

THE SERVICE OF CIVIL SERVANT PROMOTION THROUGH THE APPLICATION OF INFORMATION TECHNOLOGY

(Study at Regional Civil Service Agency of Malang Regency)

UNDERGRADUATE THESIS

Present to Faculty of Administrative Science of Brawijaya University
To Fulfill the Requirement of Bachelor Degree

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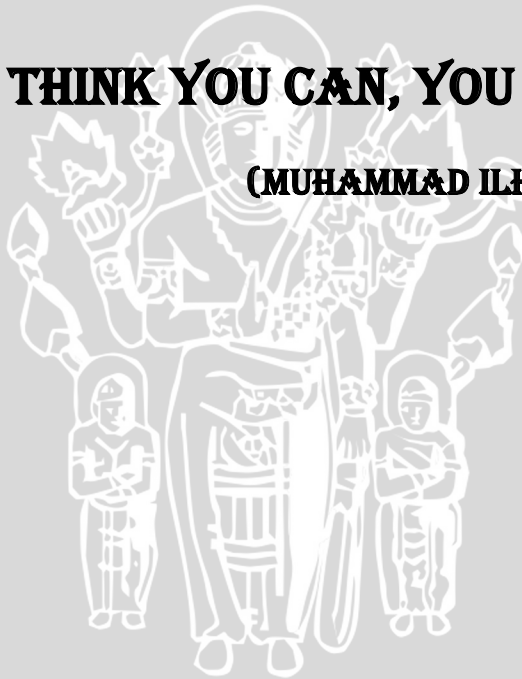
**BRAWIJAYA UNIVERSITY
FACULTY OF ADMINISTRATIVE SCIENCE
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MOTTO

“IF YOU THINK YOU CAN, YOU CAN”

(MUHAMMAD ILHAM)



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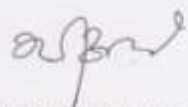
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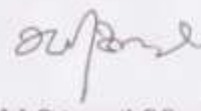
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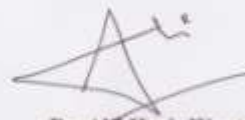
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SUMMARY

Muhammad Ilham, 2017, **The Service of Civil Servant Promotion Through The Application of Information Technology (Study at Regional Civil Service Agency of Malang Regency)**, Prof. Dr. Abdul Hakim, M.Si, Dr. Endah Setyowati, M.Si, 149 pg + xv

The purpose of this research is based on the service of civil servants promotion in BKD Malang which has have problems including the professionalism, data validation, and promotion management complexity. On the process, implementation of information technology called System of Personnel Service Application (SAPK) can be innovate program that supporting the service of civil servant promotion in Malang civil service agency of Malang regency government.

This research come up with three major problems, firstly related to the internal efforts of promotion service of civil servants through the application of information technology, secondly, related to the implementation of system of personnel service application, and the last, related to the factor that affecting to promotion service of civil servants through the application of information technology. The research use qualitative approach. Data types used is primary and secondary data, while data collection used is interview, observation and documentation. Data analysis used is interactive models.

The result of this research are, firstly the internal efforts of promotion service of civil servants through the application of information technology that involve service management, communication and coordination among division, reward, training on information technology field, job description among division. Secondly, the implementation of system of personnel service application through three phases namely Information System of Personnel Management of Indonesia (SIMKRI), the application of client server use Virtual Private Network (VPN) IP, and System of Personnel Service Application (SAPK). Thirdly, the factor that affecting to promotion service of civil servants through the application of information technology namely are the awareness and discipline of civil servants, leadership, human resources, infrastructure, and updating of center data.

Keywords: *Service, Promotion, Civil Servant, Information Technology, SAPK*

PREFACE

Great thank to ALLAH SWT for all of the blessings and guidance in finishing this undergraduate thesis entitled “**The Service of Civil Servant Promotion through the Application of Information Technology (Study at Regional Civil Service Agency of Malang Regency)**”. The writing of this thesis is aimed to fulfill the requirements for the degree of *Sarjana Administrasi Publik* (SAP).

The writer dedicates big appreciation and great thanks to Prof. Dr. Abdul Hakim, M.Si. as the supervisor and Dr. Endah Setyowati, S.Sos, M.Si as the co-supervisor who have given advice, suggestion, and supervision during the process of finishing the thesis. Thanks are also dedicated my beloved and awesome parents who have fully supported me in finishing my study, last but not least, to all my friends and for all people that the writer cannot mention one by one who have helped for the success of this study.

Hopefully, this study can enrich the research in the service of civil servant promotion and become an inspiration for the next researchers in conducting related studies.

The writer

Muhammad Ilham

LIST OF CONTENTS

	Page
COVER	
MOTTO	ii
CERTIFICATE OF APPROVAL	iii
ENDORSEMENT SIGN.....	iv
DECLARATION OF AUTHORSHIP	v
SUMMARY	vi
PREFACE	vii
LIST OF CONTENTS	viii
GLOSSARY	xi
LIST OF TABLES	xiii
LIST OF FIGURES	xiv
LIST OF APPENDIX	xv
 CHAPTER I INTRODUCTION	
A. Background	1
B. Problem Formulation	10
C. Objective of Study.....	11
D. Significant of Study	11
E. Systematic of Discussion	12
 CHAPTER II THEORITICAL REVIEW	
A. Public Administration	14
1. Definition of Administration.....	14
2. Definition of Public Administration.....	15
B. Public Service.....	17
1. Definition of Service	17
2. Definition of Public Service	18
3. Classificationof Public Service.....	19
4. Quality of Public Service.....	21
C. Human Resources Management.....	24
1. Definition of Human Resources	24
2. Human Resources Management	24
3. Function of Human Resources Management	26
D. Promotion.....	29
1. Definition of Promotion	29
2. Promotion of Civil Servant Based on Government Regulation Number 12 of 2002.....	30

3. Types of Promotion	34
E. Civil Servant	36
1. Definition of Civil Servant	36
2. Classification of Civil Servant.....	38
3. Position and Assignments of Civil Servant.....	38
4. Obligations and Rights of Civil Servant.....	39
F. Information Technology.....	41
1. Definition of Information Technology	41
2. Function of Information Technology.....	42
3. Component of Information Technology	44
4. Regulation of Information Technology.....	46
G. E-Government.....	48
1. Definition of E-Government	48
2. Types of E-Government.....	49
3. Benefit of E-Government.....	51
H. System of Personnel Service Application	52
CHAPTER III RESEARCH METHODS	
A. Types of Research	54
B. Focus of Research	55
C. The Location and Site of Research	56
D. Types and Sources of Data.....	57
E. Technique of Data Collection	58
F. Instrument of Research	59
G. Data Analysis	60
CHAPTER IV RESULT AND DISCUSSION	
A. General Overview of Research Object.....	62
1. Profile of Malang Regency	62
a. History of Malang Regency	62
b. Geographic and Demographic Condition.....	66
2. Profile of BKD Malang.....	68
a. General Overview of BKD Malang	68
b. Vision and Mission of BKD Malang.....	69
c. Responsibility and Function of BKD Malang.....	69
d. Organization Structure of BKD Malang	72
B. Data Presentation	81
1. Internal Efforts of Promotion Service	81
a. Service Management	82
b. Communication and Coordination	84
c. Reward Conferment	86
d. Training of Information Technology.....	88
e. Job Description Among Division.....	91

2. Implementation of SAPK.....	94
3. The Affecting Factors of Service of Civil Servant Promotion through Application of Information Technology	99
a. Awareness and Discipline of Promotion Service Staff ..	99
b. Leadership	103
c. Human Resources.....	108
d. Infrastructure	113
e. Updating Central Data.....	116
C. Data Analysis	118
1. Internal Efforts of Promotion Service	118
a. Service Management	118
b. Communication and Coordination	119
c. Reward Conferment	121
d. Training of Information Technology.....	122
e. Job Description Among Division.....	123
2. Implementation of SAPK.....	125
3. The Affecting Factors of Service of Civil Servant Promotion through Application of Information Technology	127
a. Awareness and Discipline of Promotion Service Staff ..	127
b. Leadership	130
c. Human Resources.....	132
d. Infrastructure	134
e. Updating Central Data.....	139
CHAPTER V CLOSING	
A. Conclusions	141
B. Suggestions	143
REFERENCES.....	145
APPENDIX	

GLOSSARY

BAPPEDA	: Regional Development Planning Agency
BAPETARUM	: Advisory Board of Housing Savings for Civil Servants
BKD	: Regional Civil Service Agency
BKN	: National Civil Service Agency
Client	: Services Requesters
DP-3	: Listing of Work Implementation Assessment
DPPKA	: The Department of Revenue, Financial Management and Asset
DUK	: Rank List
GTT	: Honorary Teacher
Impassing	: Term of Salary Compliance
IP	: Internet Protocol
Kanreg	: Regional Office
Karis	: Wife Card
Karpeg	: Husband Card
Karsu	: Staff Card
KGB	: Periodic Salary Increasing
KPE	: Electronic Card of Civil Servant
LKJ	: Report of Government Performance
NIP	: Identification Number of Civil Servant
PAK	: Credit Score Determining
PPK	: Personnel Development Officer

PPPK	: Government Staff with Contract Agreement
PTT	: Honorary Staff
RENSTRA	: Strategic Planning of Government
SAPK	: System of Personnel Service Application
Server	: Service Resources
SIMKRI	: Information System of Personnel Management of Indonesia
SIMPEG	: Personnel Information System
SKP	: Objective of Personnel Work
SKPD	: Working Units of Government
STLUD	: Letters of Service Examination Pass Mark
STLUPI	: Letter of Certificate Reconciliation Passed Examination Mark
VPN	: Virtual Private Network

LIST OF TABLES

No	Title	Page
1	Personnel Situation of BKD Malang	5
2	Personnel Based on Echelon	6
3	Name and Composition of Rank and Class of Civil Servant.....	31
4	Performance Achievement of BKD Malang.....	87
5	Personnel Sort Listing of Promotion and Remuneration	90
6	Working Time of Units in Malang Government.....	100
7	Percentage of Undisciplined of Civil Servants	102
8	Human Resources of Malang Government Based on Education....	109
9	Existence of Human Resources of Promotion and Remuneration Division.....	110
10	Educational Level of Human Resources of Promotion and Remuneration Promotion.....	111
11	Electronic Infrastructure of Promotion and Remuneration Division.....	114
12	Speed of Decree Promotion Process	116
13	Target and Realization of Performance Established Achievement 2014	117
14	Data Accuracy of Personnel of BKD Malang 2014.....	120
15	Proportion of Civil Servant Candidates 2014	124
16	Human Resources of Promotion and Remuneration Division Based on Educational Level.....	133

LIST OF FIGURES

No	Title	Page
1	Management Process	25
2	The Process of Civil Servant Promotion through SAPK.....	53
3	Data Analysis of Miles, Huberman dan Saldana	61
4	Map of Malang Regency.....	67
5	Organization Structure of BKD Malang	72
6	Division of Personnel Development and Welfare	73
7	Division of Promotion and Remuneration	75
8	Division of Mutation.....	77
9	Division of Personnel Information.....	79
10	Organization Structure of BKD Malang	93
11	Structure of Command and Coordinate of BKD Malang	106
12	Visionary Leadership.....	131
13	Infrastructure of Information Technology by Robertson and Sribar.....	135
14	Minimum Technical Specification of Personal Computer.....	137
15	Connectivity of Client Server	138
16	Server Technical Specification	139

LIST OF APPENDIX

No	Title
1	Photo Documentation
2	Law and Regulation
3	Letter of Research
4	Curriculum Vitae

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CHAPTER I

INTRODUCTION

A. Background

Indonesia has national goal to create fair society, prosperous and sustainable based on Pancasila in a unity of the Republic of Indonesia. In fulfill the goals, it necessary the development and high motivation by the generation in various field of expertise as the part of national goal to build intellectual life that benefit to the community, nation and state. As quoted by Muchsan (1982: 12), in order to achieve national goals, the state needs facilities and infrastructure support, either in the form of human resources and facilities in the form of objects, because the state cannot do it alone. The competitive and accountability of human resources is needed in order to create a bureaucratic apparatus which able to make the performance of government more effective and efficient.

State and government systems become the foundation of citizen services in guaranteed rights. Then improving the quality of service is becoming increasingly important. Therefore, public management since the 1980s has been transformed by an international phenomenon, which among others, triggered by the birth of global competition in the services sector. Service is a social process, while management is the ability to steer the social process.

An examination of the relationship with service users, Grönroos in Ratminto and others (2006: 2) explains that service is a business activity or series of activities that are invisible (intangible) that occurs as a result of the interaction between consumers and employees or things others provided by the service provider company intended to solve the problems of the consumers/customers.

Meanwhile, from the perspective of service management, aims among others, the first to understand the value of the benefits received by the user services that utilize or use the services provided by the organization and how the ministry itself or other rights of a physical nature affecting the service. In other words, service management is to understand how the overall quality is understood in conjunction with the service users and how it changed over time. Second, understand how an organization (personal, technology, infrastructure, systems and services users) able to produce or deliver power benefits or quality. Third, understand how an organization should be developed and managed so that the objectives and the intended quality will be achieved. Fourth, creating organizational functions to achieve the benefits of power or the quality, as well as the goals of the organization and the people can be involved (organizations, service users and public).

The question now is how to create a management system or the moral values to serve not to be served. In this case, the power of public policy making process is one way to create an excellent service management. The governments not organized to serve itself, but to serve the community, creating the conditions

that allow each member to develop their ability and creativity for achieving mutual progress (Rasyid, 2000:13). Government as the actor who run the government has authority to regulate and implement personnel policies of human resources working in government. In this case, the public servants are an important element in completing and organizing tasks or government regulations for the realization of good governance. Smooth running of the administration and national development mainly depends on the perfection of the state apparatus, essentially depends on the perfection of public servants. The formulation of the civil servants generally regulated in regulation number 5 of 2014 concerning the State Civil Apparatus (ASN).

The awards and fair treatment in scope of government is expected to improve the human resources. The award is one form of promotion. The promotion itself is closely related to civil servant because with the process of promotion, motivation and performance is expected to remain maximal. In addition, the civil servant can provide public services professionally, fair and equitable in the implementation of state assignment based on the law.

The provisions of civil servant promotion regulated in government regulation number 12 of 2002 and its implementing regulations assigned by the decree of head of National Civil Service Agency Number 12 of 2002, which is in accordance with the contents of article 1 paragraph 2 of government regulation number 12 of 2002 that the Promotion is an award that given to civil servants based on the work performance and dedication to the state. Promotion is the

increasing position indicates the level of civil servant by position in a series of personnel and used as the basis for remuneration (Anwar, 2007:8).

Based on the definition above, it can be said that the promotion is an award that given for the dedication of civil servants concerned for the state and is intended to encourage the civil servants in order to further improve his service. The government agencies who have the authority to organize and implement the personnel administration is National Civil Service Agency (BKN), which is located in central and provinces, and the Regional Civil Service Agency (BKD) which is located in the regency/city. The position of civil servants both at central government and local governments are required to provide services to the community, directing society and as government officials in order to achieve government goal.

Regional Civil Service Agency of Malang Regency as one of the government institutions has the vision namely discipline realization of personnel administration in the context of structuring civil servant proportionally towards the development of professional apparatus resource. The missions of BKD Malang are establishing the service of personnel administration, improve the welfare of civil servant, implementing the guidance of civil servants, implementing the development of civil servant, and managing the personnel management information system. (<http://bkd.malangkab.go.id/website/>).

Illustrated by Dessler (2010:4) human resources are the dominant factors in realizing it. Human resource management as a policy and practice to meet the

needs of civil servants who work in government or aspects contained inhuman resources such as position management, procurement of civil servant or recruitment, screening, training, compensation, and performance appraisal.

The composition of human resources worked in BKD Malang can be described in the table below:

Table 1 Personnel Situation of BKD Malang

Number	Echelon	Class					Educational Level						
		IV	III	II	I	Non Class	Elementary School	Junior High School	Senior High School	D III/ SM	S1	S2	S3
1	II	1	-	-	-	-	-	-	-	-	-	-	1
2	III	3	2	-	-	-	-	-	-	-	1	4	-
3	IV	1	10	-	-	-	-	-	-	-	7	4	-
4	Functional	-	2	-	-	-	-	-	-	-	2	-	-
5	Staff	1	29	11	-	-	-	-	15	5	19	2	-
6	Honorary Staff	-	-	-	-	5	-	-	4	-	1	-	-
Total		6	43	11	-	5	-	-	19	5	30	10	1

Source: BKD Malang

The table above viewed in the implementation of the basic tasks and functions of BKD Malang appropriates with organizational structure defined, supported with a sufficient number of personnel, the number of 65 staffs and the staff contract, number of 5 staffs. Viewed from the level of education of personnel,

would be very significant in supporting the activities of the tasks and functions of the regional civil service agency.

Meanwhile, the personnel viewed from the position/Echelon based on the rank can be described in the table below:

Table 2 Personnel Based on Echelon

Number	Class/ Room	Echelon					
		IV-b	IV-a	III-b	III-a	II-b	II-a
1	IV/c	-	-	-	-	1	-
2	IV/b	-	-	-	1	-	-
3	IV/a	-	1	2	-	-	-
4	III/d	-	6	2	-	-	-
5	III/c	-	4	-	-	-	-
6	III/b	-	-	-	-	-	-
Total		-	11	4	1	1	-

Source: BKD Malang

The process of implementation of personnel administration is an important part in the creation of a competitive and responsible apparatus. In this case, the process of promotion is an effort to improve the performance of civil servants.

However in the implementation, the systems of promotion for civil servants are still experiencing difficulties in a variety of ways. Among these are:

- a. Process of data validation of civil servant promotion is inaccurate and services untimely.

Validity is the extent in which the precision and accuracy of a measuring instrument in performing its function. Validity is an evolving property or a continuous process (Anwar, 2014:11). The number of errors in the process of promotion caused many requests corrections/rectifications of decree promotion in each period. Either of the agencies that propose or directly from the civil servants concerned. Errors often complained among other typing the name, Identification Number of Civil Servant (NIP), class/room, working period, work location, basic salary, position, and period of promotion and others.

According to reports of personnel development in 2014, in 2013 the target for decree of promotion of civil servants and Periodic Salary Increasing (KGB) amounted to 2515 data and realized in 2486 data. As for 2014, targets launched at the same indicator amounted to 2680 data and realized in 2166 data. It means there is a decrease about 18, 03%. It caused in service process of proposed speed in decree of promotion up to its issuance of promotion decreed one selectively through an objective assessment in assessing the Objective of Personnel Work (SKP) up to end of the Listing of Work Implementation Assessment (DP-3) to achieve the proposals decree promotion does not meet the requirements set cannot be processed or canceled. This activity can be implemented in accordance predetermined period and with the

expected receipt of decree promotion and salary periodic of civil servants timely can improve motivation and welfare for civil servants as a reward.

- b. Implementation of promotion procedures are impressed complicated.

Determination of promotion regional civil servants implemented with the decision of Regional Personnel Development Officer received on technical considerations the Regional Head of National Civil Service Agency appropriate work areas. To obtain technical considerations, the Regional Personnel Development Officer proposed to the Regional of National Civil Service Agency. To be able to promote by Regional Personnel Development Officer, the civil servants must fulfill the administrative requirements that have been specified (the civil servants as teachers must have PAK accordance with the standards Rate Credit Score functional positions) and the filing of the proposal submission PAK instead automatically gain in promotion. If the of civil servants concerned have fulfilled the requirements that have been determined, it will be proposed by promotion in its unit.

From several constraints mentioned above, in order to improve the effectiveness and efficiency of the implementation process of the promotion system for civil servants, the role of technology is needed for the support of administrative services personnel properly and regularly. Technology in the form System of Personnel Service Application called SAPK. According to the handbook of SAPK, this system is used for serving personnel which includes the establishment of Identification Number of Civil Servant (NIP), printing a

letter of appointment decisions of Candidate for Civil Servants (CPNS), granting approval number or on technical considerations of promotion and printing decree of promotion, establishing and printing decree of dismissal with retirement rights and to transfer updating the data. One application modules that exist in the System of Personnel Service Application System is an application promotion of civil servants with several mechanisms included:

1. Proposing the request of technical agreements note on promotion of civil servant with the position as Pembina Tingkat I room IV/b downward of agency.
2. Proposing the request of technical considerations note on promotion of civil servant with the position as Pembina Utama Muda room IV/c upward of agency.
3. Organizing the proposing of the request of technical agreements note on promotion of civil servant with the position as Pembina Tingkat I room IV/b downward of agency.
4. Organizing the proposing of the request of technical considerations note on promotion of civil servant with the position as Pembina Utama Muda room IV/c upward of agency.
5. Checking the proposing of the request of technical agreements note on promotion of civil servant with the position as Pembina Tingkat I room IV/b downward of agency.

6. Checking the proposing of the request of technical considerations note on promotion of civil servant with the position as Pembina Utama Muda room IV/c upward of agency.
7. Printing the technical considerations/agreement of civil servant promotion
8. Printing the decree of civil servant promotion by agency.

From those explanations above, the writer interested to research with title **“The Service of Civil Servant Promotion through the Application of Information Technology (Study at Regional Civil Service Agency of Malang Regency)”**.

B. Problem Formulation

Problem formulation is an important part and operational formal formulation of the problem to be investigated. From this description, then that becomes the problem in this research are:

1. How the internal efforts of the service of civil servant promotion through the application of information technology in Regional Civil Service Agency of Malang Regency?
2. How the implementation of System of Personnel Service Application (SAPK) in Regional Civil Service Agency of Malang Regency?

3. What are the affecting factors of the service of civil servant promotion through the application of information technology in Regional Civil Service Agency of Malang Regency?

C. Objective of Study

Objective of study is a major step in order to determine which way the target achieved in a study. Based on the existing of problem formulation, this study aims to:

1. To analyze and identify the internal efforts of the service of civil servant promotion through the application of information technology in Regional Civil Service Agency of Malang Regency.
2. To analyze and identify the implementation of System of Personnel Service Application (SAPK) in Regional Civil Service Agency of Regency.
3. To analyze and identify the affecting factors of the service of civil servant promotion through the application of information technology in Regional Civil Service Agency of Malang Regency.

D. Significant of Study

From this research, there is a contribution will be used by all parties concerned with this writing. This research is expected eventually going to be useful as follows:

1. Academically

- a. Results from this study are expected to add and deepen knowledge in the field of personnel, especially in the promotion service of civil servant.
- b. As a reference and information for researchers who will come mainly related to the same problem.

2. Practically

- a. As a knowledge contribution of the public who want to know more about the service of civil servant promotion through the application of information technology in Regional Civil Service Agency of Malang Regency.
- b. As a reference to Malang Regency Government about promotion service of civil servant.

E. Systematic of Discussion

Systematic of discussion in this paper is presented in five chapters interconnected with another chapter by chapter. Systematic writing is as follows:

CHAPTER I. INTRODUCTION

In this chapter describes the background of the research, the problem formulation, purpose of study, significant of study, and systematic of discussion.

CHAPTER II. THEORETICAL REVIEW

In this chapter describes the concept that is related with the background of the issue and the discussion of issues that are presented in chapter IV. The concepts are presented in this chapter which is the basis used in chapter IV includes: public administration theory, concept of public service, human resource theory, promotion, civil servant theory, information technology and concept of SAPK.

CHAPTER III. RESEARCH METHODS

This chapter describes the types of research, research focuses, the location and site of research, the type and source of data, data collection techniques, research instruments, and data analysis used in this research.

CHAPTER IV. RESULTS AND DISCUSSION

This chapter describes the results of the study include the presentation of the data and data analysis in the form of an overview of the object of study, the explanation about the focus of the research data, as well as analysis and interpretation of data.

CHAPTER V. CONCLUSION

This chapter contains the conclusions of the data that has been discussed and provided suggestions to the conclusion that it can be used as a consideration for the parties concerned.

CHAPTER II

THEORITICAL REVIEW

A. Public Administration

1. Definition of Administration

Administration is an activity of cooperative human consists of eight elements quoted by Liang Gie: Organization, Management, Communication (relations), information (Administration), Personnel, Finance, Material (Supplies), Public Relations. (Sjamsuddin, 2004:9). Illustrated by Pasolong, 2007:56, argues:

“Administration is a dynamic and sustainable process moved in order to achieve the goal by utilizing the people and material through coordination and cooperation. There-define and interpret, use the organization's goals as program and service demands, securing financial resources, facilities, staff, and various their forms of support, develop the programs and services, develop the organizational structures and procedures, using the leadership in the process of policy-making, development procedures, and principles of operation, evaluate the programs and staffing sustainability, plan and conduct research, and use the leadership in the process of change needed in the organization”.

Administration can be defined as the direction, governance, implementation activities, directing activities, creating the principles of public policy implementation, analysis activities, balance and present the decision, policy considerations, as individual and group work in producing public goods and services and as a field of academic and theoretical work (Pasolong, 2007:56).

2. Definition of Public Administration

Public administration, according to Chandler and Plano (in Pasolong 2003:58) is the process of public resources and personnel are organized and coordinated to formulate, implement and manage the decision making in public policy. Public administration an art and science intended to regulate public affairs and implement the various tasks established and as a discipline, public administration aims to solve public problems through repairs or improvements, specifically in the areas of organization, human resources, and finance.

Related with definition of public administration, Shafritz, and Russel (in Pasolong, 1997:58) quoted, difficult to provide a definition of public administration acceptable by all parties. Hence, both these authors give several definitions based on four categories: political category, legal or law, managerial, and livelihood:

- a. Definitions based on political categories viewed public administration as what government does either directly or indirectly, as a phase of public policy making collectively not individually.
- b. Definitions based on legal or law category viewed public administration is the law in action as a regulation, giving something and stakeholder or king to his people and forcibly taking the form of the rich parties to be distributed to poor parties, where the rich parties who feel aggrieved should submissive and obey.
- c. Viewed from the managerial category, public administration is viewed as an executive function within the government as a form of specialization in

management (how to achieve results through others) practiced is a form of subterfuge to produce something with a large budget, but with little result and seen as an art and not a science.

- d. Viewed from the category of livelihood, public administration is a form of professions ranging from janitors to brain surgery specialists in the public sector where are not aware that they are a public administrator, as an effort by government funded, as an application of the idealism which people work or would like to realize the dream of idealism and as an academic field continuing to focus his attention on the art and science of management to be applicable in the public sector.

Public administration according to Keban (2004: 16), a field where the executive officers or government officials implement tasks related to the public sector in particular the provision of services for the public interest, the role of public administration largely determines the stability, resilience, and welfare of a country. In addition, the public administration can also be viewed as event which can be seen or proven whether the elite bureaucracy and politicians keep its promises or to prove its commitment to the public supported them. Therefore, public administration was also very instrumental in keeping the public trust. Related to the research title, the government is also influential actors in public administration, where the government also analyze, organize, and role.

B. Public Service

1. Definition of Service

According to Kotler (in Lukman, 2008: 8) in the book of Daryanto and Setyobudi (2014: 135) states the service is any activity benefited in a collection or entity, and offers a satisfaction eventhough the results are not tied to a physical product.

Service is essentially a series of activities, which is why the service takes place regularly and continuously, covering the entire life of the organization in the community. The process is intended to do with respect to each other to meet the needs of recipients and service providers. Furthermore, illustrated by Buchari Alma (2011: 243) in Susilawati (2014):

"Service is a service provided to the consumer in relation to certain products. For example the service to answer the questions posed by consumers, seeking an order, address complaints, reparations, serving customers in the store's salesperson and so forth".

Meanwhile, according to Grönroos (1990: 27) in the book of Daryanto and Setyobudi (2014: 135) in Rahmatriana (2014):

"Service is an activity or series of activities invisible (intangible) that occurs as a result of the interaction between consumers and employees or other things provided by the service provider company intended to solve the problem of consumers".

From those theories, it can be concluded that service is an activity which invisible or intangible as interaction among consumer and employee available by company services to solve the problems more like the questions posed by consumers.

2. Definition of Public Service

According to Kurniawan (in Sinambela: 2006: 5) The public service is defined as service providers (serve) for the person or people who have an interest in the organization in accordance with the basic rules and procedures determined.

Public trust against the government performance in implementation its mission to provides public services was lacked and it should become a strategic issue for the Indonesian government to improve the existing conditions to include them in any public policy agenda issued by the government. Where public policy within the substantive framework is any activity conducted by the government to solve public problems encountered.

By bringing public policy toward solving the public problems is a service to society as far as possible pursued based on the public interest. Public policy is in the realm of interest there in. Rational values developed in public policy analysis as far as possible brought closer to the interests of society (Indiahono, 2009: 18-19).

In Indonesia, the service users are still marginalized position in the public service system. Its importance is often overlooked by service management. The absence of serious efforts of the bureaucracy to periodically, perform a variety of ways to greet citizens and ask them about the difficulty in accessing services. The bureaucratic apparatus still more concerned about the interests of the leadership than citizens (Dwiyanto, 2010: 9).

So it can be concluded that the public service is all kind of services in the form of public goods and public services principally become the responsibility and implemented by government institution in center, regional, and BUMN or BUMD, in the implementation of laws and regulations.

3. Classification of Public Service

In order to realize the goals of the organization, an organization that has a public service function should always pay attention to the quality of service provided to service users themselves. Quality of service is certainly going to bring the organization to the achievement of the performance which will create advantages for both service users and the organization itself.

Public service is an activity or series of activities in order to fulfill basic needs in accordance with the civil rights of all citizens and residents of goods and services or administrative services organized by public service providers. According to Trilestari in module of Public Service, divided into:

a. External Service

External service is provision of fulfillment services to the community which is a manifestation of government obligations as a public servant.

b. Internal Service

Internal service or called internal marketing is a series of activity implemented by organization to staff or organization units who have ability, power and success in order to provide a external service.

Regarding with the type of service above, a government organization has responsibility to provide the public services both external and internal services. The existence of internal service will affect the external service implemented by organization as stated by Mardika (2004:1):

“Internal Marketing describes about how the company makes everybody in organizations practise marketing smartly, so that individual can work effectively in organization to give satisfaction to the consumer”

Internal marketing is an approach for an organization to provide a service to all customers of employees in the organization and can improve the effectiveness of organization. Given these internal services would increase the motivation of all staffs in the organization will be on their own role as well as attend to what the customer desires on the implementation of the external service organizations. Internal Marketing is a holistic process to integrate the various functions of organization by ensuring that all employees understand and execute its activities in a supportive environment of customer satisfaction. It also ensures that all staffs are prepared and motivated to act in ways that are service-oriented (Asih, 2008: 4-5).

With the concept of internal service-oriented in the organization it shows how great the role of staff in an organization, other than as a pillar in the organization that the staff is an important asset to differentiate one organization to another organization, where qualified staff will become a competitive advantage for organizations where there is a positive correlation between the quality of

internal services with staff satisfaction. Several factors are contained in the quality of internal services such as service management, communication and coordination among division, reward conferment, training, job description and the responsibility proper would affect on staff satisfaction in the work which will ultimately have a direct impact on organizational performance (Siehoyono 2006: 18).

From those descriptions above, it was important to consider the quality of internal service before external service where it described the quality of organization to find the consumer need of organization external (Vitalina, 2004:23).

4. Quality of Public Service

Quality is a word for service providers is something that must be done well. Application quality as the nature of the product appearance or performance is a major part of corporate strategy in order to achieve sustainable excellence, both as a market leader and strategy to continue growing.

According to Pasolong (2010: 132), the quality is basically a word that bears a relatively abstract meaning, the quality can be used to assess or determine the level of adjustment of a case against the requirements or specifications. When it fulfilled the requirements or specifications mean quality is a matter that can be good, otherwise if the requirements are not met, it can be said to be good. Quality of service is defined as a dynamic condition related to products, services, people, processes and environments that meet or exceed expectations. Therefore, the

quality of service associated with the fulfillment of the expectations or needs of customers.

Stated by Zeithaml dkk (2000:82), there are five dimensions of service quality:

a. Tangible

The ability of a company to demonstrate its existence to external parties, appearance and abilities of physical infrastructure for a reliable company circumstances surrounding environment is clear evidence of the services provided by the service providers, this includes physical facilities (e.g. buildings), equipment and tools used (e.g. technology).

b. Reliability

The ability of company to provide services as promised accurately and reliable, performance must be in accordance with customer expectations, which means the timeliness, the same service to all customers without error, sympathetic attitude, and high accuracy.

c. Responsiveness

A policy assist and provide the responsiveness and accurate to the customer by presenting clear information and not let customers wait because it would become a negative perception in the quality of service.

d. Assurance

Knowledge, politeness, and the ability of the staff to gain confidence of the customers to the company, this includes credibility (nature honest and

trustworthy), security (free from danger, risk, or doubt), competence (mastery of skills and knowledge needed in order to deliver services according to customer requirements), and courtesy (politeness, respect, attention, and hospitality).

e. Empathy

Provide genuine care and individualistic provided to customers by striving to understand the customer wishes, where a company is expected to have the understanding and knowledge of the customer, understanding customers' specific needs, and has the operating time convenience for the customer.

Quality is full customer satisfaction where the quality product if it can provide fullest satisfaction to the consumer accordance with what expected of a product, quality as the standard to be achieved by individual, group, institution or organization about the quality of human resources, work, processes and result of product such as goods and services (Trigono, 1997: 76).

From those descriptions, the quality of a service substantively leading to the satisfaction of the recipient or user of services both the internal or external user of organization. The quality of service provided by an organization will determine the success of the organization performance. Therefore, the elements of service quality both tangibles, reliability, responsiveness, assurance, empathy in services

was crucial, which it will eventually be able to create the perception of service users as one of the evaluation tools that have already been executed.

C. Human Resources Management

1. Definition of Human Resources

Human resources are an important factor of each effort, as well as for the governance in order to perform its functions truthfully. Many definitions used to define human resources. Illustrated by Susilo (2002:3), human resources are the main pillars simultaneously wheels of organization in an effort to realize the vision, mission and purpose. Illustrated by Nawawi (2000:5) argues:

“Apparatus resources as one of the supporting elements of organization, can be defined as apparatus working in environmental of an organization (called personnel, labor, worker/employee) or human potential as an agent of organizations in realizing its existence, or the potential of asset and serves as the capital non-material within business organizations, transformed into a real potential for physical and non-physical in realizing of organization existence”

2. Human Resources Management

The term of management has the meaning as a collection of knowledge about how to manage the human resources. According to Samsudin (2006: 16) argues that management is working with people to achieve goals of organizing, personnel managing or staffing, directing and leading, and controlling.

The figure below will clarify how the management process addressed by Samsudin:

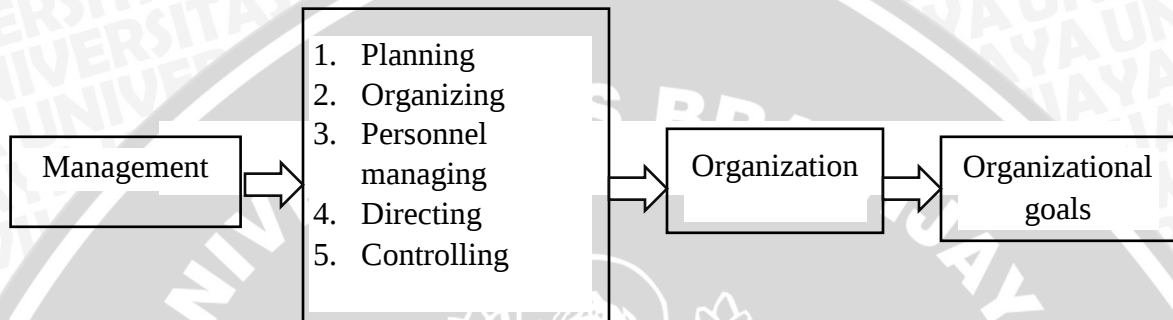


Figure 1: Management Process

Source: Samsudin (2006:16)

Illustrated by Rival (2005: 1) Human Resource Management is one of the fields of general management covering aspects of planning, organizing, implementing and controlling. This process contained in the function or a field of production, marketing, finance and personnel. Because human resources considered an increasingly important role in achieving the goal, then a variety of experiences and research results in field of Human Resources systematically collected with what called by the human resource management.

In other side, the definition of human resource management according to Handoko (2000: 4), human resource Management is withdrawing, selection,

development, maintenance, and using of human resources to achieve the objectives of individuals point and organizations.

While the definition of human resource management according to Hasibuan (2006: 10) argues that human resource management is an art and science regulating the relations and the role of labor in order to effectively and efficiently help the realization of company goals, employees and community.

From some experts have expressed the opinion concluded that human resource management is the science and art regulating the process of utilization of human resources and other resources efficiently, effectively and productively.

3. Function of Human Resources Management

In implementing of work should the organization be attended management and operational functions as quoted by Flipppo (2002: 5-7). According to him, the functions of human resource management, there are two, namely:

a. Management Function

This function consists of:

1. Planning

Planning has meaning as the determination concerning employment program that will support the achievement of the goals set by the company.

2. Organizing

The Organization formed by designing structures linkage the relation among the employment, employee, and physical factors established cooperation with another.

3. Directing

The directing consists of the staffing and leading function. Staffing function putting the human on organizational structure, while leading functions performed the directing of human resources where the employees work in accordance with the objectives set.

4. Controlling

The existence of managerial functions regulated the activities which suit with the planning determined by organization in accordance with the achieving objectives, in case of deviation could be detected and repaired immediately.

b. Operational Function

This function consists of:

1. Procurement

The effort obtains the required number of employee which is need by companies, especially related to the determination of labor needs, with drawing, selection, orientation and placement.

2. Development

The efforts to improve the skills of employees through education and training programs to make employees or personnel can perform their duties properly. This activity is important and will continue to growing as the technology changes, adaptation and increased difficulty of the manager task.

3. Compensation

Compensation function defined as efforts to provide remuneration or adequate remuneration to employees in accordance with the contributions donated to the company or organization.

4. Integration

An effort aligns the interests of individual, organization, company, and community. Therefore it should be understood the principles of employee attitudes.

5. Maintenance

After the four functions running well, it expected the organization or company received good employee. Then the maintenance function is maintained the attitudes of employees will benefit to the company.

6. Separation

The last effort of the operational function is responsibility of the company to restore the employee to society well, when the organization or company held the separation.

D. Promotion

1. Definition of Promotion

According to Thoha (2007:37), promotion is a civil servant level in context of staffing and used as basis for remuneration. Meanwhile, according to government regulation number 12 of 2002 in Pasolong (2010: 166) explained that promotion is an award given on performance and dedication of civil servants to the country concerned. Besides that, the promotion is also intended as an encouragement of civil servants to further improve work performance and dedication.

Promotion called as a reward given to personnel assumed greater responsibility, as for the mobilization of the personnel are displacement or over tasks from the old to the new place where the promotion of civil servants was set on April 1st and October 1st per year, except for some types of promotions defined enactment specifically (Thoha, 2005:33).

2. Promotion of Civil Servant Based on Government Regulation Number 12 of 2002

According to attachment decree of Head of National Civil Service Agency Number 12 of 2002 dated June 17th 2002, Implementation provisions of government regulation number 99 of 2000 on promotion of civil servants changed with government regulation number 12 of 2002, mentioned notions about rank as follows:

- a. Rank is the position indicated the level of a civil servant based on position in context of personnel and used as basis of remuneration.
- b. Promotion is the awards given of work performance and dedication of civil servants to the state.
- c. Promotion based on regular and selected promotion, but a promotion could also be given to the civil servant who was declared dead (posthumous promotion) and the promotion of dedication that passed away, reached the retirement or disability due to service and cannot work anymore in their position.
- d. Name and composition of rank and class of civil servants from the lowest to the highest area as follows:

Table 3 Name and Composition of Rank and Class of Civil Servants

No	Rank	Class	Room
1	Juru Muda	I	A
2	Juru Muda Tingkat I	I	B
3	Juru	I	C
4	Juru Tingkat I	I	D
5	Pengatur Muda	II	A
6	Pengatur Muda Tingkat I	II	B
7	Pengatur	II	C
8	Pengatur Tingkat I	II	D
9	Penata Muda	III	A
10	Penata Muda Tingkat I	III	B
11	Penata	III	C
12	Penata Tingkat I	III	D
13	Pembina	IV	A
14	Pembina Tingkat I	IV	B
15	Pembina Utama Muda	IV	C
16	Pembina Utama Madya	IV	D
17	Pembina Utama	IV	E

Source: BKN

- e. The period of promotion determined on April 1st and October 1st per year, except posthumous and dedicated promotion.
- f. The period of work for first promotion of civil servant counted during appointment as candidate of civil servant.
- g. The promotion managed by BKD Malang is the promotion for civil servant on Malang government, started from class I up IV.
- h. Completing administrative promotion consist of:
 1. Regular Promotion
 - a. Valid copy of personnel card
 - b. Valid copy of decree of last promotion or decree of civil servant candidate and decree of civil servant appointment who proposed the promotion firstly.
 - c. Valid copy of last certificate
 - d. Valid copy of working implement valued, in last 2 years with a minimum value categorized Good (76)
 - e. Valid copy of letters of service examination pass mark (STLUD) for the proposal of promotion class II/d to III/a or III/d to IV/a or structure nation training who already have.
 2. Selected promotion
 - a. Valid copy of personnel card.

- b. Valid copy of decree of last promotion or decree of civil servant candidate and decree of civil servant appointment who proposed the promotion firstly.
- c. Valid copy of last certificate.
- d. Valid copy of working implement valued, in last 2 years with a minimum value categorized Good (76).
- e. For who occupied the structural position attaching the decree of appointment on position and Inaugural Statement.
- f. For who occupied the functional position attaching the original of Credit Score Determining (PAK)
- g. For the certificate reconciliation, attaching the letter of certificate reconciliation pass examination mark (STLUPI), not applicable to the learning task, but enclosed Appointment Letter of Learning Task) and job description as low signed by officials of Echelon II.
- i. Mechanism of managing promotion
 - 1. Proposing files of promotion collectively of each regional work units (SKPD) to the regional civil service agency.
 - 2. Researching files of proposed promotion by regional civil service agency of Malang regency
 - 3. Determining technical consideration note of promotion by Regional Office II of National Civil Service Agency/Regional Civil Service Agency.

4. Completing the decree of promotion by regional civil service agency of Malang regency (up class/room III/d), Class/Room IV/a and IV/b decree of promotion determined by Governor of East Java, while Class/Room IV/c up, the decree of promotion determined by President of Indonesia.
5. Handing the decree of promotion to each Regional Work Units (SKPD)
6. Managing archive of Technical Consideration Note and archive of decree of promotion.

3. Type of Promotions

According to National Civil Service Agency (2014), as the government regulation number 12 of 2002 about changed of government regulation number 99 of 2000 about promotion of civil servant described the types of promotions of civil servant namely:

a. Regular Promotion

Regular promotion is a promotion given to civil servants who meet the requirements determined without regard to positions embraced. Regular promotion can be given whenever notch higher if the civil servants concerned:

1. Has four years in its rank and every element of judgment implementing work valued well at least.
2. Has five years in its rank and every element of judgment implementing work valued fairly.

b. Selected Promotion

Selected promotion is a promotion given to civil servants who assume a certain structural or functional positions met the requirements specified. The selected promotion within the limit of rank levels specified for the respective positions.

c. Dedicated Promotion

Dedicated promotion is a promotion given to civil servants who have reached the retirement, with a note:

1. At least have four (4) years in its ranks
2. Assessment of implementation work is well, provided there is no element of valued execution work worth less.
3. Never got disciplinary punishment

d. Posthumous Promotion

Posthumous promotion is a promotion given to civil servants who passed away on assignment.

E. Civil Servant

1. Definition of Civil Servant

The wheels of government would work well if the quality of its human resources support can competent and consistent in performing their assignments. Human resources is an important element which becomes a key or absence of government in organization, the human element will greatly determine whether the organization run in achieving the objectives to be achieved. Humans who are involved in this organization called personnel. Some experts point about the definition of personnel, including:

According to Widjaja (2006: 113) argues that personnel is working human physically and spiritually needed and therefore became one of the main principal in cooperate to achieve certain goals. Another opinion stated by Musanef (1984: 5) gives the definition of personnel as an employee or worker is those who are directly driven by a manager to act as an executor who will implement the work to produce works expected in achieving organizational goals established.

In the United States, PNS called Civil Service. Civil service is the people who work for government agencies include working in the Federal State, State, and the Institute of Local Government. Each civil servant fully responsible for the area in its governance. In the United Kingdom, PNS called civil servant where term for people who are employed by the Queen of England. The staff is employed by

the Parliament and other public bodies. In the land of the Queen Elisabeth is only 1 of 12 public agencies whose employees call with PNS.

Meanwhile in Indonesia, the word of PNS defined as Civil Servant. The word “Sipil” defined as Civil and “pegawai” defined as Servant where has duty to serve the people. It based on some administrative view and references that have quoted by BKN as the stakeholder of personnel has formed Puspenkom (Pusat Penilaian Kompetensi) in 2006 called Civil Servant Assessment Centre. (Wikipedia PNS)

In law number 5 of 2014 about ASN (State Civil Apparatus) meant that the Civil Servant is the ASN staffs appointed as permanent staff by Personnel Development Officer (PPK) and has Personnel Identification Number nationally. According to Nainggolan (1987: 270), civil servants are those who after fulfilling the requirements set on legislation applicable, appointed by authorized official and entrusted with the task in official state/entrusted with other task established based on regulation applicable. Civil Servants are thinking of human resources, planning and implementation of government policies, development and social services in order to achieve national goals. The elements that must be taken to ensure someone can be called civil servants are:

1. A person who meets the requirements as specified in the legislation applicable
2. Appointed by authorized official
3. Entrusted with the task in official position or other task

4. Paid in accordance with the legislation applicable.

2. Classification of Civil Servant

Classification of civil servant based on regulation number 5 of 2014 about the specifics of personnel include:

- a. Civil servant consist of:
 1. Civil servant (PNS)
 2. PPPK
- b. Civil servant as the definition above consist of:
 1. Civil Servant

Civil servant is ASN staffs appointed as permanent staff by Personnel Development Officer (PPK) and has Personnel Identification Number nationally.

2. Government Staff with Contract Agreement (PPPK)

PPPK is ASN staffs appointed as staff with contract work by Personnel Development Officer accordance with the need of government institution and regulation

3. Position and assignment of Civil Servant

The position of the Civil Servant quoted by Imron (2008: 108) that says civil servant as an element of the state apparatus served to provide public services in a professional, honest, fair and equitable in the implementation state

assignment, government and development. Formulation of civil servants position is also based on the main ideas where the government will not only perform the function of development, or in other words the government is not only organizing the orderly governance, but also to be able to move and accelerate development for the benefit of society

Meanwhile, according to regulation of ASN number 5 year 2015 article 8 and 9 the Staff of ASN positioned as the element of state apparatus

- a. Staff of ASN implemented policy determined by head of government institution.
- b. Staff of ASN has to separate from the affect and intervention of all parties and political parties.

In the context of public law, the civil servant require to assist the president as head of government in holding the government, served implementing legislation, in this case the personnel required arrange for any legislation adhered by the society. In implementing these regulations generally, given the Civil Servant an official assignment to be run as well as possible.

4. Obligations and Rights of Civil Servant

Regarding with the right and obligation of civil servant, then the regulation about it regulated by Regulation number 5 of 2014 described the civil servants entitle to receive:

- a. Salary, allowance, and facilities
- b. Leave
- c. Retirement and old age guarantee
- d. Protection
- e. Competency development

PPPK entitled receive:

- a. Salary and guarantee
- b. Leave
- c. Protection
- d. Competency development

The obligations of ASN:

- a. loyal and obedient to Pancasila, UUD 1945, NKRI, and the legitimate government
- b. Keep the unity of the nation
- c. Implement the policies formulated by government authorities
- d. Comply with the regulations of legislation

F. Information Technology

1. Definition of Information Technology

Information technology can be seen by word forming namely information and technology. The word “technology” means the development and implementation as the tool or system to finish the problems faced by human in daily activities. The word of technology related with the terms of manages.

According to Murdick (1993:12), the information is data processed into benefit formulation for receiver and utilized in decision making, present or future. Here some definitions about information technology:

According to McKeown quoted by the Suyanto (2005: 3), information technology refers to all forms of technology used to create storage, modify and use the information in all its forms.

The same opinion was also expressed by Williams and Saywer quoted by Seesar (2010: 6), that information technology is a common form that describes any technology that helps to produce, manipulate, storage, communicate or convey the information.

Meanwhile, according to Isaac (2008: 87), information technology is the result of human engineering to the process of conveys the information from the sender to the receiver so that the transmission of information will be faster, wider distribution, and longer storage.

In addition, the Information Technology Association of America (ITAA), quoted by Sutarman (2009: 13) states that information technology is a study,

design, development, implementation, support or management information system based computers, particularly software applications and computer hardware.

From those explanation above, it can be stated the information technology is a combination of computer technology and communication technology used to process the data, processing, obtain, forming, storage, data manipulation in depth the various ways to produce quality information namely relevant information, accurate and timely, which is used for personal, business, government and decision making.

2. Function of Information Technology

Information technology today becomes very important because many organizations applied the information technology to support the organization's activities. The application of information technology in each company or organization must have a different purpose for the application of information technology in an organization is to support their business interests. As for the destination of their information technology according to Sutarman (2009: 17), to solve problems, unlock creativity, and improve the effectiveness and efficiency of work. Meanwhile, the function of information technology according to Sutarman, there are six functions, as follows:

- a. Capture
- b. Processing

Compiled a detailed record of events, for example receive the input from keyboard, scanner, microphone, and others. Processing the input data received to be informed. Processing the data could be conversion, analysis, calculation, synthetic of all data and information.

1. Data processing, process and manage the data become an information
2. Information processing, a computer activity processed and managed the various types/forms of information and changed into the other various types/forms of information.
3. Multimedia system, a computer system processed various types/forms of information simultaneously

c. Generating

Generating or organizing the information into the utilized forms. For example: report, table, chart and others.

d. Storage

Record or storage the information into the media used to other purposes. For example saving to hard disk, tape, disc, compact disc and other

e. Retrieval

Search and retrieve the information or copy the data and information already stored, for example, looking for suppliers that have been paid off, and other.

f. Transmission

Transmit the data and information from one location to another via computer networks. For example transmit sales data from user A to another user and others.

From the description above, it is known that the information technology has different objectives and functions of a company and it all depends on the field of business of each company.

3. Components of Information Technology

The components of information technology are a sub-system which is formed in connection with the use of information technology. According to Seesar (2010: 6) information technology consists of three main components as follows:

a. Hardware

Hardware is a physical device that builds an information technology. Examples: monitor, keyboard, mouse, printer, hard drive, memory, micro processors, CD-ROM, network cables, telecommunication antenna, CPU, and input/output tool.

b. Software

Software is a program created for a special purpose that is composed of a program that determines what should be done by computer. The software can be divided into three, among others:

- 1) System software is software created specifically to be able to control all the hardware, so that all information technology hardware can work in

unison as a complete system. For example: Window Operating System, Linux, UNIX, OS / 2, and FreeBSD.

- 2) Software programming language is software that can be used to create application programs or system software. For example: Visual Basic, Delphi, Turbo C, FORTRAN, COBOL, Turbo Assembler, and Java.
- 3) Application software, a program so readymade for special purposes. E.g. for multimedia: Jet Audio, Windows Media Player, Winamp, and Real Player. For the purposes of office applications: Microsoft Office and Open Office which consists of several programs for various purposes such as word processing, figures, data and presentation.

c. Brain ware

Brain ware is the personnel directly involved in the use of computers, such as System Analyst, Web Master, Web Designer, animators, programmers, operators, users and others. There are various roles that man can do in this part of computer systems, among others:

- 1) Systems analysts conducted an analysis of the problems encountered, as well as designing solutions to solve in the form of a computer program.
- 2) Programmer, analyst translates their designs into a programming language so that a solution can be run computers.
- 3) Operator to work running a computer based on the instructions given.
- 4) Engineers, in charge of assembling or maintaining computer hardware, and others.

Based on the above, it can be stated that the information technology components composed of a unit that interdependence and cannot be separated from one to another.

4. Regulation of Information Technology

Regulation of Information Technology have regulated in law Number 11 of 2008 about Electronic Transaction and Information (UU ITE). The regulation of Electronic Transaction and Information Number 11 of 2008 is determined the activity of transaction and information aspect that use the electronic as source. This law has jurisdiction that applies to any person to take legal actions as stipulated in this law, both of which are in the jurisdiction of Indonesia and outside the jurisdiction of Indonesia, which has legal effect and harm the interests of Indonesia.

Utilization of Information Technology and Electronic Transactions conducted under the principles rule of law, benefits, prudence, good faith, and freedom to choose technology or technology neutral. Utilization of Information Technology and Electronic Transactions implemented with the aim to:

- a. Educating the nation as part of the world information society
- b. Develop the trade and national economy in order to improve the public welfare
- c. Improve the effectiveness and efficiency of public services

- d. Give the opportunity to every person to advance the mindset and capability in aspect of use and utilization of information technology optimally and responsibly
- e. Providing a sense of security, justice, and legal certainty for users and providers of Information Technology

In general, the material Law on Electronic Transactions and Information (UU ITE) is divided into two major parts, namely the setting of the information and electronic transactions and arrangements regarding prohibited. Settings on information and electronic transactions refer to several international instruments, such as the UNCITRAL Model Law on eCommerce and the UNCITRAL Model Law on eSignature. This section is intended to accommodate the needs of businesses on the internet and the general public in order to obtain legal certainty in electronic transactions. Several materials are regulated, among others:

- a. Recognition information / electronic documents as evidence valid law (Articles 5 and 6 UU ITE)
- b. Electronic signatures (Article 11 and Article 12 UU ITE)
- c. certification authority (Article 13 and Article 14 of UU ITE)
- d. The implementation of an electronic system (Article 15 and Article 16 of Law ITE)
- e. Cybercrimes. Some cybercrimes were regulated in UU ITE, among others:

- 1) Illegal content, which consists of morality, gambling, defamation/libel, threats and extortion (Article 27, Article 28 and Article 29 of UU ITE);
- 2) Illegal Access (Article 30)
- 3) Illegal interception (Article 31)
- 4) Data Interference (Article 32 of UU ITE)
- 5) System Interference (Article 33 of UU ITE)
- 6) Misuse of device (Article 34 of UU ITE)

G. E-Government

1. Definition of E-Government

According to World Bank (in Martin, 2002), E-Government refers to the use by government agencies of information technologies (such as Wide Area Network, the Internet, and mobile computing) that have the ability to transform relations with citizens, business, and other arms of government.

The technology in scope of government is helpful improve the relations with citizens, businesses and government itself. The existence of the E-Government expected to improve connectivity among government on public service.

According to Concard quoted Akadun (2009: 131) E-Government is a term of government to adopt Internet-based technology which can complement and improve programs and services. Meanwhile, according Priyanto in Akadun (2009: 131), in principle, to talk about E-Government is talking about the

governance information system based computer. Discussion of management information systems, means implementing the information systems wherever, the central is communication technology and information technology.

2. Types of E-Government

According to Seifert and Bonham (2003:3), there are four types of E-Government implementation:

a. Government to Citizens

E-Government applications generally, namely the governments develop and implement a broad portfolio of information technology with the main objective to improve interaction with the community (society). In other words, the purpose built the E-Government application; type G-to-C is bring government more closer to society through the access canals diversely where people can easily reach the government to fulfill the various needs of daily services. Example applications are as follows: Ministry of Religious open enrollment site for those who intend to establish the pilgrimage in certain years, the government can prepare for pilgrimage quota and appropriate forms of travel services.

b. Government to Business

One of main tasks of government is form conducive business environment for the economy which can run properly. Examples of E-Government application man if old G-to-B follows: The taxpayer company

can easily run applications based web calculates the amount of paid tax to the government and make payments via the Internet.

c. Government to Government

In globalization era is evident the need for countries to communicate more intense from day today. Various implementation of E-Government of type G-to-G is known among others: The administration relationship among the local government offices with embassies or consulates general to assist providing accurate data and information required by foreign nationals was in Indonesia. Applications connected to the local government offices with foreign banks that has owned by the government in other countries where local governments save and invest their money. Development of an intelligence database system served to detect those who are not allowed in or out in territory of the country (cease and desist).

d. Government to Employee

At the end, the E-Government applications are also intended to improve the performance and welfare of civil servants or government personnel who work in a number of institutions as community service. Various types of applications can be built using the format G-to-E: an integrated application for managing various welfare allowances, which is the right of government personnel which it can be, protected individual rights.

3. Benefit of E-Government

According to Indrajit (2004: 18), two large for front countries in implementing the concept of E-Government, namely US and UK through Al Gore and Tony Blair, has been clearly and detail describe the benefits gained with the implementation of the concept of E-Government for a country, among others:

- a. Improving the quality of government services to its users (the public, business, and industry), especially in terms of performance effectiveness and efficiency in various fields of state life.
- b. Increasing transparency, control, and accountability of governance in order to implement the concept of good corporate governance.
- c. Reducing significantly the total cost of user illustrations, relationships, and interactions issued by the government or user for the purposes of daily activities.
- d. Providing an opportunity for the government to obtain new sources of revenue through its interaction with the parties concerned.
- e. Creating a new community environment that can quickly and accurately answer the various problems against the global changes and trends.
- f. Empowering communities and other parties as a government partner in the process of public policies making equitably and democratically.

H. System of Personnel Service Application

System of Personnel Service Application (SAPK) is a system integrated by online and connected with National Civil Service Agency, Regional Office, Regional Civil Service Agency, province and regency/district in Indonesia (Handbook of SAPK online 2011). Based on the regulation number 5 of 2014 article 1 (6) about the State Civil Apparatus (ASN) described information system of ASN is series of information and data about ASN staff arranged systematically, comprehensive, and integrated by technology.

In order to realize the accurate data of civil servants, the existence of technology called System of Personnel Service Application. In decree of head of National Civil Service Agency Number 14 of 2011 explained the system is integrated and connected online with all agencies to provide personnel services. System of Personnel Service Application or called SAPK is an information system based computer structured to meet personnel needs.

The purpose of this system is to realize the latest personnel data in each central and local agency integrated nationally into the SAPK creating the service in field of personnel transparency and objectively. The existence of System of Personnel Service Application, the accurate of data, efficiency and effectiveness of personnel administration services improved and hopefully, the process of personnel administration specifically to give the rank does not exist attached the data files of civil servants. Other side, the existence of SAPK, the work units can

perform data rejuvenation of civil servants in daily caused the condition of personnel administration can change anytime.

The figure below described about the tract process of promotion through the SAPK:

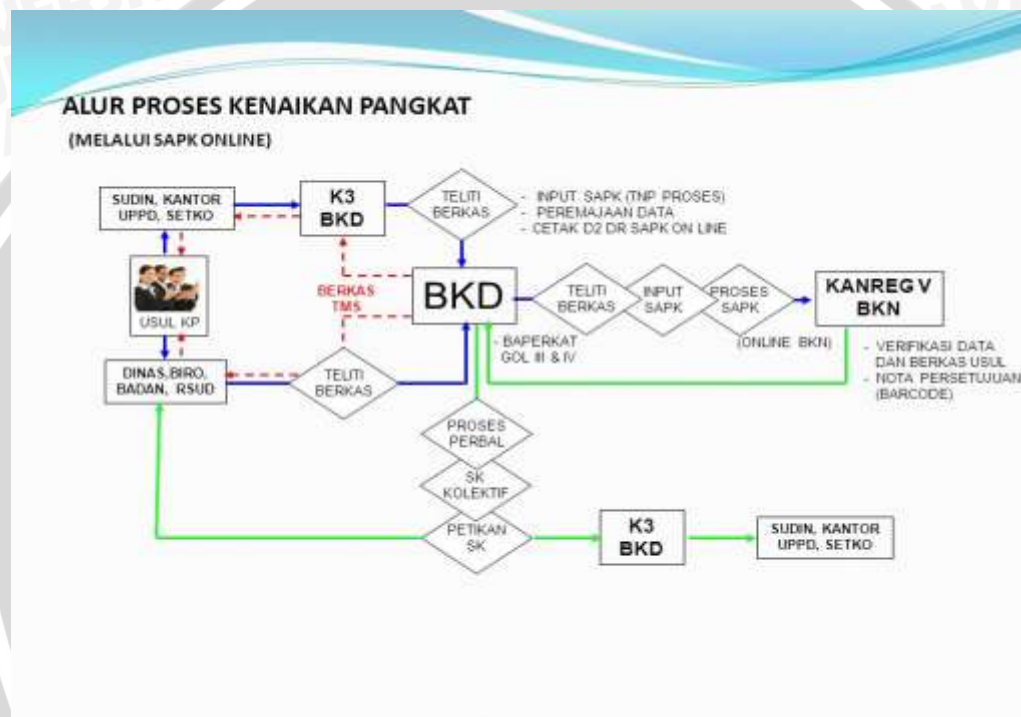


Figure 2: The Process of Civil Servant Promotion through SAPK

Source: Handbook of SAPK

CHAPTER III

RESEARCH METHODS

A. Types of Research

The research used by the author is descriptive research with qualitative analysis. This type of problem-solving procedures that have been studied by exposing the data obtained from the observations were analyzed and interpreted literature with the conclusion.

In qualitative research, the research process is shaped cycle means of gathering data and on going analysis stimulatory or interrelated. According to Lofland and Lofland in Moleong (2001:112) research procedures which produce descriptive data in the form of words or spoken of or observed behavior is classified in qualitative research.

Theoretically, qualitative research is considered to observe through the lens wider and look for patterns of relationships between concepts that had previously been determined. Research should be using yourself as an instrument, following the cultural assumptions as well as to follow the data. In order to achieve insights into the world of social imaginary informant, flexible and reflective researchers expected, but still set the distance Fracken (in Brannen, 1997).

B. Focus of Research

Research focus in this research have a function:

- a. Confine study, with the focus, the determining of research place become various.
- b. Fulfill the criteria of the information obtained in the field. With a research focus of the researchers can determine which data should be taken from the data that is being collected (Moleong, 1990)

If the focus of research has determined it will be easy for researchers to find the data and the conclusion of the research conducted. With description above the research focus are:

1. The internal efforts of service of civil servant promotion through the application of information technology in BKD Malang, which several indicators below:
 - a. Service management
 - b. Communication and coordination
 - c. Reward conferment
 - d. Training of Information Technology
 - e. Job description among division
2. The implementation of System of Personnel Service Application in BKD Malang.
3. The affecting factors of the service of civil servant promotion through the application of information technology in BKD Malang, among others:

- a. The awareness and discipline of promotion service staff
- b. Leadership
- c. Human resources
- d. Infrastructure
- e. Updating central data

C. The Location and Site of Research

According Moleong (2006: 87), the best way to determine the site of research is considering the substantive theory: go and observe the location to see conformity with the reality in the field work. Based on this definition, the location of study research is the BKD Malang.

Site selection of this research caused the BKD Malang is an institution of government engaged on personnel as the agency who organized the system of civil servant promotion. Holding on the site of research, hopefully the result of research data obtained in accordance with the problem formulation, focus of research and actualization data related to the research.

D. Types and Sources of Data

Lofland and Lofland in Moleong (2001:112) argues that the primary source of data in qualitative research is the words and actions, there are additional data such as documents and others. From the above it is included as a data source can be a person, event, document (things or objects) that can be used as a source of information and can provide the necessary data and information accordance with specified research focus. In this research data sources used the following:

1. Primary data is data obtained from sources or information directly related to the research.
2. Secondary data is data that comes out of the words and actions of those who observed or interviewed (Moleong, 2001:113). Secondary data is the data in this study support such as archives, forms of civil servant stuffing concerned with the focus and problem of research.

Moleong (2002) divides the types of data in a qualitative study into the words and actions, sources of written data, photos and statistics.

a. Words and actions

The words and actions of those who observed or interviewed is the main data. And the data was recorded through written notes or recording through video/audio tapes, taking photos or videos.

b. Written sources

Although it is said that the words and actions outside source is the second data source, obviously it cannot be ignored. In terms of data sources,

additional material derived from written sources can be divided into source books and scientific magazines, sources from archives, personal papers and official documents.

c. Photos

Now the picture is more widely used as a data source for qualitative research because it can be used in various purposes. Photo generate descriptive data is quit evaluable and are often used to examine aspects of the subjective and the results are analyzed inductively. There are two categories of images that can be used in qualitative research, the resulting image and the image produced by the researchers themselves..

d. Statistic Data

Qualitative research often uses statistical data that has been available as an additional data source for its needs. Statistics for example can help illustrate the tendency of research subjects in the background.

E. Technique of Data Collection

Techniques of data collection used by author are:

1. Interview

Interview is divided into two deep interview and interviews. Deep interviews were conducted around apparatus who work in government, head office of BKD Malang including the staff and government itself of BKD

Malang as the stakeholder who controlled the role of organization and institution. While the interview is done if the speaker does not dominate in deep interview questions.

2. Observation

Observations made during the interview and the time of the study. Observation is to observe events or circumstances on regional civil service agency of Malang regency.

3. Documentation

The document is a record of event passed. Studies of document are complementary of using the observation methods and interviews in qualitative research.

F. Instrument of Research

In qualitative research, the researcher is a tool (instrument) of primary data collectors, because researchers are humans and only humans can relate to the respondent or other objects, and be able to understand the link realities on the ground. Therefore, researchers also participate in an observation (Moleong, 2007:9). Meanwhile, according to Nasution (2003: 55) explains that there is no other choice than making the human as main research instrument in qualitative research, because everything does not have certainty, and still need to be developed further. Therefore, only the researchers as the tools can achieve it.

G. Data Analysis

According to Miles, Huberman and Saldana (2014: 31-33) the analysis of qualitative data, there are three grooves activities occurring simultaneously. Activity in the data analysis, namely: Data Condensation, Data display and withdrawal of Conclusion/Verification.

1. Data Condensation

Data condensation refers to the process of selected, simplifying, abstracting, and data transform approaching the whole part of the field notes written, interview transcripts, documents, and other empirical material.

2. Data Display

Data Display is anorganizing, unification of information allows the conclusion and action. Data display helps in understanding the actual event and to do something, including in depth analysis or action based on understanding.

3. Withdrawal of Conclusion/Verification

The third analysis of important activities is drawing conclusions and verifications. From the beginning of data collection, a qualitative analyzer began searching for the meaning of objects, noting the regularity of explanation, possibly configurations, flow of causation, and propositions. The final conclusions may not appear until the end of data collection, depending on the size of the sets of field notes, encoding, storage, and research method used, skills of researchers, and demands of funder.

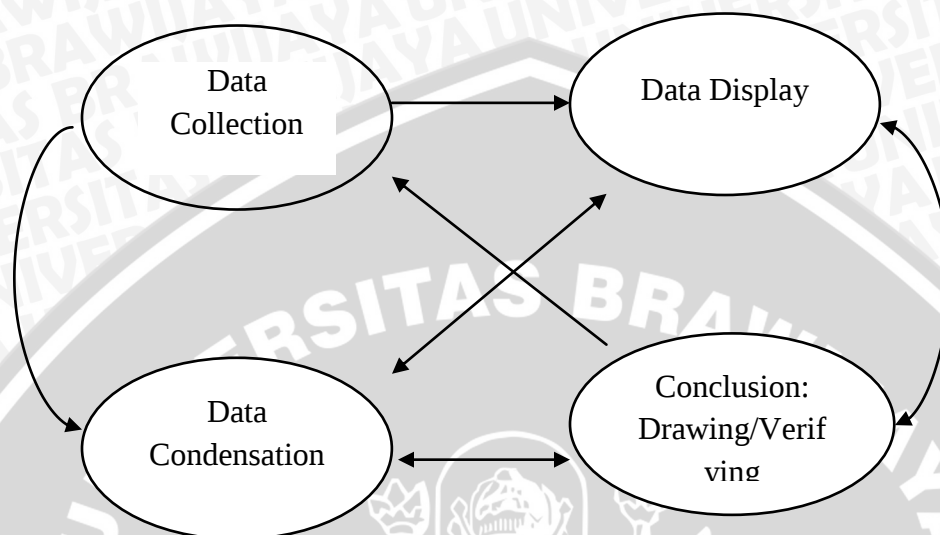


Figure 3: Analisis Data of Miles, Huberman and Saldana (2014:33)

Source: Miles, Huberman and Saldana (2014:33)

CHAPTER IV

RESULT AND DISCUSSION

A. General Overview of Research Object

1. Profile of Malang Regency

a. History of Malang Regency

Malang is a district located in East Java, Indonesia. Malang is the second largest district in East Java after Banyuwangi and largest population in East Java. Malang is also the third largest district in Java after Banyuwangi and Sukabumi in West Java. The capital city of Malang is Kepanjen.

Tracing the past, Malang is inseparable from the historical period of the Singasari Kingdom under the leadership of Akuwu Tunggal Ametung who married Ken Dedes, this kingdom under the authority of the Kediri Kingdom. This kingdom have felt ups and down. During Mataram period, that kingdom fell on Mataram as well as Majapahit Kindom. At that time, the destruction of Malang city called *Malang KuthoBedha*. Another evidences were village names namely *Kanjeron, Balandit, Turen, Polowijen, Ketindan, Ngantang* and *Mandaraka*. (malangkab.go.id).

Administratively, Malang regency is headed by regent and vice regent commanding the coordination of district area headed by district head. District are divided into villages and kelurahan headed by village head and lurah. All of

district head and lurah are civil servants in the local government, while village head elected by each villager at a certain period and had independent government.

Since 2005, regent and vice regent were elected directly by society having previously been selected by members of the local parliament. The vision of Malang regency is the realization of Malang regency that independent, religious, democratic, productive, progressive, safe, orderly and competitive or as called **“Madeb Manteb”**.

In this vision, there are eight keywords namely independent, religious, democratic, productive, progressive, safe, orderly and competitive, means in order to achieve the development aim of Malang regency that prosperous society, then in 5 years later are needed to achieve:

1. Independent is interpreted by: firstly, independence in the management area in the form of government policy which prioritizes the regional capability in order to manage the potential of natural resources and artificial supported by the ability of human resources, energy, infrastructure, and public services. Secondly, the independence of society in the form of attitudes and social conditions who have the spirit of entrepreneurship to fulfill the requirements by relying on their own abilities and strengths. The essence of this independence is the development of leadership spirit among government and entrepreneurship spirit among society.
2. Religious is interpreted by the condition of society who implemented religious values in daily activities and constantly improving the quality and security of

devotion to God Almighty and noble expected impact on security, order, and high productivity.

3. Democratic is interpreted by governance involves community participation, based on mutual respect for differences in thinking, acting, and decision making based on law and justice.
4. Productive is interpreted by the increasing the quality of society performance as a pillar of local economic development.
5. Advanced is interpreted by increasing the quality of human resources and development outcomes characterized by increasing the index of human development.
6. Safe is interpreted by increasing the security of society and implemented of law enforcement with justice regardless of position, promotion, person rank and realization of respectful for human rights.
7. Orderly is interpreted by increasing compliance of society against the various law and regulation.
8. Competitive is interpreted by increasing the quality of micro and macro product, cooperative to compete in local and national level and increasing the local competitiveness in order to attract the investor.

The vision equals with the development scenario in symbol of Malang regency namely Satata Gama Karta Raharja or the realization Malang regency

with justice, prosperous, spiritual and religious harmony based on the lasting sanctity.

In other word, prosperity or welfare realized outwardly and inwardly welfare. The welfare is believed to be achieved by realizing the comprehensive progress with eight keywords. While the Mission of Malang is the implementation of a desire to unite step of motion in implementing the vision that has been set as follows:

1. Improving the independence through empowerment among underprivileged in Malang for the purpose of exploiting social and economic potential as well as to optimize intelligent initiatives in public life.
2. Improving the foundation of mental and spiritual of society in Malang, till the quality of religious life is not only simply superimposed on personal fault, but also reflected in the strengthening of ritual piety in accordance with the religion and belief then transferred into social piety
3. Improving political and legal education for the realization of Malang regency with civil society based on justice and truth.
4. Improving health care for the underprivileged in Malang through the reform of the health care system based on the spirit of populism and the welfare state.
5. Improving the basic education to society for the purposes of globalization era which is prerequisite to the ability to think systematically and logically.
6. Increasing the women participation in development of Malang through increased awareness and understanding the importance of gender equality.

7. Realizing the revitalization of agriculture and social economy in Malang as an important part of the efforts of industrialization foundation in rural areas.
8. Accelerate the economic development and infrastructure
9. Building the high competitive of human resources based on the values of religious, legal and socio-cultural.

b. Geographic and Demographic Condition

1. Geographic

Malang is an area that mostly covered by cool mountain. Malang is known as one of the main tourist destination in East Java. Shared with Batu and Malang city, Malang regency is part of the unity of the region known as Malang Raya (Malang Metropolitan Region). Geographically, Malang regency is located at 112 ° 17 '10.90 "up to 112 ° 57' 00" East longitude and 7 ° 44 '55.11 "up to 8 ° 26' 35.45" South Latitude. The administrative boundaries of Malang regency are as follows:

- a. North : Jombang, Mojokerto and Pasuruan
- b. South : Indian Ocean
- c. West : Blitar and Kediri
- d. East : Lumajang and Probolinggo



Figure 4: Map of Malang Regency

Source: Malangkab.go.id

Administratively, Malang located in East Java. Malang covers 33 districts with a total area of 3347.87 km². It is surrounded by Arjuno, Anjasmoro, Kelud, Bromo, Semeru and Tengger mountains. The conditions of Malang climate showed the highest humidity value by 90.74% which falls in December, while the lowest humidity values fall in May, with average range at 87.47%. The average temperature is about 26.1 - 28.3 ° C with a maximum temperature of 32.29 ° C and a minimum of 24.22 ° C. The average wind speeds at four monitoring stations are between 1.8 up to 4.7 km/h. The lowest wind speeds that range at 0:55 km/h usually falls in November and the highest with 2:16 km/h falls in September. The

average rainfall ranges between 1800-3000 mm per year, with the average rainfall between 54-117 days/year.

2. Demographic

Demographically, Malang has the largest population number by 1.257.474 populations in 2014. The population density of Malang regency in 2014 reached of 819 populations/km². Some districts that have a high density of over 2000 populations/km² is Kepanjen and Pakis sub district. While, districts with a density about 1500-1999 populations/km² are Turen, Sumberpucung and Pakisaji. The rest have a density below 1500 populations/km². Overall population distribution Malang has lower inequality with Gini index value about 0.1190.

2. Profile of BKD Malang

a. General Overview of BKD Malang

The history of BKD Malang in reformation era and regional autonomy has formed three times namely:

1. In 2001, based on government regulation number 84 of 2000 about guidelines of regional organizations and Malang regional regulation number 27 of 2001 about the structure of organization and job description of civil service agency.
2. In 2004, based on government regulation number 8 of 2003 about Guidelines of regional organizations and Malang regional regulation number 4 of 2004 about the Amendment of Malang regional regulation number 3 of 2004 about

the structure of organization and job description . While descriptions of duties and functions based on the regent decree number 83 of 2004 about the organization and job description of civil service agency.

3. In 2008, based on government regulation number 41 of 2007 about the regional organization and Malang regulations number 1 of 2008 about the regional organization. While the descriptions of duties and functions based on the regent decree number 24 of 2008 about the organization and job description of civil service agency.

b. Vision and Mission of BKD Malang

Vision and Mission of BKD Malang, among others:

1. Vision, "Realizing the orderly of Personnel Administration in the context of Arrangement Proportionate Toward Resource Development of Professional Apparatus"
2. Mission, "Implementing good personnel administration services, training of staff, promote the welfare of staff and implementing personnel development as well as managing the information system of personnel management"

c. Responsibility and Functions of BKD Malang

As a government agency, BKD Malang has responsibility in terms of the preparation and implementation of policies in the personnel sector. Generally, BKD Malang has main tasks:

1. Implement the regional government affairs in formulation and implementation of regional policy in personnel sector.
2. Implement another task given by the regent in their respective sectors.

Regional Civil Service Agency of Malang regency also has a function, namely

1. Collecting, management and control of data in database and data analysis for the formulation of program.
2. Strategic planning of Regional Civil Service Agency of Malang Regency
3. Technical policy formulation of personnel sector
4. Implementation of government affairs and public service of personnel sector
5. Training and task execution of personnel sector
6. Implementing, controlling, and monitoring, evaluation and reporting of personnel sector
7. Implementing of minimum service standards that must be implemented
8. Implementation of secretariat affairs in Regional Civil Service Agency of Malang Regency
9. Coordination, integration, and synchronization of personnel sector act in regional government.
10. Training and cooperation act among society, public institution and other institute
11. Implementation of the administration of regional civil servant
12. Implementation of personnel regulation
13. Formation planning and personnel development

14. Preparation of public policy of personnel development and coordinate with the agency of education and training.
15. Preparation and implementation of promotion, mutation, and dismissal of regional civil servants based on standard norms and procedure specified by regulation.
16. Preparation and implementation of administration of promotion, mutation, and dismissal the structural and functional level based on standard norms and procedure specified by regulation.
17. Preparation and determination of regional civil servants retirement.
18. Determination of salaries, benefits and welfare of the Regional Civil Servants based on standard norms and procedures specified by regulation
19. Implementation of awards and honors for Civil Servants
20. Preparation and implementation of administrative promotion of civil servants based on standard norms and procedures specified by regulation
21. Managing of information system of personnel management comprehensively
22. Preparation of data requirement or information for program formulation of personnel development
23. Documentation of personnel script
24. Implementation of training, monitoring, and controlling in personnel sector

d. Organization Structure of BKD Malang

The organization structure of BKD Malang described by figure below:



Figure 5: Organization Structure of BKD Malang

Source: BKD Malang

a. Division of Personnel Development and Welfare

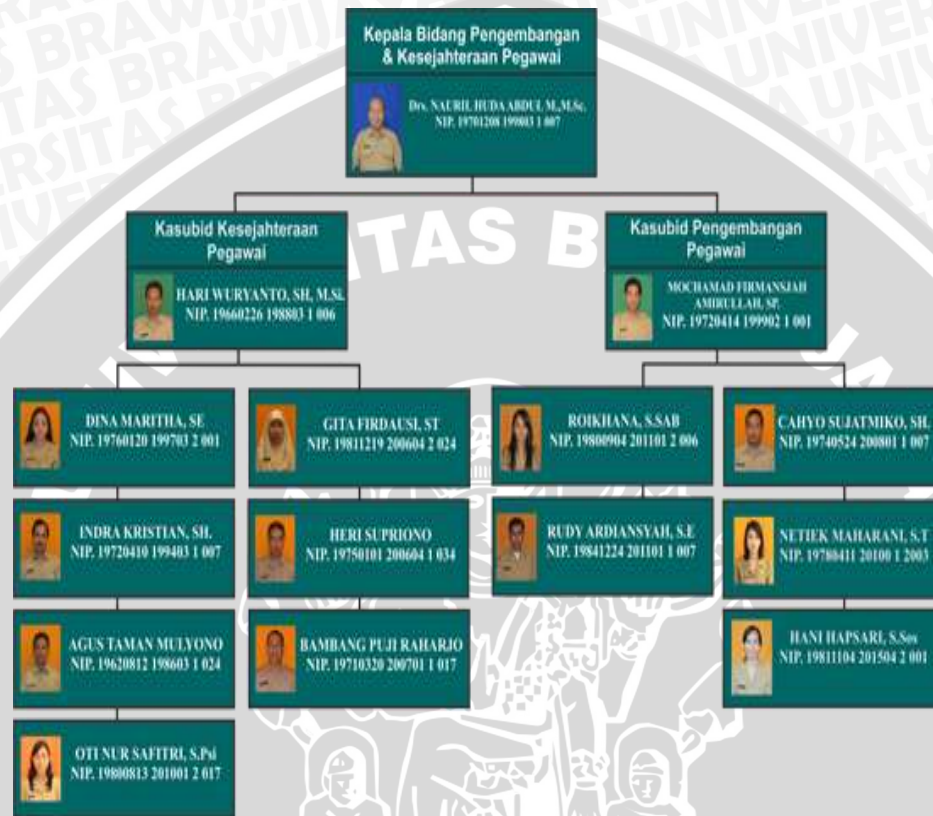


Figure 6: Division of Personnel Development and Welfare

Source: BKD Malang

Main tasks of Division of Personnel Development and Welfare:

1. Implementing the part of tasks of Regional Civil Service Agency of Malang Regency in collecting material preparation, staff planning, forming formations, and increasing the degree of professionalism, quality development, personnel welfare, awards and honors as well as development of civil servants.

2. Implementing the compensation administration, retirement, and the administration of honorary staff.
3. Implementing the other tasks given by the head of division in their respective sectors.

Main functions of Division of Personnel Development and Welfare:

1. Planning and development of personnel
2. Preparation of technical policy of development personnel
3. Processing of personnel formation
4. Planning and implemented of civil servants training
5. Processing of the quality of human resources development for study task and permit of civil servants
6. Processing of reward and honor appreciation of civil servants
7. Formulation of retirement and honorary staff

Service of division of personnel development and welfare:

1. Institution test
2. Retirement
3. Process of devotion promotion
4. Process of Disbursement for Bapetarum
5. Recruitment of civil servants and honorary staff
6. Conferment of honors
7. Carrier development of civil servants
8. Vacation of civil servants
9. Licensed Marriage/Divorce

10. Task Learning/Learning licenses
11. Neutrality of Civil Servants
12. Wife Card, Husband Card, and Staff Card
13. Discipline of Civil Servants

b. Division of Promotion and Remuneration



Figure 7: Division of Promotion and Remuneration

Source: BKD Malang

Main tasks of division of promotion and remuneration:

1. Implementing the part of tasks of Regional Civil Service Agency of Malang Regency in completing the personnel administration related to promotion, control of rank, periodic salary increases, impassing, data management assessment work execution, preparation of administrative rank sequence listing, and a review of working period of civil servants
2. Implement other tasks given by the Head of their respective sectors.

Main function of division of promotion and remuneration:

1. Preparation of technical policy of promotion and remuneration of Civil Servants
2. Implementation of rank control of civil servant
3. Processing of administrative promotion of Civil Servants
4. Processing administrative salary increases periodically Civil Servants
5. Processing administrative adjustments (impassing) salaries of Civil Servants
6. Processing of administrative review of Civil Servants working period
7. Data management of assessment work execution
8. Preparation of administration rank list (DUK) and positions.

Service of division of promotion and remuneration:

1. Regular promotion
2. Structural promotion
3. Functional promotion
4. Optional promotion for Adjustment diploma
5. Optional promotion for civil servant who found new discoveries

6. Bleaching Ranks
7. Periodic Salary Increase
8. Salary mutation of civil servant

c. Division of Mutation



Figure 8: Division of Mutation

Source: BKD Malang

Main tasks of division of mutation:

1. Implementing the part of tasks of Regional Civil Service Agency of Malang Regency in completing personnel administration related to structural and

functional administrative position, the appointment of civil servants candidates, vows of civil servants and the transfer among regions/institutions and the placement of civil servants.

2. Implementing other tasks given by the Head of their respective sectors

Main function of division of mutation:

1. Preparation of technical policy of administrative positions of civil servant
2. Processing structural administrative position
3. Processing functional administrative position
4. Processing the appointment of civil servant candidates to be appointed as civil servant
5. Implementation of civil servants vows
6. Implementation of civil servants transfer among regions and institutions
7. Planning procedure for placement of civil servants

Service of mutation division:

1. Civil servant transfer
2. Appointment of civil servants and candidates
3. Appointment of structural position
4. Appointment of function position

d. Division of Personnel Information

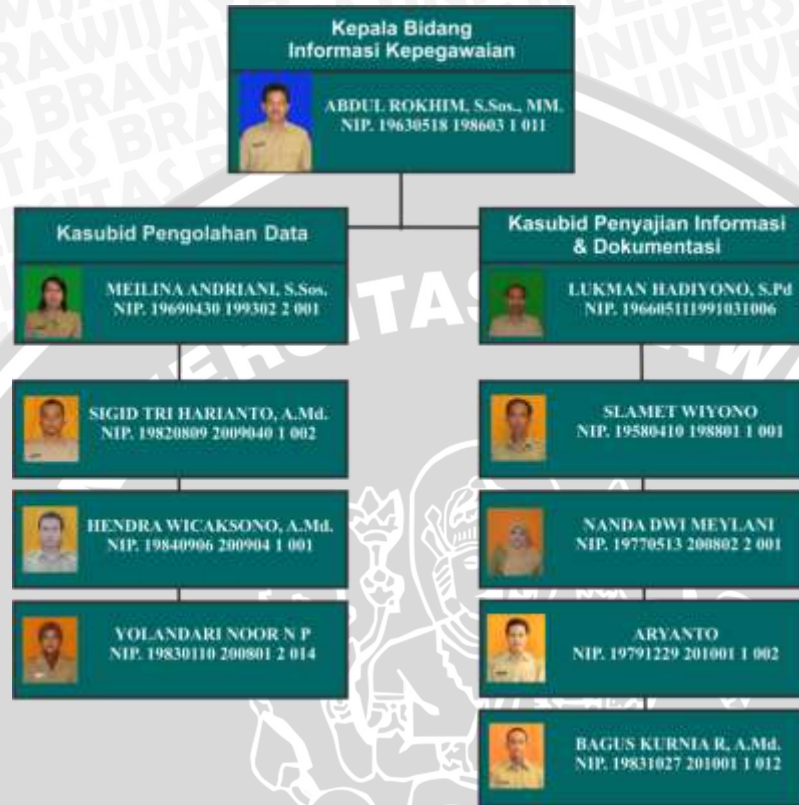


Figure 9: Division of Personnel Information

Source: BKD Malang

Main tasks of division of personnel information:

1. Implementing the part of tasks of Regional Civil Service Agency of Malang Regency in collecting, managing, updating, data verification related to personnel database, data analysis/personnel system information, evaluation and reporting personnel data.
2. Implementing other tasks given by the Head of their respective sectors

Main function of division of personnel information:

1. Preparation and formulation of technical policy in collecting, updating and managing data of civil servants
2. Management and analysis of staff data for career development
3. Implementation of data base control of the civil servants
4. Data Services, documentation and presentation of information in order to assist the decision-making
5. Management and development of Personnel Information System (SIMPEG)
6. Management and activation of personal records office
7. Reporting personnel data

Service of division of personnel information:

1. Conversion of personnel identification number
2. Service connectivity of system of personnel service application (SAPK)
3. Electronic card for civil servants
4. Personnel information system
5. Photo shoot for Identity card and staff data

B. Data Presentation

1. Internal Efforts of Promotion Service

Regional civil service agency of Malang Regency is a local government that becomes leading sector for all activities of personnel management particularly in Malang government. The formulation of personnel management for local level have referred to presidential decree number 159 of 2000 according to Article 1 (3) that the management of regional civil servants is the effort to improve the efficiency, effectiveness, professionalism of task implementation, functions and responsibilities, consisting of planning, procurement, development, quality, placement, promotion, remuneration, welfare, and dismissal of Regional Civil Servants.

Refer to article 1(3) above, the effort of personnel management is act more emphasis to achieve efficiency, effectiveness, and professionalism of the staff in area when servicing civil servants under their responsibility. Related with the mission of BKD Malang namely implementing good service of personnel administration, implementing personnel training, improve the personnel welfare, personnel development, and manage the information system of personnel management, then main point related with personnel administrative service is able to be main goal be achieved by BKD Malang as well as promotion service of civil servants.

It can be seen from the direction of the policy to encourage the improvement of service, quality of human resources or guidance that has been defined and outlined in the organization's mission. The results of this study

identify the location, direction of policy in line with their internal services conducted by BKD Malang

Internal service here is the commitment of BKD Malang that consider staff is a major factor in achieving external service quality, especially for the implementation of civil servant promotion. In addition, it is act in order to create staff satisfaction as the services of which if they are satisfied with the BKD Malang greatly enhance loyalty towards BKD Malang itself.

The internal efforts of BKD Malang can be seen by some indicators, namely:

a. Service Management

Organization service management of BKD Malang was implemented transparently, where the institution provides the opportunity to civil servants to contribute in efforts of organizational improvements, especially in service promotion of civil servants conducted by BKD Malang through feedback and suggestions from civil servants as interview with the head of information division of BKD Malang:

“The management of BKD Malang was implemented transparently and flexibility. It is intended to provide the best service for other unit staff who come to BKD Malang, therefore it was hoped the civil servant who served and our consumer can be harmonically and transparently so they can participate with giving feedback and suggestion about the service condition of BKD Malang. It helps us to fix our service in future” (Interview with Mr. Abdul Rokhim on Tuesday, April 5th 2016 at 10:40 am)

The existence of the organization policy to provide opportunities to all members of the organization to participate in policy formulation actually is in

order to lead to recovery of feedback and suggestions from staff can be a strength of the organization to maintain the existence of BKD Malang in achieving the goals when it really is done routinely and can be accommodated existence.

Similarly to the service promotion has been implemented in each period, for the first phase until the distribution process of decree that the leadership of the service results in stages always collecting information on feedback of service personnel related problems or obstacles during promotion services they implemented.

So far, the opportunity to obtain suggestions and feedback of staff, particularly related to the problems in the process of civil servants promotion conducted by BKD Malang always accepted by the organization through staff meetings conducted by BKD Malang as interviews with head sub division of Information presentation and Documentation as follows:

“Every month, BKD Malang conducted staff meetings. In meeting forum, every staff generally held opinions and suggestions in regard to the problems in the work being done to find a solution together. The meeting that we did as a form of formal communication of BKD Malang to all staff in order to improve the service that we do” (Interview with Mr. Lukman Hadiyono on Tuesday, April 5th 2016 at 12:10 pm)

Implementation of promotion management conducted by BKD Malang, in this case the Division of promotion and Remuneration becomes an important part in the service of personnel administration. The service cannot be separated from

cooperation with some elements related to the promotion of civil servants. It is as an interview with the Head of promotion and Remuneration:

“To fulfill the need of personnel administration services in particular promotion, we always coordinate with several areas of work. such as for connectivity with impaired BKN we always coordinate with the division of information Personnel (INKA). Well, the issue of his promotion to complex problems in BKD is, therefore, required cooperation with the division/vocations ”(Interview with Ms. Shanti on Wednesday, April 8th 2016, at 10:37 am)”

With the management of personnel administration that has been implemented as described previously, BKD Malang would make changes in the internal affairs of administrative service of civil servant promotion.

b. Communication and Coordination

The institution of BKD Malang which has service function to all civil servants has to aware of the issue and the circumstances related to the servicing implemented. Communication between members of the organization is the important factor to know and support the implementation of the existing service for each element in institution fulfilled the needs of each individual in providing quality service. Communication was conducted in BKD environment supporting civil servant promotion both formal and informal then overall it is depend on the condition.

Beside of each division implemented their task accordance among the function and job description, the relation among division function must

communicate and coordination. As interview with sub division head of personnel development:

“Among division always communicate and coordinate supporting their job in our division, for example, the servicing process of promotion, one of the requirements that the civil servants who proposed to be free of disciplinary sanctions by withholding promotions. Therefore the data we get from the Division of promotion and Remuneration are already control it” (Interview with Mr. Firmansjah on Wednesday, April 6th 2016 at 09.30 am)

Similar statement also stated by sub division head of information and documentation about the importance of task communication among division in order to support and accelerate their job:

“To update the personnel data that becomes the task of documentation and information division. For example, control the staff placement in working units, then the mutation data of each staff got from the mutation division” (Interview Mr. Lukman Hadiyono on Tuesday, April 5th 2016 at 12.41 pm).

From the above description, communication among division is important factor in order to support any service activities in their respective division in BKD Malang. The linkage service between among division becomes major factor does communication in BKD Malang, which if it is not done will certainly affect and interfere with the services performed especially for the service of civil servant promotion conducted by the promotion and remuneration.

c. Reward Conferment

Reward of government institution is an attention and appreciation act to members for achievement and development efforts against staff in order to achieve the progress and development in pursuit of aim of the institution. Reward can be seen from the career development of members of the institution whether it's an office obtained the staff as well as the opportunity to get a higher education for the staff.

The reward system is intended to build morale and create excitement and comfort for staff so as to create a sense of security not to leave the institution. In general, the staffs who feel satisfied with their jobs tend to survive, while who feel less satisfied with their job is likely to come out of the institution.

In BKD Malang, the reward conferment can be seen from the opportunity to gain the position/career, continuing study, and diploma adjustment for promotion and high level. The career development of BKD Malang is based on feasibility and capabilities of the staffs as well as with reference to the existing regulations in the personnel legislation, it revealed from the interview with the Head of BKD Malang as follows:

“BKD Malang always provide an opportunity for employees to obtain career positions, with a record of the staff deserves to be promoted both in terms of capabilities, rank and their achievements, although the absolute authority of the office but I did not hesitate to defend and promote them”(Interview with Mr. Suwandi on Thursday, April 7th 2016 at 09.10 am)

Career development opportunities of civil servants implemented by BKD Malang through education also can be seen the data of permit study and assignment letter issued to staff of BKD Malang which until 2014, the permit learning for continuing education to undergraduate as much eight staffs, study permits for staff who continue their education in master degree as much as two staffs with a budget about 100.200.000 IDR, - realized 100.200.000 IDR, - (100%) where the budget is used to help the finance of civil servants who carry out the task of learning a bond. This can be seen in the table below:

Table 4 Performance Achievement of BKD Malang 2014

Strategic target	Performance Indicator	Target	Realization	Achievement (%)
Increased the quality of apparatus resources in area through increased formal educational level	The percentage of apparatus who take the learning task of institution	100 %	100 %	100 %

Source: BKD Malang

The table above can be seen that one of the targets strategic of BKD Malang is increase the quality of apparatus resources in area through increased levels of formal education. Granting permission to learn in order to develop the quality of human resource competently and professionalism are perceived by staff who given a mandate to continue their education to a higher level. As an interview

with one of the recipient's permission to continue on master degree, who currently serves as head of promotion and remuneration:

“Well, it would very helpful for us granting the permission to continue on master degree, beside of it; there is also financial assistance during the study. Personally, I hope that in the future there will be more programs like this that should increase the quality of personnel, especially stakeholders in BKD Malang” (Interview with Ms. Shanti on Tuesday, 8th April 2016 at 10.45 am).

With this reward system as described above, it is expected to improve the quality of human resource capacity to serve the personnel administration especially in the scope of promotion and remuneration in the BKD Malang.

d. Training of Information Technology

Training of staffs in an organization is one of the organization efforts in order to enhance the capability and expertise of staffs in order to support the tasks and their jobs in the institution. With the training of these staffs are expected can be better dominated the tasks in order to get the good performance of civil servant, where certainly highly supports the organization in achieving the organization goals, as an interview with the head of promotion and remuneration as following:

“Because the function of BKD is to provide the services related to the personnel section, of course, if there is a training related to the field of the obligation implemented in BKD Malang, whether it is held by the other working units or outside the scope of government, we certainly give them to the staff associated with the training. This is certainly to increase the ability of our staff to support the work they do” (Interview with Ms. Shanti on Wednesday, 8th 2016 at 10.30 am).

The desire of BKD Malang to participate the civil servants in training is the realization of organization to conduct organizational development/learning organization (LO) because the training is expected to increase the knowledge and skills, improving attitudes in order to perform job description oriented to the functions of good service in order to realize the aim of the organization.

However, the implementation of service of civil servants promotion itself, the training related to it has not been granted. That is because until now there is no training related to the promotion service either from East Java or central levels. Implementation of the service itself has implemented based on the experience of staffs, which from year to year to services increased by twice periods namely April 1st and October 1st per period. If there are technical problems related to the promotion service, it can usually be overcome by coordination and consultation to the regional office II Surabaya and national personnel office either by phone or come directly to the site through the official trips. Besides that, the service staffs of civil servants promotion is also often consulted to early staff who ever implement the services of promotion of civil servants but its existence has been moved from the office of BKD itself. As the interview with one of the staff who served as service operator of System of Personnel Service Application (SAPK):

“Training about promotion services through the application of information technology particularly the service of SAPK had never get, we just guided by the book guidance of BKN. In addition, we also often consult with

several staffs that had used this SAPK "(Interview with Mr. Siadi on Wednesday, 13th April 2016 at 02.00 pm)

The fact, Personnel Sort Listing (DUK) in BKD Malang division of promotion and remuneration describe that the staffs of promotion and remuneration either structural or functional has discovered that they had never received the training about promotion service through the application of information technology namely SAPK. It can be describe by table below:

Table 5 Personnel Sort Listing of Division of Promotion and Remuneration

Number	Name/Personnel Identification Number	Class/Room	Working Period	Education and training	
				Structural	Functional
1	Didik Eko Sudaryanto 197205051996021001	Penata Muda (III/a)	15	-	-
2	Siadi 196901021988031003	Penata Muda (III/a)	17	-	-
3	Yanti Arizona, A.Md 198709232010012007	Pengatur Tk. I (II/d)	9	-	-
4	Risna Andriana, S.H 198012032011012004	Penata Muda (III/a)	5	-	-
5	Bakeri 196005061986021005	Pengatur Tk. I (II/d)	30	-	-
6	Ibnu Mubaro 198007021999011001	Penata Muda (III/a)	12	-	-
7	Muliana 196505291986032010	Penata Muda (III/a)	22	-	-
8	Dyah Tantri Indraswari, S.H 198310032015042001	Penata Muda (III/a)	1	-	-
9	Trisiana Widanti, SAB. 198007162010012017	Penata Muda Tk. I (III/b)	6	-	-
10	Yolandari Noormannidya Nugrahing Putri, S.Kom. 198301102008012014	Penata Muda (III/a)	9	-	-

Source: DUK of division of Promotion and Remuneration

The table above showed that the staff/operator of promotion service amounted 10 persons which has working period variety but had never participated in education and training about promotion service through the application of information technology namely system of personnel service application. This indicated that staffs who serve the promotion only work accordance with their experience and consultation as explained early.

e. Job Description Among Division

Job description is the description of the task and responsibilities of staff in their activity against organization where they work. With this job description, then will be directed to do their job. Besides that, it would to avoid the job overload among staff.

Related to the Regional Regulation of Malang number 1 of 2008 about the regional organization and its task and functions that described by Regent Regulation number 24 of 2008 about regional organization of BKD, then the institution of BKD Malang had four divisions and one secretariat:

1. Secretariat, classified to:
 - a. Sub General Office and Personnel
 - b. Sub Financial Division
 - c. Sub Planning, Evaluation and Reporting Division
2. Division of Development and Welfare. classified to:

- a. Sub Personnel Development Division
- b. Sub Welfare Personnel Division
3. Division of Promotion and Remuneration, classified to:
 - a. Sub Structural Remuneration and Promotion
 - b. Sub Functional Remuneration and Promotion
4. Division of Mutation, classified to:
 - a. Sub Structural Mutation
 - b. Sub Functional Mutation
5. Division of Personnel Information, classified to:
 - a. Sub Data Processing
 - b. Sub Information and documentation
6. Group of Functional Position, classified to:
 - a. Personnel Analyst

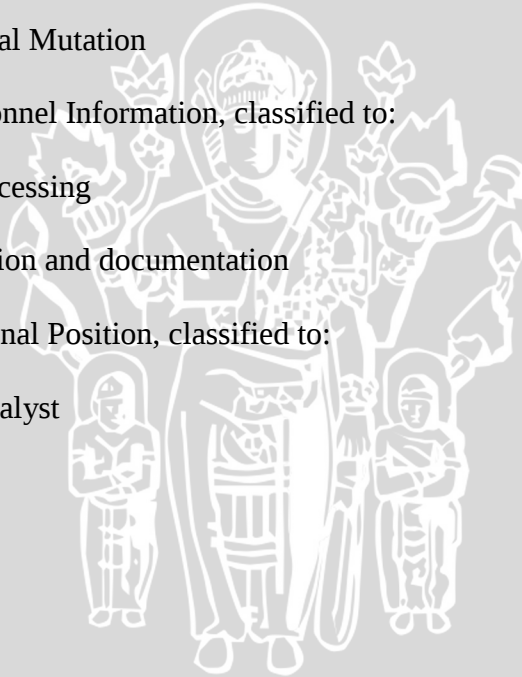




Figure 10: Organization structure of BKD Malang

Source: BKD Malang

From the secretariat and four divisions above, all of them have tasks and responsibilities contained on their function. For clearly and easily of their functions and responsibilities, then those tasks implemented for each sub in secretariat or the other division in the scope of BKD Malang. So as the implementation of promotion service was acted by division of promotion and remuneration in order to serve the activities. As the statement in interview with the head of BKD Malang:

“Organization of BKD Malang regulated in regulation determined by the Regent, each division has their jobs and functions to serve the personnel administration. Therefore, each Performance of government periodically always evaluates the division related to the promotion service, which division can be evaluated” (Interview with Mr. Suwandi on Thursday, 7th April 2016 at 09.20 am).

The job descriptions have formed a service officer to work as directed by the division that has been created. But some complaints about the service work is still ineffective, this condition is perceived by the user service promotion at BKD Malang where several civil servant who was tending data, especially in the service of promotion get services that has not been maximized. As an interview with one of the civil servant who is in charge of promotion IV / a no IV / b:

“Well, right now my decision decree has been fixing. I have proposed on June 2015, where the wrong placement is my birth place written Rembang that should be Karawang, then has not fixed. In nest, I proposed again on February 2016, and it confirmed by related division through the application of Surat Anda” (interview with Mr. Ruhdi, working unit of SMPN 1 Wagir, Malang on Friday, 1st April 2016 at 02.16 pm)

The condition as described above, hopefully can be guidance for BKD Malang to focus on evaluation of division that related with promotion service so that it would implemented the personnel administration service effectively and efficient.

2. Implementation of System of Personnel Service Application (SAPK)

As an institution, BKD Malang as stakeholder have a role in organizing and providing the resources needed by the elements that are in the scope of government. In this case the availability of system resources is a contributing factor in managing personnel administration, one of which is about the promotion

of civil servants. Availability of the system is intended to facilitate personnel administration that complicated.

SAPK is an integrated system of staffing services and connected via online with all agencies to provide staffing services. SAPK is used in various processes such as the establishment of identification number, printing staff appointment decree, granting a memorandum of agreement/technical considerations promotion, establishment and printing decree of dismissal with retirement rights and updating the data mutation. Availability of System personnel service application module of promotion that has been implemented in the BKD Malang would be an important part in the promotion of data updates for civil servants effectively and efficiently.

The implementation of System of Personnel Service Application in BKD Malang has formed by three phases. This formed would be minimizing the problem related with the system. As an interview with Sub head of Personnel Information division:

“To improve the connectivity of SAPK service itself forming into several renewal features. There are three phases of SAPK innovation started from SIMKRI to SAPK web base. It functions to minimize the problem of personnel data promotion. In future, hopefully there are more supporting features in order to support the implementation of personnel administration in institution of BKD Malang”. (Interview with Mr. Abdul Rokhim on Tuesday, 6th April 2016 at 10.45 am).

There are three version change of SAPK. Firstly, Information System of Personnel Management of Indonesia (SIMKRI). The problem conducted in this phase is updating data manually and not integrated among BKN and Regional

Office cause the report of data still raw and forming in compact disc. Secondly, the application of client server. In this phase, use Virtual Private Network (VPN) IP that actually be expensive in financial side. Besides that, if there was a change or fixing application, it has to install for each personal computer. It can effect on system utilization and maintenance.

Responding on the problem of the early phases, then on periodic start from 2011 until now, the version innovated be the application of SAPK web base. With this final version, the problem involved in the early phases can be fixed, then SAPK accessed easily cause depend on web base, so if there is a change, not necessary to be install in each computer cause update automatically.

There are four aims of implementation of SAPK. Firstly, provide the personnel data updatable as media of data sharing for institution and stakeholders in accordance with the needed. Secondly, erase the duplicate of system and data and minimize the bureaucracy. Thirdly, as the planning, training, development and decision making in personnel management and service. Fourthly, improving the service and accessed for civil servants and stakeholders.

The implementation of SAPK in BKD Malang has formed in two phases about the process of data entry of promotion:

a. Process of Data Entry of Promotion before SAPK

The proposed promotion that qualified the data requirement can entry into simple program namely MS Excel as arranged, divided into three programs:

1. Regular promotion, Class III/d downward
2. Functional promotion, Class III/d downward
3. Adjustment diploma promotion

For the printing such as proposing listing, Technical Approval Note of promotion and other using MS Word as arranged to accept the data of reporting entry of MS Excel. For class IV/a upward, the program authorized by Regional BKD of East Java but for the printing of proposed list or Technical Approval Note using MS Word. After the promotion proposed, it collectives to the Regent and Governor for the next step, regional office II Surabaya for the class IV/c upward to the president.

b. Process of Data Entry of Promotion After SAPK

The proposed promotion that qualified the data requirement can entry into program of SAPK module of promotion as arranged, divided to two processes such as:

1. Process of regular promotion that proposed into next level for class IV/b downward, namely:
 - a. Process of regular promotion class IV/b downward
 - b. Process of selective promotion class IV/b downward
2. Process of civil servant data that proposed into next level for class IV/c upward namely the process of selective promotion class IV/b upward

For the printing such as proposed list, technical approve note and other have entered into the program of SAPK with pushed the features such as:

- a. Print the listing of regular promotion
- b. Process of promotion for IV/b downward
- c. Print of proposed nominative of promotion
- d. Check of promotion status

After proposed listing, technical approve note have printed then proposed collectively to Regent. Then it proposes into governor, Regional Office, Surabaya for class IV/c upward to President.

The research described that although in program of SAPK module promotion available with more features for printing such as list printing of regular promotion, process of promotion for class IV/b downward. Printing proposed nominative of promotion and check of promotion status and other. But, the operator of promotion and remuneration division has not been using whereas use the simple program namely MS Excel and MS Word for listing print, technical approve note and other.

As the process of document use the manual system. Means, the personnel administration was managed and controlled by human resources, then the effective and efficiency of data has not been accurately. Therefore, the system of SAPK based on information technology has implemented. As interview with, the head of promotion and remuneration division:

“System of Personnel Service Application (SAPK) has implemented in BKD Malang. Well, hopefully in future, the updating data of civil servant promotion can be maximizing. Then, SAPK is the connector among regional and central (BKN). So, the data of civil servant can be updated effectively and efficiently” (Interview with Ms. Shanti on Wednesday 31st August 2015 at 01.20 pm)

System of personnel service application is the renewal technology in government sector that promoted by BKN as the stakeholder in personnel administration particularly in promotion of civil servant. The guidance of implementation procedure of SAPK has socialized in regional level as BKD Malang.

3. The Affecting Factors of Service of Civil Servant Promotion through Application of Information Technology

a. Awareness and Discipline of Promotion Service Staff

The awareness of the civil servant in organization would control the individual to do their job and functions sincerely and earnestly. The awareness of staff in BKD Malang that implemented the promotion service of civil servant can be seen from their attitude and capability of job and their responsibility include the time management and working discipline. Time management is seen by their observance against the time discipline during work. Malang government has regulated about the morning and evening ceremony includes the staffs who work in BKD Malang.

The implementation of morning and evening ceremony is the policy of Regent Regulation of Malang number 31 of 2013 about change of Regent Regulation number 56 of 2005 about the working time for working units in Malang government. In order to achieve the working time more effectively and efficiently and as the effort of good administration and discipline around the Malang government, then the regulation of working time can be seen as the table below:

Table 6 Working Time of Units in Malang Government

Number	Target	Units with 5 working days	Units with 6 working days
1	Working time	1. Monday-Thursday: 08.00 am - 16.00 pm 2. Friday: 07.30 am - 15.00 pm 3. Jum'at Pray: 11.30am - 13.00 pm	1. Monday-Thursday: 08.0 am - 16.00 pm 2. Friday: 07.30 am - 11.00 am 3. Saturday: 08.00 am - 14.00 pm

Source: Organization division of Malang Government

The table above described that the regulation of Malang Regent explained about the working time among units in Malang government where the units have different working time. Each unit had main job and its functions as regulated by policy of Malang government. The aim of this policy is improve the time discipline of civil servant in order to achieve the service. As an interview with head of Development and welfare division:

“We come to work at the time, and finished appropriate with working time. It is necessary in order to provide the good service for civil servant who comes to BKD Malang. Besides that, sometimes they come early before us, and then we are embrace if we come lately and waited by them as same as on finished time” (Interview with Mr. Nauril on Tuesday, 12th 2016 at 01.20 pm)

Similar statement stated by one of the civil servant who participates in ceremony about the time discipline of civil servant in Malang government:

“It very benefits for us about how time discipline during ceremony. If there are several civil servants who come lately, they must wait outside. it necessary for us, it is the working procedure to provide the good service. One of that discipline is participate on ceremony everyday in order to improve and discipline of work” (Interview with Mr. BagusKurnia, staff of Information and documentation division on Friday, 1st April 2016 at 09.25 am)

The time discipline of civil servant in BKD Malang is the reflection of civil servant awareness in serve the personnel administration. As explained by some resources above, the civil servant participate the ceremony everyday in order to train the civil servant more discipline when they are on job without follow the instruction of leader. Improving the service quality of promotion is based on the effectiveness and efficiency of civil servant with their task and functions. But, seen from the indicator of undisciplined and unethical, the civil servants who work in BKD Malang still violate and decreased according the statistic. As described by table below:

Table 7 Percentage of Undisciplined of Civil Servants of BKD Malang

Number	Indicator	Target	Realization	%
1	Percentage of undisciplined and unethical	250 staffs	96 staffs	76,40 %
2	Percentage of assessment and test	6148 staffs	1709 staffs	27, 79 %

Source: BKD Malang

The table above describes the percentage of undisciplined and unethical since 2014 until 2015 had violated with realization amount 76, 40%. It means that target to be achieved amount 250 staffs, 96 staffs obey the rule and about 154 staffs still undisciplined and unethical. Besides that, the indicator amount of civil servants who participate the test and assessment, the realization is 27, 79 %. It indicates that the awareness of civil servant that have been implemented still lack of value.

Besides that, the identification result in this research have found the awareness of staff of promotion service to do their job also started cause the proud against the institution where they work, this pride cause name and image of institution and also the working side authorized by institution. As interview with staff of promotion and remuneration division:

“We proud become staff of promotion and remuneration division of BKD Malang cause we can help, known by other staff then respected by staffs who work in other units” (Interview with Ms. Risna on Tuesday 12th April 2016 at 03.12 pm)

The awareness of staff of promotion service in Malang government becomes guidance about the professionalism to do their job in BKD Malang for the administration personnel as the quality improvement and services.

b. Leadership

The leadership in an organization becomes vital where organization would achieve the aim of organization. So as the service that become responsibility of organization. The implementation of good and quality service is determined by the organization leadership which wants to achieve it. The leadership can be valued from indicator of leadership type, controlling and evaluation that has to be acted by a leader. In this research focus, the data result and information in place related to the indicator above can be explained as follows:

a. Type of leadership

Related with the interactive management, the leader has to specialize to collect the information, so the subordinate can express the problem and their needs honestly and transparently. With the approach like that, the subordinate will perceive their relation with the leader as relation reasonable and transparently. Type of transparent management implemented by BKD Malang to all of the organization members become affect to the existing leadership type.

The result of identification in this research, actually the type of leadership become one of the supporting factors to work comfortably and unfettered. Situational leadership becomes the additional value for the organization in order to achieve the working area more conducive. In particular moment, the leader implement the formal situation when it related with institution problem and another moments can be informal situation (nepotism) when face the organization members outside or during the work. It refers to the interview with head of development and welfare:

“As a leader in institution, the head of BKD Malang has a vital role. He was assertive and discipline, opened, and always discussed with us related to the problem in BKD Malang. Besides it, for the institution affairs is sometimes more easily for us. For example to ask the his signature about institutional letter, we can meet him everywhere so the institution affairs did not lately”. (Interview with Mr. Nauril on Tuesday, 12th April 2016 at 01.30 pm)

The statement of the source above describe that the strategic implementation of situational leadership that has been implemented. It will direct to the effectively from the implementation of service promotion, where the leadership attitude that not rigid will create comfortably and safely to all organization members on their job. Besides that, the flexibility will create the service more efficient and dependency on procedural hierarchy and needed more time and process in finished.

b. Control

The control function is function of leader to search the ability of service process particularly in implementation of promotion service. With the control, then the problems can be detected to fix, so all of the activity can run as determined by working planning. The control authorized by leader is supposed to ascertaining that the staffs do their job well in order to achieve the aim of organization.

In the implementation of promotion service of civil servant, the leader control acted by level where from the accepting promotion proposed document directly controlled by the sub head of structural and functional promotion and at the end, continue the data management or printing the approval note of promotion either directly or indirectly reported to the head of promotion and remuneration and for next step, the reporting continued to the head of BKD Malang as the leader.

It can be seen as the structure of command and coordinate of BKD Malang as follows:

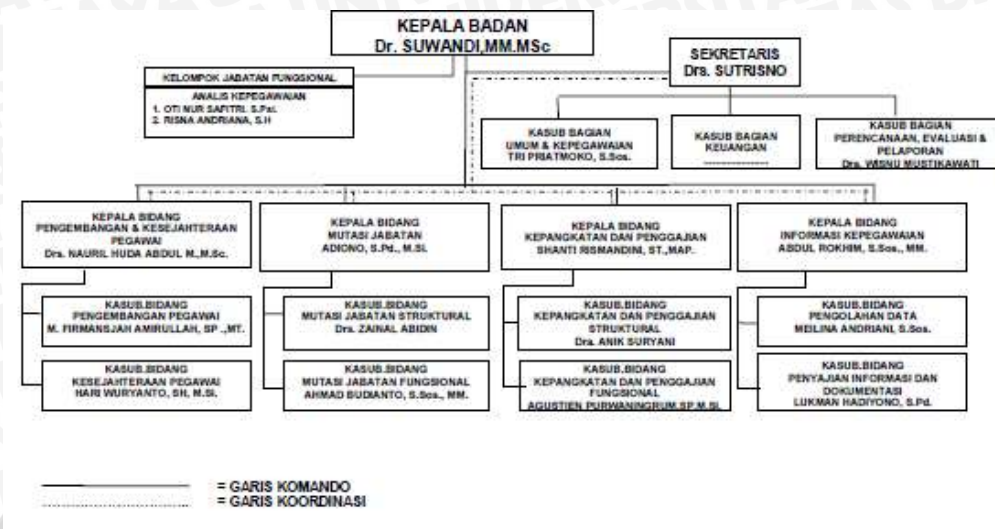


Figure 11: Structure of Command and Coordinate of BKD Malang

Source: BKD Malang

According to the structure above, it can be explained the control authorized by the head of BKD Malang directly as the leader in institution. The control based on the function to control all of the activities of personnel service administration effectively and efficiently as determined by BKD Malang conducted in the vision namely realizing the orderly of Personnel Administration in the context of Arrangement Proportionate toward Resource Development of Professional Apparatus.

c. Performance Evaluation

Performance evaluation of BKD Malang is needed in order to know how the performance achievement in the implementation of promotion service

of civil servant. Besides that, the main aim knows the aspect of institution performance which has a lack against the performance achievement. It should be suggestion when formulate and fix the target and performance achievement of BKD Malang in the next year.

The implementation of performance evaluation particularly in promotion service was authorized by the division of promotion and remuneration have been regulated in the Performance Report of Government Institution (LKJ) published every year. In this analyst, it can be explained the development of target achievement and the aim equal with the policy, program, and activity taken from the Value of Final Achievement of Performance Measurement.

Besides that, the evaluation become vital cause in this report describes the relation of performance achievement against the process to achieve the target, aim, vision and mission as determined by strategic planning. As stated by head of BKD Malang as follows:

“Every year, the Performance Report of Government Institution (LKJ) will publish. As the leader, I will evaluate the division which its performance work did not optimal. It would be the guidance of target for work planning in next year” (Interview with Mr. Suwandi on Thursday, 7th April 2016 at 09.30 am)

Following the target indicator and the realization year by year, then BKD Malang have implemented the performance evaluation for involving division related to the promotion service of civil servant.

c. Human Resources

1. The Quantity of Human Resources

Human resources is an important factor to support the performance of government. The activity of government is created by the human resources performance. Without the human resources as the provider of society service, then the government would not acted as seen. Human resources toughly and dedicated holding the role in achieving vision and mission of institution. Care of it, it is an obligation of BKD Malang to improve the quality human resources. The development of institution is determined by the competency of staff to serve the government activity. The effort in achieving the vision and mission of BKD Malang also will not achieve without human resources toughly and good performance. Overall, the human resources of Malang government can be described as the table below:



Table 8 Human Resources of Malang Government Based on the Education

Number	Education	Education		Total	%
		Men	Women		
1	Elementary School	196	2	198	1,24
2	Junior High School	368	23	391	2,45
3	Senior High School	1.907	1.077	2.984	18,72
4	D-1	36	177	213	1,34
5	D-2	427	812	1.239	7,77
6	D-3	287	690	977	6,13
7	D-4	41	14	55	0,35
8	S-1	4.136	5.007	9.143	57,37
9	S-2	485	244	729	4,57
10	S-3	7	0	7	0,04
11	Total	7.890	8.046	15.936	100,00

Source: BKD Malang

The existence of human resources that work in BKD Malang particularly the division of promotion and remuneration become an important thing to serve the civil servant promotion. The human resources refer to the operator who serves the promotion through the application of information technology called System of Personnel Service Application (SAPK). It can be described as the table below:

Table 9 Existence of Human Resources of Division of Promotion and Remuneration

Number	Sub Division	Operator of SAPK
1	Structural Promotion	4 Staffs
2	Functional Promotion	6 Staffs

Source: Division of Promotion and Remuneration

The table above described the level of human resources was needed to operate the application of SAPK in BKD Malang has fulfilled. With amount of 10 staffs, the service of civil servant promotion through the system of personnel service application can operate effectively and efficiently. It stated as interview with sub head division of Structural Promotion and Remuneration as follows:

“The human resources here had fulfilled the needed of personnel administration particularly in implementation of system of personnel service application (SAPK). The operator here already prepared to manage the promotion data of civil servants” (Interview with Ms. Anik on Tuesday, 1st September 2015 at 01.00 pm).

2. The Ability and Skill of Human Resources

The ability and skill of staffs will affect the work in organization. It also affect to serve the promotion service of civil servant, the ability and skill of operator against the technical program and understanding of work would determine the service quality. For the ability and skill of operator of promotion

service of civil servant in BKD Malang can be seen from the educational level, the focused study, working period, and training of staffs.

In educational level, working period and training were achieved by operator of promotion service of civil servant. For the task management, the amount of staffs who work in division of promotion and remuneration is 10 staffs, divided into the undergraduate level with total 4 staffs, diploma III amount 1 staff, Senior High School amount 5 staffs as described by the table below:

Table 10 Educational Level of Human Resources of Division of Promotion and Remuneration

No	Eduaction	Total
1	Senior High School	5 Staffs
2	Diploma III	1 Staff
3	Undergradute Level	4 Staffs

Source: Division of Promotion and Remuneration

The working period of operator of promotion service is averaged 12 years. Seen from their working period relatively on maximum, it possible get more experienced in their job although the fact describe the operator of promotion service never accept training related with their job means the promotion service either the training from BKN, Regional Office II Surabaya or BKD Malang. Their ability and skill achieved from the learning result and coordinate with the ex staff

who ever worked in division of promotion service. As interview with head of division of promotion and remuneration:

“In process of promotion service, our operator have experienced and enjoyable on their job every year. If there are some problems, we coordinate with Regional Office or BKN. Then, related to technical work, our operator communicate with the ex staffs who ever experienced about the promotion service. Besides that, we also learn the guidance published by BKN related with SAPK module processing data of civil servant promotion” (Interview with Ms. Shanti on Tuesday, 8th April 2016 at 11.00 am)

Related with the ability and skill in promotion service, it also stated by an interview with one of structural staff as follows:

“We never accept the training session about the promotion service. Well, at this time, the stakeholder never implemented the training program about the promotion service. But, if there are the some problems related with promotion services we can communicate with our senior staffs or learn from book guidance of SAPK module promotion service” (Interview with Mr. Didik on Wednesday, 13th April 2016 at 12.00 pm)

Seen the condition of ability and skill of promotion operator above, for the implementation of it can be optimal so the promotion service of civil servant through the application of information technology maximized. .

d. Infrastructure

1. Hardware and Software

The availability of adequate technology infrastructure in a government institution is a direct reflection of involvement of current technology that gives the easy access to support the government performance. At this time, the information I can be accessible by public still limited, such as general information about the department/institution and not based on information associated with the system procedure related to public services. One of the causes of this limitation is the absence of a reference or guide at the national level, as expected by most departments/institutions in the form of a policy to disseminate the information or data in general to the public.

On the other hand, most departments or institutions see the lack of infrastructure support and availability of funds and human resources are sufficient as some of the obstacles that must be overcome before the public service with the support of information technology can be improved. Therefore, the procurement policy information technology application systems for the fulfillment of public service capacity are needed in order to create the personnel administration services in government.

In BKD Malang, the availability of infrastructure becomes an important factor in the implementation of civil servant promotion through the system of personnel service application (SAPK). The infrastructures refer to the hardware and software as the table below:

Table 11 Electronic Infrastructure of Promotion and Remuneration

Division

Number	Hardware	Total
1	Personal Computer	8 Units
2	Printer	4 Units

Source: BKD Malang

In addition, the availability of the network infrastructure such as servers and communications networks is supporting the implementation of program of SAPK module promotion. BKD Malang has cooperated with information technology parties among which PT. Telkom with the contract already agreed and the consultant of the Regional Office II Surabaya.

“BKD Malang has cooperated with some institutions specialized on information technology based on the agreement contract. But, it is depend on the Malang government policy. Sometimes, the facilities are given by state or private sector” (Interview with head of personnel information, Mr. Abdul Rokhim on Thursday, 3rd September 2015 at 10.45 am)

In software side, BKD Malang uses the application of office automation such as word processing and others, for database management system and internet application used web publishing. Besides that, personal computer has used operating system of windows XP and also several of its have used operating system of windows 7.

2. Server

In the institution, the role of technology is an integral part in the organization of transparent government. Supporting network technology is the development of a stable server can facilitate the performance of the system in the input or output data. As other institution, BKD Malang has operated the System of Personnel Service Application in order to create and support personnel administration particularly in the promotion of the civil servant.

The fact described that input and output of data of civil servant promotion, the problem of server network did not stable become the inhibiting factor to proceed the data. As stated by the head of Promotion and Remuneration below:

“Both input and output data of civil servant promotion, the server problem here becomes the main problem of SAPK implementation. Sometimes, the operators complain about the condition of server which unstable and did not optimal. BKD Malang only set up a server in which each units using the same server. So, we had to wait their turn or at least delay over the updating data” (Interview with head of promotion and remuneration on Tuesday, 1st September 2015 at 10.30 am)

The unstable server caused some data of civil servant promotion of have not updated in accordance with the period. As stated by one of the SAPK operator as follows:

“Well, our main obstacle here as operator SAPK is a network sever. The networks that could be considered slow and dotted make us have to wait and longer to enter the data. We have conveyed this to the BKN so that the network should not be vertical because each unit has quotas to activate the features in SAPK” (Interview with Mr. Didik on Monday, 31st August 2015 at 12.45 pm)

Besides that, the inhibiting factor of server caused the speed of data processing lately and unrealized. As described by table below:

Table 12 the Speed of Decree Promotion Process

Number	Performance Indicator	Target		Realization	
		2013	2014	2013	2014
1	The Speed of Decree Promotion Process	2515 Data	2680 Data	2486 Data	2166 Data

Source: BKD Malang

Those data indicate that the speed of decree promotion process the unrealized data amount 514 data in 2014 and 29 data in 2013. The decreasing of process significantly described that the problem of server in BKD Malang become inhibiting factor in the implementation of promotion service through the system of personnel service application.

e. Updating Central Data

BKN as the central institution functioning to control and manage the personnel administration particularly in personnel information integrated to the technology. Besides that, BKN is the stakeholder of database from each institution, where BKD and Regional Office as the part of system role called System of

Personnel Service Application (SAPK). But in the implementation, there are some problems around the update process namely the updating personnel data in central institution did not optimal. It caused by the number of data of civil servant promotion either input or output. The data processing is located in the center. So, when input of data in BKD Malang does not integrated and unverified accurately.

The absence of data updating in the center led to several targets to be achieved by BKD Malang has not been fully resolved as the table below:

Table 13 Targets and Realization of Performance Established Achievement 2014

No	Objective	Performance Indicator	Target	Realization
1	Increasing the personnel welfare with award of promotion and periodic salary	Speed of data process	2680 data	2166 data
2	Availability of personnel database validity as decision making	Data Accuracy	4130 data	3851 data

Source: BKD Malang

The table above indicates that in indicator of the speed of data processing which unrealized amount 514 data. While the indicator of data accuracy which unrealized amount 279 data. It described that the data updating in BKN become inhibiting factor for the data renewal of promotion in BKD Malang. As an interview with head of promotion and remuneration as follows:

“The data updating is one of the problem here, BKN as the stakeholder on the implementation of SAPK has not being effectively and efficiently. The connectivity among regional and central of data have troubled cause the central operator being there. So, when period come on April and October, the data which have entered into SAPK cannot be registered and verified” (Interview with Ms. Shanti on Monday, 31st August 2015 at 01.20 pm)

The availability of system of personnel service application developed by BKN should be guidance in process of database updating of civil servant to be more flexibility, but in the implementation of data updating was out of date as hoped by the institution. The updating data in central should be periodically, consistency, and factual. It to be achieving the personnel data becomes update.

C. Data Analysis

1. Internal Efforts of Promotion Service

a. Service Management

As stated in the Regent regulation number 24 Year 2008, BKD Malang has the main task to implement the regional government affairs in the formulation and implementation of regional policy. In terms of personnel management, BKD formulate and implement the policies, but in terms of maintenance management and budget planning for personnel sector is still managed by the Department The Agency of Revenue, Financial Management and Asset (DPPKA) as based on the decree of Malang Regency Number 07 Year 2008 on budget management, where the authority on policy and budget management is controlled by DPPKA and budget approval by Regional Development Planning Agency(BAPPEDA) and

Malang parliament. It certainly hamper the advice and suggestion from personnel staff about policy and budget planning management of personnel that do not equal and are not approved by the relevant parties in order to improve the service management of promotion in Malang government.

Besides the conditions above, the high rotation of staffs on BKD Malang allow to occasional mutations or moved to other work units will certainly have a negative impact on the instability of working conditions in the service promotion of civil servants conducted by BKD Malang through promotion and remuneration who handle them. Cadre of the staff is an alternative that has been conducted by BKD management for preventive measures against staff's mutations that at times it can happen.

b. Communication and Coordination

One of the important things in the personnel administration service is the coordination and communication among division in the institution. The condition affecting to the service is the capability of the apparatus resources to be professionalism, the dedication against the society need as the party served by the government.

As stated by Handoko (2003:195) that the coordination as the integrated process of the goals and the activities against the departments of organization to achieve the goal efficiently. It means the need of coordination depend on the value and communication need in the work and level of dependency of work units.

Seen from the management and personnel administration service in BKD Malang, the communication and coordination among division is needed to improve. It can be seen on the processing of Honorary Test of K2 that delayed from the schedule. The division of development and welfare of personnel have function and responsibility to verify the data, not scheduled for meetings with the other division in BKD Malang. Besides that, in the regulation and goal of implementation the workload about the financial has not been clearly and transparently. It caused by the division did not communicate intensively with the organization division who functioned to analyze and inspect the workload then hamper the personnel administration service and affected to the work effectiveness.

In the process of data accuracy of promotion, the communication and coordination among the information division and promotion remuneration division have prospective. As seen in report of performance institution on the table below:

Table 14 Data Accuracy of Personnel of BKD Malang 2014

Number	Performance Indicator	Target	Realization	Achievement (%)
1	Data Accuracy	100 %	93, 24 %	93,24 %

Source: LKJ BKD Malang 2015

The availability of personnel database valid as the decision making of Regent with the performance indicator of data accuracy, target 4130 data and

achieved 3851 data with the percentage achievement 93,24 % become successfully. It cannot be separated from the communication among division of information and promotion and remuneration division.

c. Reward Conferment

As a step in improving performance effectively and efficiently, it is necessary to reward. The reward is an effort to provide remuneration for the work performance, so as to encourage the staff to work harder and potentially. They require an appreciation upon his work has been to meet or even exceed the standards set. This award can be a compliment. Not only have the staffs made mistakes obtain invective of leadership. The staff work has the objective, among others, to earn income so that the needs and desires can be realized. One internal factor in the promotion of administrative services is about how much the award given to staff who serves in that sector.

In BKD Malang, the reward for civil servant is based on the commitment to serve optimally. Seen from statistic every year, the award such as promotion and salary has showed the increasing significantly, namely 2011-2015 which target 15.790 staffs and the realization amount 17.480 staffs or the percentage achievement 110, 24 %. But, in process of requirements to achieve the reward was difficulty and have to fulfill some requirements that determined. It affected on time management of promotion and periodic salary.

Besides that, most of Eseleon III have master degree certificate or trained Diklatpim III so they are accepted to participate in Department Test level II and most of civil servants class II/d have undergraduate certificate so expected to participate in Department Test Level I.

d. Training of Information Technology

The development of personnel is one of the ways to maintain and ensure the capability of civil servants to serve optimally and contribute in personnel administration to achieve the human resources competency and commitment to fulfill the personnel activities in government sector.

One of the personnel developments itself is education and training. The education and training is the planning process to change the attitude and behavior, knowledge and skill through the learning experience hopefully can contribute in improvement of productivity, affectivity, efficiency after the staffs return in work unit.

According to Rivai (2009:213) states that the training usually focused the improvement efforts of staff performance through availability the learning of special expertise or help them to fix the problems of their performance. In training given an instruction to develop their expertise that can be used in work. Through the training, all of the efforts improve the staff performance in their position. The training is directed to improve the competency in work be better.

In BKD Malang, the education and training of staff particularly in promotion and remuneration division depend on the experiences and work period for job description and specialization. Based on the data that have described, it can be seen that the operator/staff who serve the promotion service never participate in training about procedure of using SAPK both structural and functional, so it indicate that one of the internal factor affecting the promotion service is the quality of human resources.

According to researcher, based on the theory of Saefullah and Sule (2009:205), in BKD Malang need the education and training approach for staffs such as the approach of on the job training and off the job training. The approach of on the job training is the approach in education and training given outside of work in order to give the opportunity to the staff out from the activities and concentrate in their specialization. Then, the approach of off the job training is the approach of education and training given in working units so that able to adapted with the work method use the media directly.

e. Job Description

The job description is caused by the individual who has the limit ability to do all the activities. Therefore, the job description is the activities in work determined and classified effectively in achieving of organization goals. With the job description, it is possible to make good skill in work, because the job has special authority by the division. The good job description is the key in

implementation of task particularly in the guarantee against stability, continuity, and efficiency. Otherwise, if the job description done carelessly, means not adapted the capability of individual based on the specialization, then it would affected bad even the failure of work.

The tasks and functions of the respective areas of work in the BKD Malang into factors that determine how effective administrative services personnel, especially in the sector of promotion through the utilization of staffing services in the form of SAPK applications. BKD Malang owns compliance officers to fill vacant positions who have retired are still not achieving the set targets. The analysis of fact have found the fulfillment of vacant position caused by the proportion of the civil servant candidate for honorary teacher (GTT), honorary staffs (PTT) and Public where still not achieved the target or unsuccessfully. As described by table below:

Table 15 Proportion of Civil Servant Candidates 2014

Number	Performance Indicator	Target	Realization	Achievement (%)
1	Proportion of Civil Servant Candidates	700 candidates	142 candidates	20,28

Source: LKJ BKD Malang

Based on the table above, it can be described that one reason for the lack of human resources to fulfill the positions left by the absence of a sufficient proportion of recruitment. So BKD Malang took alternative involving mutating

and moving staffs to other areas of work is not his specialization. The job description in promotion and remuneration division, who work in information division, has become an operator of SAPK.

It indicates that the job description in BKD Malang such as division of promotion and remuneration still depend on the human resources from the other units which is not specialization. At the end, the promotion service that should be on the time in process has delayed.

2. The Implementation of SAPK

Since determined by the Regulation of Head of National Civil Service Agency Number 20 Year 2008 about the guidance of utilization of SAPK, then BKD both province and regional level in Indonesia processing the personnel administration service or promotion service have to use the system of personnel service application (SAPK) namely in the form of civil servant promotion module. The implementation of SAPK in regional level has started since 1st October 2009.

The aim of SAPK is to achieve the update of personnel data in each institution both central and regional level integrated nationally in module of promotion service of SAPK so it would improve the service in the personnel sector transparently and objectively. In this online system, hopefully the data accuracy, efficiency, and effectiveness of personnel administration service can be increased. In the future, the process of personnel administration particularly in the promotion service was no longer attached by document.

As we realized that the advanced of information technology affected to job, career and organization. According to Husein and Wibowo (2000:15) that leaders who use the information technology has role as follows:

- a. Understanding conceptually about the application of information technology that can be used to improve the performance of individual and organization
- b. Contribute as the consultant for specialist of information system developing and modifying the applications of information technology in organization
- c. Manage the change resulted by information technology
- d. Use the technology application and help the specialist to manage it
- e. Evaluate the successful of application of information technology

However, in the implementation of SAPK module of promotion, the operator of division of promotion and remuneration has problems in the operational and printing, because in the program of SAPK found the weakness such as:

- a. The birth place use the name of regency or city not based on the certificate
- b. The positions usually mentioned Kabid, Kasubid, Kasi and others
- c. The work units cannot be change
- d. Unclearly the development of SAPK into the form of web base

Therefore, BKD Malang cannot achieve the aim of SAPK module of Promotion namely achieving the update of personnel data, efficiency and effectiveness of personnel administration service able to be better.

Based on the theory of Husein and Wibowo, the leader in the context of head of promotion and remuneration, sub head of structural and functional promotion should be role as follows:

- a. Understanding conceptually about the application of information technology that can be used to improve the performance of individual and organization
- b. Contribute as the consultant for specialist of information system developing and modifying the applications of information technology in organization
- c. Manage the change resulted by information technology
- d. Use the technology application and help the specialist to manage it
- e. Evaluate the successful of application of information technology

Remembering the main role as described has not implemented by leader, then the system of personnel service application (SAPK) module of promotion namely achieving the update of personnel data, efficiency and effectiveness of personnel administration service able to be better.

3. The Factors Affecting the Promotion Service of Civil Servant through Application of Information Technology

a. Awareness and Discipline of Staff of Promotion Service

The awareness is an initiative of individual to analyze and act to progress toward better. The awareness arose in individual characteristic affecting the

something that equal with mindset. While discipline is a condition where the people joined in organization must obey the rules gracefully.

In an organization, attitudes and behaviors exhibited by staffs is created through a process guided by the family, education, and experience, or the introduction of the example of the environment. Work discipline will make the staffs know contrasted what things should be done that must be done, who should do, which was duly done to ensure administrative services effective and efficient services. As revealed by Rival (2004: 44), work discipline is a tool that is used to change a behavior as well as an effort to raise awareness and the willingness of a person to obey all laws and social norms that applied.

Discipline and awareness of staffs in BKD Malang is still very lacked of value and the need for oversight to guarantee maximum service from the staffs who work in BKD. As the data which has been described previously that the awareness and discipline of staffs in BKD Malang showed a decline both in terms of working time, attendance, and other ethics.

An analysis of researcher stated that there were two factors affected the violations of staffs in BKD Malang:

1. The Personality Factor

This personality factors closely related to changes in behavior and mental attitude of a person. Each staffs have had a different character or personality from each other, so that in the process of implementation of the work will affect the discipline in providing services. Changes in mental

attitude can be seen from the level of discipline because of compliance, identification and internalization.

For example, the staffs in BKD Malang will be timely follow morning assembly when Mr. Regent came inspect the activities in the scope of government. This is an example of a disciplined adherence to the rules of the morning and afternoon ceremony that has been set.

While Discipline for the identification of compliance with the rules based on the identification of the quality of professionalism. For example, a staff who served as an operator of SAPK module of promotion will always target the completion of decree and update data for their professionalism.

2. The Environmental Factor

Discipline a person is a product of socialization result of interaction with the environment, especially the social environment. Therefore, the formation of the discipline is subject to the rules of the learning process. High work discipline does not appear out of nowhere but is a continuous learning process. The process of learning to be effective, the leaders who are agents of change need to pay attention to the principles of consistent, fair, positive and open. Consistent rules are treated consistently over time. Once the agreed rules are violated, the system corrupted the rule. Fair in this case is to treat all employees with undiscriminating.

b. Leadership

Essentially, the leader is an individual who has ability to affect the attitude of someone in work with using authority. The authority is the ability to direct and affect the subordinate related with the task that has to finish.

In the era of turbulence like the current environment, every leader must be ready and required to perform a transformation in spite of the leadership style of what they profess. Leaders must be able to manage change, including changing the organizational culture which no longer conducive and productive. Leaders must have a good vision, intelligence in managing diversity and to encourage continued a process of learning because of the dynamics of a change in the environment as well as the increasingly fierce competition.

As the leadership type dynamically and transparently in BKD Malang, then the leader effectively must be a visionary in role of government in order to increase the working mechanism and personnel administration service. The visionary showed by leader can be training and learning for staff to apply the vision and goal of institution. According to Nanus (2001), the characteristic of visionary leader as described by the figure below:

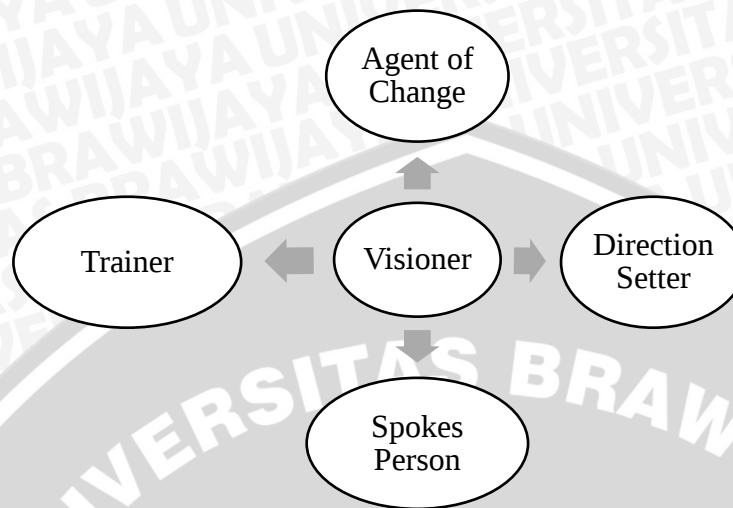


Figure 12: Visionary Leadership

Source: Nanus, 2001

Visionary as the figure above can be explained as follows:

1. A visionary leader must have the ability to communicate effectively with managers and other employees in the organization. It requires leaders to produce guidance, encouragement, and motivation.
2. A visionary leader must be able to understand the external environment and can have the ability to react appropriately on all the threats and opportunities that come up. This includes, most importantly, be able to "relate skillfully" with key people who are outside the organization, but it plays a very important role to the organization such as investors, and customers.
3. A visionary leader must be able to play an important role in forming and can affect all organizational practices, procedures, products and services. A leader

in this regard must be involved in the organization to be able to produce and can sustain service excellence and successfully achieved vision.

4. A visionary leader must be able to have or develop "niche" to be able to anticipate what happens in the future. This niche is an imaginative form, which refers to the ability of the data to be able to access all future needs of consumers, technology, and others. It includes the ability to manage the human resources of organization in order to self preparing against the needs and change.

c. Human Resources

One of the key in creates the document processing and promotion data of civil servants more accurately is the human resources who have capability to operate the system. Referring to the theory advanced by Susilo (2002: 3) states that human resources are the main pillars at once wheel organization in an effort to realize the vision, mission and objectives. In this case, the staffs that operate the SAPK application modules play an important role in the promotion of personnel administration services especially in the service of promotion of civil servants.

According to research conducted in BKD Malang, especially the human resources working in the division of promotion and remuneration, the quantity of staff who operate SAPK not sufficient according to the work that has been announced in the work plan of BKD Malang 2015, so some work units in Malang participate on managing the documents / files which are not related to their

functions and responsibility. It has an impact on the processing of documents and data of promotion of civil servants who seem slow and ineffective as many parties are demanding acceleration of services that can only be accessed at certain periods in accordance with the policies from central.

In addition, from the level of the quality of human resources working in the division of promotion and remuneration need for evaluation in order to improve quality and service quality. This is as fact the field that some operators when viewed from the side of education can be seen in the table below:

Table 16 Human Resources of Promotion and Remuneration Division based on Educational Level

Number	Education	Total of Human Resources
1	Senior High School	5
2	Dipoma III	1
3	Bachelor Degree	4
4	Master Degree	2

Source: Division of Promotion and Remuneration

The data above indicate that the operator staffs who operate SAPK module of promotion there are still a senior high school status. Therefore, the development and management of professional personnel and proportionally through the system of personnel management strategy is directed at providing assistance learning task

of department relation, granting learning permission of civil servant to pursue a higher education.

It can be concluded that the availability of human resources in division of information technology seems to be the main obstacle faced by BKD Malang, especially in the division of promotion and remuneration. This is likely related to the pattern of human resource development in division of information technology less attractive the people qualified as follows:

1. The problem of salary and inadequate facilities
2. Program of human resources development more likely the internal training or workshop than provide the scholarship
3. The work field mostly in the level of operator forming into the data safety and application or training although some operators can achieve the analyst level such as the application planning.
4. The absence of special treatment either intensive or career.

d. Infrastructures

1. Hardware and Software

In modernization era, the infrastructure system both regional and central would change over the time. The infrastructure means in this research is the tool that can be supporting of government performance. In the theory stated by Robertson and Sribar (2001:62) described that infrastructure of information technology adaptively namely:

- a. Efficiency, the availability of the components can be utilized together by variation of application system (new or old)
- b. Effectiveness, the components easily interoperable and integrated
- c. Agility, the components easily reformed, upgrade, substituted

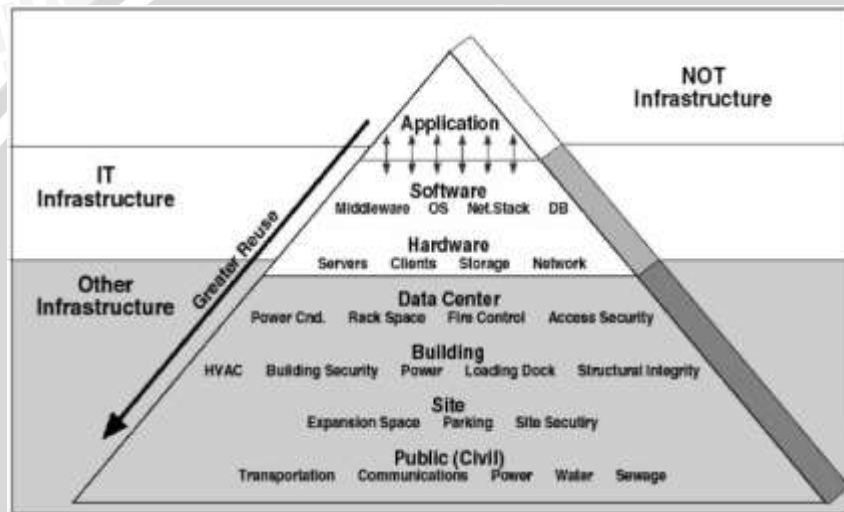


Figure 13: The Infrastructure of Information Technology

By Robertson and Sribar

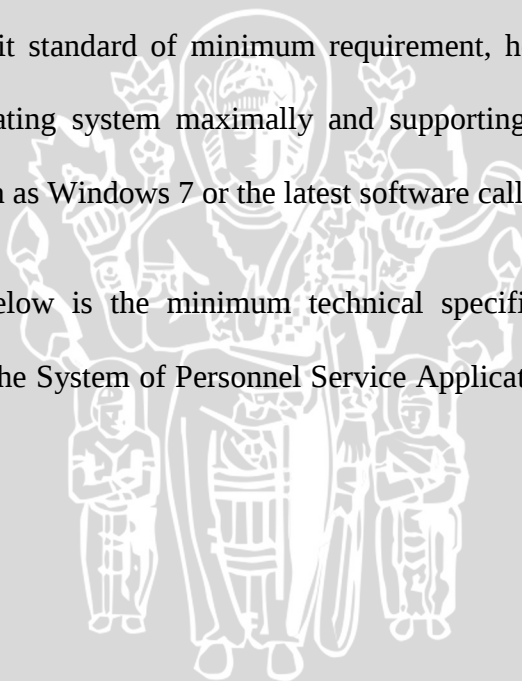
Source: The Adaptive Enterprise Fourth Edition

The availability of infrastructure in BKD Malang supporting the mechanism of implementation of SAPK module of promotion have helped the operator staff of division of promotion and remuneration in minimize the error started the entry until the printing process.

However, the availability of electronic infrastructure have to update those facilities both hardware and software. The hardware such as printer and personal computer, there are some elements should be updated such as:

- a. The entire printer used by operator is type of Canon IP 2770 only functioned to copy. For more faster and easily the printing result, it should be use the printer with more features such as print, copy and scan.
- b. Some of personal computer/desktop used operating system windows XP, means although it standard of minimum requirement, however it necessary upgrade to operating system maximally and supporting features for better performance such as Windows 7 or the latest software called Windows 10.

The figure below is the minimum technical specification for personal computer to operate the System of Personnel Service Application (SAPK) module of promotion:



SPEKIFIKASI TEKNIS MINIMUM UNTUK PERSONAL KOMPUTER

Processor Type	Intel Core2 Processor
Processor	Intel Core2 Processor
Standard Memory	1 GB (2 x 512 MB) DDR-2 SDRAM PC – 53000
Storage Controller	Single Channel Ultra ATA/100 and Dual Channel Serial A
Hard Drive Type	80 GB Serial ATA-II/300,7200 RPM,Cache 8 MB
Optical Drive	Type DVD RW
Modem	Optimal
Networking	Integrated 10/100 LAN
Network Speed	10 / 100 Mbps
Slot Provided	PCIe x 16; PCIe x 1, 2 x PCI
Interface	Provided 6xUSB 2.0,2 x Fire wire ,2 x PS/2,VGA,LAN
O/S Provided	Window XP Home/professional (SP2)
Software	Microsoft Office 2003
Monitor	Monitor 14"
Keyboard	Standard Keyboard
Mouse	Standard Mouse

Figure 14: Minimum Technical Specification of Personal Computer

Source: BKD Malang

2. Server

According to Irawan (2005:30), server is database computer in central where the information can be used together by users who operate the application into their local computer called client. A server file is a main system possibility to access the resources and provide the safety. The independency of workstation can

collect the resources in server. The model of component connectivity in network and possible several users use the server resources together. As the figure below:

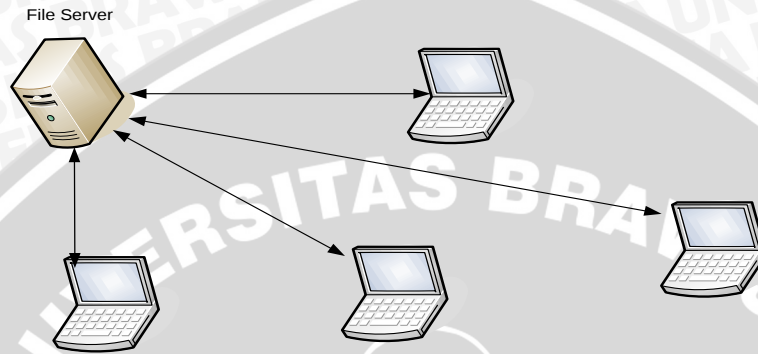


Figure 15: Connectivity of Client Server

Source: Irawan (2005:29): Computer Component First Edition

The fact described that the using server of one direction in BKN affected the number of database in and out from work units become full and overload. At the end, some problems in this server found such as:

- a. Need the invest for dedicated file server
- b. Fixing (the big network need staff to manage in order to operate efficiency).
- c. The dependency against central database
- d. When the server down, affect to all of the network operation will be down

In regional level, the server must integrate with central server. Means, the central server has determined the standard of minimum requirement for institution that used SAPK. Technically, BKD Malang should has the server specification

fulfilled the need in supporting the SAPK. As the figure below, the server must have minimum requirement:

SPESIFICASI TEKNIS SERVER	
Platform	Server Computer
Processor Type	Intel Xeon Processor
Chipset	Intel G33 Express Chipset
Standard Memory	2 GB (2 x 1GB)
Max. Memory	4 GB (4 DIMMs)
Hard Drive Type	160 GB Serial ATA-II/300,7200 RPM,Cache 8 MB DVD/CD
Storage Controller	Single Channel Ultra ATA/100 and Dual Channel Serial A
Optical Drive Type	Type DVD RW
Network Speed	10 / 100 Mbps
Keyboard Type	Standard Keyboard
Slot Provided	PCIe x 16; PCIe x 1, 2 x PCI
O/S Provided	Microsoft Windows Server Operating System,
Monitor Provided	Monitor 14"
Database System	Minimum Microsoft SQL-Server 2000
Mouse	Standard Mouse
Modem	Optimal

Figure 16: Server Technical Specification

Source: BKD Malang

e. Updating Central Data

The update data is the main component of system processed the database of an institution to create the data valid and accurate. The accuracy of data will affect the decision making and strategic planning. Referred to the theory of

Azwar(2000:45) stated that the validity is the accuracy of tool to function. It means, the institution is able to implement the task in measure and process the data accurately with modern technology.

BKD Malang is a personnel institution managed the civil servant promotion. As the research that have implemented, there is an inhibiting factor in the implementation of SAPK. The factor is not optimal of data updating in BKN. It caused more failures in the process of promotion so there is more demand rectification/corrected decree promotion each period. Neither of the institution proposes or directly from the civil servant is concerned. Mistakes often complained such as typing the name, Staff Identification Number (NIP), class, work period, job location, basic salary, position, period of promotion and other.

One of the missions of the State Personnel Board as the Strategic Plan 2015-2019 is to develop and optimize personnel management information systems, but in its implementation, the system is meant SAPK information that has not been fully integrates well with local agencies, both at the regional and BKD. Problems updating the data as described in this study are a new chapter that must be addressed by BKN as the central managing personnel administration, especially promotion of civil servants.

From the result of this research, it needs a development innovation of structure system in data updating that possibility can be effective and efficiency. Besides that, the integrated among regional and national institution is more solid in

coordination, development innovation and decision making. The availability of civil servant database accurately can be used as the planning, training, development, and decision making in management and service of personnel. Finally, the good governance and clean government can be achieved.

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CHAPTER V

CLOSING

A. Conclusions

Based on the analysis result against the condition found in this research, then can concluded as follows:

1. The internal efforts of BKD Malang is the commitment and effort of institution to achieve the promotion service of civil servants with some indicators, such as:
 - a. The service management implemented in BKD Malang stressed on transparently that each elements participate to give suggestions and critics against the process of promotion service of civil servants in order to create the internal quality of service effectiveness and efficiency.
 - b. Communication and coordination were implemented in BKD Malang happened to support the promotion service both formally and informally. However it depend on the condition where the division that handled promotion must coordinate and communicate as its function and responsibility

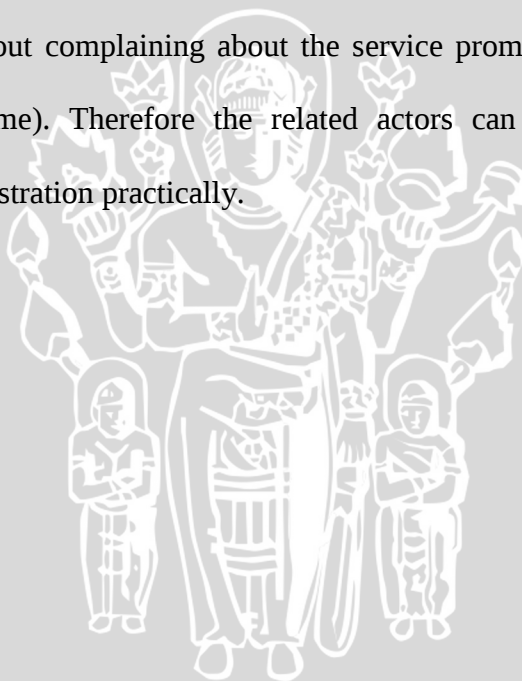
- c. In BKD Malang, the reward conferment can be seen by the opportunity of civil servants to gain the position, career, learning and certificate adapting in higher position or class.
 - d. The training of information technology in BKD Malang is the effort to improve the quality and organization development that proposed to operator staffs in division of promotion and remuneration managing the data, decree of civil servants promotion. The training such as functional and structural both central and regional level.
 - e. The job description among the division in BKD Malang is depending on the responsibility and function of each division that has determined by the regulation. The division of promotion and remuneration functioned to manage and serve the promotion administration both regularly and selectively.
2. The implementation of SAPK in BKD Malang has changed by three versions. Firstly, the Information System of Personnel Management of Indonesia (SIMKRI) that manually. Secondly, the application of Client Server using Virtual Private Network (VPN) IP. Thirdly, the System of Personnel Service Application (SAPK) web base.
 3. The affecting factors of promotion service of civil servants through the application of information technology such as the awareness and discipline of staff, leadership, human resources, infrastructures, and updating central data.

B. Suggestions

1. The competency of human resources have to be increased in managing the personnel administration and data such as the implementation of training in information technology for staffs of promotion and remuneration both structural and functional contemporarily in order to achieve the quality of individual professionalism in serving the process of promotion service in BKD Malang
2. The awareness and discipline of staffs of promotion and remuneration have to be increased and punished by rules if violate the ethic to give an impact against the process of promotion to be more right time and accurate in order to achieve the efficiency and effectiveness.
3. Related to implementation of SAPK, it necessary an integration among BKD, Regional Office II Surabaya, and BKN as stakeholders that supporting the development of innovate system in servicing of promotion through the application of information technology.
4. BKN as the central database of personnel administration should be upgrade the data into SAPK module of promotion, so the data among regional and central can be verified and validity.
5. Related to server that did not optimally in BKD Malang, hopefully in future, the process of data updating of civil servant promotion through SAPK no

longer using the one server controlled by BKN, so several work units can maintain the data effectively and efficiently.

6. In future, the SAPK system can be innovate and improved. So the problems in system can be fixing. Then, the implementation of SAPK processed better and utilized by all of the elements both central and regional government.
7. To achieve the good service in staff promotion, it need the innovation of technology called application “Surat Anda” integrated with some social media to participate about complaining about the service promotion anywhere and anytime (real time). Therefore the related actors can manage easily the personnel administration practically.



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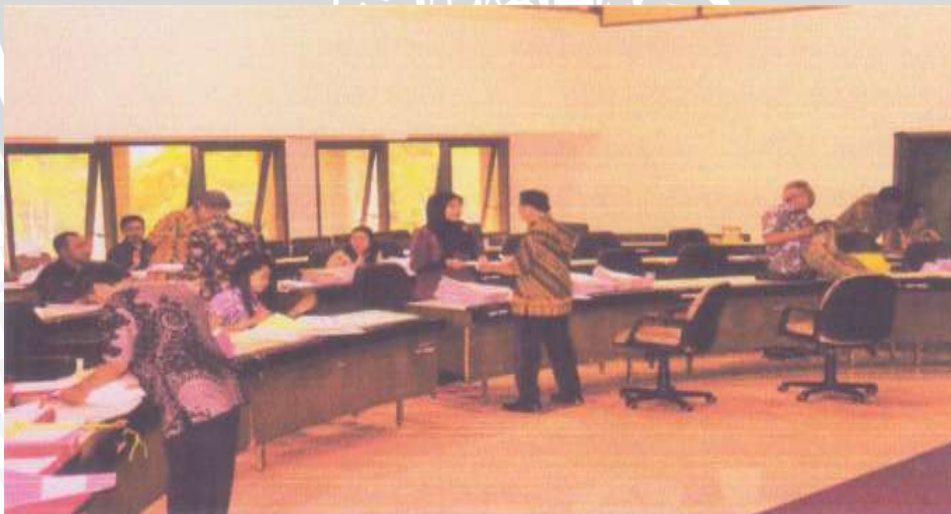
APPENDIX

Photo Documentation of BKD Malang

- Process of Verification and Validation of Honorary staff Category II from disqualified Selection



Appendix 1: Documentation of Verification and Validation in Meeting Room

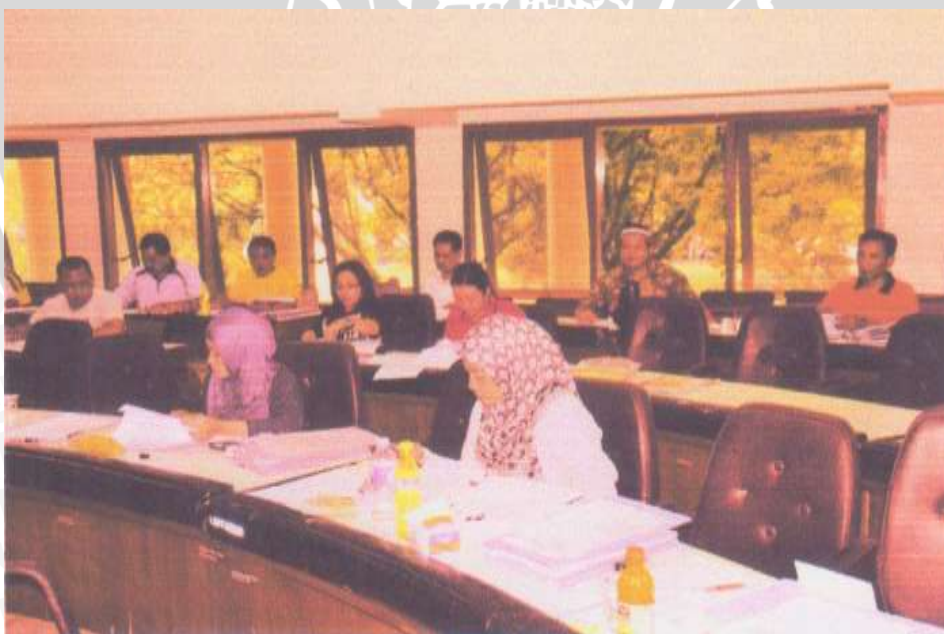


Appendix 2: Documentation of Verification and Validation in Meeting Room

- Process of Archiving Data of Civil Servant Promotion from the Staff in BKD Malang



Appendix 3: Staff Documentation



Appendix 4: Staff Documentation

- Result of Archiving Data of Civil Servant Promotion

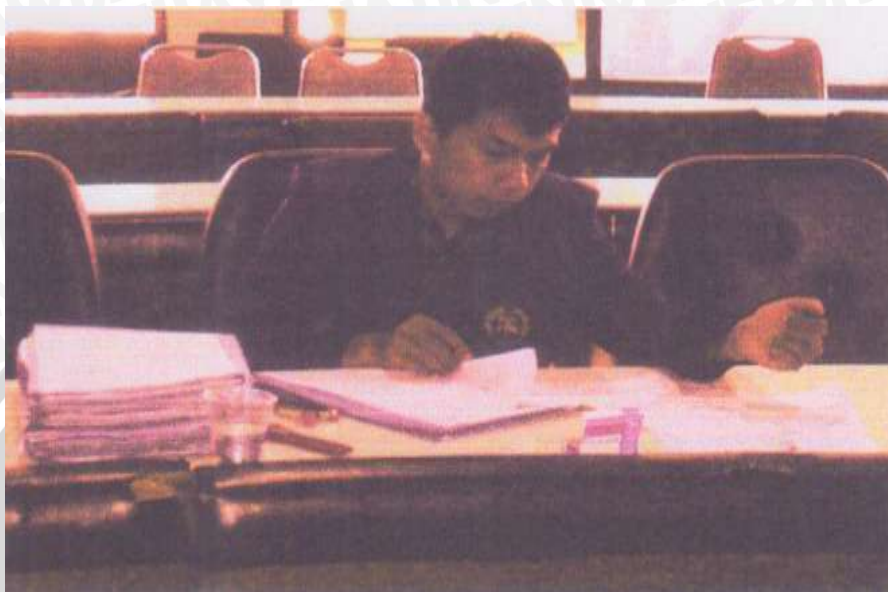


Appendix 5: Promotion Proposal of Civil Servant



Appendix 6: Promotion Proposal of Civil Servant

- Process of Archiving Data of Civil Servant Promotion



Appendix 7: Validity data from researcher



**PERATURAN PEMERINTAH REPUBLIK INDONESIA
NOMOR 12 TAHUN 2002**

TENTANG

**PERUBAHAN ATAS
PERATURAN PEMERINTAH NOMOR 99 TAHUN 2000
TENTANG KENAIKAN PANGKAT PEGAWAI NEGERI SIPIL**

PRESIDEN REPUBLIK INDONESIA,

Menimbang:

bahwa untuk meningkatkan prestasi kerja dan pengabdian Pegawai Negeri Sipil kepada negara serta mewujudkan keadilan dalam memberikan penghargaanannya, dipandang perlu mengubah beberapa ketentuan dalam Peraturan Pemerintah Nomor 99 Tahun 2000 tentang Kenaikan Pangkat Pegawai Negeri Sipil dengan Peraturan Pemerintah;

Mengingat:

1. Pasal 5 ayat (2) Undang-Undang Dasar 1945;
2. Undang-undang Nomor 8 Tahun 1974 tentang Pokok-pokok Kepegawaian (Lembaran Negara Tahun 1974 Nomor 55, Tambahan Lembaran Negara Nomor 3041), sebagaimana telah diubah dengan Undang-undang Nomor 43 Tahun 1999 (Lembaran Negara Tahun 1999 Nomor 169, Tambahan Lembaran Negara 3890);
3. Undang-undang Nomor 22 Tahun 1999 tentang Pemerintahan Daerah (Lembaran Negara Tahun 1999 Nomor 60, Tambahan Lembaran Negara Nomor 3839);
4. Undang-undang Nomor 25 Tahun 1999 tentang Perimbangan Keuangan antara Pemerintah Pusat dan Daerah (Lembaran Negara Tahun 1999 Nomor 72, Tambahan Lembaran Negara Nomor 3848);
5. Peraturan Pemerintah Nomor 7 Tahun 1977 tentang Peraturan Gaji Pegawai Negeri Sipil (Lembaran Negara Tahun 1977 Nomor 11, Tambahan Lembaran Negara Nomor 3098) sebagaimana telah beberapa kali diubah terakhir dengan Peraturan Pemerintah Nomor 26 Tahun 2001 (Lembaran Negara Tahun 2001 Nomor 49);
6. Peraturan Pemerintah Nomor 25 Tahun 2000 tentang Kewenangan Pemerintah dan Kewenangan Propinsi Sebagai Daerah Otonom (Lembaran Negara Tahun 2000 Nomor 54, Tambahan Lembaran Negara Nomor 3952);
7. Peraturan Pemerintah Nomor 96 Tahun 2000 tentang Wewenang Pengangkatan, Pemindahan, dan Pemberhentian Pegawai Negeri Sipil (Lembaran Negara Tahun 2000 Nomor 193, Tambahan Lembaran Negara Nomor 4014);
8. Peraturan Pemerintah Nomor 98 Tahun 2000 tentang Pengadaan Pegawai Negeri Sipil (Lembaran Negara Tahun 2000 Nomor 195, Tambahan Lembaran Negara Nomor 4016) sebagaimana telah diubah dengan Peraturan Pemerintah Nomor 11 Tahun 2002 (Lembaran Negara Tahun 2002 Nomor 31, Tambahan Lembaran Negara Nomor 4192);
9. Peraturan Pemerintah Nomor 99 Tahun 2000 tentang Kenaikan Pangkat Pegawai Negeri Sipil (Lembaran Negara Tahun 2000 Nomor 196, Tambahan Lembaran Negara Nomor 4017);

MEMUTUSKAN:

Menetapkan:

PERATURAN PEMERINTAH TENTANG PERUBAHAN ATAS PERATURAN PEMERINTAH NOMOR 99 TAHUN 2000 TENTANG KENAIKAN PANGKAT PEGAWAI NEGERI SIPIL.

Pasal I

Beberapa ketentuan dalam Peraturan Pemerintah Nomor 99 Tahun 2000 tentang Kenaikan Pangkat Pegawai Negeri Sipil diubah, sebagai berikut:

1. Ketentuan Pasal 4 diubah, sehingga seluruhnya menjadi berbunyi sebagai berikut:

Pasal 4

Periode kenaikan pangkat Pegawai Negeri Sipil ditetapkan pada tanggal 1 April dan 1 Oktober setiap tahun, kecuali ditentukan lain dalam Peraturan Pemerintah ini."

2. Ketentuan Pasal 6 diubah, sehingga seluruhnya menjadi berbunyi sebagai berikut:

Pasal 6

- 1) Kenaikan pangkat reguler diberikan kepada Pegawai Negeri Sipil termasuk Pegawai Negeri Sipil yang:
 - a. melaksanakan tugas belajar dan sebelumnya tidak menduduki jabatan struktural atau jabatan fungsional tertentu; dan
 - b. dipekerjakan atau diperbantukan secara penuh di luar instansi induk dan tidak menduduki jabatan pimpinan yang telah ditetapkan persamaaan eselonnya atau jabatan fungsional tertentu.
 - 2) Kenaikan pangkat sebagaimana dimaksud dalam ayat (1) diberikan sepanjang tidak melampaui pangkat atasan langsungnya."
3. Ketentuan Pasal 7 diubah, sehingga seluruhnya menjadi berbunyi sebagai berikut:

Pasal 7

Kenaikan pangkat reguler sebagaimana dimaksud dalam Pasal 6, dapat diberikan setingkat lebih tinggi apabila:

- a. sekurang-kurangnya telah 4 (empat) tahun dalam pangkat terakhir; dan
 - b. setiap unsur penilaian prestasi kerja sekurang-kurangnya bernilai baik dalam 2 (dua) tahun terakhir."
4. Ketentuan Pasal 8 diubah, sehingga seluruhnya menjadi berbunyi sebagai berikut:

Pasal 8

Kenaikan pangkat reguler bagi Pegawai Negeri Sipil diberikan sampai dengan:

- a. Pengatur Muda, golongan ruang II/a bagi yang memiliki Surat Tanda Tamat Belajar Sekolah Dasar;
 - b. Pengatur, golongan ruang II/c bagi yang memiliki Surat Tanda Tamat Belajar Sekolah Lanjutan Tingkat Pertama;
 - c. Pengatur Tingkat I, golongan ruang II/d bagi yang memiliki Surat Tanda Tamat Belajar Sekolah Lanjutan Kejuruan Tingkat Pertama;
 - d. Penata Muda Tingkat I, golongan ruang III/b bagi yang memiliki Surat Tanda Tamat Belajar Sekolah Lanjutan Tingkat Atas, Sekolah Lanjutan Kejuruan Tingkat Atas 3 (tiga) tahun, Sekolah Lanjutan Kejuruan Tingkat Atas 4 (empat) tahun, Ijazah Diploma I, atau Ijazah Diploma II;
 - e. Penata, golongan ruang III/c bagi yang memiliki Ijazah Sekolah Guru Pendidikan Luar Biasa, Ijazah Diploma III, Ijazah Sarjana Muda, Ijazah Akademi, atau Ijazah Bakaloreat;
 - f. Penata Tingkat I, golongan ruang III/d bagi yang memiliki Ijazah Sarjana (S1) atau Ijazah Diploma IV;
 - g. Pembina, golongan ruang IV/a bagi yang memiliki Ijazah Dokter, Ijazah Apoteker dan Ijazah Magister (S2) atau Ijazah lain yang setara;
 - h. Pembina Tingkat I, golongan ruang IV/b bagi yang memiliki Ijazah Dokter (S3)."
5. Ketentuan Pasal 9 diubah, sehingga seluruhnya menjadi berbunyi sebagai berikut:

Pasal 9

Kenaikan pangkat pilihan diberikan kepada Pegawai Negeri Sipil yang:

- a. menduduki jabatan struktural atau jabatan fungsional tertentu;
 - b. menduduki jabatan tertentu yang pengangkatannya ditetapkan dengan Keputusan Presiden;
 - c. menunjukkan prestasi kerja luar biasa baiknya;
 - d. menemukan penemuan baru yang bermanfaat bagi negara;
 - e. diangkat menjadi pejabat negara;
 - f. memperoleh Surat Tanda Tamat Belajar/Ijazah;
 - g. melaksanakan tugas belajar dan sebelumnya menduduki jabatan struktural atau jabatan fungsional tertentu;
 - h. telah selesai mengikuti dan lulus tugas belajar; dan
 - i. dipekerjakan atau diperbantukan secara penuh diluar instansi induknya yang diangkat dalam jabatan pimpinan yang telah ditetapkan persamaaan eselonnya atau jabatan fungsional tertentu."
6. Ketentuan Pasal 11 dihapus.
7. Ketentuan Pasal 12 diubah, sehingga seluruhnya menjadi berbunyi sebagai berikut:

Pasal 12

Pegawai Negeri Sipil yang menduduki jabatan struktural dan pangkatnya masih satu tingkat di bawah jenjang pangkat terendah yang ditentukan untuk jabatan itu, dapat dinaikkan pangkatnya setingkat lebih tinggi, apabila:

- a. telah 1 (satu) tahun dalam pangkat yang dimilikinya;
- b. sekurang-kurangnya telah 1 (satu) tahun dalam jabatan struktural yang didudukinya; dan
- c. setiap unsur penilaian prestasi kerja sekurang-kurangnya bernilai baik dalam 2 (dua) tahun terakhir."

8. Ketentuan Pasal 18 diubah, sehingga seluruhnya menjadi berbunyi sebagai berikut:

Pasal 18

- (1) Pegawai Negeri Sipil yang memperoleh:

- a. Surat Tanda Tamat Belajar/Ijazah Sekolah Lanjutan Tingkat Pertama atau yang setingkat dan masih berpangkat Juru Muda Tingkat I, golongan ruang I/b ke bawah dapat dinaikkan pangkatnya menjadi Juru, golongan ruang I/c;
- b. Surat Tanda Tamat Belajar/Ijazah Sekolah Lanjutan Tingkat Atas, Diploma I atau yang setingkat dan masih berpangkat Juru Tingkat I, golongan ruang I/d ke bawah dapat dinaikkan pangkatnya menjadi Pengatur Muda, golongan ruang II/a;
- c. Surat Tanda Tamat Belajar/Ijazah Sekolah Guru Pendidikan Luar Biasa atau Diploma II dan masih berpangkat Pengatur Muda, golongan ruang II/a ke bawah, dapat dinaikkan pangkatnya menjadi Pengatur Muda Tingkat I, golongan ruang II/b;
- d. Ijazah Sarjana Muda, Ijazah Akademi, atau Ijazah Diploma III, dan masih berpangkat Pengatur Muda Tingkat I, golongan ruang II/b ke bawah, dapat dinaikkan pangkatnya menjadi Pengatur, golongan ruang II/c;
- e. Ijazah Sarjana (S1), atau Ijazah Diploma IV dan masih berpangkat Pengatur Tingkat I, golongan ruang II/d ke bawah, dapat dinaikkan pangkatnya menjadi Penata Muda, golongan ruang III/a;
- f. Ijazah Dokter, Ijazah Apoteker dan Ijazah Magister (S2) atau Ijazah lain yang setara, dan masih berpangkat Penata Muda, golongan ruang III/a ke bawah, dapat dinaikkan pangkatnya menjadi Penata Muda Tingkat I, golongan ruang III/b;
- g. Ijazah Dokter (S3) dan masih berpangkat Penata Muda Tingkat I, golongan ruang III/b ke bawah, dapat dinaikkan pangkatnya menjadi Penata, golongan ruang III/c.

- (2) Kenaikan pangkat sebagaimana dimaksud dalam ayat (1), dapat diberikan apabila:

- a. diangkat dalam jabatan/diberi tugas yang memerlukan pengetahuan/keahlian yang sesuai dengan Ijazah yang diperoleh;
- b. sekurang-kurangnya telah 1 (satu) tahun dalam pangkat terakhir;
- c. setiap unsur penilaian prestasi kerja sekurang-kurangnya bernilai baik dalam 1 (satu) tahun terakhir;
- d. memenuhi jumlah angka kredit yang ditentukan bagi yang menduduki jabatan fungsional tertentu; dan
- e. lulus ujian penyesuaian kenaikan pangkat."

9. Ketentuan Pasal 20 diubah, sehingga seluruhnya menjadi berbunyi sebagai berikut:

Pasal 20

- (1) Pegawai Negeri Sipil yang melaksanakan tugas belajar apabila telah lulus dan memperoleh:

- a. Ijazah Sekolah Guru Pendidikan Luar Biasa atau Ijazah Diploma II, dan masih berpangkat Pengatur Muda golongan ruang II/a ke bawah, dinaikkan pangkatnya menjadi Pengatur Muda Tingkat I, golongan ruang II/b;
- b. Ijazah Sarjana Muda, Ijazah Akademi, atau Ijazah Diploma III dan masih berpangkat Pengatur Muda Tingkat I, golongan ruang II/b ke bawah, dinaikkan pangkatnya menjadi Pengatur, golongan ruang II/c;
- c. Ijazah Sarjana (S1), atau Ijazah Diploma IV dan masih berpangkat Pengatur Tingkat I, golongan ruang II/d ke bawah, dinaikkan pangkatnya menjadi Penata Muda, golongan ruang III/a;
- d. Ijazah Dokter, Ijazah Apoteker dan Ijazah Magister (S2) atau Ijazah lain yang

- setara, dan masih berpangkat Penata Muda, golongan ruang III/a ke bawah, dinaikkan pangkatnya menjadi Penata Muda Tingkat I, golongan ruang III/b;
- e. Ijazah Doktor (S3) dan masih berpangkat Penata Muda Tingkat I, golongan ruang III/b ke bawah, dinaikkan pangkatnya menjadi Penata, golongan ruang III/c.

- (2) Kenaikan pangkat sebagaimana dimaksud dalam ayat (1), diberikan apabila:
- sekurang-kurangnya telah 1 (satu) tahun dalam pangkat terakhir; dan
 - setiap unsur penilaian prestasi kerja sekurang-kurangnya bernilai baik dalam 1 (satu) tahun terakhir."

10. Ketentuan Pasal 27 diubah, sehingga seluruhnya menjadi berbunyi sebagai berikut:

Pasal 27

- (1) Pegawai Negeri Sipil yang meninggal dunia atau akan diberhentikan dengan hormat dengan hak pensiun karena mencapai batas usia pensiun, dapat diberikan kenaikan pangkat pengabdian setingkat lebih tinggi, apabila:
- memiliki masa bekerja sebagai Pegawai Negeri Sipil selama:
 - sekurang-kurangnya 30 (tiga puluh) tahun secara terus menerus dan sekurang-kurangnya telah 1 (satu) bulan dalam pangkat terakhir;
 - sekurang-kurangnya 20 (dua puluh) tahun secara terus menerus dan sekurang-kurangnya telah 1 (satu) tahun dalam pangkat terakhir;
 - sekurang-kurangnya 10 (sepuluh) tahun secara terus menerus dan sekurang-kurangnya telah 2 (dua) tahun dalam pangkat terakhir.
 - setiap unsur penilaian prestasi kerja sekurang-kurangnya bernilai baik dalam 1 (satu) tahun terakhir.
 - tidak pernah dijatuhi hukuman disiplin tingkat sedang atau berat dalam 1 (satu) tahun terakhir.

- (2) Kenaikan pangkat sebagaimana dimaksud dalam ayat (1), mulai berlaku:
- tanggal Pegawai Negeri Sipil yang bersangkutan meninggal dunia;
 - tanggal 1 (satu) pada bulan Pegawai Negeri Sipil yang bersangkutan diberhentikan dengan hormat dengan hak pensiun."

11. Ketentuan Pasal 29 diubah, sehingga seluruhnya menjadi berbunyi sebagai berikut:

Pasal 29

Calon Pegawai Negeri Sipil yang oleh Tim Penguji Kesehatan dinyatakan cacat karena dinas dan tidak dapat bekerja lagi dalam semua jabatan negeri, diangkat menjadi Pegawai Negeri Sipil dan diberikan kenaikan pangkat berdasarkan ketentuan sebagaimana dimaksud dalam Pasal 28."

12. Ketentuan Pasal 32 diubah, sehingga seluruhnya menjadi berbunyi sebagai berikut:

Pasal 32

Dikecualikan dari ujian dinas, bagi Pegawai Negeri Sipil yang:

- akan diberikan kenaikan pangkat karena telah menunjukkan prestasi kerja yang luar biasa baiknya;
- akan diberikan kenaikan pangkat karena menemukan penemuan baru yang bermanfaat bagi negara;
- diberikan kenaikan pangkat pengabdian karena:
 - mencapai batas usia pensiun;
 - dinyatakan cacat karena dinas dan tidak dapat bekerja lagi dalam semua jabatan negeri oleh Tim Penguji Kesehatan.
- telah memperoleh:
 - Ijazah Sarjana (S1) atau Diploma IV untuk ujian dinas Tingkat I;
 - Ijazah Dokter, Ijazah Apoteker, Magister (S2), dan Ijazah lain yang setara atau Doktor (S3), untuk ujian dinas Tingkat I atau ujian dinas Tingkat II."

13. Ketentuan Pasal 36 diubah, sehingga seluruhnya menjadi berbunyi sebagai berikut:

Pasal 36

Kenaikan pangkat yang telah ditetapkan sebelum berlakunya Peraturan Pemerintah ini sepanjang tidak bertentangan dengan peraturan perundang-undangan yang berlaku, dinyatakan tetap berlaku."

Pasal II

Peraturan Pemerintah ini mulai berlaku pada tanggal diundangkan.

Agar setiap orang mengetahuinya, memerintahkan pengundangan Peraturan Pemerintah ini dengan penempatannya dalam Lembaran Negara Republik Indonesia.

Ditetapkan di Jakarta
pada tanggal 17 April 2002

PRESIDEN REPUBLIK INDONESIA,
ttd.

MEGAWATI SOEKARNOPUTRI

Diundangkan di Jakarta
pada tanggal 17 April 2002

SEKRETARIS NEGARA REPUBLIK INDONESIA,

ttd.
BAMBANG KESOWO

LEMBARAN NEGARA REPUBLIK INDONESIA TAHUN 2002 NOMOR 32



**PENJELASAN
ATAS
PERATURAN PEMERINTAH REPUBLIK INDONESIA
NOMOR 12 TAHUN 2002**

**TENTANG
PERUBAHAN ATAS
PERATURAN PEMERINTAH NOMOR 99 TAHUN 2000
TENTANG KENAIKAN PANGKAT PEGAWAI NEGERI SIPIL**

I. UMUM

Kenaikan pangkat adalah penghargaan yang diberikan atas prestasi kerja dan pengabdian Pegawai Negeri Sipil yang bersangkutan terhadap Negara. Selain itu, kenaikan pangkat juga dimaksudkan sebagai dorongan kepada Pegawai Negeri Sipil untuk lebih meningkatkan prestasi kerja dan pengabdian.

Untuk dapat lebih meningkatkan prestasi kerja dan pengabdian Pegawai Negeri Sipil kepada Negara serta mewujudkan keadilan dalam memberikan penghargaan, maka Peraturan Pemerintah Nomor 99 Tahun 2000 tentang Kenaikan Pangkat Pegawai Negeri Sipil, perlu diubah sesuai dengan prinsip pembinaan Pegawai Negeri Sipil atas dasar sistem prestasi kerja dan sistem karier yang dititikberatkan pada sistem prestasi kerja.

II. PASAL DEMI PASAL

Pasal I

Pasal 4

Cukup jelas

Pasal 6

Ayat (1)

Huruf a

Pegawai Negeri Sipil yang mengikuti tugas belajar merupakan tenaga terpilih, oleh sebab itu selama melaksanakan tugas belajar Pegawai Negeri Sipil yang bersangkutan harus dibina kenaikan pangkatnya.

Huruf b

Pegawai Negeri Sipil yang dipekerjakan atau diperbantukan berdasarkan ketentuan Pasal ini adalah Pegawai Negeri Sipil yang dipekerjakan atau diperbantukan secara penuh pada proyek pemerintah, organisasi profesi, negara sahabat, atau badan internasional dan badan swasta yang ditentukan.

Kenaikan pangkat reguler bagi Pegawai Negeri Sipil tersebut dibatasi sebanyak-banyaknya 3 (tiga) kali selama dalam penugasan/perbantuan.

Ayat (2)

Cukup jelas

Pasal 7

Cukup jelas

Pasal 8

Huruf a sampai dengan huruf f

Cukup jelas

Huruf g

Yang dimaksud dengan ijazah lain yang setara adalah ijazah yang dikeluarkan oleh Perguruan Tinggi yang bobot untuk memperolehnya setara dengan ijazah dokter, ijazah apoteker dan ijazah Magister (S2), yang penetapan kesetaraannya dilaksanakan oleh Menteri yang bertanggung jawab di bidang pendidikan nasional.

Penjelasan ini berlaku selanjutnya untuk pengertian yang sama dalam

Peraturan Pemerintah ini.
Huruf h
Cukup jelas

Pasal 9
Cukup jelas

Pasal 11
Cukup jelas

Pasal 12
Cukup jelas

Pasal 18
Ayat (1)
Yang dimaksud dengan memperoleh dalam ketentuan ini, termasuk bagi Pegawai Negeri Sipil yang telah memiliki Surat Tanda Tamat Belajar/Ijazah yang diperoleh sebelum yang bersangkutan diangkat menjadi calon Pegawai Negeri Sipil.
Ayat (2)
Cukup jelas

Pasal 20
Ayat (1)
Cukup jelas
Ayat (2)
Cukup jelas

Pasal 27
Ayat (1)
Cukup jelas
Ayat (2)
Cukup jelas

Pasal 29
Cukup jelas

Pasal 32
Cukup jelas

Pasal 36
Cukup jelas

Pasal II
Cukup jelas

TAMBAHAN LEMBARAN NEGARA REPUBLIK INDONESIA NOMOR 4193

PRESIDEN
REPUBLIK INDONESIA

UNDANG-UNDANG REPUBLIK INDONESIA

NOMOR 11 TAHUN 2008

TENTANG

INFORMASI DAN TRANSAKSI
ELEKTRONIK

DENGAN RAHMAT TUHAN YANG MAHA

ESA PRESIDEN REPUBLIK INDONESIA,

Menimbang :

- a. bahwa pembangunan nasional adalah suatu proses yang berkelanjutan yang harus senantiasa tanggap terhadap berbagai dinamika yang terjadi di masyarakat;
- b. bahwa globalisasi informasi telah menempatkan Indonesia sebagai bagian dari masyarakat informasi dunia sehingga mengharuskan dibentuknya pengaturan mengenai pengelolaan Informasi dan Transaksi Elektronik di tingkat nasional sehingga pembangunan Teknologi Informasi dapat dilakukan secara optimal, merata, dan menyebar ke seluruh lapisan masyarakat guna mencerdaskan kehidupan bangsa;
- c. bahwa perkembangan dan kemajuan Teknologi Informasi yang demikian pesat telah menyebabkan perubahan kegiatan kehidupan manusia dalam berbagai bidang yang secara langsung telah memengaruhi lahirnya bentuk-bentuk perbuatan hukum baru;
- d. bahwa penggunaan dan pemanfaatan Teknologi Informasi harus terus dikembangkan untuk menjaga, memelihara, dan memperkuat persatuan dan kesatuan nasional berdasarkan Peraturan Perundang-undangan demi kepentingan nasional;
- e. bahwa pemanfaatan Teknologi Informasi berperan penting dalam perdagangan dan pertumbuhan perekonomian nasional untuk mewujudkan kesejahteraan masyarakat;
- f. bahwa pemerintah perlu mendukung pengembangan Teknologi Informasi melalui infrastruktur hukum dan pengaturannya sehingga pemanfaatan Teknologi Informasi dilakukan secara aman untuk mencegah penyalahgunaannya dengan memperhatikan nilai-nilai agama dan sosial budaya masyarakat Indonesia;
- g. bahwa berdasarkan pertimbangan sebagaimana dimaksud dalam huruf a, huruf b, huruf c, huruf d, huruf e, dan huruf f, perlu membentuk Undang-Undang tentang Informasi dan Transaksi Elektronik;

Mengingat :

Pasal 5 ayat (1) dan Pasal 20 Undang-Undang Dasar Negara Republik Indonesia Tahun 1945;

Dengan Persetujuan Bersama

DEWAN PERWAKILAN RAKYAT REPUBLIK INDONESIA

dan

PRESIDEN REPUBLIK INDONESIA

MEMUTUSKAN:

Menetapkan:

UNDANG-UNDANG TENTANG INFORMASI DAN TRANSAKSI ELEKTRONIK.

BAB I KETENTUAN

UMUM

Pasal 1

Dalam Undang-Undang ini yang dimaksud dengan:

1. Informasi Elektronik adalah satu atau sekumpulan data elektronik, termasuk tetapi tidak terbatas pada tulisan, suara, gambar, peta, rancangan, foto, *electronic data interchange (EDI)*, surat elektronik (*electronic mail*), telegram, teleks, *teletcopy* atau sejenisnya, huruf, tanda, angka, Kode Akses, simbol, atau perforasi yang telah diolah yang memiliki arti atau dapat dipahami oleh orang yang mampu memahaminya.
2. Transaksi Elektronik adalah perbuatan hukum yang dilakukan dengan menggunakan Komputer, jaringan Komputer, dan/atau media elektronik lainnya.
3. Teknologi Informasi adalah suatu teknik untuk mengumpulkan, menyiapkan, menyimpan, memproses, mengumumkan, menganalisis, dan/atau menyebarkan informasi.
4. Dokumen Elektronik adalah setiap Informasi Elektronik yang dibuat, diteruskan, dikirimkan, diterima, atau disimpan dalam bentuk analog, digital, elektromagnetik, optikal, atau sejenisnya, yang dapat dilihat, ditampilkan, dan/atau didengar melalui Komputer atau Sistem Elektronik, termasuk tetapi tidak terbatas pada tulisan, suara, gambar, peta, rancangan, foto atau sejenisnya, huruf, tanda, angka, Kode Akses, simbol atau perforasi yang memiliki makna atau arti atau dapat dipahami oleh orang yang mampu memahaminya.
5. Sistem Elektronik adalah serangkaian perangkat dan prosedur elektronik yang berfungsi mempersiapkan, mengumpulkan, mengolah, menganalisis, menyimpan, menampilkan, mengumumkan, mengirimkan, dan/atau menyebarkan Informasi Elektronik.

6. Penyelenggaraan Sistem Elektronik adalah pemanfaatan Sistem Elektronik oleh penyelenggara negara, Orang, Badan Usaha, dan/atau masyarakat.
7. Jaringan Sistem Elektronik adalah terhubungnya dua Sistem Elektronik atau lebih, yang bersifat tertutup ataupun terbuka.
8. Agen Elektronik adalah perangkat dari suatu Sistem Elektronik yang dibuat untuk melakukan suatu tindakan terhadap suatu Informasi Elektronik tertentu secara otomatis yang diselenggarakan oleh Orang.
9. Sertifikat Elektronik adalah sertifikat yang bersifat elektronik yang memuat Tanda Tangan Elektronik dan identitas yang menunjukkan status subjek hukum para pihak dalam Transaksi Elektronik yang dikeluarkan oleh Penyelenggara Sertifikasi Elektronik.
10. Penyelenggara Sertifikasi Elektronik adalah badan hukum yang berfungsi sebagai pihak yang layak dipercaya, yang memberikan dan mengaudit Sertifikat Elektronik.
11. Lembaga Sertifikasi Keandalan adalah lembaga independen yang dibentuk oleh profesional yang diakui, disahkan, dan diawasi oleh Pemerintah dengan kewenangan mengaudit dan mengeluarkan sertifikat keandalan dalam Transaksi Elektronik.
12. Tanda Tangan Elektronik adalah tanda tangan yang terdiri atas Informasi Elektronik yang dilekatkan, terasosiasi atau terkait dengan Informasi Elektronik lainnya yang digunakan sebagai alat verifikasi dan autentikasi.
13. Penanda Tangan adalah subjek hukum yang terasosiasikan atau terkait dengan Tanda Tangan Elektronik.
14. Komputer adalah alat untuk memproses data elektronik, magnetik, optik, atau sistem yang melaksanakan fungsi logika, aritmatika, dan penyimpanan.
15. Akses adalah kegiatan melakukan interaksi dengan Sistem Elektronik yang berdiri sendiri atau dalam jaringan.
16. Kode Akses adalah angka, huruf, simbol, karakter lainnya atau kombinasi di antaranya, yang merupakan kunci untuk dapat mengakses Komputer dan/atau Sistem Elektronik lainnya.
17. Kontrak Elektronik adalah perjanjian para pihak yang dibuat melalui Sistem Elektronik.
18. Pengirim adalah subjek hukum yang mengirimkan Informasi Elektronik dan/atau Dokumen Elektronik.
19. Penerima adalah subjek hukum yang menerima Informasi Elektronik dan/atau Dokumen Elektronik dari Pengirim.
20. Nama Domain adalah alamat internet penyelenggara negara, Orang, Badan Usaha, dan/atau masyarakat, yang dapat digunakan dalam berkomunikasi melalui internet, yang berupa kode atau susunan karakter yang bersifat unik untuk menunjukkan lokasi tertentu dalam internet.
21. Orang adalah orang perseorangan, baik warga negara Indonesia, warga negara asing, maupun badan hukum.
22. Badan Usaha adalah perusahaan perseorangan atau perusahaan persekutuan, baik yang berbadan hukum maupun yang tidak berbadan hukum.
23. Pemerintah adalah Menteri atau pejabat lainnya yang ditunjuk oleh Presiden.

Pasal 2

Undang-Undang ini berlaku untuk setiap Orang yang melakukan perbuatan hukum sebagaimana diatur dalam Undang-Undang ini, baik yang berada di wilayah hukum Indonesia maupun di luar wilayah hukum Indonesia, yang memiliki akibat hukum di wilayah hukum Indonesia dan/atau di luar wilayah hukum Indonesia dan merugikan kepentingan Indonesia.

BAB II

ASAS DAN TUJUAN

Pasal 3

Pemanfaatan Teknologi Informasi dan Transaksi Elektronik dilaksanakan berdasarkan asas kepastian hukum, manfaat, kehati-hatian, iktikad baik, dan kebebasan memilih teknologi atau netral teknologi.

Pasal 4

Pemanfaatan Teknologi Informasi dan Transaksi Elektronik dilaksanakan dengan tujuan untuk:

- a. mencerdaskan kehidupan bangsa sebagai bagian dari masyarakat informasi dunia;
- b. mengembangkan perdagangan dan perekonomian nasional dalam rangka meningkatkan kesejahteraan masyarakat;
- c. meningkatkan efektivitas dan efisiensi pelayanan publik;
- d. membuka kesempatan seluas-luasnya kepada setiap Orang untuk memajukan pemikiran dan kemampuan di bidang penggunaan dan pemanfaatan Teknologi Informasi seoptimal mungkin dan bertanggung jawab; dan
- e. memberikan rasa aman, keadilan, dan kepastian hukum bagi pengguna dan penyelenggara Teknologi Informasi.



BAB III

INFORMASI, DOKUMEN, DAN TANDA TANGAN ELEKTRONIK

Pasal 5

- (1) Informasi Elektronik dan/atau Dokumen Elektronik dan/atau hasil cetaknya merupakan alat bukti hukum yang sah.
- (2) Informasi Elektronik dan/atau Dokumen Elektronik dan/atau hasil cetaknya sebagaimana dimaksud pada ayat (1) merupakan perluasan dari alat bukti yang sah sesuai dengan Hukum Acara yang berlaku di Indonesia.
- (3) Informasi Elektronik dan/atau Dokumen Elektronik dinyatakan sah apabila menggunakan Sistem Elektronik sesuai dengan ketentuan yang diatur dalam Undang- Undang ini.
- (4) Ketentuan mengenai Informasi Elektronik dan/atau Dokumen Elektronik sebagaimana dimaksud pada ayat (1) tidak berlaku untuk:
 - a. surat yang menurut Undang-Undang harus dibuat dalam bentuk tertulis; dan
 - b. surat beserta dokumennya yang menurut Undang-Undang harus dibuat dalam bentuk akta notariil atau akta yang dibuat oleh pejabat pembuat akta.

Pasal 6

Dalam hal terdapat ketentuan lain selain yang diatur dalam Pasal 5 ayat (4) yang mensyaratkan bahwa suatu informasi harus berbentuk tertulis atau asli, Informasi Elektronik dan/atau Dokumen Elektronik dianggap sah sepanjang informasi yang tercantum di dalamnya dapat diakses, ditampilkan, dijamin keutuhannya, dan dapat dipertanggungjawabkan sehingga menerangkan suatu keadaan.

Pasal 7

Setiap Orang yang menyatakan hak, memperkuat hak yang telah ada, atau menolak hak Orang lain berdasarkan adanya Informasi Elektronik dan/atau Dokumen Elektronik harus memastikan bahwa Informasi Elektronik dan/atau Dokumen Elektronik yang ada padanya berasal dari Sistem Elektronik yang memenuhi syarat berdasarkan Peraturan Perundang- undangan.

Pasal 8

- (1) Kecuali diperjanjikan lain, waktu pengiriman suatu Informasi Elektronik dan/atau Dokumen Elektronik ditentukan pada saat Informasi Elektronik dan/atau Dokumen Elektronik telah dikirim dengan alamat yang benar oleh Pengirim ke suatu Sistem Elektronik yang ditunjuk atau dipergunakan Penerima dan telah memasuki Sistem Elektronik yang berada di luar kendali Pengirim.
- (2) Kecuali diperjanjikan lain, waktu penerimaan suatu Informasi Elektronik dan/atau Dokumen Elektronik ditentukan pada saat Informasi Elektronik dan/atau Dokumen Elektronik memasuki Sistem Elektronik di bawah kendali Penerima yang berhak.
- (3) Dalam hal Penerima telah menunjuk suatu Sistem Elektronik tertentu untuk menerima Informasi Elektronik, penerimaan terjadi pada saat Informasi Elektronik dan/atau Dokumen Elektronik memasuki Sistem Elektronik yang ditunjuk.
- (4) Dalam hal terdapat dua atau lebih sistem informasi yang digunakan dalam pengiriman atau penerimaan Informasi Elektronik dan/atau Dokumen Elektronik, maka:
 - a. waktu pengiriman adalah ketika Informasi Elektronik dan/atau Dokumen Elektronik memasuki sistem informasi pertama yang berada di luar kendali Pengirim;
 - b. waktu penerimaan adalah ketika Informasi Elektronik dan/atau Dokumen Elektronik memasuki sistem informasi terakhir yang berada di bawah kendali Penerima.

Pasal 9

Pelaku usaha yang menawarkan produk melalui Sistem Elektronik harus menyediakan informasi yang lengkap dan benar berkaitan dengan syarat kontrak, produsen, dan produk yang ditawarkan.

Pasal 10

- (1) Setiap pelaku usaha yang menyelenggarakan Transaksi Elektronik dapat disertifikasi oleh Lembaga Sertifikasi Keandalan.
- (2) Ketentuan mengenai pembentukan Lembaga Sertifikasi Keandalan sebagaimana dimaksud pada ayat (1) diatur dengan Peraturan Pemerintah.

Pasal 11

- (1) Tanda Tangan Elektronik memiliki kekuatan hukum dan akibat hukum yang sah selama memenuhi persyaratan sebagai berikut:
 - a. data pembuatan Tanda Tangan Elektronik terkait hanya kepada Penanda Tangan;

- b. data pembuatan Tanda Tangan Elektronik pada saat proses penandatanganan elektronik hanya berada dalam kuasa Penanda Tangan;
 - c. segala perubahan terhadap Tanda Tangan Elektronik yang terjadi setelah waktu penandatanganan dapat diketahui;
 - d. segala perubahan terhadap Informasi Elektronik yang terkait dengan Tanda Tangan Elektronik tersebut setelah waktu penandatanganan dapat diketahui;
 - e. terdapat cara tertentu yang dipakai untuk mengidentifikasi siapa Penandatanggannya; dan
 - f. terdapat cara tertentu untuk menunjukkan bahwa Penanda Tangan telah memberikan persetujuan terhadap Informasi Elektronik yang terkait.
- (2) Ketentuan lebih lanjut tentang Tanda Tangan Elektronik sebagaimana dimaksud pada ayat (1) diatur dengan Peraturan Pemerintah.

Pasal 12

- (1) Setiap Orang yang terlibat dalam Tanda Tangan Elektronik berkewajiban memberikan pengamanan atas Tanda Tangan Elektronik yang digunakannya.
- (2) Pengamanan Tanda Tangan Elektronik sebagaimana dimaksud pada ayat (1) sekurang- kurangnya meliputi:
 - a. sistem tidak dapat diakses oleh Orang lain yang tidak berhak;
 - b. Penanda Tangan harus menerapkan prinsip kehati-hatian untuk menghindari penggunaan secara tidak sah terhadap data terkait pembuatan Tanda Tangan Elektronik;
 - c. Penanda Tangan harus tanpa menunda-nunda, menggunakan cara yang dianjurkan oleh penyelenggara Tanda Tangan Elektronik ataupun cara lain yang layak dan sepatutnya harus segera memberitahukan kepada seseorang yang oleh Penanda Tangan dianggap memercayai Tanda Tangan Elektronik atau kepada pihak pendukung layanan Tanda Tangan Elektronik jika:
 1. Penanda Tangan mengetahui bahwa data pembuatan Tanda Tangan Elektronik telah dibobol; atau
 2. keadaan yang diketahui oleh Penanda Tangan dapat menimbulkan risiko yang berarti, kemungkinan akibat bobolnya data pembuatan Tanda Tangan Elektronik; dan
 - d. dalam hal Sertifikat Elektronik digunakan untuk mendukung Tanda Tangan Elektronik, Penanda Tangan harus memastikan kebenaran dan keutuhan semua informasi yang terkait dengan Sertifikat Elektronik tersebut.
- (3) Setiap Orang yang melakukan pelanggaran ketentuan sebagaimana dimaksud pada ayat (1), bertanggung jawab atas segala kerugian dan konsekuensi hukum yang timbul.

BAB IV

PENYELENGGARAAN SERTIFIKASI ELEKTRONIK DAN SISTEM ELEKTRONIK

Bagian Kesatu

Penyelenggaraan Sertifikasi Elektronik

Pasal 13

- (1) Setiap Orang berhak menggunakan jasa Penyelenggara Sertifikasi Elektronik untuk pembuatan Tanda Tangan Elektronik.
- (2) Penyelenggara Sertifikasi Elektronik harus memastikan keterkaitan suatu Tanda Tangan Elektronik dengan pemiliknya.
- (3) Penyelenggara Sertifikasi Elektronik terdiri atas:
 - a. Penyelenggara Sertifikasi Elektronik Indonesia; dan b. Penyelenggara Sertifikasi Elektronik asing.
- (4) Penyelenggara Sertifikasi Elektronik Indonesia berbadan hukum Indonesia dan berdomisili di Indonesia.
- (5) Penyelenggara Sertifikasi Elektronik asing yang beroperasi di Indonesia harus terdaftar di Indonesia.
- (6) Ketentuan lebih lanjut mengenai Penyelenggara Sertifikasi Elektronik sebagaimana dimaksud pada ayat (3) diatur dengan Peraturan Pemerintah.

Pasal 14

Penyelenggara Sertifikasi Elektronik sebagaimana dimaksud dalam Pasal 13 ayat (1) sampai dengan ayat (5) harus menyediakan informasi yang akurat, jelas, dan pasti kepada setiap pengguna jasa, yang meliputi:

- a. metode yang digunakan untuk mengidentifikasi Penanda Tangan;
- b. hal yang dapat digunakan untuk mengetahui data diri pembuat Tanda Tangan Elektronik; dan



- c. hal yang dapat digunakan untuk menunjukkan keberlakuan dan keamanan Tanda Tangan Elektronik.

Bagian Kedua

Penyelenggaraan Sistem Elektronik

Pasal 15

- (1) Setiap Penyelenggara Sistem Elektronik harus menyelenggarakan Sistem Elektronik secara andal dan aman serta bertanggung jawab terhadap beroperasinya Sistem Elektronik sebagaimana mestinya.
- (2) Penyelenggara Sistem Elektronik bertanggung jawab terhadap Penyelenggaraan Sistem Elektroniknya.
- (3) Ketentuan sebagaimana dimaksud pada ayat (2) tidak berlaku dalam hal dapat dibuktikan terjadinya keadaan memaksa, kesalahan, dan/atau kelalaian pihak pengguna Sistem Elektronik.

Pasal 16

- (1) Sepanjang tidak ditentukan lain oleh undang-undang tersendiri, setiap Penyelenggara Sistem Elektronik wajib mengoperasikan Sistem Elektronik yang memenuhi persyaratan minimum sebagai berikut:
 - a. dapat menampilkan kembali Informasi Elektronik dan/atau Dokumen Elektronik secara utuh sesuai dengan masa retensi yang ditetapkan dengan Peraturan Perundang-undangan;
 - b. dapat melindungi ketersediaan, keutuhan, keotentikan, kerahasiaan, dan keteraksesan Informasi Elektronik dalam Penyelenggaraan Sistem Elektronik tersebut;
 - c. dapat beroperasi sesuai dengan prosedur atau petunjuk dalam Penyelenggaraan Sistem Elektronik tersebut;
 - d. dilengkapi dengan prosedur atau petunjuk yang diumumkan dengan bahasa, informasi, atau simbol yang dapat dipahami oleh pihak yang bersangkutan dengan Penyelenggaraan Sistem Elektronik tersebut; dan
 - e. memiliki mekanisme yang berkelanjutan untuk menjaga kebaruan, kejelasan, dan kebertanggungjawaban prosedur atau petunjuk.
- (2) Ketentuan lebih lanjut tentang Penyelenggaraan Sistem Elektronik sebagaimana dimaksud pada ayat (1) diatur dengan Peraturan Pemerintah.

BAB V TRANSAKSI

ELEKTRONIK Pasal 17

- (1) Penyelenggaraan Transaksi Elektronik dapat dilakukan dalam lingkup publik ataupun privat.
- (2) Para pihak yang melakukan Transaksi Elektronik sebagaimana dimaksud pada ayat (1) wajib beriktikad baik dalam melakukan interaksi dan/atau pertukaran Informasi Elektronik dan/atau Dokumen Elektronik selama transaksi berlangsung.
- (3) Ketentuan lebih lanjut mengenai penyelenggaraan Transaksi Elektronik sebagaimana dimaksud pada ayat (1) diatur dengan Peraturan Pemerintah.

Pasal 18

- (1) Transaksi Elektronik yang dituangkan ke dalam Kontrak Elektronik mengikat para pihak. (2) Para pihak memiliki kewenangan untuk memilih hukum yang berlaku bagi Transaksi Elektronik internasional yang dibuatnya.
- (3) Jika para pihak tidak melakukan pilihan hukum dalam Transaksi Elektronik internasional, hukum yang berlaku didasarkan pada asas Hukum Perdata Internasional.
- (4) Para pihak memiliki kewenangan untuk menetapkan forum pengadilan, arbitrase, atau lembaga penyelesaian sengketa alternatif lainnya yang berwenang menangani sengketa yang mungkin timbul dari Transaksi Elektronik internasional yang dibuatnya.
- (5) Jika para pihak tidak melakukan pilihan forum sebagaimana dimaksud pada ayat (4), penetapan kewenangan pengadilan, arbitrase, atau lembaga penyelesaian sengketa alternatif lainnya yang berwenang menangani sengketa yang mungkin timbul dari transaksi tersebut, didasarkan pada asas Hukum Perdata Internasional.

Pasal 19

Para pihak yang melakukan Transaksi Elektronik harus menggunakan Sistem Elektronik yang disepakati.

Pasal 20

- (1) Kecuali ditentukan lain oleh para pihak, Transaksi Elektronik terjadi pada saat penawaran transaksi yang dikirim Pengirim telah diterima dan disetujui Penerima.
- (2) Persetujuan atas penawaran Transaksi Elektronik sebagaimana dimaksud pada ayat (1) harus dilakukan dengan pernyataan penerimaan secara elektronik.

Pasal 21

- (1) Pengirim atau Penerima dapat melakukan Transaksi Elektronik sendiri, melalui pihak yang dikuasakan olehnya, atau melalui Agen Elektronik.
- (2) Pihak yang bertanggung jawab atas segala akibat hukum dalam pelaksanaan Transaksi Elektronik sebagaimana dimaksud pada ayat (1) diatur sebagai berikut:
 - a. jika dilakukan sendiri, segala akibat hukum dalam pelaksanaan Transaksi Elektronik menjadi tanggung jawab para pihak yang bertransaksi;
 - b. jika dilakukan melalui pemberian kuasa, segala akibat hukum dalam pelaksanaan Transaksi Elektronik menjadi tanggung jawab pemberi kuasa; atau
 - c. jika dilakukan melalui Agen Elektronik, segala akibat hukum dalam pelaksanaan Transaksi Elektronik menjadi tanggung jawab penyelenggara Agen Elektronik.
- (3) Jika kerugian Transaksi Elektronik disebabkan gagal beroperasinya Agen Elektronik akibat tindakan pihak ketiga secara langsung terhadap Sistem Elektronik, segala akibat hukum menjadi tanggung jawab penyelenggara Agen Elektronik.
- (4) Jika kerugian Transaksi Elektronik disebabkan gagal beroperasinya Agen Elektronik akibat kelalaian pihak pengguna jasa layanan, segala akibat hukum menjadi tanggung jawab pengguna jasa layanan.
- (5) Ketentuan sebagaimana dimaksud pada ayat (2) tidak berlaku dalam hal dapat dibuktikan terjadinya keadaan memaksa, kesalahan, dan/atau kelalaian pihak pengguna Sistem Elektronik.

Pasal 22

- (1) Penyelenggara Agen Elektronik tertentu harus menyediakan fitur pada Agen Elektronik yang dioperasikannya yang memungkinkan penggunanya melakukan perubahan informasi yang masih dalam proses transaksi.
- (2) Ketentuan lebih lanjut mengenai penyelenggara Agen Elektronik tertentu sebagaimana dimaksud pada ayat (1) diatur dengan Peraturan Pemerintah.

BAB VI NAMA DOMAIN, HAK KEKAYAAN INTELEKTUAL, DAN PERLINDUNGAN HAK PRIBADI

Pasal 23

- (1) Setiap penyelenggara negara, Orang, Badan Usaha, dan/atau masyarakat berhak memiliki Nama Domain berdasarkan prinsip pendaftar pertama.
- (2) Pemilikan dan penggunaan Nama Domain sebagaimana dimaksud pada ayat (1) harus didasarkan pada iktikad baik, tidak melanggar prinsip persaingan usaha secara sehat, dan tidak melanggar hak Orang lain.
- (3) Setiap penyelenggara negara, Orang, Badan Usaha, atau masyarakat yang dirugikan karena penggunaan Nama Domain secara tanpa hak oleh Orang lain, berhak mengajukan gugatan pembatalan Nama Domain dimaksud.

Pasal 24

- (1) Pengelola Nama Domain adalah Pemerintah dan/atau masyarakat.
- (2) Dalam hal terjadi perselisihan pengelolaan Nama Domain oleh masyarakat, Pemerintah berhak mengambil alih sementara pengelolaan Nama Domain yang diperselisihkan.
- (3) Pengelola Nama Domain yang berada di luar wilayah Indonesia dan Nama Domain yang diregistrasinya diakui keberadaannya sepanjang tidak bertentangan dengan Peraturan Perundang-undangan.
- (4) Ketentuan lebih lanjut mengenai pengelolaan Nama Domain sebagaimana dimaksud pada ayat (1), ayat (2), dan ayat (3) diatur dengan Peraturan Pemerintah.

Pasal 25

Informasi Elektronik dan/atau Dokumen Elektronik yang disusun menjadi karya intelektual, situs internet, dan karya intelektual yang ada di dalamnya dilindungi sebagai Hak Kekayaan Intelektual berdasarkan ketentuan Peraturan Perundang-undangan.

Pasal 26

- (1) Kecuali ditentukan lain oleh Peraturan Perundang-undangan, penggunaan setiap informasi melalui media elektronik yang menyangkut data pribadi seseorang harus dilakukan atas persetujuan Orang yang bersangkutan.
- (2) Setiap Orang yang melanggar haknya sebagaimana dimaksud pada ayat (1) dapat mengajukan gugatan atas kerugian yang ditimbulkan berdasarkan Undang-Undang ini.

BAB VII PERBUATAN YANG DILARANG

Pasal 27

- (1) Setiap Orang dengan sengaja dan tanpa hak mendistribusikan dan/atau mentransmisikan dan/atau membuat dapat diaksesnya Informasi Elektronik dan/atau Dokumen Elektronik yang memiliki muatan yang melanggar kesusilaan.
- (2) Setiap Orang dengan sengaja dan tanpa hak mendistribusikan dan/atau mentransmisikan dan/atau membuat dapat diaksesnya Informasi Elektronik dan/atau Dokumen Elektronik yang memiliki muatan perjudian.
- (3) Setiap Orang dengan sengaja dan tanpa hak mendistribusikan dan/atau mentransmisikan dan/atau membuat dapat diaksesnya Informasi Elektronik dan/atau Dokumen Elektronik yang memiliki muatan penghinaan dan/atau pencemaran nama baik.
- (4) Setiap Orang dengan sengaja dan tanpa hak mendistribusikan dan/atau mentransmisikan dan/atau membuat dapat diaksesnya Informasi Elektronik dan/atau Dokumen Elektronik yang memiliki muatan pemerasan dan/atau pengancaman.

Pasal 28

- (1) Setiap Orang dengan sengaja dan tanpa hak menyebarkan berita bohong dan menyesatkan yang mengakibatkan kerugian konsumen dalam Transaksi Elektronik.
- (2) Setiap Orang dengan sengaja dan tanpa hak menyebarkan informasi yang ditujukan untuk menimbulkan rasa kebencian atau permusuhan individu dan/atau kelompok masyarakat tertentu berdasarkan atas suku, agama, ras, dan antargolongan (SARA).

Pasal 29

Setiap Orang dengan sengaja dan tanpa hak mengirimkan Informasi Elektronik dan/atau Dokumen Elektronik yang berisi ancaman kekerasan atau menakutkan yang ditujukan secara pribadi.

Pasal 30

- (1) Setiap Orang dengan sengaja dan tanpa hak atau melawan hukum mengakses Komputer dan/atau Sistem Elektronik milik Orang lain dengan cara apa pun.
- (2) Setiap Orang dengan sengaja dan tanpa hak atau melawan hukum mengakses Komputer dan/atau Sistem Elektronik dengan cara apa pun dengan tujuan untuk memperoleh Informasi Elektronik dan/atau Dokumen Elektronik.
- (3) Setiap Orang dengan sengaja dan tanpa hak atau melawan hukum mengakses Komputer dan/atau Sistem Elektronik dengan cara apa pun dengan melanggar, menerobos, melampaui, atau menjebol sistem pengamanan.

Pasal 31

- (1) Setiap Orang dengan sengaja dan tanpa hak atau melawan hukum melakukan intersepsi atau penyadapan atas Informasi Elektronik dan/atau Dokumen Elektronik dalam suatu Komputer dan/atau Sistem Elektronik tertentu milik Orang lain.
- (2) Setiap Orang dengan sengaja dan tanpa hak atau melawan hukum melakukan intersepsi atas transmisi Informasi Elektronik dan/atau Dokumen Elektronik yang tidak bersifat publik dari, ke, dan di dalam suatu Komputer dan/atau Sistem Elektronik tertentu milik Orang lain, baik yang tidak menyebabkan perubahan apa pun maupun yang menyebabkan adanya perubahan, penghilangan, dan/atau penghentian Informasi Elektronik dan/atau Dokumen Elektronik yang sedang ditransmisikan.
- (3) Kecuali intersepsi sebagaimana dimaksud pada ayat (1) dan ayat (2), intersepsi yang dilakukan dalam rangka penegakan hukum atas permintaan kepolisian, kejaksaan, dan/atau institusi penegak hukum lainnya yang ditetapkan berdasarkan undang-undang.
- (4) Ketentuan lebih lanjut mengenai tata cara intersepsi sebagaimana dimaksud pada ayat (3) diatur dengan Peraturan Pemerintah.



Pasal 32

- (1) Setiap Orang dengan sengaja dan tanpa hak atau melawan hukum dengan cara apa pun mengubah, menambah, mengurangi, melakukan transmisi, merusak, menghilangkan, memindahkan, menyembunyikan suatu Informasi Elektronik dan/atau Dokumen Elektronik milik Orang lain atau milik publik.
- (2) Setiap Orang dengan sengaja dan tanpa hak atau melawan hukum dengan cara apa pun memindahkan atau mentransfer Informasi Elektronik dan/atau Dokumen Elektronik kepada Sistem Elektronik Orang lain yang tidak berhak.
- (3) Terhadap perbuatan sebagaimana dimaksud pada ayat (1) yang mengakibatkan terbukanya suatu Informasi Elektronik dan/atau Dokumen Elektronik yang bersifat rahasia menjadi dapat diakses oleh publik dengan keutuhan data yang tidak sebagaimana mestinya.

Pasal 33

Setiap Orang dengan sengaja dan tanpa hak atau melawan hukum melakukan tindakan apa pun yang berakibat terganggunya Sistem Elektronik dan/atau mengakibatkan Sistem Elektronik menjadi tidak bekerja sebagaimana mestinya.

Pasal 34

- (1) Setiap Orang dengan sengaja dan tanpa hak atau melawan hukum memproduksi, menjual, mengadakan untuk digunakan, mengimpor, mendistribusikan, menyediakan, atau memiliki:
 - a. perangkat keras atau perangkat lunak Komputer yang dirancang atau secara khusus dikembangkan untuk memfasilitasi perbuatan sebagaimana dimaksud dalam Pasal 27 sampai dengan Pasal 33;
 - b. sandi lewat Komputer, Kode Akses, atau hal yang sejenis dengan itu yang ditujukan agar Sistem Elektronik menjadi dapat diakses dengan tujuan memfasilitasi perbuatan sebagaimana dimaksud dalam Pasal 27 sampai dengan Pasal 33.
- (2) Tindakan sebagaimana dimaksud pada ayat (1) bukan tindak pidana jika ditujukan untuk melakukan kegiatan penelitian, pengujian Sistem Elektronik, untuk perlindungan Sistem Elektronik itu sendiri secara sah dan tidak melawan hukum.

Pasal 35

Setiap Orang dengan sengaja dan tanpa hak atau melawan hukum melakukan manipulasi, penciptaan, perubahan, penghilangan, pengrusakan Informasi Elektronik dan/atau Dokumen Elektronik dengan tujuan agar Informasi Elektronik dan/atau Dokumen Elektronik tersebut dianggap seolah-olah data yang otentik.

Pasal 36

Setiap Orang dengan sengaja dan tanpa hak atau melawan hukum melakukan perbuatan sebagaimana dimaksud dalam Pasal 27 sampai dengan Pasal 34 yang mengakibatkan kerugian bagi Orang lain.

Pasal 37

Setiap Orang dengan sengaja melakukan perbuatan yang dilarang sebagaimana dimaksud dalam Pasal 27 sampai dengan Pasal 36 di luar wilayah Indonesia terhadap Sistem Elektronik yang berada di wilayah yurisdiksi Indonesia.

BAB VIII PENYELESAIAN SENKGETA

Pasal 38

- (1) Setiap Orang dapat mengajukan gugatan terhadap pihak yang menyelenggarakan Sistem Elektronik dan/atau menggunakan Teknologi Informasi yang menimbulkan kerugian.
- (2) Masyarakat dapat mengajukan gugatan secara perwakilan terhadap pihak yang menyelenggarakan Sistem Elektronik dan/atau menggunakan Teknologi Informasi yang berakibat merugikan masyarakat, sesuai dengan ketentuan Peraturan Perundang-undangan.

Pasal 39

- (1) Gugatan perdata dilakukan sesuai dengan ketentuan Peraturan Perundang-undangan.
- (2) Selain penyelesaian gugatan perdata sebagaimana dimaksud pada ayat (1), para pihak dapat menyelesaikan sengketa melalui arbitrase, atau lembaga penyelesaian sengketa alternatif lainnya sesuai dengan ketentuan Peraturan Perundang-undangan.

BAB IX

PERAN PEMERINTAH DAN PERAN MASYARAKAT

Pasal 40

- (1) Pemerintah memfasilitasi pemanfaatan Teknologi Informasi dan Transaksi Elektronik sesuai dengan ketentuan Peraturan Perundang-undangan.
- (2) Pemerintah melindungi kepentingan umum dari segala jenis gangguan sebagai akibat penyalahgunaan Informasi Elektronik dan Transaksi Elektronik yang mengganggu ketertiban umum, sesuai dengan ketentuan Peraturan Perundang-undangan.
- (3) Pemerintah menetapkan instansi atau institusi yang memiliki data elektronik strategis yang wajib dilindungi.
- (4) Instansi atau institusi sebagaimana dimaksud pada ayat (3) harus membuat Dokumen Elektronik dan rekam cadang elektroniknya serta menghubungkannya ke pusat data tertentu untuk kepentingan pengamanan data.
- (5) Instansi atau institusi lain selain diatur pada ayat (3) membuat Dokumen Elektronik dan rekam cadang elektroniknya sesuai dengan keperluan perlindungan data yang dimilikinya.
- (6) Ketentuan lebih lanjut mengenai peran Pemerintah sebagaimana dimaksud pada ayat (1), ayat (2), dan ayat (3) diatur dengan Peraturan Pemerintah.

Pasal 41

- (1) Masyarakat dapat berperan meningkatkan pemanfaatan Teknologi Informasi melalui penggunaan dan Penyelenggaraan Sistem Elektronik dan Transaksi Elektronik sesuai dengan ketentuan Undang-Undang ini.
- (2) Peran masyarakat sebagaimana dimaksud pada ayat (1) dapat diselenggarakan melalui lembaga yang dibentuk oleh masyarakat.
- (3) Lembaga sebagaimana dimaksud pada ayat (2) dapat memiliki fungsi konsultasi dan mediasi.

BAB X

PENYIDIKAN

Pasal 42

Penyidikan terhadap tindak pidana sebagaimana dimaksud dalam Undang-Undang ini, dilakukan berdasarkan ketentuan dalam Hukum Acara Pidana dan ketentuan dalam Undang-Undang ini.

Pasal 43

- (1) Selain Penyidik Pejabat Polisi Negara Republik Indonesia, Pejabat Pegawai Negeri Sipil tertentu di lingkungan Pemerintah yang lingkup tugas dan tanggung jawabnya di bidang Teknologi Informasi dan Transaksi Elektronik diberi wewenang khusus sebagai penyidik sebagaimana dimaksud dalam Undang-Undang tentang Hukum Acara Pidana untuk melakukan penyidikan tindak pidana di bidang Teknologi Informasi dan Transaksi Elektronik.
- (2) Penyidikan di bidang Teknologi Informasi dan Transaksi Elektronik sebagaimana dimaksud pada ayat (1) dilakukan dengan memperhatikan perlindungan terhadap privasi, kerahasiaan, kelancaran layanan publik, integritas data, atau keutuhan data sesuai dengan ketentuan Peraturan Perundang-undangan.
- (3) Penggeledahan dan/atau penyitaan terhadap sistem elektronik yang terkait dengan dugaan tindak pidana harus dilakukan atas izin ketua pengadilan negeri setempat.
- (4) Dalam melakukan penggeledahan dan/atau penyitaan sebagaimana dimaksud pada ayat (3), penyidik wajib menjaga terpeliharanya kepentingan pelayanan umum.
- (5) Penyidik Pegawai Negeri Sipil sebagaimana dimaksud pada ayat (1) berwenang:
 - a. menerima laporan atau pengaduan dari seseorang tentang adanya tindak pidana berdasarkan ketentuan Undang-Undang ini;
 - b. memanggil setiap Orang atau pihak lainnya untuk didengar dan/atau diperiksa sebagai tersangka atau saksi sehubungan dengan adanya dugaan tindak pidana di bidang terkait dengan ketentuan Undang-Undang ini;
 - c. melakukan pemeriksaan atas kebenaran laporan atau keterangan berkenaan dengan tindak pidana berdasarkan ketentuan Undang-Undang ini;
 - d. melakukan pemeriksaan terhadap Orang dan/atau Badan Usaha yang patut diduga melakukan tindak pidana berdasarkan Undang-Undang ini;
 - e. melakukan pemeriksaan terhadap alat dan/atau sarana yang berkaitan dengan kegiatan Teknologi Informasi yang diduga digunakan untuk melakukan tindak pidana berdasarkan Undang-Undang ini;

- f. melakukan penggeledahan terhadap tempat tertentu yang diduga digunakan sebagai tempat untuk melakukan tindak pidana berdasarkan ketentuan Undang-Undang ini;
 - g. melakukan penyegelan dan penyitaan terhadap alat dan atau sarana kegiatan Teknologi Informasi yang diduga digunakan secara menyimpang dari ketentuan Peraturan Perundang-undangan;
 - h. meminta bantuan ahli yang diperlukan dalam penyidikan terhadap tindak pidana berdasarkan Undang-Undang ini; dan/atau
 - i. mengadakan penghentian penyidikan tindak pidana berdasarkan Undang-Undang ini sesuai dengan ketentuan hukum acara pidana yang berlaku.
- (6) Dalam hal melakukan penangkapan dan penahanan, penyidik melalui penuntut umum wajib meminta penetapan ketua pengadilan negeri setempat dalam waktu satu kali dua puluh empat jam.
- (7) Penyidik Pegawai Negeri Sipil sebagaimana dimaksud pada ayat (1) berkoordinasi dengan Penyidik Pejabat Polisi Negara Republik Indonesia memberitahukan dimulainya penyidikan dan menyampaikan hasilnya kepada penuntut umum.
- (8) Dalam rangka mengungkap tindak pidana Informasi Elektronik dan Transaksi Elektronik, penyidik dapat berkerja sama dengan penyidik negara lain untuk berbagi informasi dan alat bukti.

Pasal 44

Alat bukti penyidikan, penuntutan dan pemeriksaan di sidang pengadilan menurut ketentuan Undang-Undang ini adalah sebagai berikut:

- a. alat bukti sebagaimana dimaksud dalam ketentuan Perundang-undangan; dan
- b. alat bukti lain berupa Informasi Elektronik dan/atau Dokumen Elektronik sebagaimana dimaksud dalam Pasal 1 angka 1 dan angka 4 serta Pasal 5 ayat (1), ayat (2), dan ayat (3).

BAB XI KETENTUAN

PIDANA

Pasal 45

- (1) Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 27 ayat (1), ayat (2), ayat (3), atau ayat (4) dipidana dengan pidana penjara paling lama 6 (enam) tahun dan/atau denda paling banyak Rp1.000.000.000,00 (satu miliar rupiah).
- (2) Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 28 ayat (1) atau ayat (2) dipidana dengan pidana penjara paling lama 6 (enam) tahun dan/atau denda paling banyak Rp1.000.000.000,00 (satu miliar rupiah).
- (3) Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 29 dipidana dengan pidana penjara paling lama 12 (dua belas) tahun dan/atau denda paling banyak Rp2.000.000.000,00 (dua miliar rupiah).

Pasal 46

- (1) Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 30 ayat (1) dipidana dengan pidana penjara paling lama 6 (enam) tahun dan/atau denda paling banyak Rp600.000.000,00 (enam ratus juta rupiah).
- (2) Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 30 ayat (2) dipidana dengan pidana penjara paling lama 7 (tujuh) tahun dan/atau denda paling banyak Rp700.000.000,00 (tujuh ratus juta rupiah).
- (3) Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 30 ayat (3) dipidana dengan pidana penjara paling lama 8 (delapan) tahun dan/atau denda paling banyak Rp800.000.000,00 (delapan ratus juta rupiah).

Pasal 47

Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 31 ayat (1) atau ayat (2) dipidana dengan pidana penjara paling lama 10 (sepuluh) tahun dan/atau denda paling banyak Rp800.000.000,00 (delapan ratus juta rupiah).

Pasal 48

- (1) Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 32 ayat (1) dipidana dengan pidana penjara paling lama 8 (delapan) tahun dan/atau denda paling banyak Rp2.000.000.000,00 (dua miliar rupiah).



- (2) Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 32 ayat (2) dipidana dengan pidana penjara paling lama 9 (sembilan) tahun dan/atau denda paling banyak Rp3.000.000.000,00 (tiga miliar rupiah).
- (3) Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 32 ayat (3) dipidana dengan pidana penjara paling lama 10 (sepuluh) tahun dan/atau denda paling banyak Rp5.000.000.000,00 (lima miliar rupiah).

Pasal 49

Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 33, dipidana dengan pidana penjara paling lama 10 (sepuluh) tahun dan/atau denda paling banyak Rp10.000.000.000,00 (sepuluh miliar rupiah).

Pasal 50

Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 34 ayat (1) dipidana dengan pidana penjara paling lama 10 (sepuluh) tahun dan/atau denda paling banyak Rp10.000.000.000,00 (sepuluh miliar rupiah).

Pasal 51

- (1) Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 35 dipidana dengan pidana penjara paling lama 12 (dua belas) tahun dan/atau denda paling banyak Rp12.000.000.000,00 (dua belas miliar rupiah).
- (2) Setiap Orang yang memenuhi unsur sebagaimana dimaksud dalam Pasal 36 dipidana dengan pidana penjara paling lama 12 (dua belas) tahun dan/atau denda paling banyak Rp12.000.000.000,00 (dua belas miliar rupiah).

Pasal 52

- (1) Dalam hal tindak pidana sebagaimana dimaksud dalam Pasal 27 ayat (1) menyangkut kesucilaan atau eksploitasi seksual terhadap anak dikenakan pemberatan sepertiga dari pidana pokok.
- (2) Dalam hal perbuatan sebagaimana dimaksud dalam Pasal 30 sampai dengan Pasal 37 ditujukan terhadap Komputer dan/atau Sistem Elektronik serta Informasi Elektronik dan/atau Dokumen Elektronik milik Pemerintah dan/atau yang digunakan untuk layanan publik dipidana dengan pidana pokok ditambah sepertiga.
- (3) Dalam hal perbuatan sebagaimana dimaksud dalam Pasal 30 sampai dengan Pasal 37 ditujukan terhadap Komputer dan/atau Sistem Elektronik serta Informasi Elektronik dan/atau Dokumen Elektronik milik Pemerintah dan/atau badan strategis termasuk dan tidak terbatas pada lembaga pertahanan, bank sentral, perbankan, keuangan, lembaga internasional, otoritas penerbangan diancam dengan pidana maksimal ancaman pidana pokok masing-masing Pasal ditambah dua pertiga.
- (4) Dalam hal tindak pidana sebagaimana dimaksud dalam Pasal 27 sampai dengan Pasal 37 dilakukan oleh korporasi dipidana dengan pidana pokok ditambah dua pertiga.

BAB XII KETENTUAN

PERALIHAN

Pasal 53

Pada saat berlakunya Undang-Undang ini, semua Peraturan Perundang-undangan dan kelembagaan yang berhubungan dengan pemanfaatan Teknologi Informasi yang tidak bertentangan dengan Undang-Undang ini dinyatakan tetap berlaku.

BAB XIII KETENTUAN

PENUTUP

Pasal 54

- (1) Undang-Undang ini mulai berlaku pada tanggal diundangkan.
- (2) Peraturan Pemerintah harus sudah ditetapkan paling lama 2 (dua) tahun setelah diundangkannya Undang-Undang ini.



Agar setiap orang mengetahuinya, memerintahkan pengundangan Undang-Undang ini dengan penempatannya dalam Lembaran Negara Republik Indonesia.

Disahkan di Jakarta
pada tanggal 21 April 2008

PRESIDEN REPUBLIK INDONESIA,

ttd

DR. H. SUSILO BAMBANG YUDHOYONO

Diundangkan di Jakarta pada
tanggal 21 April 2008

**MENTERI HUKUM DAN HAK ASASI MANUSIA
REPUBLIK INDONESIA,**

ttd

**ANDI
MATTALATA**

LEMBARAN NEGARA REPUBLIK INDONESIA TAHUN 2008 NOMOR 58

Salinan sesuai dengan aslinya

**DEPUTI MENTERI SEKRETARIS NEGARA
BIDANG PERUNDANG-UNDANGAN,**

MUHAMMAD SAPTA MURTI



PENJELASAN
ATAS
UNDANG-UNDANG REPUBLIK INDONESIA
NOMOR 11 TAHUN 2008
TENTANG
INFORMASI DAN TRANSAKSI ELEKTRONIK

I. UMUM

Pemanfaatan Teknologi Informasi, media, dan komunikasi telah mengubah baik perilaku masyarakat maupun peradaban manusia secara global. Perkembangan teknologi informasi dan komunikasi telah pula menyebabkan hubungan dunia menjadi tanpa batas (*borderless*) dan menyebabkan perubahan sosial, ekonomi, dan budaya secara signifikan berlangsung demikian cepat. Teknologi Informasi saat ini menjadi pedang bermata dua karena selain memberikan kontribusi bagi peningkatan kesejahteraan, kemajuan, dan peradaban manusia, sekaligus menjadi sarana efektif perbuatan melawan hukum.

Saat ini telah lahir suatu rezim hukum baru yang dikenal dengan hukum siber atau hukum telematika. Hukum siber atau *cyber law*, secara internasional digunakan untuk istilah hukum yang terkait dengan pemanfaatan teknologi informasi dan komunikasi. Demikian pula, hukum telematika yang merupakan perwujudan dari konvergensi hukum telekomunikasi, hukum media, dan hukum informatika. Istilah lain yang juga digunakan adalah hukum teknologi informasi (*law of information technology*), hukum dunia maya (*virtual world law*), dan hukum mayantara. Istilah-istilah tersebut lahir mengingat kegiatan yang dilakukan melalui jaringan sistem komputer dan sistem komunikasi baik dalam lingkup lokal maupun global (Internet) dengan memanfaatkan teknologi informasi berbasis sistem komputer yang merupakan sistem elektronik yang dapat dilihat secara virtual. Permasalahan hukum yang seringkali dihadapi adalah ketika terkait dengan penyampaian informasi, komunikasi, dan/atau transaksi secara elektronik, khususnya dalam hal pembuktian dan hal yang terkait dengan perbuatan hukum yang dilaksanakan melalui sistem elektronik.

Yang dimaksud dengan sistem elektronik adalah sistem komputer dalam arti luas, yang tidak hanya mencakup perangkat keras dan perangkat lunak komputer, tetapi juga mencakup jaringan telekomunikasi dan/atau sistem komunikasi elektronik. Perangkat lunak atau program komputer adalah sekumpulan instruksi yang diwujudkan dalam bentuk bahasa, kode, skema, ataupun bentuk lain, yang apabila digabungkan dengan media yang dapat dibaca dengan komputer akan mampu membuat komputer bekerja untuk melakukan fungsi khusus atau untuk mencapai hasil yang khusus, termasuk persiapan dalam merancang instruksi tersebut.

Sistem elektronik juga digunakan untuk menjelaskan keberadaan sistem informasi yang merupakan penerapan teknologi informasi yang berbasis jaringan telekomunikasi dan media elektronik, yang berfungsi merancang, memproses, menganalisis, menampilkan, dan mengirimkan atau menyebarkan informasi elektronik. Sistem informasi secara teknis dan manajemen sebenarnya adalah perwujudan penerapan produk teknologi informasi ke dalam suatu bentuk organisasi dan manajemen sesuai dengan karakteristik kebutuhan pada organisasi tersebut dan sesuai dengan tujuan peruntukannya. Pada sisi yang lain, sistem informasi secara teknis dan fungsional adalah keterpaduan sistem antara manusia dan mesin yang mencakup komponen perangkat keras, perangkat lunak, prosedur, sumber daya manusia, dan substansi informasi yang dalam pemanfaatannya mencakup fungsi *input, process, output, storage, dan communication*.

Sehubungan dengan itu, dunia hukum sebenarnya sudah sejak lama memperluas penafsiran asas dan normanya ketika menghadapi persoalan kebendaan yang tidak berwujud, misalnya dalam kasus pencurian listrik sebagai perbuatan pidana. Dalam kenyataan kegiatan siber tidak lagi sederhana karena kegiatannya tidak lagi dibatasi oleh teritori suatu negara, yang mudah diakses kapan pun dan dari mana pun. Kerugian dapat terjadi baik pada pelaku transaksi maupun pada orang lain yang tidak pernah melakukan transaksi, misalnya pencurian dana kartu kredit melalui pembelanjaan di Internet. Di samping itu, pembuktian merupakan faktor yang sangat penting, mengingat informasi elektronik bukan saja belum terakomodasi dalam sistem hukum acara Indonesia secara komprehensif, melainkan juga ternyata sangat rentan untuk diubah, disadap, dipalsukan, dan dikirim ke berbagai penjuru dunia dalam waktu hitungan detik. Dengan demikian, dampak yang diakibatkannya pun bisa demikian kompleks dan rumit.

Permasalahan yang lebih luas terjadi pada bidang keperdataan karena transaksi elektronik untuk kegiatan perdagangan melalui sistem elektronik (*electronic commerce*) telah menjadi bagian dari perniagaan nasional dan internasional. Kenyataan ini menunjukkan bahwa konvergensi di bidang teknologi informasi, media, dan informatika (telematika) berkembang terus tanpa dapat dibendung, seiring dengan ditemukannya perkembangan baru di bidang teknologi informasi, media, dan komunikasi.

Kegiatan melalui media sistem elektronik, yang disebut juga ruang siber (*cyber space*), meskipun bersifat virtual dapat dikategorikan sebagai tindakan atau perbuatan hukum yang nyata. Secara yuridis kegiatan pada ruang siber tidak dapat didekati dengan ukuran dan kualifikasi hukum konvensional saja sebab jika cara ini yang ditempuh akan terlalu banyak kesulitan dan hal yang lolos dari pemberlakuan hukum. Kegiatan dalam ruang siber adalah kegiatan virtual yang berdampak sangat nyata meskipun alat buktinya bersifat elektronik.

Dengan demikian, subjek pelakunya harus dikualifikasikan pula sebagai Orang yang telah melakukan perbuatan hukum secara nyata. Dalam kegiatan *e-commerce* antara lain dikenal adanya dokumen elektronik yang kedudukannya disetarakan dengan dokumen yang dibuat di atas kertas.

Berkaitan dengan hal itu, perlu diperhatikan sisi keamanan dan kepastian hukum dalam pemanfaatan teknologi informasi, media, dan komunikasi agar dapat berkembang secara optimal. Oleh karena itu, terdapat tiga pendekatan untuk menjaga keamanan di *cyber space*, yaitu pendekatan aspek hukum, aspek teknologi, aspek sosial, budaya, dan etika. Untuk mengatasi gangguan keamanan dalam penyelenggaraan sistem secara elektronik, pendekatan hukum bersifat mutlak karena tanpa kepastian hukum, persoalan pemanfaatan teknologi informasi menjadi tidak optimal.

II. PASAL DEMI PASAL

Pasal 1

Cukup jelas.

Pasal 2

Undang-Undang ini memiliki jangkauan yurisdiksi tidak semata-mata untuk perbuatan hukum yang berlaku di Indonesia dan/atau dilakukan oleh warga negara Indonesia, tetapi juga berlaku untuk perbuatan hukum yang dilakukan di luar wilayah hukum (yurisdiksi) Indonesia baik oleh warga negara Indonesia maupun warga negara asing atau badan hukum Indonesia maupun badan hukum asing yang memiliki akibat hukum di Indonesia, mengingat pemanfaatan Teknologi Informasi untuk Informasi Elektronik dan Transaksi Elektronik dapat bersifat lintas teritorial atau universal.

Yang dimaksud dengan “merugikan kepentingan Indonesia” adalah meliputi tetapi tidak terbatas pada merugikan kepentingan ekonomi nasional, perlindungan data strategis, harkat dan martabat bangsa, pertahanan dan keamanan negara, kedaulatan negara, warga negara, serta badan hukum Indonesia.

Pasal 3

“Asas kepastian hukum” berarti landasan hukum bagi pemanfaatan Teknologi Informasi dan Transaksi Elektronik serta segala sesuatu yang mendukung penyelenggaraannya yang mendapatkan pengakuan hukum di dalam dan di luar pengadilan.

“Asas manfaat” berarti asas bagi pemanfaatan Teknologi Informasi dan Transaksi Elektronik diupayakan untuk mendukung proses berinformasi sehingga dapat meningkatkan kesejahteraan masyarakat.

“Asas kehati-hatian” berarti landasan bagi pihak yang bersangkutan harus memperhatikan segenap aspek yang berpotensi mendatangkan kerugian, baik bagi dirinya maupun bagi pihak lain dalam pemanfaatan Teknologi Informasi dan Transaksi Elektronik.

“Asas iktikad baik” berarti asas yang digunakan para pihak dalam melakukan Transaksi Elektronik tidak bertujuan untuk secara sengaja dan tanpa hak atau melawan hukum mengakibatkan kerugian bagi pihak lain tanpa sepengetahuan pihak lain tersebut.

“Asas kebebasan memilih teknologi atau netral teknologi” berarti asas pemanfaatan Teknologi Informasi dan Transaksi Elektronik tidak terfokus pada penggunaan teknologi tertentu sehingga dapat mengikuti perkembangan pada masa yang akan datang.

Pasal 4

Cukup jelas.

Pasal 5

Ayat 1

Cukup jelas.

Ayat 2

Cukup jelas.

Ayat 3

Cukup jelas.

Ayat 4

Huruf a

Surat yang menurut undang-undang harus dibuat tertulis meliputi tetapi tidak terbatas pada surat berharga, surat yang berharga, dan surat yang digunakan dalam proses penegakan hukum acara perdata, pidana, dan administrasi negara.

Huruf b

Cukup jelas.

Pasal 6

Selama ini bentuk tertulis identik dengan informasi dan/atau dokumen yang tertuang di atas kertas semata, padahal pada hakikatnya informasi dan/atau dokumen dapat dituangkan ke dalam media apa saja, termasuk media elektronik. Dalam lingkup Sistem Elektronik, informasi yang asli dengan salinannya tidak relevan lagi untuk dibedakan sebab Sistem Elektronik pada dasarnya beroperasi dengan cara penggandaan yang mengakibatkan informasi yang asli tidak dapat dibedakan lagi dari salinannya.

Pasal 7

Ketentuan ini dimaksudkan bahwa suatu Informasi Elektronik dan/atau Dokumen Elektronik dapat digunakan sebagai alasan timbulnya suatu hak.

Pasal 8

Cukup jelas.

Pasal 9

Yang dimaksud dengan “informasi yang lengkap dan benar” meliputi:

- informasi yang memuat identitas serta status subjek hukum dan kompetensinya, baik sebagai produsen, pemasok, penyelenggara maupun perantara;
- informasi lain yang menjelaskan hal tertentu yang menjadi syarat sahnya perjanjian serta menjelaskan barang dan/atau jasa yang ditawarkan, seperti nama, alamat, dan deskripsi barang/jasa.

Pasal 10

Ayat (1)

Sertifikasi Keandalan dimaksudkan sebagai bukti bahwa pelaku usaha yang melakukan perdagangan secara elektronik layak berusaha setelah melalui penilaian dan audit dari badan yang berwenang. Bukti telah dilakukan Sertifikasi Keandalan ditunjukkan dengan adanya logo sertifikasi berupa *trust mark* pada laman (*home page*) pelaku usaha tersebut.

Ayat (2)

Cukup jelas.

Pasal 11

Ayat (1)

Undang-Undang ini memberikan pengakuan secara tegas bahwa meskipun hanya merupakan suatu kode, Tanda Tangan Elektronik memiliki kedudukan yang sama dengan tanda tangan manual pada umumnya yang memiliki kekuatan hukum dan akibat hukum.

Persyaratan sebagaimana dimaksud dalam Pasal ini merupakan persyaratan minimum yang harus dipenuhi dalam setiap Tanda Tangan Elektronik. Ketentuan ini membuka kesempatan seluas-luasnya kepada siapa pun untuk mengembangkan metode, teknik, atau proses pembuatan Tanda Tangan Elektronik.

Ayat (2)

Peraturan Pemerintah dimaksud, antara lain, mengatur tentang teknik, metode, sarana, dan proses pembuatan Tanda Tangan Elektronik.

Pasal 12

Cukup jelas.

Pasal 13

Cukup jelas.

Pasal 14

Informasi sebagaimana dimaksud dalam Pasal ini adalah informasi yang minimum harus dipenuhi oleh setiap penyelenggara Tanda Tangan Elektronik.

Pasal 15

Ayat (1)

“Andal” artinya Sistem Elektronik memiliki kemampuan yang sesuai dengan kebutuhan penggunaannya.

“Aman” artinya Sistem Elektronik terlindungi secara fisik dan nonfisik.

“Beroperasi sebagaimana mestinya” artinya Sistem Elektronik memiliki kemampuan sesuai dengan spesifikasinya.

Ayat (2)

“Bertanggung jawab” artinya ada subjek hukum yang bertanggung jawab secara hukum terhadap Penyelenggaraan Sistem Elektronik tersebut.

Ayat (3)

Cukup jelas.

Pasal 16

Cukup jelas.

Pasal 17

Ayat (1)

Undang-Undang ini memberikan peluang terhadap pemanfaatan Teknologi Informasi oleh penyelenggara negara, Orang, Badan Usaha, dan/atau masyarakat.

Pemanfaatan Teknologi Informasi harus dilakukan secara baik, bijaksana, bertanggung jawab, efektif, dan efisien agar dapat diperoleh manfaat yang sebesar-besarnya bagi masyarakat.

Ayat (2)

Cukup jelas.

Ayat (3)

Cukup jelas.

Pasal 18

Ayat (1)

Cukup jelas.

Ayat (2)

Pilihan hukum yang dilakukan oleh para pihak dalam kontrak internasional termasuk yang dilakukan secara elektronik dikenal dengan *choice of law*. Hukum ini mengikat sebagai hukum yang berlaku bagi kontrak tersebut.

Pilihan hukum dalam Transaksi Elektronik hanya dapat dilakukan jika dalam kontraknya terdapat unsur asing dan penerapannya harus sejalan dengan prinsip hukum perdata internasional (HPI).

Ayat (3)

Dalam hal tidak ada pilihan hukum, penetapan hukum yang berlaku berdasarkan prinsip atau asas hukum perdata internasional yang akan ditetapkan sebagai hukum yang berlaku pada kontrak tersebut.

Ayat (4)

Forum yang berwenang mengadili sengketa kontrak internasional, termasuk yang dilakukan secara elektronik, adalah forum yang dipilih oleh para pihak. Forum tersebut dapat berbentuk pengadilan, arbitrase, atau lembaga penyelesaian sengketa alternatif lainnya.

Ayat (5)

Dalam hal para pihak tidak melakukan pilihan forum, kewenangan forum berlaku berdasarkan prinsip atau asas hukum perdata internasional. Asas tersebut dikenal dengan asas tempat tinggal tergugat (*the basis of presence*) dan efektivitas yang menekankan pada tempat harta benda tergugat berada (*principle of effectiveness*).

Pasal 19

Yang dimaksud dengan “disepakati” dalam pasal ini juga mencakup disepakatinya prosedur yang terdapat dalam Sistem Elektronik yang bersangkutan.



Pasal 20

Ayat (1)

Transaksi Elektronik terjadi pada saat kesepakatan antara para pihak yang dapat berupa, antara lain pengecekan data, identitas, nomor identifikasi pribadi (*personal identification number/PIN*) atau sandi lewat (*password*).

Ayat (2)

Cukup jelas.

Pasal 21

Ayat (1)

Yang dimaksud dengan “dikuasakan” dalam ketentuan ini sebaiknya dinyatakan dalam surat kuasa. Ayat (2) Cukup jelas.

Ayat (3)

Cukup jelas.

Ayat (4)

Cukup jelas.

Ayat (5)

Cukup jelas.

Pasal 22

Ayat (1)

Yang dimaksud dengan “fitur” adalah fasilitas yang memberikan kesempatan kepada pengguna Agen Elektronik untuk melakukan perubahan atas informasi yang disampaikan, misalnya fasilitas pembatalan (*cancel*), edit, dan konfirmasi ulang.

Ayat (2)

Cukup jelas.

Pasal 23

Ayat (1)

Nama Domain berupa alamat atau jati diri penyelenggara negara, Orang, Badan Usaha, dan/atau masyarakat, yang perolehannya didasarkan pada prinsip pendaftar pertama (*first come first serve*).

Prinsip pendaftar pertama berbeda antara ketentuan dalam Nama Domain dan dalam bidang hak kekayaan intelektual karena tidak diperlukan pemeriksaan substantif, seperti pemeriksaan dalam pendaftaran merek dan paten.

Ayat (2)

Yang dimaksud dengan “melanggar hak Orang lain”, misalnya melanggar merek terdaftar, nama badan hukum terdaftar, nama Orang terkenal, dan nama sejenisnya yang pada intinya merugikan Orang lain.

Ayat (3)

Yang dimaksud dengan “penggunaan Nama Domain secara tanpa hak” adalah pendaftaran dan penggunaan Nama Domain yang semata-mata ditujukan untuk menghalangi atau menghambat Orang lain untuk menggunakan nama yang intuitif dengan keberadaan nama dirinya atau nama produknya, atau untuk mendompleng reputasi Orang yang sudah terkenal atau ternama, atau untuk menyesatkan konsumen.

Pasal 24

Cukup jelas.

Pasal 25

Informasi Elektronik dan/atau Dokumen Elektronik yang disusun dan didaftarkan sebagai karya intelektual, hak cipta, paten, merek, rahasia dagang, desain industri, dan sejenisnya wajib dilindungi oleh Undang- Undang ini dengan memperhatikan ketentuan Peraturan Perundang-undangan.

Pasal 26

Ayat (1)

Dalam pemanfaatan Teknologi Informasi, perlindungan data pribadi merupakan salah satu bagian dari hak pribadi (*privacy rights*). Hak pribadi mengandung pengertian sebagai berikut:

- Hak pribadi merupakan hak untuk menikmati kehidupan pribadi dan bebas dari segala macam gangguan.
- Hak pribadi merupakan hak untuk dapat berkomunikasi dengan Orang lain tanpa tindakan memata-matai.
- Hak pribadi merupakan hak untuk mengawasi akses informasi tentang kehidupan pribadi dan data seseorang.

Ayat (2)

Cukup jelas.

Pasal 27

Cukup jelas.

Pasal 28

Cukup jelas.

Pasal 29

Cukup jelas.

Pasal 30

Ayat (1)

Cukup jelas.

Ayat (2)

Secara teknis perbuatan yang dilarang sebagaimana dimaksud pada ayat ini dapat dilakukan, antara lain dengan:

- a. melakukan komunikasi, mengirimkan, memancarkan atau sengaja berusaha mewujudkan hal-hal tersebut kepada siapa pun yang tidak berhak untuk menerimanya; atau
- b. sengaja menghalangi agar informasi dimaksud tidak dapat atau gagal diterima oleh yang berwenang menerimanya di lingkungan pemerintah dan/atau pemerintah daerah.

Ayat (3)

Sistem pengamanan adalah sistem yang membatasi akses Komputer atau melarang akses ke dalam Komputer dengan berdasarkan kategorisasi atau klasifikasi pengguna beserta tingkatan kewenangan yang ditentukan.

Pasal 31

Ayat (1)

Yang dimaksud dengan “intersepsi atau penyadapan” adalah kegiatan untuk mendengarkan, merekam, membelokkan, mengubah, menghambat, dan/atau mencatat transmisi Informasi Elektronik dan/atau Dokumen Elektronik yang tidak bersifat publik, baik menggunakan jaringan kabel komunikasi maupun jaringan nirkabel, seperti pancaran elektromagnetis atau radio frekuensi.

Ayat (2)

Cukup jelas.

Ayat (3)

Cukup jelas.

Ayat (4)

Cukup jelas.

Pasal 32

Cukup jelas.

Pasal 33

Cukup jelas.

Pasal 34

Ayat (1)

Cukup jelas.

Ayat (2)

Yang dimaksud dengan “kegiatan penelitian” adalah penelitian yang dilaksanakan oleh lembaga penelitian yang memiliki izin.

Pasal 35

Cukup jelas.

Pasal 36

Cukup jelas.

Pasal 37

Cukup jelas.

Pasal 38

Cukup jelas.

Pasal 39

Cukup jelas.

Pasal 40

Cukup jelas.

Pasal 41

Ayat (1)

Cukup jelas.

Ayat (2)

Yang dimaksud dengan “lembaga yang dibentuk oleh masyarakat” merupakan lembaga yang bergerak di bidang teknologi informasi dan transaksi elektronik.

Ayat (3)

Cukup jelas.

Pasal 42

Cukup jelas.

Pasal 43

Ayat (1)

Cukup jelas.

Ayat (2)

Cukup jelas.

Ayat (3)

Cukup jelas.

Ayat (4)

Cukup jelas.

Huruf a

Huruf b Cukup jelas.

Huruf c Cukup jelas.

Huruf d Cukup jelas.

Huruf e Cukup jelas.

Huruf f Cukup jelas.

Huruf g Cukup jelas.

Huruf h Cukup jelas.

Yang dimaksud dengan “ahli” adalah seseorang yang memiliki keahlian khusus di bidang Teknologi

Informasi yang dapat dipertanggungjawabkan secara akademis maupun praktis mengenai

Huruf i pengetahuannya tersebut.

Ayat (6)

Cukup jelas



Cukup jelas.

Ayat (7)

Cukup jelas.

Ayat (8)

Cukup jelas.

Pasal 44

Cukup jelas.

Pasal 45

Cukup jelas.

Pasal 46

Cukup jelas.

Pasal 47

Cukup jelas.

Pasal 48

Cukup jelas.

Pasal 49

Cukup jelas.

Pasal 50

Cukup jelas.

Pasal 51

Cukup jelas.

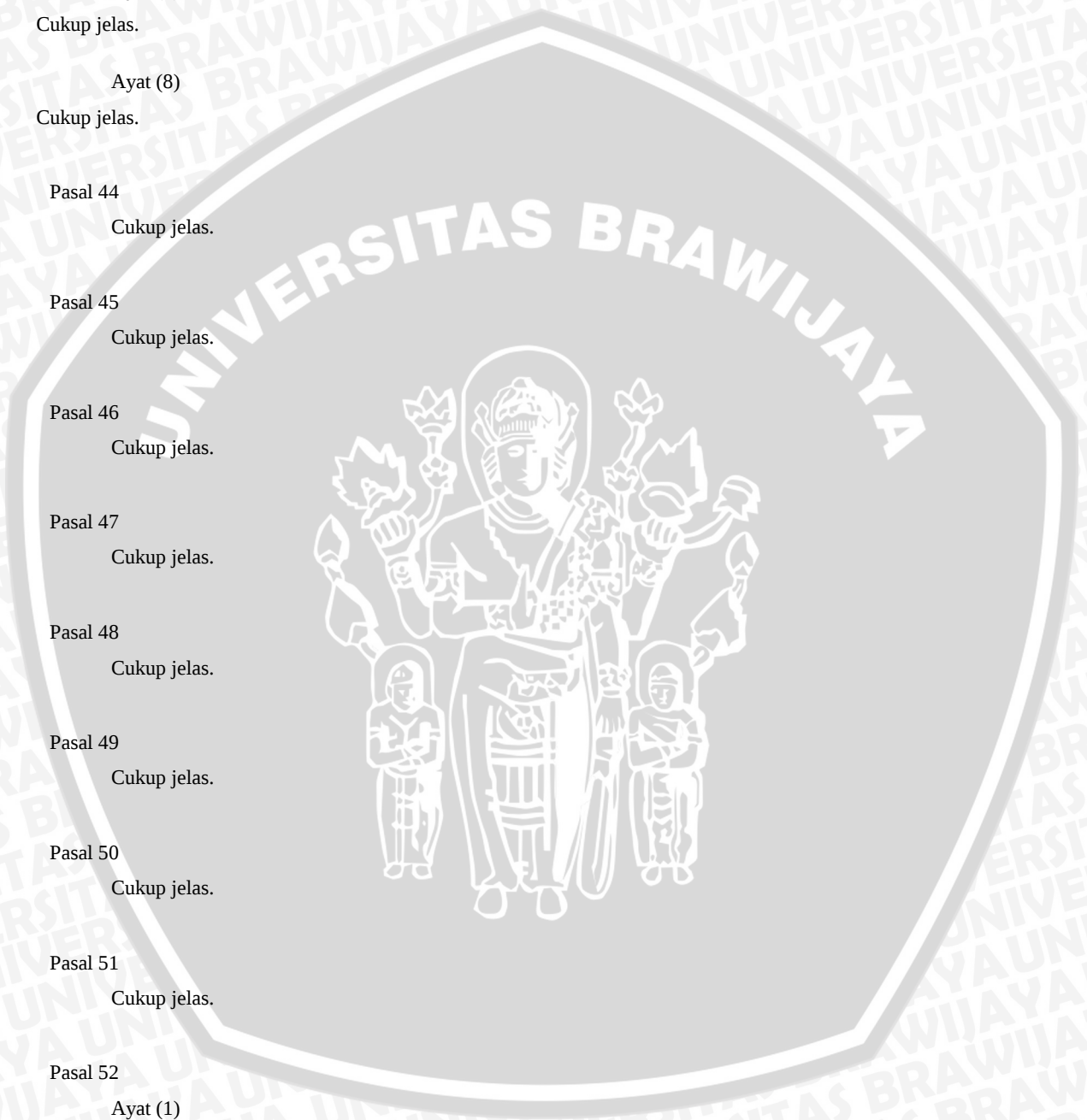
Pasal 52

Ayat (1)

Cukup jelas.

Ayat (2)

cukup jelas.



Ayat (3)

Cukup jelas.

Ayat (4)

Ketentuan ini dimaksudkan untuk menghukum setiap perbuatan melawan hukum yang memenuhi unsur sebagaimana dimaksud dalam Pasal 27 sampai dengan Pasal 37 yang dilakukan oleh korporasi (*corporate crime*) dan/atau oleh pengurus dan/atau staf yang memiliki kapasitas untuk:

- a. mewakili korporasi;
- b. mengambil keputusan dalam korporasi;
- c. melakukan pengawasan dan pengendalian dalam korporasi;
- d. melakukan kegiatan demi keuntungan korporasi.

Pasal 53

Cukup jelas.

Pasal 54

Cukup jelas.

TAMBAHAN LEMBARAN NEGARA REPUBLIK INDONESIA NOMOR 4843



PEMERINTAH KABUPATEN MALANG
BADAN KESATUAN BANGSA DAN POLITIK
Jalan KH. Agus Salim No. 7 Telp. (0341)366260 Fax. 366260
MALANG - 65119

SURAT KETERANGAN

Nomor: 072/ 352 /421.205/2015

Untuk melakukan Survey / Research / Penelitian / KKN / PKL / Magang

Menunjuk : Surat Dari Dekan Fakultas Ilmu Administrasi Universitas Brawijaya Malang No. 9657/UN10.3/PG/2015 Tanggal 01 Juli 2015 Perihal : Riset/Survey

Dengan ini kami **TIDAK KEBERATAN** dilaksanakannya kegiatan **Riset/Survey** oleh :

Nama / Instansi : Muhammad Ilham / Mhs. Fakultas Ilmu Administrasi
Universitas Brawijaya Malang
Alamat : Jl. MT. Haryono No. 163 Malang
Thema/Judul/Survey/Research : Sistem Kenaikan Pangkat Pegawai Negeri Sipil Melalui
Sistem Aplikasi Pelayanan Kepegawaian (SAPK) (Studi
pada Badan Kepegawaian Daerah Kabupaten Malang)
Daerah/tempat kegiatan : Badan Kepegawaian Daerah Kab. Malang
Lamanya : 05 Juli s.d. 05 September 2015
Pengikut : -

Dengan Ketentuan :

1. Mentaati ketentuan - ketentuan / Peraturan yang berlaku
2. Sesampainya ditempat supaya melapor kepada Pejabat setempat
3. Setelah selesai mengadakan kegiatan harap segera melapor kembali ke Bupati
Malang Cq. Kepala Badan Kesatuan Bangsa dan Politik Kabupaten Malang ;
4. Surat Keterangan ini tidak berlaku apabila tidak memenuhi ketentuan tersebut di atas

Malang, 06 Juli 2015

An. KEPALA BADAN KESBANG DAN POLITIK

KABUPATEN MALANG
Kabid Idhogg Witan Wasbang
Budiarto Hermawan SH.Msi
Pembina

TEMBUSAN :

Yth.

NIP : 19671204 199303 1 007

1. Sdr. Dekan Fakultas Ilmu Administrasi Universitas Brawijaya Malang
2. Sdr. Kepala Badan Kepegawaian Daerah Kab. Malang
3. Sdr. Mhs: Ybs
4. Arsip

CURICULLUM VITAE

A. Identity



Name : Muhammad Ilham
 Place, Date of Birth : Lamedai, May 31st, 1994
 Sex : Male
 Religion : Islam
 Address : Lamedai RT 001/ RW 001
 Tanggetada, Kolaka Regency,
 South East Sulawesi
 SIN : 115030100111104
 Department : Public Administration
 Faculty : Faculty of Administrative Science
 University : Brawijaya University
 Contact Person : +6285349858105
 E-mail : Muhammad_Ilham3771@yahoo.co.id

B. Formal Education

No	Formal Education	Years
1	SDN 1 Lamedai	1998-2004
2	MTs Almawaddah Warrahmah	2004-2007
3	MA Almawaddah Warrahmah	2007-2010

C. Organization Experience

No	Commissions	Division	Years
1	ASSET Kediri	Recruitment	2010-2011
2	EM UB	Information and Communication	2011-2012
3	BEM FIA UB	Human Resource Development	2012-2013
4	AEC FIA UB	Human Resource	2012-2013
6	IPPMak Malang	Secretaries	2014-2015

D. Committee Experience

No	Commissions	Division	Years
1	Peduli Pangan Peduli Posyandu (P4)	Society Relation	2011
2	2 nd English Parade	Liaison Officer	2011
3	PKK Maba FIA – PELOPOR	Mentor	2012
4	PK2 MU Raja Brawijaya	Korlap	2012
5	ASPA and IAPA Conference	Committee	2012

E. Internship Experience

No	Period	Division	Institution
1	July 31 – August 31, 2014	Communication and Information	BKD Malang

UNIVERSITAS BRAWIJAYA

