GOVERNMENT REGULATION
NO. 98/2000 DATED NOVEMBER 10, 2000
CONCERNING
RECRUITMENT OF CIVIL SERVANTS

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:
That in order to fill the vacant formation and to obtain Civil Servants who are professional, have high quality as well objectivity in the implementation of recruitment of Civil Servants, it is deemed necessary to restipulate the provision on the recruitment of Civil Servants in a Government Regulation.

In view of:
1. Article 5 paragraph 2 of the 1945 Constitution;
2. Law No. 8/1974 on the Principles of Personnel Affairs (Statute Book No. 55/1974, Supplement to Statute Book No. 3041) as already amended by Law No. 43/1999 (Statute Book No. 169/1999, Supplement to Statute Book No. 3890);
3. Law No. 22/1999 on Regional Administration (Statute Book No. 60/1999, Supplement to Statute Book No. 3839);
4. Law No. 25/1999 on the Financial Equilibrium between the Central Government and the Regional Administration (Statute Book No. 72/1999, Supplement to Statute Book No. 3848);
5. The Government Regulation No. 25/2000 on the Authority of the Government and the Authority of Provinces as Autonomous Regions (Statute Book No. 54/2000, Supplement to Statute Book No. 3952);
6. The Government Regulation No. 96/2000 on the Authority of Appointment, Transfer, and Dismissal of Civil Servants (Statute Book No. 193/2000, Supplement to Statute Book No. 4014);
7. The Government Regulation No. 97/2000 on the Formation of Civil Servants (Statute Book No. 194/2000, Supplement to Statute Book No. 4015);

DECIDES:

To stipulate:
GOVERNMENT REGULATION ON RECRUITMENT OF CIVIL SERVANTS

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Government Regulation referred to as:
1. Recruitment of Civil Servants shall be the activity to fill the vacant formation of civil servants.
2. The Officials Who Promote Personnel shall be Ministers, the Attorney General, the State Secretary, the Cabinet Secretary, the Military Secretary, the Secretary of the President, the Secretary of the Vice President, the Chief of the Indonesian National Police, Executives of Non Ministry Government Institutions, Executives of the Highest/High State Institution Secretariats, Governors, and Regents/Mayors.

Article 2

1. The recruitment of Civil Servants ranges from the stages of planning, announcing, application, screening, appointing Would-be Civil Servants to the stage of appointing Civil Servants.
2. The recruitment of Civil Servants is carried out by the Official Who Promote Personnel.
Article 3

All Citizens of the Republic of Indonesia have equal opportunity to apply for posts of Civil Servants after having met the requirements stipulated in this Government Regulation.

CHAPTER II

PLANNING, ANNOUNCEMENT, REQUIREMENTS AND APPLICATION

Article 4

The Officials Who Promote Personnel prepare the planning for the recruitment of Civil Servants.

Article 5

1. Vacant positions of Civil Servants are extensively announced by the Officials Who Promote Personnel
2. The announcement is carried out at the latest 15 (fifteen) days prior to the application acceptance date.
3. The announcement as referred to in paragraph 1 shall mention the following matters:
   a. the total and types of vacant positions;
   b. the requirements which shall be met by applicants;
   c. the address and place to which applications are sent; and
   d. the deadline of submitting the applications.

Article 6

The requirements which shall be met by any applicant are:
   a. Being Indonesian Citizen;
   b. Being minimally aged 18 (eighteen) years and maximally 35 (thirty-five) years;
   c. Being never sent to jail or imprisoned based on the verdict of court which has permanent legal strength, due to committing criminal acts;
   d. Being never honorably dismissed not at one's own request or dishonorably dismissed as Civil Servants, or dishonorably dismissed as private employees;
   e. Having no status of Candidates/Civil Servants;
   f. Having the education, qualifications, expertise and skills required;
   g. Having good conduct;
   h. Being physically and mentally healthy;
   i. Being prepared to be stationed in the whole territory of the Republic of Indonesia or other countries which are stipulated by the Government; and
   j. Other requirements stipulated in the requirements for posts.

CHAPTER III

SCREENING

Article 7

1. The screening tests for applicants who have met the requirements are conducted by a committee which is set up by the Officials Who Promote Personnel.
2. The duties of the committee as referred to in paragraph 1 are:
   a. preparing the test material;
   b. determining the guidelines on examinations and evaluations of the tests;
   c. determining the places and schedules of the tests;
   d. conducting the tests;
e. examining and determining the test results;

3. The subjects of the tests cover:
   a. Competence tests;
   b. Psycho tests.

Article 8

The Officials Who Promote Personnel determine and announce the applicants who are declared having passed the screening tests.

CHAPTER IV

APPOINTMENT OF WOULD-BE CIVIL SERVANTS

Article 9

The applicants who are declared having passed the screening tests as referred to in Article 8 shall submit the administrative documents in accordance with the existing regulations.

Article 10

1. The list of names of the applicants who are declared having passed the screening tests as referred to in Article 9 who will be appointed as Would-be Civil Servants is submitted by the Officials Who Promote Personnel to the Head of the Agency for State Personnel to obtain the identity numbers of Civil Servants.

2. In submitting the list of applicants as referred to in paragraph 1, the list is supplemented by individual data in accordance with the requirements stipulated.

Article 11

1. The applicants who are declared having passed the screening tests and who have been provided with identity numbers of Civil Servants are appointed as Would-be Civil Servants.

2. The appointment of Would-be Civil Servants as referred to in paragraph 1 is stipulated by a decision of the Official Who Promote Personnel

3. The appointment of the Would-be Civil Servants as referred to in paragraph 2 is conducted in the on-going fiscal year, and the stipulation shall not be retroactively effective.

4. The groups which are stipulated for appointment as Would-be Civil Servants are:
   a. Group I/a for those who at the time of application have and use at least the Study Completion Certificate/Diploma of Elementary School or the equivalent;
   b. Group I/c for those who at the time of application have and use at least the Study Completion Certificate/Diploma of Secondary School or the equivalent;
   c. Group II/a for those who at the time of application have and use at least the Study Completion Certificate/Diploma of Senior High School, Diploma I or the equivalent;
   d. Group II/b for those who at the time of application have and use at least the Study Completion Certificate/Diploma of Extraordinary Teacher’s Education or Diploma II;
   e. Group II/c for those who at the time of application have and use at least the Diploma of Bachelor, Academy or Diploma III;
   f. Group III/a for those who at the time of application have and use at least the Diploma of University (1) or Diploma IV;
   g. Group IV/b for those who at the time of application have and use at least the Diploma of Medical Doctor, Diploma of Pharmacist and other equivalent diplomas, Master (S2) or Specialist Diploma I;
h. Group III/c for those who at the time of application have and use at least the Diploma of Ph.D. (S3) or Specialist II Diploma.

5. The diplomas as referred to in paragraph 4 are the diplomas which are acquired from state-owned schools/Universities and/or diplomas which are acquired from private schools or Universities which have been accredited by the Minister who is responsible for national education or other officials who have the authority to carry out the education under the existing laws.

6. The diplomas which are acquired from Schools or Universities in foreign countries can only be appreciated if they have been recognized and stipulated equivalent to the State-Owned Schools or Universities, which are stipulated by the Minister who is responsible for national education or other officials who have the authority to carry out the education under the existing laws.

Article 12

1. The right to salaries for Would-be Civil Servants takes effect as of the date the relevant Would-be Civil Servants concretely perform their duties, which is stated in a letter of statement by his office head/organizational unit concerned.

2. The Would-be Civil Servants who are placed far from their residences are considered having concretely performed their duties as from the date they leave for their work places, which is evidenced by the letter of trip order/assignment from the officials who have assignment authority.

Article 13

1. The work periods which are fully calculated to stipulate the basic salary of the first appointment are:
   a. during the status as Civil Servants except during the period of leave which is not borne by the state;
   b. during the status as State Official;
   c. during the period of performing state duties;
   d. during the period of performing duties to defend the state; or
   e. during the status as employee of a state-owned enterprise.

2. The period of work as employee of a company with the legal body outside government bodies which is not less than 1 (one) year each time and consecutive, is calculated 1/2 (half) as the period of work to stipulate the basic salary, maximally 10 (ten) years.

CHAPTER V

APPOINTMENT OF WOULD-BE CIVIL SERVANTS AS CIVIL SERVANTS

Article 14

1. Civil Servants who have undergone the period of probation of at least 1 (one) year and maximally 2 (two) years, are appointed as Civil Servants by the Officials Who Promote Personnel in a certain post and rank, if:
   a. each element of work achievement evaluation has at least a good score;
   b. having met physical and mental health requirements to be appointed as Civil Servants;
   c. having passed the Pre-post Education and Training

2. The requirements as referred to in paragraph 1 letter b are stated in the certificate which is issued by the Individual Testing Doctor/Health Testing Team which is appointed by the Minister of Health.

3. The requirements as referred to in paragraph 1 letter c are stated in the Certificate of Completion of Pre-Post Education and Training which is stipulated by the Officials Who Promote Personnel.
4. The date on which the appointment as Civil Servants is effective shall not be retroactively effective.

Article 15

The Would-be Civil Servants who have undergone the probation period for more than 2 (two) years and have met the requirements as referred to in Article 14 paragraph 1 but for some reasons they have not been appointed as Civil Servants can only be appointed as Civil Servants if the reasons are not the faults of the relevant Civil Servants.

Article 16

The Would-be Civil Servants as referred to in Article 14 paragraph 1 and Article 15 who are appointed as Civil Servants are provided with the following ranks:

a. Junior Operators for those who have been appointed in group I/a;

b. Operators for those who have been appointed in group I/c;

c. Junior Organizers for those who have been appointed in group II/a;

d. Junior Organizers of Level I for those who have appointed in group II/b;

e. Organizers for those who have appointed in group II/c;

f. Junior Managers for those who have appointed in group III/a;

g. Junior Managers of Level I for those who have appointed in group III/b;

h. Managers for those who have appointed in group III/c;

Article 17

1. Would-be Civil Servants who are killed, are appointed as Civil Servants as from the beginning of the month when the relevant Would-be Civil Servants are declared killed.

2. Would-be Civil Servants who are invalid due to service, and declared to be unable to perform duties by the Health Testing Team, are appointed as Civil Servants as from the date of the certificate of the Health Testing Team for the relevant Would-be Civil Servants.

CHAPTER VI
DISMISSAL OF WOULD-BE CIVIL SERVANTS

Article 18

1. Would-be Civil Servants are dismissed, if:

a. submitting a letter of resignation;

b. not meeting health requirements;

c. having not passed the pre-post education and training;

d. not demonstrating capability in performing duties;

e. demonstrating bad attitude and character which can affect the work environment;

f. being subjected to disciplinary punishment of mild and severe levels;

g. at the time of application, purposely providing wrong information or evidence;

h. being sent to jail or sentenced based on the verdict of court which has permanent legal strength, because the relevant Would-be Civil Servants purposely commit criminal acts or commit criminal acts which have relations with their posts/duties; or

i. becoming members and/or boards of political parties.

2. The Would-be Civil Servants who are dismissed due to the provisions as referred to in paragraph 1 letters a, b, c, d and e are dismissed honorably
3. The Would-be Civil Servants who are dismissed due to the provisions as referred to in paragraph 1 letters g, h, and i are dishonorably dismissed

4. The Would-be Civil Servants who are dismissed due to the provisions as referred to in paragraph 1 letters f are honorably or dishonorably dismissed

Article 19

The dismissal as referred to in Article 18 is stipulated by the Official Who Promote Personnel.

CHAPTER VII
OTHER PROVISIONS

Article 20

The budget for the recruitment of Civil Servants for the Central Government is borne by the State Budget and the recruitment of Regional Civil Servants by the Regional Budget.

Article 21

To fill the vacancies as referred to in Article 2, it can be conducted by distribution of the excess of Civil Servants from the Central/Regional government agencies which conduct organizational simplification in accordance with the existing provisions.

Article 22

To compile data on Civil Servants nationally, the Officials Who Promote Personnel shall submit the copies of the appointment as Would-be Civil Servants and the letters of decision of appointment as Civil Servants to the Head of the Agency for State Personnel.

CHAPTER VIII
CLOSING PROVISIONS

Article 23

The technical provisions needed to implement this Government Regulation are further stipulated by the Head of the Agency for State Personnel.

Article 24

With the enforcement of this Government Regulation, the Government Regulation No. 6/1976 on the Recruitment of Civil Servants and the Government Regulation No. 1/1983 on Special Treatment of Would-be Civil Servants who are killed and invalid due to service as well as all other provisions which are against this Government Regulation are declared void.

Article 25

This Government Regulation shall come into force as from the date of promulgation.

For public cognizance, this Government Regulation shall be announced by publishing it in the Statute Book of the Republic of Indonesia.
Stipulated in Jakarta on November 10, 2000

THE PRESIDENT OF THE REPUBLIC OF INDONESIA, sgd. ABDURRAHMAN WAHID

Promulgated in Jakarta on November 10, 2000

THE STATE SECRETARY sgd. DJOHAN EFFENDI

ELUCIDATION
ON
GOVERNMENT REGULATION
NUMBER 98/2000
ON RECRUITMENT OF CIVIL SERVANTS

I. GENERAL

The recruitment of Civil Servants is a process of filling vacant positions. The vacancies of formation of a public organizational unit in general are caused by the fact that there are some Civil Servants who resign, die, are relocated and the existence of organizational development. Since the recruitment of Civil Servants is to fill the vacant positions, it is carried out on the basis of needs, both in the sense of quantity and quality of employees and the competence of posts required.

In connection with the above-mentioned matters, all Citizens of the Republic of Indonesia who meet the requirements which are stipulated in this Government Regulation have the equal opportunity to apply and to be appointed as Civil Servants. This means that the recruitment of Civil Servants shall be based on needs and objectively carried out in accordance with the requirements stipulated.

To guarantee the quality and objectivity as well as ensuring Civil Servants who are professional, it is deemed necessary to restipulate the requirements and procedures for recruitment of Civil Servants.

II. ARTICLE BY ARTICLE

Article 1
Sufficiently clear

Article 2
Paragraph 1
Sufficiently clear
Paragraph 2
Special within the State Secretariat, Cabinet Secretariat, Military Secretariat, Secretariats of the President and the Vice President, the administration of personnel in the framework of recruitment of Civil Servants which becomes the authority of the State Secretary, the Cabinet Secretary, the Military Secretary, the Secretaries of the President and the Vice President is carried out and coordinated by the Cabinet Secretary.
This elucidation subsequently takes effect in this Government Regulation.

Article 3
Sufficiently clear

Article 4
In this provision, the planning of recruitment of Civil Servants men as the scheduling of activities ranging from the inventory of vacant posts which have been determined in the formation as well as post requirements, announcements, application, screening and appointment as Would-be Civil Servants to appointment as Civil Servants.

Article 5
Paragraph 1
The announcement on vacant positions is published through mass media and/or other forms.
This provision is intended to provide opportunities to as many Indonesian citizens as possible to submit their applications and to provide more possibilities for the relevant agencies to select the qualified candidates in performing the duties as assigned to them.

Paragraphs 2 and 3
Sufficiently clear

Article 6
Sufficiently clear

Article 7
Paragraph 1
The committee as referred to in this provision consists of at least 3 (three) officials, namely one chairman concurrently member, the secretary concurrently member, and one member.
If the committee members total more than 3 (three) people, the total shall be an odd number.

Paragraph 2
Letters a up to d
Sufficiently clear
Letter e
The response sheet is examined by at least 2 (two) examiners.

Paragraph 3
Letter a
The subjects of the competence test are adjusted to the post requirements.
Letter b
The psycho test is carried out in accordance with post requirements and the capacity of the relevant agencies.

Article 8
Sufficiently clear

Article 9
The administrative documents as referred to in this Article include the letter stating that the relevant people relinquish the post of Executive and/or member of political parties in the case that the relevant people at the time they are declared having passed the screening tests are still the executives and/or members of the political parties.

Article 10
Paragraphs 1 and 2
Sufficiently clear

Article 11
Paragraphs 1 and 2
Sufficiently clear
Paragraph 3
The stipulation of appointment of Would-be Civil Servants shall not be retroactively effective in this provision, means that if the stipulation is in the on-going month, the effective date is the first day of the subsequent month.

Paragraph 3
Letters a up to f
Sufficiently clear
Letter g
Other diplomas which are equivalent mean the diplomas which are issued by the Universities whose weight of acquisition equivalent to the diplomas of doctors and the
diplomas of pharmacists, the equivalent of which is stipulated by the Minister who is responsible for national education.

Letter h
Sufficiently clear

Paragraphs 5 and 6
Sufficiently clear

Article 12
Paragraphs 1 and 2
Sufficiently clear

Article 13
Paragraph 1
Letters a and b
Sufficiently clear

Letter c
The period of performing state duties is among others the period of assignment as:
- Local staff in the Representative offices of the Republic of Indonesia in foreign countries;
- Nonregular employees;
- Village administrators;
- Employees/Personnel in International Bodies;
- Other officers in the government, whose income is borned by the State Budget.

Letter d
The period of performing duties to defend the State is among others the period as:
- Compulsory soldier, and
- Volunteer

Letter e
State-Owned Enterprises consists of State-Owned Corporations and Regional Administration-Owned Corporation.

Paragraph 2
In this provision the enterprise which is in the form of a legal body includes the private foreign enterprise which is in the form of a statutory body.

Article 14
Paragraph 1
The probation period of 1 (one) year is calculated as from the date on which the relevant person is appointed as the Would-be Civil Servant.

Paragraphs 2 up to 4
Sufficiently clear

Articles 15 and 16
Sufficiently clear

Article 17
Paragraphs 1 and 2
Sufficiently clear

Article 18
Paragraph 1
Letters a up to f
Sufficiently clear
In this provision, the wrong information of evidence is the information which causes losses to the State or after the truth is identified, the relevant person should not meet the requirements for appointment as the Would-be Civil Servant, for instance at the time of applying for a position the relevant person provides the information that has never been dismissed dishonorably. As a matter of fact, he has been dismissed dishonorably and other matters which are similar to it.

The Would-be Civil Servants who are punished for disciplinary reasons:
   a. mild level, honorably dismissed as Would-be Civil Servants
   b. severe level, dishonorably dismissed as Would-be Civil Servants

SUPPLEMENT TO STATUTE BOOK OF THE REPUBLIC OF INDONESIA NO. 4016