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REGULATION OF THE MINISTER OF TOURISM AND CREATIVE ECONOMY/
HEAD OF THE TOURISM AND CREATIVE ECONOMY AGENCY OF
THE REPUBLIC OF INDONESIA
NUMBER 5 OF 2021
ON
APPOINTMENT AND DISMISSAL OF THE DIRECTOR OF THE TOURISM
POLYTECHNIC IN THE MINISTRY OF TOURISM AND CREATIVE
ECONOMY/TOURISM AND CREATIVE ECONOMY AGENCY

BY THE BLESSINGS OF ALMIGHTY GOD

MINISTER OF TOURISM AND CREATIVE ECONOMY /
HEAD OF THE TOURISM AND CREATIVE ECONOMY AGENCY OF
THE REPUBLIC OF INDONESIA,

Considering : a. that the provisions regarding the appointment and dismissal of the Director of the Tourism Polytechnic as regulated in the Regulation of the Minister of Tourism Number 14 of 2019 on the Appointment and Dismissal of the Director of the Tourism Polytechnic in the Ministry of Tourism are no longer in accordance with the needs for the implementation and management of Tourism Colleges in the Ministry of Tourism and Creative Economy/Agency Tourism and Creative Economy need to be replaced;

- b. that based on the considerations as referred to in letter a, it is necessary to stipulate a Regulation of the Minister of Tourism and Creative Economy/Head of the Tourism and Creative Economy Agency on the Appointment and Dismissal of the Director of the Tourism Polytechnic in the Ministry of Tourism and Creative Economy/Tourism and Creative Economy Agency;

- Observing : 1. Article 17 section (3) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 20 of 2003 on the National Education System (State Gazette of the Republic of Indonesia of 2003 Number 78, Supplement to the State Gazette of the Republic of Indonesia Number 4301);
3. Law Number 39 of 2008 on State Ministry (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 4916);
4. Law Number 10 of 2009 on Tourism (State Gazette of the Republic of Indonesia of 2009 Number 11, Supplement to the State Gazette of the Republic of Indonesia Number 4966);
5. Law Number 12 of 2012 on Higher Education (State Gazette of the Republic of Indonesia of 2012 Number 158, Supplement to the State Gazette of the Republic of Indonesia Number 5336);
6. Government Regulation Number 4 of 2014 on the Implementation of Higher Education and Management of Higher Education (State Gazette of the Republic of Indonesia of 2014 Number 16, Supplement to the State Gazette of the Republic of Indonesia Number 5500);
7. Presidential Regulation Number 96 of 2019 on The Ministry of Tourism and Creative Economy (State Gazette of the Republic of Indonesia of 2019 Number 269);
8. Presidential Regulation Number 97 of 2019 on Tourism and Creative Economy Agency (State Gazette of the Republic of Indonesia of 2019 Number 270);

9. Regulation of the Minister of Tourism and Creative Economy/Head of the Tourism and Creative Economy Agency Number 1 of 2021 on Organization and Work Procedures of the Ministry of Tourism and Creative Economy/Tourism and Creative Economy Agency (State Bulletin of the Republic of Indonesia of 2021 Number 184);

HAS DECIDED:

To issue : REGULATION OF THE MINISTER OF TOURISM AND CREATIVE ECONOMY/HEAD OF THE TOURISM AND CREATIVE ECONOMY AGENCY ON APPOINTMENT AND DISMISSAL OF THE DIRECTOR OF THE TOURISM POLYTECHNIC IN THE MINISTRY OF TOURISM AND CREATIVE ECONOMY/TOURISM AND CREATIVE ECONOMY AGENCY.

CHAPTER I GENERAL PROVISIONS

Article 1

In this Ministerial Regulation:

1. Director means a Civil Servant Lecturer who is given additional duties to lead the Tourism Polytechnic.
2. Tourism Polytechnic, hereinafter referred to as Poltekpar, means a university under the Ministry of Tourism and Creative Economy/Tourism and Creative Economy Agency which organizes vocational education programs in the tourism sector.
3. Lecturers mean professional educators and scientists with the main task of transforming, developing, and disseminating science, technology and art through education, teaching, research and community service.
4. Ministry means the ministry that carries out government affairs in the tourism sector.
5. Minister means the minister who organizes government affairs in the tourism sector.

Article 2

- (1) Directors are appointed and dismissed by the Minister.
- (2) The Director is in charge of leading Poltekpar.

CHAPTER II

DIRECTOR APPOINTMENT REQUIREMENTS

Article 3

The requirements to be appointed as Director consist of:

- a. believe and fear God Almighty;
- b. a civil servant who has experience as a University Lecturer in the Ministry with the lowest academic position of lector;
- c. a maximum age of 60 (sixty) years at the start of registration;
- d. have managerial experience as head of department, head of center, director of postgraduate, or assistant/deputy director for a minimum of 2 (two) years or at least as administrator/echelon III.a official in the Ministry;
- e. physically and mentally healthy as stated in writing by a government doctor;
- f. free of narcotics, precursors, and other addictive substances;
- g. each element of the Employee Performance Target (SKP) assessment has the lowest good value in the last 2 (two) years;
- h. not currently undertake learning tasks stated in writing;
- i. have never served a moderate or severe disciplinary sentence;
- j. has never been sentenced to imprisonment based on a court decision that has permanent legal force;
- k. with a minimum education of Masters;
- l. never commit plagiarism as regulated in the provisions of laws and regulations; and
- m. has made a State Civil Apparatus Wealth Report or State Official Wealth Report in accordance with the provisions of the legislation.

CHAPTER III
DIRECTOR APPOINTMENT

Article 4

- (1) The appointment of a Director is carried out if there is a vacancy for the position of a Director.
- (2) The position vacancies as referred to in section (1) occur because:
 - a. establishment of Poltekpar; or
 - b. Director resigns from office because the term of office ends.
- (3) The appointment of a Director as referred to in section (1) is carried out through the following procedures:
 - a. appointment;
 - b. talent management; or
 - c. selection.

Article 5

- (1) The appointment of a Director through the appointment procedure as referred to in Article 4 section (3) letter a is carried out by the Minister.
- (2) In the process of the appointment as referred to in section (1), the Minister may request a proposal for a candidate for Director from the Permanent Secretary of the Ministry/Permanent Secretary of the Agency.

Article 6

The appointment of a Director through talent management procedures as referred to in Article 4 section (3) letter b is carried out in accordance with the provisions of the legislation.

Article 7

- (1) The appointment of a Director through the selection procedure as referred to in Article 4 section (3) letter c is carried out by a selection committee formed by the Minister.

- (2) The selection committee as referred to in section (1) is in charge of carrying out the process of selecting candidates for Director.
- (3) In carrying out the tasks as referred to in section (2), the selection committee is assisted by a secretariat from the bureau in charge of human resource functions.
- (4) The selection committee is odd in number and consists of at least 5 (five) people consisting of:
 - a. Vice Minister as chairman and concurrently member;
 - b. Permanent Secretary of the Ministry/Permanent Secretary of the Agency as a member;
 - c. Head Inspector as a member;
 - d. Deputy in charge of the function of human resources as a member; and
 - e. other members appointed by the Minister.

Article 8

The selection as referred to in Article 4 section (3) letter c is carried out through the following stages:

- a. administrative selection;
- b. competency test; and
- c. Director candidate recommendation.

Article 9

- (1) The administrative selection as referred to in Article 8 letter a begins with registration.
- (2) The registration as referred to in section (1) is carried out no later than 3 (three) months before the Director's term of office ends.
- (3) The registration as referred to in section (2) is open for 10 (ten) working days.
- (4) The announcement of the registration as referred to in section (3) is made through the official website of the Ministry.
- (5) The procedure for registration is determined by the chairman of the selection committee.

Article 10

- (1) The administrative selection as referred to in Article 8 letter a is carried out by checking and verifying the completeness of the documents.
- (2) The administrative selection procedure is determined by the chairman of the selection committee.

Article 11

- (1) The competency test as referred to in Article 8 letter b is carried out on the candidate for Director who is declared to have passed the administrative selection.
- (2) The competency test as referred to in section (1) includes the competence of:
 - a. technical;
 - b. managerial;
 - c. and socio-cultural.
- (3) In carrying out the competency test as referred to in section (2), the selection committee may be assisted by an independent institution.
- (4) The procedure for the competency test is determined by the chairman of the selection committee.

Article 12

- (1) The selection committee submits recommendations for at least 3 (three) Director candidates who have passed the selection to the Minister.
- (2) The Minister searches the track record of the candidate for Director as referred to in section (1) through the performance appraisal team.
- (3) The performance appraisal team as referred to in section (2) is formed by the Minister.
- (4) The Minister may choose 1 (one) candidate for Director as referred to in section (1) to be appointed as Director.

CHAPTER IV

LENGTH OF SERVICE

Article 13

The Length of Service of the Director is 4 (four) years and can be reappointed for 1 (one) term of office.

Article 14

In the event that the length of service of the Director ends and a new Director has not been appointed, the Minister may determine the extension of the length of service of the Director for a maximum of 1 (one) year or appoint an executor for a period of 3 (three) months and may be extended again for a maximum of 3 (three) months.

CHAPTER V DIRECTOR DISMISSAL

Article 15

Director is dismissed from office because:

- a. his/her length of service ends;
- b. he/she is 65 (sixty-five) years old;
- c. permanent absence;
- d. resign;
- e. appointed in a high leadership or administrative position;
- f. sentenced to a severe level of discipline;
- g. undergoing study assignments for more than 6 (six) months;
- h. leave outside the state responsibility; or
- i. underperforming based on the assessment of the performance appraisal team.

Article 16

The dismissal of a Director due to his permanent absence as referred to in Article 15 letter c shall be carried out if the relevant Director:

- a. dies;
- b. is having an incurable illness proven by the minutes of the health examination team;
- c. resigns from a civil servant at his own request;

- d. dismissed from civil servants; or
- e. sentenced to imprisonment based on a court decision which has permanent legal force.

Article 17

- (1) The dismissal of a Director as referred to in Article 15 and Article 16 is carried out by the Minister.
- (2) In the event of dismissal of a Director before his/her length of service ends, the Minister shall appoint one of the assistants/deputy directors or lecturers who meet the requirements as referred to in Article 3 as Director.
- (3) The Director as referred to in section (2) carries out his duties until the previous Director's length of service ends.

Article 18

In the event that the Director is temporarily absent for any reason and is unable to carry out his/her duties, the Director appoints one of the assistants/deputy directors as the daily executive.

CHAPTER VI

CLOSING PROVISION

Article 19

At the time this Ministerial Regulation comes into force, the Regulation of the Minister of Tourism Number 14 of 2019 on the Appointment and Dismissal of the Director of the Tourism Polytechnic in the Ministry of Tourism (State Gazette of the Republic of Indonesia of 2019 Number 1247), is repealed and declared ineffective.

Article 20

This Ministerial Regulation comes into force on the date of its promulgation.

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

Enacted in Jakarta

On 5 Mei 2021

MINISTER OF TOURISM AND CREATIVE
ECONOMY/HEAD OF THE TOURISM AND
CREATIVE ECONOMY AGENCY OF THE
REPUBLIC OF INDONESIA,

Signed

SANDIAGA SALAHUDDIN UNO

Promulgated in Jakarta

On 18 Mei 2021

DIRECTOR GENERAL OF LEGISLATION OF
THE MINISTRY OF LAW AND HUMAN
RIGHTS
OF THE REPUBLIC OF INDONESIA,

Signed

WIDODO EKATJAHJANA

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2021 NUMBER 502