dari 12 bulan dan/atau pemakaian jasa dalam melaksanakan program dan kegiatan pemerintah daerah. Belanja Barang dan Jasa ini mencakup: belanja barang habis pakai, bahan/material, jasa kantor, premi asuransi, perawatan kendaraan bermotor, cetak/penggandaan, sewa rumah/gedung/gudang/parkir, sewa sarana mobilitas, sewa alat berat, sewa perlengkapan dan peralatan kantor, makanan dan minuman, pakaian dinas dan atributnya, pakaian kerja, pakaian khusus dan hari-hari tertentu, perjalanan dinas, perjalanan dinas pindah tugas dan pemulangan pegawai.

Selain penggunaan tersebut, Belanja Barang dan Jasa dapat digunakan untuk membayar barang dan jasa yang akan diserahkan atau dijual kepada masyarakat. Dalam hal barang

dan jasa yang akan diserahkan dengan masyarakat, maka penyerahannya menggunakan mekanisme hibah.

Dalam konteks mendukung pembiayaan dan pemeliharaan infrastruktur sanitasi berbasis masyarakat, akun belanja ini dapat dipergunakan, antara lain untuk:

Rincian Pembiayaan	Kode Akun Belanja
Perjalanan dinas	5 2 2 x x
Premi asuransi	5 2 2 x x
Sewa sarana mobilitas	5 2 2 x x
Sewa alat berat	5 2 2 x x
Sewa perlengkapan kerja	5 2 2 x x
Makanan dan minuman	5 2 2 x x
Pakaian kerja	5 2 2 x x
Pengadaan barang dan jasa yang diberikan kepada masyarakat melalui skema hibah	5 2 2 x x
Membayar jasa penyedotan	5 2 2 x x

- **Belanja Modal**

Belanja Modal digunakan untuk pengeluaran yang dilakukan dalam rangka pembelian/pengadaan atau pembangunan aset tetap berwujud yang mempunyai nilai manfaat lebih dari 12 bulan untuk digunakan dalam kegiatan pemerintahan, seperti dalam bentuk tanah, peralatan dan mesin, gedung dan bangunan, jalan, irigasi dan jaringan, dan aset tetap lainnya.

Dalam konteks mendukung pembiayaan dan pemeliharaan infrastruktur sanitasi berbasis masyarakat, akun belanja ini dapat dipergunakan, misalnya untuk: pembangunan infrastruktur air limbah, seperti fasilitas pengolahan, bangunan dan peralatan, serta termasuk pemeliharaan. Yang terpenting adalah, infrastruktur atau aset ini tetap menjadi aset pemerintah dan TIDAK BOLEH dialihkan kepemilikannya kepada masyarakat.

### 5.2.2. Kelompok Belanja Tidak Langsung

Belanja Tidak Langsung merupakan kelompok belanja yang dianggarkan tidak terkait secara langsung dengan pelaksanaan program dan kegiatan. Dalam kelompok Belanja Tidak Langsung jenis belanja yang dapat dimanfaatkan untuk mendukung pembiayaan dan pemeliharaan infrastruktur sanitasi berbasis masyarakat, yaitu: belanja pegawai, belanja subsidi, belanja hibah, dan bantuan sosial.

#### 1. Belanja Pegawai

Belanja Pegawai dalam kelompok Belanja Tidak Langsung ini merupakan belanja kompensasi dalam bentuk gaji dan tunjangan, serta penghasilan lainnya yang diberikan kepada pegawai negeri sipil, kepala daerah dan wakilnya, dan anggota parlemen.

Belanja Pegawai dalam kelompok Belanja Tidak Langsung ini diberikan tidak dalam kaitannya dengan pelaksanaan kegiatan atau program tertentu.

Belanja Pegawai ini dapat diberikan dalam rangka memberikan tambahan penghasilan kepada PNS, yaitu:

- a) tambahan penghasilan dalam rangka peningkatan kesejahteraan pegawai berdasarkan beban kerja atau tempat bertugas atau kondisi kerja atau kelangkaan profesi dan prestasi kerja;
- b) tambahan penghasilan dalam rangka penambahan beban pekerjaan untuk menyelesaikan tugas-tugas yang dinilai melampaui beban kerja normal;
- c) tambahan penghasilan bagi pegawai yang melaksanakan tugasnya di daerah yang memiliki tingkat kesulitan tinggi dan daerah terpencil;
- d) tambahan penghasilan bagi pegawai yang melaksanakan tugasnya di lingkungan kerja yang memiliki resiko tinggi;
- e) tambahan penghasilan bagi pegawai yang memiliki keterampilan khusus dan langka dalam melaksanakan tugasnya;
- f) tambahan penghasilan bagi pegawai yang memiliki prestasi kerja.

Dalam konteks mendukung pembiayaan dan pemeliharaan infrastruktur sanitasi berbasis masyarakat, akun belanja ini dapat digunakan, misalnya untuk: membayar pegawai SKPD yang ditugaskan untuk mendukung sanitasi berbasis masyarakat.

#### 2. Belanja Subsidi

Belanja Subsidi digunakan untuk menganggarkan bantuan biaya produksi kepada perusahaan/ lembaga tertentu agar harga jual produksi/jasa yang dihasilkan dapat dijangkau oleh masyarakat banyak.

Belanja Subsidi dapat diberikan kepada lembaga atau perusahaan yang menghasilkan produk atau jasa pelayanan umum masyarakat, yang sebelumnya telah diaudit sesuai dengan ketentuan pemeriksaan pengelolaan dan tanggung jawab keuangan negara.

Perlu diperhatikan bahwa, Belanja Subsidi dianggarkan sesuai dengan keperluan perusahaan/lembaga penerima subsidi dalam peraturan daerah tentang APBD. Selain itu, daerah perlu menetapkan peraturan kepala daerah terkait dengan pelaksanaan Belanja Subsidi ini.

Belanja Subsidi berpotensi digunakan untuk memberikan dukungan langsung kepada sanitasi berbasis masyarakat, khususnya bagi pengelola infrastruktur sanitasi berbasis masyarakat (lebih dikenal dengan sebutan Kelompok Swadaya Masyarakat (KSM)). KSM sebagai pengelola infrastruktur sanitasi berbasis masyarakat sudah jelas memberikan fungsi pelayanan publik, dengan demikian dapat dipertimbangkan untuk menerima Belanja Subsidi. KSM dapat dikategorikan sebagai “lembaga” yang dapat menerima subsidi.

Tujuan dari Belanja Subsidi adalah intervensi harga jual produksi/jasa yang dihasilkan oleh lembaga/perusahaan yang menghasilkan produk atau jasa pelayanan umum masyarakat. Dengan demikian, dalam konteks pemberian Belanja Subsidi kepada KSM, maka KSM harus menetapkan terlebih dahulu kebutuhan pembiayaan riil untuk pemberian pelayanan sanitasi berbasis masyarakat tersebut.

Namun demikian, untuk mendapatkan bantuan belanja subsidi, maka KSM harus diaudit terlebih dahulu, sehingga memenuhi syarat untuk menerima subsidi. Hal ini dapat menimbulkan kesulitan karena diperlukan kapasitas pelaporan keuangan yang memadai atas KSM untuk dapat menentukan komponen biaya secara pasti dan melaporkannya dalam sistem akuntansi. Hal lain yang dapat menyulitkan adalah di dalam satu kota bisa terdapat beberapa KSM, yang berarti masing-masing yang akan menerima subsidi harus diaudit terlebih dulu. Pendekatan seperti ini tidak efisien. Kedepannya, dapat saja satu KSM yang berbadan hukum dan memiliki kapasitas pelaporan keuangan didirikan untuk membawahi seluruh KSM di dalam Kota dan kemudian KSM tersebut diberikan subsidi. Namun hal ini memerlukan peningkatan kapasitas dan tata-kelola internal KSM.

Dengan demikian belanja subsidi dimungkinkan, namun tidak realistis untuk dilaksanakan saat ini.

### 3. Belanja Hibah

Belanja Hibah adalah pemberian uang (hibah uang) dari pemerintah daerah kepada pemerintah pusat atau pemerintah daerah lain, Badan Usaha Milik Negara/Badan Usaha Milik Daerah, Badan, Lembaga dan organisasi kemasyarakatan yang berbadan hukum Indonesia, yang secara spesifik telah ditetapkan peruntukannya, bersifat tidak wajib dan tidak mengikat, serta tidak secara terus-menerus yang bertujuan untuk menunjang penyelenggaraan urusan pemerintahan daerah.



Perlu menjadi perhatian bahwa belanja hibah merupakan akun belanja pemerintah yang seringkali memicu terjadinya investigasi korupsi, hal ini rentan dipolitisasi atau digunakan sebagai alat kampanye pada pemilihan kepala daerah.

Karena hibah uang rawan korupsi, hibah sebaiknya dilakukan lewat mekanisme hibah barang yang dianggarkan dalam jenis belanja Barang dan Jasa, rincian obyek Belanja Barang dan Jasa Yang Diserahkan Kepada Masyarakat dalam kelompok Belanja Tidak Langsung di atas.

#### 4. Belanja Bantuan Sosial

Bantuan sosial adalah pemberian bantuan berupa uang/barang dari pemerintah daerah kepada individu, keluarga, kelompok dan/atau masyarakat yang sifatnya secara tidak terus menerus dan selektif yang bertujuan untuk melindungi dari kemungkinan terjadinya resiko sosial. Resiko sosial adalah kejadian atau peristiwa yang dapat menimbulkan potensi terjadinya kerentanan sosial yang ditanggung oleh individu, keluarga, kelompok dan/atau masyarakat sebagai dampak krisis sosial, krisis ekonomi, krisis politik, fenomena alam dan bencana alam ***yang jika tidak diberikan*** belanja bantuan sosial akan semakin terpuruk dan tidak dapat hidup dalam kondisi wajar.

Dalam pemberian bantuan sosial ini, beberapa hal yang penting adalah:

- a) pemberian bantuan sosial diberikan sesuai dengan kemampuan keuangan daerah;
- b) pemberian bantuan sosial dilakukan setelah memprioritaskan pemenuhan belanja urusan wajib dan pilihan dengan memperhatikan asas keadilan, kepatutan, rasionalitas, dan manfaat untuk masyarakat;
- c) bantuan sosial diberikan dengan syarat:
  - 1) tidak wajib, tidak mengikat atau tidak terus menerus setiap tahun anggaran sesuai kemampuan keuangan daerah;
  - 2) memenuhi persyaratan penerima hibah.

## Bagian 6 – Ketentuan Pemberian dan Penerimaan Anggaran

Ketentuan pemberian dan penerimaan anggaran sangat tergantung dari masing-masing akun belanja yang digunakan.

#### 1. Belanja Pegawai

Belanja Pegawai dalam kelompok Belanja Langsung maupun Belanja Tidak Langsung dapat digunakan untuk remunerasi kepada PNS dalam SKPD yang memiliki tupoksi untuk mendukung sanitasi berbasis masyarakat. Belanja Pegawai dalam kelompok Belanja Langsung dapat dipergunakan untuk membayar honor pengurus KSM atau orang yang ditugaskan untuk mendukung sanitasi berbasis masyarakat dengan menetapkan orang yang ditunjuk tersebut dalam surat tugas dari kepala SKPD yang secara tegas menugaskan orang yang ditunjuk tersebut untuk mendukung sanitasi berbasis masyarakat.

## 2. Belanja Subsidi

Pemberian Belanja Subsidi dilakukan dengan ketentuan:

- a) diberikan kepada lembaga atau perusahaan yang menghasilkan produk atau jasa pelayanan umum masyarakat;
- b) lembaga atau perusahaan yang akan menerima subsidi harus diaudit sesuai dengan ketentuan pemeriksaan pengelolaan dan tanggung jawab keuangan negara;
- c) dianggarkan sesuai dengan keperluan lembaga atau penerima subsidi;
- d) penerima subsidi wajib menyampaikan laporan pertanggungjawaban penggunaan dana subsidi kepada kepala daerah.

## 3. Belanja Barang dan Jasa Yang Diserahkan Pada Masyarakat, Belanja Hibah dan Belanja Bantuan Sosial

Dalam hal infrastruktur sanitasi dimiliki oleh masyarakat, maka pemberian dan penerimaan anggaran dilakukan dengan pengajuan proposal oleh masyarakat kepada pemerintah daerah. Sedangkan, dalam hal infrastruktur sanitasi dimiliki oleh pemerintah, maka pemerintah mengalokasikan anggaran sejak dalam penyusunan rencana kerja pemerintah daerah.

## 4. Belanja Hibah dan Bantuan Sosial

Belanja Hibah dan Belanja Bantuan Sosial diberikan berdasarkan pengajuan secara tertulis proposal permintaan hibah maupun bantuan sosial yang diajukan oleh calon penerima dana hibah dan bantuan sosial.

Belanja Hibah dan Bantuan Sosial diberikan dengan ketentuan sebagai berikut:

- a) diberikan sesuai kemampuan keuangan daerah;
- b) pemberian dilakukan setelah memprioritaskan pemenuhan belanja urusan wajib dan urusan pilihan;

- c) tidak wajib, tidak mengikat atau tidak terus menerus setiap tahun anggaran sesuai kemampuan keuangan daerah, kecuali ditentukan lain oleh peraturan perundang-undangan;
- d) memenuhi persyaratan penerima hibah dan bantuan sosial.

### **Ketentuan Khusus tentang Hibah**

Khusus untuk dana hibah, beberapa ketentuan yang harus diperhatikan:

- a) peruntukannya telah ditetapkan;
- b) pemberian ditujukan untuk menunjang pencapaian sasaran program dan kegiatan pemerintah daerah sesuai urgensi dan kepentingan daerah dalam mendukung fungsi pemerintahan, pembangunan, dan pelayanan masyarakat dengan memperhatikan asas keadilan, kepatutan, rasionalitas, dan manfaat masyarakat;
- c) memberikan nilai manfaat bagi pemerintah daerah dalam mendukung terselenggaranya fungsi pemerintahan, pembangunan dan kemasyarakatan.

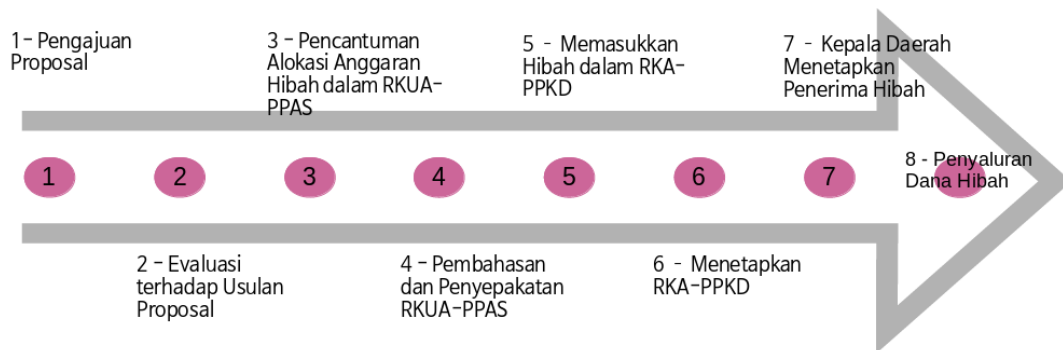
Kemudian terkait dengan penerima hibah dan bantuan sosial, ditetapkan persyaratan sebagai berikut:

- a) penerima merupakan badan, lembaga, dan organisasi kemasyarakatan yang berbadan hukum Indonesia dan disahkan oleh instansi pemerintah (misalnya melalui Surat Keterangan Terdaftar maupun pengesahan oleh Kementerian Hukum dan HAM);
- b) penerima merupakan badan, lembaga, atau ormas yang bersifat nirlaba, sukarela, dan sosial;
- c) memiliki kepengurusan/sekretariat yang jelas di daerah yang bersangkutan;
- d) memiliki keterangan domisili dari lurah/kepala daerah setempat;
- e) berkedudukan dalam wilayah administrasi pemerintah daerah yang bersangkutan.

### **KETENTUAN TENTANG OBJEK HIBAH**

Permendagri 19/2016 mengatur bahwa barang yang akan dihibahkan tidak boleh terkait dengan rahasia negara/daerah, bukan barang yang menguasai hajat hidup orang banyak, dan tidak digunakan lagi untuk menyelenggarakan tugas pokok dan fungsi pemerintah daerah.

### **Alur Permohonan Hibah:**



**Keterangan:**

**1 Pengajuan Proposal.**

Usulan hibah secara tertulis disampaikan kepada Pemerintah Daerah.

**2-6 Evaluasi terhadap Usulan Proposal**

SKPD terkait melakukan verifikasi terhadap usulan dan mempertimbangkan hal-hal teknis terkait usulan hibah dan hasilnya direkomendasikan kepada TAPD.

TAPD akan menggunakan rekomendasi tersebut sebagai masukan dan membuat pertimbangan berdasarkan prioritas dan kemampuan keuangan daerah.

Rekomendasi kepala SKPD dan pertimbangan TAPD tersebut menjadi dasar pencantuman alokasi anggaran hibah dalam rancangan Kebijakan Umum APD dan Prioritas dan Plafon Anggaran Sementara.

**7 Kepala Daerah Menetapkan Penerima Hibah**

Kepala Daerah menetapkan daftar penerima hibah untuk tahun anggaran dimaksud. Daftar tersebut juga mencantumkan besaran uang atau jenis barang atau jasa yang akan dihibahkan.

Kepala daerah dan penerima hibah wajib menandatangani naskah perjanjian hibah daerah (NPHD), yang menetapkan pemberi dan penerima hibah, tujuan hibah, jumlah dan rincian penggunaan hibah, hak dan kewajiban para pihak, tata cara penyaluran atau penyerahan dana dan mekanisme pelaporan

## 8 Penyaluran Dana Hibah dan Pertanggungjawaban

Setelah penandatanganan NPHD dan penetapan penerima hibah, dana hibah akan disalurkan untuk dipergunakan sesuai dengan usulannya.

Terhadap penggunaan dana hibah ini, baik pemberi maupun penerima hibah harus membuat pertanggungjawaban hibah.

## Bagian 7 – Pelaporan

Pelaporan pemberian dan penerimaan dana dilakukan paling lambat satu bulan setelah kegiatan dilaksanakan dalam tahun anggaran berjalan. Pelaporan dan audit dilakukan sesuai dengan ketentuan pemeriksaan pengelolaan dan tanggung jawab keuangan negara.

### LAMPIRAN

#### Indikasi Komponen Biaya Air Limbah Skala Lokal dan Kemungkinan Penggunaan Akun Belanja

Catatan:

Belanja Subsidi dapat dipergunakan dalam mayoritas akun belanja dibawah, namun banyak ketentuan yang harus dipenuhi agar belanja subsidi dapat dipergunakan (lihat teks).

Jenis Biaya	Detail (Indikatif)	Jumlah (Indikatif)	Akun Belanja
Pekerja	Operator	100.000,- – 800.000,- / bulan	Honorarium Non-PNS (BL)
	Waktu Manajemen	2 hari/bulan (± 200.000,-)	Honorarium Non-PNS (BL)
	Pengumpul luran	0.5 – 1 hari/ bulan (± 50.000 – 100.000)	Honorarium Non-PNS (BL)
Barang habis pakai	Listrik	49.000,- – 200.000,-/ bulan	Apabila aset milik pemerintah, menggunakan Belanja Jasa Kantor (BL).

			Apabila aset milik masyarakat, lewat iuran.
	Keran/Inventori / Pembersih	50.000,- – 60.000,-/ bulan	Belanja Barang dan Jasa yang Akan Diserahkan Kepada Masyarakat/Pihak Ketiga (BL)
Penyedotan	Penyedotan	0.1 – 1 juta/ site	Sebaiknya Dinas/UPTD mengalokasikan sumber daya teknis/ personel. Dibayar dengan Belanja Pegawai (BTL)
Peralatan Penyedotan	Sepeda motor (digunakan untuk beberapa site)	45 juta	Sebaiknya dimiliki pemerintah. Untuk pembelian awal menggunakan Belanja Modal Pengadaan Alat-Alat Angkutan Darat Tidak Bermotor (BL). Sedangkan untuk pemeliharaan menggunakan Belanja Barang dan Jasa Belanja Perawatan Kendaraan Bermotor
	Gerobak	20 juta	Sebaiknya dimiliki pemerintah. Untuk pembelian awal menggunakan Belanja Modal Pengadaan Alat-Alat Angkutan Darat Tidak Bermotor (BL)
Pemeliharaan rutin	Perbaikan pompa (biasanya MCK pompa air)	0.1 – 0.5 juta/ tahun	Belanja Barang dan Jasa yang Akan Diserahkan Kepada Masyarakat/Pihak Ketiga (BL)
	Pipa	0.1 – 0.6 juta	Belanja Barang dan Jasa yang Akan Diserahkan Kepada Masyarakat/Pihak Ketiga (BL)
Perbaikan dan optimasi	Perbaikan instalasi	75 – 85 juta/ KSM	Belanja Barang dan Jasa yang Akan Diserahkan Kepada Masyarakat/Pihak Ketiga (BL)

	Ekspansi ke MCK hybrid	150 juta	Belanja Barang dan Jasa yang Akan Diserahkan Kepada Masyarakat/Pihak Ketiga (BL)
Sambungan	Biaya material	1 juta/ rumah	Belanja Barang dan Jasa yang Akan Diserahkan Kepada Masyarakat/Pihak Ketiga (BL)
	Pekerja	0.3 juta/ rumah	Honorarium Non-PNS (BL)
Monitoring	Alat pengetesan air/ puskesmas	95 juta	Alat pengetesan dimiliki pemerintah. Pembelian menggunakan Belanja Barang dan Jasa atau Belanja Modal, tergantung pada masa hidup peralatan dimaksud. (BL)
	Tes laboratorium (ph, BOD, etc.)	948.200,-	<ol style="list-style-type: none"> <li>1. Material pengetesan dimiliki oleh pemerintah: Belanja Barang dan Jasa atau Belanja Modal (BL);</li> <li>2. Personel laboratorium digaji dengan Belanja Pegawai (BTL)</li> </ol>
	Monitoring oleh AKSANSI	50.000,- – 150.000,-/ site	Honorarium Non-PNS (BL)

## INDONESIA INFRASTRUCTURE INITIATIVE

Ratu Plaza Office Tower  
20th Floor  
Jl. Jenderal Sudirman No. 9  
Jakarta 10270  
Indonesia

Tel: +62-21 7278 0538  
Fax: +62-21 7278 0539

[www.indii.co.id](http://www.indii.co.id)