

LAW OF THE REPUBLIC OF INDONESIA
NUMBER 12 YEAR 2012
ON
HIGHER EDUCATION

WITH GOD'S MERCY
PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering:
- a. That the 1945 Constitution of the Republic of Indonesia mandates that the Government develop and implement a national education system to improve faith, devoutness and morals in the framework of developing the intellectual life of the nation and advancing science and technology by upholding religious values and national integrity for better civilization and welfare of mankind;
 - b. That higher education as part of the national education system plays a strategic role in developing the intellectual life of the nation and advancing science and technology by taking into account and applying the sustainable humanities and cultivating and empowering Indonesian people;
 - c. That to increase the national competitiveness in the face of globalization in all sectors, higher education is needed to develop science and technology and produce intellectuals, scientists and/or professionals who are cultured and creative, tolerant, democratic, of strong character, and brave to defend the truth in the interest of the nation;
 - d. That to achieve affordability and equal distribution of good quality higher education relevant to the public interest in development, self-reliance and welfare, it is necessary to plan higher education in a planned, guided and sustainable way taking into account demography and geography;
 - e. That to ensure the delivery of higher education, it is necessary to issue a regulatory framework to provide legal basis and assurance;
 - f. That for the reasons in items a, b, c, d and e, it is necessary to establish a Law on Higher Education;

Recalling: Sections 20, 21 and 31 of the 1945 Constitution of the Republic of Indonesia;

By Agreement Between
HOUSE OF PEOPLE'S REPRESENTATIVES OF THE REPUBLIC OF INDONESIA
And
PRESIDENT OF THE REPUBLIC OF INDONESIA
HAS DECIDED:

To establish: LAW ON HIGHER EDUCATION.

CHAPTER I
GENERAL PROVISIONS
Section 1

In this Law, the following terms have the meanings specified as follows:

1. Education is a deliberate and planned attempt to create a study atmosphere and provide learning in order that students may actively develop themselves to have spiritual and religious strength, self-control, personality, intelligence, morals, and skills needed by themselves, the community, the nation and the state.
2. Higher Education is the education level following secondary education and includes diploma programs, bachelor's degree program, master's degree program, doctoral degree program and professional program, and specialist program provided by tertiary education institutions based on Indonesian culture.
3. Science is knowledge explored, prepared and developed systematically using a specific approach, based on a scientific methodology to explain certain natural and/or social phenomena.
4. Technology is application and use of various branches of science to produce value for satisfaction of needs and survival and improvement of human life.
5. Humanities are academic disciplines that study the intrinsic value of humanity.
6. Tertiary Educational Institution is an educational unit that provides higher education.
7. Public Tertiary Educational Institution, hereinafter called PTN, is a tertiary educational institution established and/or run by the Government.
8. Private Tertiary Educational Institution, hereinafter called PTS, is a tertiary educational institution established and/or run by the community.
9. Tertiary Education Institution's Tridharma, hereinafter called Tridharma, is the institution's obligation to provide education, research and public dedication.
10. Research is an activity carried out systematically according to scientific principles and methods to obtain information and data on understanding and/or testing of a branch of science and technology.
11. Public dedication is an academic *civitas* activity utilizing science and technology to enhance social welfare and develop the intellectual life of the nation.
12. Learning is a process of interaction between students and their lecturers and study sources in a study environment.
13. Academic *Civitas* is a society of academicians composed of lecturers and students.
14. Lecturer is a professional educator and a scientist with the main task of transforming, developing and disseminating science and technology through education, research and public dedication.
15. Student is a student at the higher education level.
16. Community is a non-governmental group of Indonesian citizens having an interest and a role in higher education.
17. Study Program is a unit of education and learning activities that have a specific curriculum and learning method in academic education, professional education and/or vocational education.
18. National Higher Education Standards include national education standards and research standards and public dedication standards.
19. Government refers to the Central Government.
20. Regional Government refers to provincial government, regency government or municipal government.
21. Ministry is a government instrument performing the government function in education.
22. Other Ministries are government instruments performing non-educational government functions.
23. Non-Ministerial Government Agency, hereinafter called LPNK, is a central government agency that performs specific government tasks.
24. Minister is an assistant to the President and leads the education ministry.

Higher Education is based on *Pancasila*, the 1945 Constitution of the Republic of Indonesia, the Unitary State of the Republic of Indonesia and the Unity in Diversity (*Bhinneka Tunggal Ika*).

Section 3

Higher Education is based on:

- a. Scientific truth;
- b. Reasoning;
- c. Honesty;
- d. Equality;
- e. Benefit;
- f. Virtue;
- g. Responsibility;
- h. Diversity; and
- i. Affordability.

Section 4

The functions of Higher Education are:

- a. To develop capacity and build character and civilization of the dignified nation in developing the intellectual life of the nation;
- b. To develop innovative, responsive, creative, skilled, competitive and cooperative academic civitas by implementing Tridharma; and
- c. To develop science and technology by taking into account and applying the value of the Humanities.

Section 5

The objectives of Higher Education are:

- a. To develop the potential of students to be faithful and devout, morally good, healthy, educated, qualified, creative, self-reliant, skilled, competent and cultured in the national interest;
- b. To produce graduates proficient in branches of science and/or technology to meet the national interest and improve the competitiveness of the nation;
- c. To generate science and technology through research taking into account and applying the value of the Humanities useful for national development, better civilization and welfare of mankind; and
- d. To provide public dedication based on reasoning and Research work useful for promoting public welfare and developing the intellectual life of the nation.

CHAPTER II

HIGHER EDUCATION DELIVERY

Part One

Principles and Responsibilities for Higher Education Delivery

Section 6

Higher Education is delivered on the principles of:

- a. Search for scientific truth by the Academic *Civitas*;
- b. Democracy and justice, and non-discrimination by holding high human rights, religious values, cultural values, plurality, unity and integrity of the nation;

- c. Development of academic culture and cultivation of reading and writing activities for the *Academic Civitas*;
- d. Lifelong cultivation and empowerment of the nation;
- e. Being good example, willingness and development of Students' creativity in learning;
- f. Learning focused on Students by taking into account the environment in a harmonious and balanced manner;
- g. Freedom to choose a Study Program based on Students' interest, talent and ability;
- h. Systemic integration into an open and multifaceted system;
- i. Being pro-poor; and
- j. Empowerment of all community components through participation in delivery and quality control of Higher Education.

Section 7

- (1) The Minister is responsible for Higher Education delivery.
- (2) The Minister's responsibilities for Higher Education delivery as referred to in subsection (1) include regulation, planning, supervision, monitoring and evaluation, and enhancement and coordination.
- (3) The Minister's tasks and authority over Higher Education delivery include:
 - a. General policy on development and coordination of higher education as part of the national education system to actualize higher education goals;
 - b. Establishment of national general policy and sustainable preparation of long-term, medium-term and annual development plans;
 - c. Improving quality assurance, relevancy, affordability, equal distribution and sustainable access to higher education;
 - d. Strengthening and building capacity for academic management and resources management within tertiary educational institutions;
 - e. Issuing and revoking licenses related to operation of tertiary education institutions except religion-based ones;
 - f. General policy in pooling and efficiently using all community resources to develop higher education;
 - g. Establishing councils, commissions and/or consortiums engaging the Community in formulating policy on higher education development; and
 - h. Performing other tasks to ensure the development and achievement of higher education goals.
- (4) In the case of religious higher education, the responsibilities, tasks and authority shall be fulfilled by the minister who performs the government function in religious affairs.
- (5) Further provisions on the responsibilities of the Minister for higher education delivery as referred to in subsection (2) and the tasks and authority of the Minister as referred to in subsection (3) shall be set out in a Government Regulation.

Part Two

Science and Technology Development

Paragraph 1

Academic Freedom, Freedom of Academic Expression and Scientific Autonomy

Section 8

- (1) Academic freedom, freedom of academic expression and scientific autonomy apply to providing Education and developing Science and Technology.

- (2) The development of science and technology as referred to in subsection (1) shall be done by the *Academic Civitas* through learning and/or scientific research by holding high religious values and national integrity to develop human civilization and welfare.
- (3) The implementation of academic freedom, freedom of academic expression and scientific autonomy in Tertiary Education Institutions is the personal responsibility of the *Academic Civitas* and shall be protected and facilitated by the management of Tertiary Education Institutions.

Section 9

- (1) Academic freedom as referred to in Section 8 subsection (1) is the academic civitas' freedom in tertiary educational institutions to deepen and develop science and technology responsibly through *Tridharma*.
- (2) Freedom of academic expression as referred to in Section 8 subsection (1) is the authority of professors and/or lecturers having scientific authority and power to openly and responsibly express something related to scientific clusters and branches.
- (3) Scientific autonomy as referred to in Section 9 subsection (1) is the autonomy of the academic civitas in a branch of science and/or technology to invent, develop, reveal and/or maintain the scientific truth according to norms, scientific methods and academic culture.

Paragraph 2

Clusters of Science and Technology

Section 10

- (1) Clusters of science and technology are systematically composed trees, branches and stems of science.
- (2) The clusters of science and technology as referred to in subsection (1) consist of:
 - a. Religious science cluster;
 - b. Humanities science cluster;
 - c. Social science cluster;
 - d. Natural science cluster;
 - e. Formal science cluster; and
 - f. Applied science cluster.
- (3) The clusters of science and technology as referred to in subsection (2) shall be transformed, developed and/or disseminated by the *Academic Civitas* through *Tridharma*.

Paragraph 3

Academic Civitas

Section 11

- (1) *Academic Civitas* is a community who has a scientific tradition of developing an academic culture.
- (2) The academic culture as referred to in subsection (1) includes all systems of values, ideas, norms, actions and works originating from science and technology on which higher education is based.
- (3) The development of the academic culture as referred to in subsection (1) shall be undertaken through social interaction without discriminating on the basis of ethnic, religion, race, group, gender, social class, economic ability and political ideology.
- (4) Social interaction as referred to in subsection (3) shall take the form of learning, search for scientific truth, mastery and/or development of science and technology and development of tertiary education institutions as scientific institutions.

- (5) The Academic Civitas has the obligation to maintain and develop the academic culture by treating science and technology as a process and a product and as dedication and moral paradigm.

Section 12

- (1) Lecturers as members of the academic civitas are tasked with transferring the science and/or technology they master to their Students by creating a study atmosphere and providing learning so that the Students may actively develop their potential.
- (2) Lecturers as scientists are tasked with developing a branch of science and/or technology through reasoning and scientific research and dissemination.
- (3) Lecturers, individually or collectively, have the obligation to write teaching books or textbooks to be published by their Tertiary Education Institutions and/or scientific publications as a source of study and for developing a academic culture and cultivating reading-writing activities in the Academic Civitas.

Section 13

- (1) Students as members of the academic civitas are in the position as adults developing their potential in their Tertiary Education Institutions to become intellectuals, scientists, practitioners and/or professionals.
- (2) Students shall, as referred to in subsection (1), actively develop their potential through learning, search for scientific truth, and/or mastery, development and implementation of a branch of science and/or technology to become cultured scientists, intellectuals, practitioners and/or professionals.
- (3) Students have academic freedom giving priority to reasoning and morals and have responsibility in accordance with the academic culture.
- (4) Students deserve education services in accordance with their talent, interest, potential and ability.
- (5) Students can accomplish their education program at their respective study speeds without exceeding the time limit set by the Tertiary Education Institutions.
- (6) Students are obliged to meet the ethics and conform to higher education norms to ensure the Tridharma implementation and academic culture development.

Section 14

- (1) Students shall develop their talent, interest, and ability through co-curricular and extracurricular activities as part of the education process.
- (2) Such co-curricular and extracurricular activities as referred to in subsection (1) may be carried out through a student organization.
- (3) Other provisions of such co-curricular and extracurricular activities as referred to in subsection (1) shall be set out in the tertiary education institution's statute.

Part Three

Types of Higher Education

Paragraph 1

Academic Education

Section 15

- (1) Academic education is higher education of a bachelor's degree program and/or postgraduate program oriented toward the mastery and development of branches of science and technology.

- (2) Enhancement, coordination and supervision over such academic education as referred to in subsection (1) are the responsibility of the Ministry.

Paragraph 2

Vocational Education

Section 16

- (1) Vocational education is higher education of a diploma program that prepares Students for employment in specific applied proficiency up to applied bachelor's degree program.
- (2) The vocational education as referred to in subsection (1) may be developed by the Government up to an applied master's degree program or applied doctoral degree program.
- (3) Enhancement, coordination and supervision over vocational education are the responsibility of the Ministry.

Paragraph 3

Professional Education

Section 17

- (1) Professional education is higher education after completing a bachelor's degree program to prepare Students for employment that requires a specific qualification.
- (2) The professional education as referred to in subsection (1) may be provided by Tertiary Education Institutions in cooperation with the Ministry, other Ministries, LPNK and/or professional organizations responsible for the quality of professional services.

Part Four

Higher Education Programs

Paragraph 1

Bachelor's Degree, Master's Degree and Doctoral Degree Programs

Section 18

- (1) The bachelor's degree program is academic education intended for graduates from secondary education or equivalent in order that they may be able to implement science and technology through scientific reasoning.
- (2) The bachelor's degree program as referred to in subsection (1) shall prepare Students to be intellectuals and/or cultured scientists able to enter and/or create employment and able to develop themselves into professionals.
- (3) The bachelor's degree program must have Lecturers with minimum academic qualifications of graduates from a master's program or equivalent.
- (4) Graduates from the bachelor's degree program are entitled to use a bachelor's degree.
- (5) Further provisions on bachelor's degree program shall be set out in a Ministerial Regulation.

Section 19

- (1) The master's program is academic education intended for graduates from bachelor's degree program or equivalent in order that they may be able to implement science and/or technology through scientific reasoning and research.
- (2) The master's program as referred to in subsection (1) shall develop Students to be intellectuals and cultured scientists able to enter and/or create employment and develop themselves into professionals.
- (3) The master's degree program must have Lecturers with academic qualifications of graduates from a doctoral degree program or equivalent.

- (4) Graduates from the master's degree program are entitled to use a master's degree.
- (5) Further provisions on master's degree program shall be set out in a Ministerial Regulation.

Section 20

- (1) The doctoral degree program is academic education intended for graduates from master's degree program or equivalent in order that they may be able to invent, create and/or contribute to development and implement science and/or technology through scientific reasoning and research.
- (2) The doctoral degree program as referred to in subsection (1) shall develop and strengthen Students to be wiser by increasing their ability and self-reliance as philosophers and/or intellectuals cultured scientists and producing and/or developing theories through comprehensive and accurate research to promote human civilization.
- (3) The doctoral degree program must have Lecturers with academic qualifications of graduates from a doctoral degree program or equivalent.
- (4) Graduates from the doctoral degree program are entitled to use a doctoral degree.
- (5) Further provisions on doctoral degree program shall be set out in a Ministerial Regulation.

Paragraph 2

Diploma Program, Applied Master's Degree Program and Applied Doctoral degree program

Section 21

- (1) The diploma program is vocational education intended for graduates from secondary education or equivalent to develop skills and reasoning in applying science and/or technology.
- (2) The diploma program as referred to in subsection (1) prepares Students to be skilled practitioners to enter the labor market according to their field of expertise.
- (3) The diploma program as referred to in subsection (2) is composed of:
 - a. One-year diploma program
 - b. Two-year diploma program
 - c. Three-year diploma program; and
 - d. Four-year diploma program or applied bachelor's degree.
- (4) The diploma program as referred to in subsection (3) must have Lecturers with minimum academic qualifications of graduates from a master's degree program or equivalent.
- (5) The one-year diploma program as referred to in subsection (3) item a and the two-year diploma program as referred to in subsection (3) item b may use instructors with minimum academic qualifications of graduates from a three-year diploma program or equivalent and with an experience.
- (6) Graduates from the diploma program are entitled to use an expert degree or applied bachelor's degree.
- (7) Further provisions of the diploma program shall be set out in a Ministerial Regulation.

Section 22

- (1) The applied master's degree program is the continuation of vocational education intended for graduates from an applied bachelor's degree program or equivalent to develop and implement science and/or technology through scientific reasoning and research.
- (2) The applied master's degree program as referred to in subsection (1) shall develop Students to be experts with high capacity to implement science and technology in their professions.
- (3) The applied master's degree program must have Lecturers with academic qualifications of graduates from a doctoral degree program or equivalent.
- (4) Graduates from the applied master's degree program are entitled to use an applied master's degree.

- (5) Further provisions of the applied master's degree program shall be set out in a Ministerial Regulation.

Section 23

- (1) The applied doctoral degree program is intended for graduates from an applied master's degree program or equivalent to invent, create and/or contribute to application, development and implementation of science and technology through scientific reasoning and research.
- (2) The applied doctoral degree program as referred to in subsection (1) shall develop and strengthen Students to be wiser by increasing their ability and self-reliance as experts and producing and/or developing science and technology through comprehensive and accurate research to promote human civilization and welfare.
- (3) The applied doctoral degree program must have Lecturers with academic qualifications of graduates from a doctoral degree program or equivalent.
- (4) Graduates from the applied doctoral degree program are entitled to use an applied doctoral degree.
- (5) Further provisions of the applied doctoral degree program shall be set out in a Ministerial Regulation.

Paragraph 3

Professional Program and Specialist Program

Section 24

- (1) The professional program is special expertise education intended for graduates from the bachelor's degree program or equivalent to develop their talents and capacity to qualify them for employment.
- (2) The professional program as referred to in subsection (1) may be provided by a Tertiary Education Institution in cooperation with the Ministry, other Ministries, LPNK and/or other professional organizations responsible for the quality of professional services.
- (3) The professional program as referred to in subsection (2) prepares professionals.
- (4) The professional program must have Lecturers with minimum academic qualifications of graduates from a professional program and/or from a master's degree program or equivalent and with a minimum work experience for 2 (two) years.
- (5) Graduates from the professional program are entitled to use a professional degree.
- (6) Further provisions of the professional program shall be set out in a Government Regulation.

Section 25

- (1) The specialist program is advanced expertise education, which may be graded and is intended for graduates from the professional program experienced as professionals, to develop their talents and capacity to be specialists.
- (2) The specialist program as referred to in subsection (1) may be provided by a Tertiary Education Institution in cooperation with the Ministry, other Ministries, LPNK and/or other professional organizations responsible for the quality of professional services.
- (3) The specialist program as referred to in subsection (2) improves the capacity of specialist in a specific branch of science.
- (4) The specialist program must have Lecturers with minimum academic qualifications of graduates from a specialist program and/or from a doctoral degree program or equivalent and with a minimum work experience for 2 (two) years.
- (5) Graduates from the specialist program are entitled to use a specialist degree.
- (6) Further provisions of the specialist program shall be set out in a Government Regulation.

Paragraph 4

Academic Degrees, Vocational Degrees and Professional Degrees

Section 26

- (1) Academic degrees are awarded by Tertiary Education Institutions that provide academic education.
- (2) Academic degrees include:
 - a. Bachelor's degree
 - b. Master's degree; and
 - c. Doctoral degree.
- (3) Vocational degrees are awarded by Tertiary Education Institutions that provide vocational education.
- (4) Vocational degrees include:
 - a. First diploma degree (ahli pratama);
 - b. Second diploma degree (ahli muda);
 - c. Third diploma degree (ahli madya);
 - d. Applied bachelor's degree
 - e. Applied master's degree; and
 - f. Applied doctoral degree.
- (5) Professional degrees are awarded by Tertiary Education Institutions that provide professional education.
- (6) The professional degrees as referred to in subsection (5) shall be established by Tertiary Education Institutions together with the Ministry, other Ministries, LPNK and/or professional organizations responsible for the quality of professional services.
- (7) The professional degrees are composed of:
 - a. Professional; and
 - b. Specialist.
- (8) Further provisions on academic degrees, vocational degrees or professional degrees shall be set out in a Government Regulation.

Section 27

- (1) In addition to doctoral degree as referred to in Section 26, subsection (2), item c, Tertiary Education Institutions providing a doctoral program have the right to award honorary doctoral degrees to individuals worthy of such award for their extraordinary achievements in science and technology and/or humanity.
- (2) Further provisions on honorary doctoral degrees shall be set out in a Ministerial Regulation.

Section 28

- (1) Academic degrees, vocational degrees or professional degrees may only be used by graduates from Tertiary Education Institutions authorized to award such degrees.
- (2) Academic degrees, vocational degrees or professional degrees may only take a form and an initial or abbreviation acceptable to Tertiary Education Institutions.
- (3) Academic degrees and vocational degrees shall be declared invalid and revoked by the Minister if they are issued by:
 - a. Unaccredited Tertiary Education Institutions and/or Study Programs; and/or
 - b. Individuals, organizations or higher education providers unauthorized to issue such academic and vocational degrees.
- (4) Professional degrees shall be declared invalid and revoked by the Minister if they are issued by:
 - a. Unaccredited Tertiary Education Institutions and/or Study Programs; and/or

- b. Individuals, organizations or other institutions unauthorized to issue such professional degrees.
- (5) Academic degrees, vocational degrees or professional degrees shall be declared invalid and revoked by Tertiary Education Institutions if the scientific work used to acquire such degrees proves a plagiarism.
- (6) Unauthorized individuals, organizations or higher education providers are banned from issuing academic, vocational or professional degrees.
- (7) Unauthorized individuals are banned from using academic degrees, vocational degrees and/or professional degrees.

Part Five

National Qualification Framework

Section 29

- (1) The National Qualification Framework is the grading of learning outcomes to compare the outputs of formal, non-formal, informal education or work experience in recognition of work competencies according to the work structure in various sectors.
- (2) The National Qualification Framework as referred to in subsection (1) shall be used as a key reference to decide on the competencies of graduates from academic education, vocational education and professional education.
- (3) The decision on graduates' competencies as referred to in subsection (3) shall be made by the Minister.

Part Six

Religious Higher Education

Section 30

- (1) The Government or Community may provide religious higher education.
- (2) Such religious higher education as referred to in subsection (1) may take the form of Universities, Institutes, Colleges, Academies, and Ma'had Aly, Pasraman, Seminaries and equivalent.
- (3) Further provisions on religious higher education shall be set out in a Government Regulation.

Part Seven

Distance Education

Section 31

- (1) Distance education is a teaching-learning process from a distance through various media of communication.
- (2) Such distance education as referred to in subsection (1) is aimed at:
 - a. Providing higher education for community groups who cannot attend class on a face-to-face or regular basis; and
 - b. Expanding access to and support higher education services in education and learning.
- (3) Distance education is provided in various forms, modes and scopes supported by study facilities and services and by an assessment system to ensure the quality of graduates according to the National Higher Education Standards.
- (4) Further provisions on distance education as referred to in subsections (1), (2) and (3) shall be set out in a Ministerial Regulation.

Part Eight

Special Education and Special Service Education

Section 32

- (1) A Study Program may be implemented through special education for Students having problems in attending a learning process and/or Students having potential extraordinary intelligence and talents.
- (2) In addition to special education as referred to in subsection (1), the Study Program may be implemented through a special service education and/or special service learning.
- (3) Further provisions on Study Programs implemented through special education as referred to in subsection (1) and through special service education and/or special service learning as referred to in subsection (2) shall be set out in a Ministerial Regulation.

Part Nine

Education and Learning Process

Paragraph 1

Study Programs

Section 33

- (1) Education programs shall be implemented through a Study Program.
- (2) The Study Program shall have a curriculum and a learning method in accordance with the education program.
- (3) The Study Program is subject to the Minister's approval and minimum accreditation requirements.
- (4) The Study Program is managed by a management unit established by a Tertiary Education Institution.
- (5) The Study Program as referred to in subsection (1) is accredited when it receives an operation license.
- (6) The Study Program is subject to re-accreditation upon the expiry of accreditation period.
- (7) The Study Program that is not re-accredited as referred to in subsection (6) may have its license revoked by the Minister.
- (8) Further provisions on the learning method as referred to in subsection (2), issuance of license for the Study Program as referred to in subsection (3), and revocation of a Study Program license as referred to in subsection (7) shall be set out in a Ministerial Regulation.

Section 34

- (1) A Study Program shall be implemented on the main campus of Tertiary Education Institutions and/or may be implemented off the main campus in a province or elsewhere in collaboration with a local Tertiary Education Institution.
- (2) Further provisions on the implementation of Study Programs on the main campus of Tertiary Education Institutions and/or off the main campus as referred to in subsection (1) shall be set out in a Ministerial Regulation.

Paragraph 2

Curriculum

Section 35

- (1) A higher education curriculum is a set of plans and arrangements for goals, contents and materials of teaching and how they are used as the basis for learning activities to achieve the higher education goals.

- (2) The higher education curriculum as referred to in subsection (1) is developed by each Tertiary Education Institution referring to the National Higher Education Standards for each Study Program including developing intellectual capacity, morals and skills.
- (3) The higher education curriculum as referred to in subsection (1) must contain the subjects:
 - a. Religion;
 - b. Pancasila;
 - c. Civics; and
 - d. Indonesian language.
- (4) The higher education curriculum as referred to in subsection (1) shall be implemented through curricular, co-curricular and extracurricular activities.
- (5) The subjects as referred to in subsection (3) shall be provided for the bachelor's degree program and diploma programs.

Section 36

A professional education curriculum shall be formulated together by the Ministry, other Ministries, LPNK, and/or professional organizations responsible for the quality of professional services referring to the National Higher Education Standards.

Paragraph 3

Medium of Instruction

Section 37

- (1) The Indonesian Language as the official national language shall be used as the medium of instruction in Tertiary Education Institutions.
- (2) Local languages may be used as a medium of instruction for the study programs of local language and literature.
- (3) A foreign language may be used as a medium of instruction in Tertiary Education Institutions.

Paragraph 4

Transfer and Equivalence

Section 38

- (1) The transfer of Students may be between:
 - a. Study Programs in the same education program;
 - b. Types of higher education; and/or
 - c. Tertiary Education Institutions.
- (2) Provisions on transfer of Students as referred to in subsection (1) shall be set out in a Ministerial Regulation.

Section 39

- (1) Graduates from vocational education or from professional education may continue their education to academic education through equivalence.
- (2) Graduates from academic education may continue their education to vocational education or professional education through equivalence.
- (3) Provisions on equivalence of graduates from vocational or professional education as referred to in subsection (1) and equivalence of graduates from academic education as referred to in subsection (2) shall be set out in a Ministerial Regulation.

Section 40

- (1) Graduates from foreign tertiary education institutions may attend higher education in Indonesia through equivalence.
- (2) Provisions on equivalence of graduates from foreign tertiary education institutions as referred to in subsection (1) shall be set out in a Ministerial Regulation.

Paragraph 5

Study Sources, Facilities and Infrastructure

Section 41

- (1) Study sources in the higher education environment must be supplied, facilitated or owned by Tertiary Education Institutions according to the Study Programs developed.
- (2) Such study sources as referred to in subsection (1) may be used jointly by some Tertiary Education Institutions.
- (3) Tertiary Education Institutions provide facilities and infrastructure to meet the educational needs according to Students' talents, interest, potential and intelligence.

Paragraph 6

Diplomas

Section 42

- (1) Diplomas shall be given to graduates from academic education and vocational education in recognition of study achievement and/or completion of an accredited study program implemented by Tertiary Education Institutions.
- (2) Such diplomas as referred to in subsection (1) shall be issued by Tertiary Education Institutions containing study programs and degrees to be used by higher education graduates.
- (3) If higher education graduates used scientific work found to be plagiarisms in order to obtain diplomas and degrees, their diplomas shall be declared invalid and their degrees revoked by the Tertiary Education Institution.
- (4) Unauthorized individuals, organizations or higher education providers are not permitted to issue diplomas.

Paragraph 7

Professional Certificates and Competency Certificates

Section 43

- (1) Professional certificates are a recognition of professional practice obtained by graduates from professional education provided by Tertiary Education Institutions in cooperation with the Ministry, other Ministries, LPNK and/or professional organizations responsible for the quality of professional services, and/or other agencies in accordance with laws and regulations.
- (2) Such professional certificates as referred to in subsection (1) shall be issued by Tertiary Education Institutions in cooperation with the Ministry, other Ministries, LPNK and/or professional organizations responsible for the quality of professional services, and/or other agencies in accordance with laws and regulations.
- (3) Unauthorized individuals, organizations or higher education providers are not permitted to issue professional certificates.
- (4) Provisions on professional certificates as referred to in subsection (1) shall be set out in a Government Regulation.

Section 44

- (1) Competency certificates are a recognition of competency for graduates' achievement of expertise in a branch of science and/or achievement outside their study program.
- (2) Such competency certificates as referred to in subsection (1) shall be issued by Tertiary Education Institutions in cooperation with accredited professional organizations, training institutions or certification agencies for graduates who have succeeded in a competency examination.
- (3) Such competency certificates as referred to in subsection (2) may be used as a requirement for a certain job.
- (4) Unauthorized individuals, organizations or higher education providers are not permitted to give competency certificates.
- (5) Further provisions on competency certificates shall be set out in a Ministerial Regulation.

Part Ten

Research

Section 45

- (1) Research in Tertiary Education Institutions is directed towards developing science and technology and improving public welfare and national competitiveness.
- (2) Such research as referred to in subsection (1) shall be conducted by the Academic Civitas in line with their scientific autonomy and academic culture.
- (3) Such research as referred to in subsection (2) shall be conducted through competency and competition.

Section 46

- (1) Research outputs are useful to:
 - a. Enrich Science and Technology and learning;
 - b. Improve the quality of Tertiary Education Institutions and develop national civilization;
 - c. Improve national self-reliance, advancement and competitiveness;
 - d. Satisfy strategic needs of national development; and
 - e. Change Indonesians into knowledge-based citizens.
- (2) Research outputs must be disseminated through seminars, publications and/or patents obtained by Tertiary Education Institutions except ones that are confidential, inhibit and/or endanger public interest.
- (3) The Academic Civitas' Research Output published in an international journal, patented for use by industries, appropriate technology and/or books as source of study may be given a meaningful award by the Government.

Part Eleven

Public Dedication

Section 47

- (1) Public dedication is an activity conducted by an Academic Civitas in implementing and cultivating Science and Technology to promote public welfare and develop the intellectual life of the nation.
- (2) The public dedication as referred to in subsection (1) shall include activities according to academic culture, expertise and/or scientific autonomy of the Academic Civitas and local socio-cultural conditions.
- (3) Public dedication output shall be used for developing Science and Technology, enriching study sources, and/or learning and strengthening the Academic Civitas.

- (4) The Government shall give an award for such dedication output to the Community published in an international journal, patented for use by the business and industrial sectors and/or appropriate technology.

Part Twelve

Collaboration in Research and Public Dedication

Section 48

- (1) Tertiary Education Institutions play an active role in promoting collaboration among them and between Tertiary Education Institutions and the business sector, industrial sector and the community in Research and Public Dedication.
- (2) The Government, regional governments and the community shall use Tertiary Education Institutions as centers for research and development of science and technology.
- (3) Tertiary Education Institutions may use research facilities in other Ministries and/or LPNK.
- (4) The Government shall facilitate collaboration and partnership between Tertiary Education Institutions and between Tertiary Education Institutions and the business and industrial sectors in research.

Part Thirteen

Tridharma Implementation

Section 49

- (1) The scope, depth and combination of Tridharma conform to the characteristics and needs of each type and program of higher education.
- (2) Provisions on the scope, depth and combination of Tridharma as referred to in subsection (1) shall be set out in a Ministerial Regulation.

Part Fourteen

International Cooperation in Higher Education

Section 50

- (1) International cooperation in higher education is a process of interaction in integrating international dimensions into academic activities to contribute to international relationships without prejudice to Indonesian values.
- (2) International cooperation must be based on the principles of equality and mutual respect while promoting science, technology and values of humanity useful for human life.
- (3) International cooperation includes Education, Research and Public Dedication.
- (4) International cooperation in higher education development may include:
 - a. Relationship between Indonesian and foreign Tertiary Education Institutions in providing high quality education;
 - b. Developing Indonesian research and local cultural centers within domestic and foreign Tertiary Education Institutions; and
 - c. Establishing an independent scientific community.
- (5) National policy on international cooperation in higher education shall be established in a Ministerial Regulation.

CHAPTER III

QUALITY ASSURANCE

Part One

Quality Assurance System

Section 51

- (1) Good quality higher education can produce graduates able to actively develop their potential and create science and/or technology useful for the community, the nation and the state.
- (2) The Government shall implement a higher education quality assurance system to ensure good quality education.

Section 52

- (1) Higher education quality assurance is a systemic activity to improve higher education quality in a planned and sustainable manner.
- (2) The quality assurance as referred to in subsection (1) shall be conducted through determination, implementation, evaluation, control and improvement of higher education standards.
- (3) The Minister shall establish a higher education quality assurance system and National Higher Education Standards.
- (4) The higher education quality assurance system as referred to in subsection (3) shall be based on a Higher Education Database.

Section 53

The higher education quality assurance system as referred to in Section 51, subsection (2) includes:

- a. Internal quality assurance system developed by Tertiary Education Institutions; and
- b. External quality assurance system through accreditation.

Part Two

Higher Education Standards

Section 54

- (1) Higher education standards include:
 - a. National Higher Education Standards established by the Minister on recommendation of an agency in charge of preparing and developing National Higher Education Standards; and
 - b. Higher Education Standards established by each Tertiary Education Institution referring to the National Higher Education Standards.
- (2) The National Higher Education Standards as referred to in subsection (1), item a, are a unit of standards that include national education standards plus research standards and public dedication standards.
- (3) The National Higher Education Standards are developed by taking into account academic freedom, freedom of academic expression, and scientific autonomy to achieve higher education goals.
- (4) The Higher Education Standards as referred to in subsection (1), item b, include a set of academic and non-academic standards beyond the National Higher Education Standards.
- (5) In developing Higher Education Standards as referred to in subsection (1), item b, Tertiary Education Institutions have the freedom to arrange their compliance with the National Higher Education Standards.
- (6) The Minister shall evaluate the implementation of Higher Education Standards periodically.
- (7) The Minister shall make the results of the evaluation and assessment of the Higher Education Standards available to the public.
- (8) Provisions on evaluation as referred to in subsection (6) shall be set out in a Ministerial Regulation.

Part Three

Accreditation

Section 55

- (1) Accreditation is an assessment against the criteria established according to the National Higher Education Standards.
- (2) The Accreditation as referred to in subsection (1) is intended to determine the suitability of Study Programs and Tertiary Education Institutions based on the criteria under the National Higher Education Standards.
- (3) The Government shall establish a National Agency for Accreditation of Tertiary Education Institutions to develop an accreditation system.
- (4) The accreditation of Tertiary Education Institutions shall be conducted by the National Agency for Accreditation of Tertiary Education Institutions.
- (5) The accreditation of Study Programs as public accountability shall be conducted by an independent accreditation agency.
- (6) The independent accreditation agency as referred to in subsection (5) shall be established by the Government or by the Community and recognized by the Government on the recommendation of the National Agency for Accreditation of Tertiary Education Institutions.
- (7) The independent accreditation agency as referred to in subsection (6) shall be established on the basis of a scientific cluster and/or a scientific branch or geographically.
- (8) Further provisions on accreditation as referred to in subsection (1), National Agency for Accreditation of Tertiary Education Institutions as referred to in subsection (4), and independent accreditation agency as referred to in subsection (5) shall be set out in a Ministerial Regulation.

Part Four

Higher Education Database

Section 56

- (1) The Higher Education Database is a nationally integrated set of data on higher education throughout Tertiary Education Institutions.
- (2) The Higher Education Database as referred to in subsection (1) shall function as a source of information for:
 - a. Accreditation agency to accredit Study Programs and Tertiary Education Institutions;
 - b. The Government to regulate, plan, control, monitor and evaluate and enhance and coordinate Study Programs and Tertiary Education Institutions; and
 - c. The community to identify the performance of Study Programs and Tertiary Education Institutions.
- (3) The Higher Education Database shall be developed and managed by the Ministry or managed by a Ministry-assigned agency.
- (4) Tertiary Education Institutions' management must provide data and information on the operation of Tertiary Education Institutions and ensure the truth and accuracy.

Part Five

Regional Higher Education Unit

Section 57

- (1) A Regional Higher Education Unit is a Government working unit at the regional level tasked with helping improve the quality of higher education delivery.

- (2) The Regional Higher Education Unit as referred to in subsection (1) shall be established by the Minister.
- (3) The Minister shall determine the tasks and functions of the unit as referred to in subsection (1) where necessary.
- (4) The Minister shall regularly evaluate the performance of the unit as referred to in subsection (1).

CHAPTER IV

TERTIARY EDUCATION INSTITUTIONS

Part One

Functions and Roles of Tertiary Education Institutions

Section 58

- (1) Tertiary Education Institutions shall perform the function and role as:
 - a. Learning facilities for Students and the Community;
 - b. Educational facilities for potential leaders of the nation;
 - c. Centers for science and technology development;
 - d. Centers for study on virtue and moral strength to seek and identify the truth; and
 - e. Centers for development of national civilization.
- (2) The functions and roles of Tertiary Education Institutions as referred to in subsection (1) shall be performed through Tridharma activities specified in their statutes.

Part Two

Form of Tertiary Education Institutions

Section 59

- (1) Tertiary Education Institutions take the form of:
 - a. University;
 - b. Institute;
 - c. College;
 - d. Polytechnic;
 - e. Academy; and
 - f. Community Academy.
- (2) University is a tertiary education institution, which provides academic education and may provide vocational education in various clusters of science and/or technology and, if eligible, may provide professional education.
- (3) Institute is a tertiary education institution, which provides academic education and may provide vocational education in some particular clusters of science and/or technology and, if eligible, may provide professional education.
- (4) College is a tertiary education institution, which provides academic education and may provide vocational education in one particular cluster of science and/or technology and, if eligible, may provide professional education.
- (5) Polytechnic is a tertiary education institution, which provides vocational education in various clusters of science and/or technology and, if eligible, may provide professional education.
- (6) Academy is a tertiary education institution, which provides vocational education in one or several particular branches of science and/or technology.
- (7) Community Academy is a tertiary education institution, which provides vocational education equivalent to one-year or two-year diploma program in one or several particular branches of

science and/or technology based on local advantages or for the purpose of meeting special needs.

Part Three

Establishment of Tertiary Education Institutions

Section 60

- (1) PTN shall be established by the Government.
- (2) PTS shall be established by the Community in the form of a management body as non-profit legal entity subject to approval from the Minister.
- (3) The management body as referred to in subsection (2) may take the form of foundation, association and other forms in accordance with the laws and regulations.
- (4) Tertiary Education Institutions must meet the minimum accreditation standards.
- (5) Tertiary Education Institutions must have a statute.
- (6) Amendment to or revocation of PTS license shall be done by the Minister in accordance with the laws and regulations.
- (7) Further provisions on the establishment of PTN and PTS as referred to in subsection (1) to (3) and amendment to or revocation of PTS license as referred to in subsection (6) shall be set out in a Government Regulation.

Part Four

Tertiary Education Institutions' Management Organization

Section 61

- (1) The management organization is a working unit of the tertiary education institution that collectively implements Tridharma and manages resources.
- (2) The management organization as referred to in subsection (1) shall at least consist of:
 - a. Policymaker;
 - b. Academic implementer;
 - c. Quality controller and assurer;
 - d. Academic support or study sources; and
 - e. Administrator.
- (3) The management organization of tertiary education institutions shall be governed by the Tertiary Education Institution's Statute.

Part Five

Management of Tertiary Education Institutions

Section 62

- (1) Tertiary Education Institutions has the autonomy to manage their own organizations as Tridharma centers.
- (2) The management autonomy as referred to in subsection (1) shall be exercised according to the basis and goals and capacity of the Tertiary Education Institutions.
- (3) the basis and goals and capacity of the Tertiary Education Institutions to exercise the autonomy as referred to in subsection (2) shall be evaluated independently by the Tertiary Education Institutions.
- (4) Further provisions on the evaluation of the basis, goals and capacity of Tertiary Education Institutions to exercise the autonomy as referred to in subsection (3) shall be set out in a Ministerial Regulation.

Section 63

The autonomy over management of Tertiary Education Institutions shall be based on the principles of:

- a. Accountability;
- b. Transparency;
- c. Non-profit;
- d. Quality assurance; and
- e. Effectiveness and efficiency.

Section 64

- (1) The autonomy over management of Tertiary Education Institutions as referred to in Section 62 includes academic and non-academic areas.
- (2) The autonomy over academic management as referred to in subsection (1) includes establishing norms and operational policy and implementing Tridharma.
- (3) The autonomy over non-academic management as referred to in subsection (1) includes establishing norms and operational policy and implementing:
 - a. Organization;
 - b. Finance;
 - c. Student affairs;
 - d. Staffing; and
 - e. Facilities and infrastructure.

Section 65

- (1) The tertiary Education Institutions' autonomy as referred to in Section 64 should be given selectively based on PTN performance evaluation by the Minister adopting a Financial Management System as Public Service Unit (BLU) or creating a legal entity to produce good quality higher education.
- (2) PTN adopting Public Service Unit's Financial Management System as referred to in subsection (1) has governance and management in compliance with the laws and regulations.
- (3) The PTN legal entity as referred to in subsection (1) has:
 - a. Start-up assets in the form of separated public assets except land;
 - b. Governance and independent decision making;
 - c. Unit that performs accountability and transparency functions;
 - d. The right to manage funds independently, transparently and accountably;
 - e. The authority to appoint and discharge lecturers and teaching staff at its discretion;
 - f. The authority to establish a corporation and develop endowment funds; and
 - g. The authority to open, operate and close Study Programs.
- (4) The Government assigns the PTN legal entity to provide higher education affordable to the Community.
- (5) Provisions on the implementation of PTN autonomy as referred to in subsection (1) shall be implemented in accordance with the laws and regulations.

Section 66

- (1) PTN's statute shall be established with a Ministerial Regulation.
- (2) PTN legal entity's statute shall be established with a Government Regulation.
- (3) PTS' statute shall be established with a decree of the management body.

Section 67

The autonomy in Tertiary Education Institutions as referred to in Section 64 in the case of PTS shall be governed by the management body according to the laws and regulations.

Section 68

Further provisions on management of Tertiary Education Institutions as referred to in Section 62 to Section 65 shall be set out in a Government Regulation.

Part Six

Staffing

Paragraph 1

Appointment and Placement

Section 69

- (1) The staff of Tertiary Education Institutions consists of:
 - a. Lecturers; and
 - b. Teaching personnel
- (2) Lecturers and teaching personnel as referred to in subsection (1) shall be appointed and placed in Tertiary Education Institutions by the Government or the management body.
- (3) Any person who has extraordinary expertise and/or achievement may be appointed to be a Lecturer in accordance with the laws and regulations.

Section 70

- (1) The appointment and placement of lecturers and teaching personnel by the Government shall be based on the laws and regulations.
- (2) The appointment and placement of lecturers and teaching personnel by the management body shall be based on an employment contract or agreement in accordance with the laws and regulations.
- (3) The management body as referred to in subsection (2) shall provide base salaries and allowances for lecturers and teaching personnel in accordance with the laws and regulations.
- (4) The Minister may assign Government-appointed Lecturers as referred to in subsection (1) in PTN for improvement the quality of Higher Education.
- (5) The Government provides incentives for Lecturers as referred to in subsection (4).
- (6) Further provisions on assignment of Lecturers as referred to in subsection (4) and incentives for Lecturers as referred to in subsection (5) shall be set out in a Government Regulation.

Section 71

- (1) The PTN leadership may appoint permanent Lecturers in accordance with the National Higher Education Standards subject to the approval of the Government.
- (2) PTN shall provide basic salaries and allowances to permanent Lecturers as referred to in subsection (1) in accordance with the laws and regulations.
- (3) The Government shall provide academic allowance, professional allowance and/or honorary allowance to permanent Lecturers as referred to in subsection (1) in accordance with the laws and regulations.
- (4) Further provisions on appointment of permanent Lecturers in PTN as referred to in subsection (1) shall be set out in a Ministerial Regulation.

Paragraph 2

Academic Positions

Section 72

- (1) The academic positions of permanent lecturers include expert assistant, associate professor, senior associate professor and professor.

- (2) The academic positions of nonpermanent lecturers shall be regulated and established by the tertiary education institution management.
- (3) Lecturers who have 10 (ten) years of experience as permanent lecturers and have scientific publications and doctoral education or equivalent and meet qualifications may be recommended to the academic position of professor.
- (4) The retirement age of a Lecturer holding the academic position of professor is decided to be 70 (seventy) and the Government shall provide professional allowance and honorary allowance.
- (5) The Minister may appoint a person with extraordinary competency to the academic position of professor on the recommendation of the tertiary education institution.
- (6) Provisions on academic positions as referred to in subsection (1), professional allowance and honorary allowance as referred to in subsection (4) and appointment of a person with extraordinary competency as referred to in subsection (5) shall be set out in a Ministerial Regulation.

Part Seven

Student Affairs

Paragraph 1

Admissions

Section 73

- (1) PTN admissions for each Study Program may follow a national admission procedure or otherwise.
- (2) The Government shall bear the costs of potential Students to take a national admission procedure for new Students.
- (3) Such potential Students as referred to in subsection (2) who have met academic qualifications shall be admitted to the Tertiary Education Institution.
- (4) Tertiary Education Institutions shall keep a balance between the maximum number of Students in each Study Programs and the capacity of facilities and infrastructure, Lecturers and teaching personnel and other educational services and resources.
- (5) Tertiary Educational Institution Admissions of new Students are an academic selection and must not be related to commercial purposes.
- (6) PTS admissions for each Study Program shall be regulated by PTS themselves or may follow the national admission procedure.
- (7) Further provisions on national PTN admission procedure for new Students shall be set out in a Ministerial Regulation.

Section 74

- (1) PTN shall seek and screen potential Students having high academic potential but less economically and potential Students from frontier, outer and disadvantaged areas accounting for at least 20% (twenty percent) of the total admissions to be received and distributed across Study Programs.
- (2) Study Programs receiving potential Students as referred to in Section (1) may receive financial assistance from the Government, Regional Governments, Tertiary Education Institutions and/or the Community.

Section 75

- (1) Foreign citizens can be admitted into Tertiary Education Institutions.
- (2) The admission of foreign students as referred to in subsection (1) is subject to the following conditions:

- a. Academic qualifications;
 - b. Study programs;
 - c. Number of students; and
 - d. Tertiary Education Institutions' locations.
- (3) Provisions on requirements for admission of foreign Students as referred to in subsection (2) shall be set out in a Ministerial Regulation.

Paragraph 2

Satisfaction of Students' Rights

Section 76

- (1) The Government, regional governments and/or Tertiary Education Institutions has the obligation to satisfy the rights of their economically weak Students to complete their study in accordance with the academic regulation.
- (2) The satisfaction of Students' rights as referred to in subsection (1) shall be through giving:
 - a. Scholarship to Students with good achievements;
 - b. Subsidy for or exempting them from educational costs; and/or
 - c. Interest-free loans to be paid off after they have graduated and/or have been employed.
- (3) Tertiary Education Institutions or their management shall receive payments contributed by Students to finance their study according to the ability of the students, their parents or those financially supporting them.
- (4) Further provisions on the satisfaction of Students' rights as referred to in subsection (1) to (3) shall be set out in a Ministerial Regulation.

Paragraph 3

Student Organization

Section 77

- (1) Students may establish a student organization.
- (2) The student organization at least performs the function of:
 - a. Facilitating Students' activities to develop their talents, interests and potential;
 - b. Developing creativity, sensitivity, criticism, courage, leadership and nationalism;
 - c. Meeting Students' interests and welfare; and
 - d. Developing social responsibilities through Public Dedication.
- (3) The student organization as referred to in subsection (1) is an intra-tertiary institution organization.
- (4) Tertiary Education Institutions provide facilities and infrastructure and funds to support the student organization's activities.
- (5) Other provisions on student organization shall be set out in Tertiary Education Institutions' statutes.

Part Eight

Tertiary Education Institutions' Accountability

Section 78

- (1) Tertiary Education Institutions' Accountability is a form of responsibility of the Tertiary Education Institutions to the community and consists of:
 - a. Academic accountability;
 - b. Non-academic accountability.

- (2) Tertiary Education Institutions' accountability as referred to in subsection (1) shall be achieved through compliance with the National Higher Education Standards.
- (3) The Tertiary Education Institutions' accountability as referred to in subsection (1) shall be given through an annual reporting system.
- (4) The annual accountability reports shall be published to the Community.
- (5) The annual reporting system as referred to in subsection (3) shall be regulated pursuant to the laws and regulations.

Part Nine

Tertiary Education Institution Development

Paragraph 1

General

Section 79

- (1) The Government shall facilitate collaboration between Tertiary Education Institutions and the business and industrial sectors, alumni, regional government and/or other parties.
- (2) The Government shall develop a Higher Education information management system.
- (3) The Government shall develop a graded enhancement system through cooperation between Tertiary Education Institutions.
- (4) The Government shall develop open learning sources for use by the whole Academic Civitas.
- (5) The Government shall develop networks between Tertiary Education Institutions using information technology.

Paragraph 2

Tertiary Education Institution Development Pattern

Section 80

- (1) The Government shall gradually develop advantage centers in Tertiary Education Institutions.
- (2) The Government shall develop at least 1 (one) PTN in the form of University, Institute and/or Polytechnic in each province.
- (3) The PTN as referred to in subsection (2) shall be based on Tridharma according to local potential advantages contributing to the national development.

Section 81

- (1) The Government together with regional governments shall gradually develop at least 1 (one) Community Academy in the field suitable for local potential advantage in regencies/municipalities and/or in border areas.
- (2) The Community Academy as referred to in subsection (1) shall be based on local demand to accelerate development and public welfare.

Section 82

Further provisions on development of Tertiary Education Institutions as referred to in Section 79 to Section 81 shall be set out in a Ministerial Regulation.

CHAPTER V

FUNDING AND FINANCING

Part One

Responsibility for and Sources of Higher Education Funding

Section 83

- (1) The Government shall provide Higher Education funds allocated in the National Budget (APBN).
- (2) Regional Governments may contribute to Higher Education funds allocated in the Regional Budget (APBD).

Section 84

- (1) The Community may participate in the funding of Higher Education.
- (2) The funding of Higher Education received from the Community as referred to in subsection (1) may take the form of:
 - a. Grants;
 - b. *Wakaf*;
 - c. *Zakat*;
 - d. *Persembahan Kasih*;
 - e. Collection;
 - f. *Dana punia*;
 - g. Donations from individuals and/or companies;
 - h. Endowment fund for Tertiary Education Institutions; and
 - i. Other form pursuant to the laws and regulations.

Section 85

- (1) Tertiary Education Institutions may participate in Higher Education funding through cooperation in Tridharma implementation.
- (2) Higher Education funding may also be generated from education fees paid by Students according to the ability of Students, their parents or those financially supporting them.

Section 86

- (1) The Government shall facilitate financial assistance from the business sector and the industrial sector given to Tertiary Education Institutions.
- (2) The Government shall give an incentive to the business sector and the industrial sector or community members to provide assistance or donation for Higher Education pursuant to the laws and regulations.

Section 87

The Government and regional government may delegate the right of state asset management to Tertiary Education Institutions for the purpose of Higher Education development in accordance with the laws and regulations.

Part Two

Financing and Allocation

Section 88

- (1) The government shall establish standard Higher Education operational unit costs periodically by taking into account:
 - a. Outcomes of National Higher Education Standards;
 - b. Study Programs; and
 - c. Regional expensiveness index.
- (2) The standard Higher Education operational unit costs as referred to in subsection (1) shall be used as the basis for determining an allocation in the National Budget to PTN.
- (3) The standard operational unit costs as referred to in subsection (2) shall be used as the basis for PTN to determine the costs to be borne by Students.

- (4) The costs borne by Students as referred to in subsection (3) must be adjusted to the financial ability of Students, their parents or those financially supporting them.
- (5) Further provisions on standard Higher Education operational unit costs as referred to in subsection (1) shall be set out in a Ministerial Regulation.

Section 89

- (1) The Higher Education funds generated from the National Budget and/or Regional Budget as referred to in Section 83, subsections (1) and (2) are allocated to:
 - a. PTN as costs for operations, lecturers and teaching personnel and investment and development;
 - b. PTS as contributions to professional allowance of lecturers, honorary allowance of professors, and investment and development; and
 - c. Students as support for attending Higher Education.
- (2) The Higher Education Funds as referred to in subsection (1) item a for PTN legal entity shall be given as subsidy or otherwise pursuant to the laws and regulations.
- (3) The form and mechanism for funding in PTN legal entities shall be set out in a Government Regulation.
- (4) The Higher Education funds generated from the Regional Budget as referred to in subsection (1) are assistance provided by regional governments for Higher Education in each region according to the regions' ability.
- (5) The Government shall allocate assistance fund for PTN operations from the educational function budget.
- (6) The Government shall allocate at least 30% of the funds as referred to in subsection (5) to Research in PTN and PTS.
- (7) The Research funds as referred to in subsection (6) shall be managed by the Ministry.

CHAPTER VI

HIGHER EDUCATION PROVIDED BY FOREIGN INSTITUTIONS

Section 90

- (1) Foreign Tertiary Education Institutions may provide Higher Education in the Unitary State of the Republic of Indonesia under the laws and Regulations.
- (2) Such foreign Tertiary Education Institutions as referred to in subsection (1) must have been accredited and/or recognized in their countries.
- (3) The Government shall determine regions, and types of Study Programs to be provided by such foreign Tertiary Education Institutions as referred to in subsection (1).
- (4) Such foreign Tertiary Education Institutions as referred to in subsection (1) must:
 - a. Obtain a license from the Government;
 - b. Be based on non-profit principle;
 - c. Cooperate with Indonesian Tertiary Education Institutions with the approval of the Government; and
 - d. Give priority to engaging Indonesian lecturers and teaching personnel.
- (5) Such foreign Tertiary Education Institutions as referred to in subsection (1) must support the national interest.
- (6) Further provisions on foreign Tertiary Education Institutions as referred to in subsection (2) to subsection (5) shall be set out in a Ministerial Regulation.

CHAPTER VII

COMMUNITY'S PARTICIPATION

Section 91

- (1) The Community shall participate in higher education development.
- (2) The community's participation as referred to in subsection (1) shall include:
 - a. Determining competencies of graduates through professional organizations, business sector and industrial sector;
 - b. Providing scholarships and/or educational assistance to Students;
 - c. Monitoring and maintaining the quality of higher education through professional organizations or non-governmental organizations;
 - d. Operating good quality PTS;
 - e. Building character, interest and talents of Students;
 - f. Providing places for internship and practice to Students;
 - g. Providing various kinds of assistance through corporate social responsibility;
 - h. Supporting research and public dedication;
 - i. Sharing resources to implement Tridharma; and/or
 - j. Participating in other activities pursuant to the laws and regulations.

CHAPTER VIII

ADMINISTRATIVE SANCTIONS

Section 92

- (1) Tertiary Education Institutions violating Section 8 subsection (3), Section 18 subsection (3), Section 19 subsection (3), Section 20 subsection (3), Section 21 subsection (4), Section 22 subsection (3), Section 23 subsection (3), Section 24 subsection (4), Section 25 subsection (4), Section 28 subsection (3) or (4), or (5), or (6) or (7), Section 33 subsection (6) and subsection (7), Section 35 subsection (3), Section 37 subsection (1), Section 41 subsection (1), Section 46 subsection (2), Section 60 subsection (5), Section 73 subsection (3) and subsection (5), Section 74 subsection (1), Section 76 subsection (1), Section 78 subsection (2) and Section 90 subsection (5) are subject to administrative sanctions.
- (2) The administrative sanctions as referred to in subsection (1) include:
 - a. Written warnings;
 - b. Suspension of educational cost assistance from the Government;
 - c. Suspension of education activities;
 - d. Termination of guidance; and/or
 - e. License revocation.
- (3) Further provisions on administrative sanctions as referred to in subsection (2) shall be set out in a Ministerial Regulation.

CHAPTER IX

PENAL PROVISIONS

Section 93

Individuals, organizations or providers of higher education violating Section 28 subsection (6) or (7), Section 42 subsection (4), Section 43 subsection (3), Section 44 subsection (4), Section 60 subsection (2), and Section 90 subsection (4) are subject to a maximum imprisonment of 10 (ten) years and/or a maximum fine of Rp 1,000,000,000.00 (one billion rupiah).

CHAPTER X

OTHER PROVISIONS

Section 94

Tertiary Education Institutions operated by other Ministries and LPNK shall be set out in a Government Regulation.

CHAPTER XI
TRANSITIONAL PROVISIONS

Section 95

Prior to the establishment of an independent accreditation agency, study programs shall be accredited by the National Agency for Accreditation of Tertiary Education Institutions.

Section 96

Regional Higher Education Units shall have been established at the latest 2 (two) years after enactment of this law.

Section 97

Upon the coming-into-force of this Law:

- (1) Tertiary education institution establishment licenses and study program licenses issued shall remain valid.
- (2) The management of Tertiary Education Institutions shall adapt to this law at the latest 2 (two) years after enactment of this Law.
- (3) The management of State-Owned Legal Entities of Tertiary Education Institutions and ones that have been changed to Government-run Tertiary Education Institutions financially managed as Public Service Units (BLU) shall be established as PTN Legal Entities and shall adapt to this law at the latest in 2 (two) years.
- (4) The financial management of State-Owned Legal Entities of Tertiary Education Institutions as referred to in subsection (3) shall follow the procedure for Financial Management of Public Service Units until the implementing regulation of this law has been issued.

CHAPTER XII
CLOSING PROVISIONS

Section 98

- (1) The implementing regulation of this Law must be established not later than 2 (two) years upon enactment of this law.
- (2) The Government Regulation on the form and mechanism for funding of PTN Legal Entities shall be established not later than 1 (one) year upon enactment of this law.

Section 99

Upon coming-into-force of this Law, the whole implementation regulation of Law Number 20 Year 2003 on National Education System (Government Gazette of the Republic of Indonesia Year 2003 Number 78, Annex to Government Gazette of the Republic of Indonesia Number 4301) related to higher education is declared valid as far as it does not conflict with this Law.

Section 100

This Law comes into force on the date of enactment.

For public knowledge, it is ordered that the enactment of this Law be placed in the Government Gazette of the Republic of Indonesia.

Established in Jakarta

On

PRESIDENT OF THE REPUBLIC OF INDONESIA

SUSILO BAMBANG YUDHOYONO

Enacted in Jakarta

On ...

MINISTER OF LAWS AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA

AMIR SJAMSUDDIN

GOVERNMENT GAZETTE OF THE REPUBLIC OF INDONESIA YEAR ... NUMBER ...

The above Draft Law on Higher Education and its Explanation were accepted by the 35th Plenary Meeting of the House of People's Representatives of the Republic of Indonesia in the Session Period IV of the Year 2011-2012 on 13th July 2012 to be enacted as a law.

Jakarta, 13th July 2012

HOUSE OF PEOPLE'S REPRESENTATIVES OF THE REPUBLIC
OF INDONESIA

VICE SPEAKER,

Ir. H. TAUFIK KURNIAWAN, M.M.

EXPLANATION OF
DRAFT LAW OF THE REPUBLIC OF INDONESIA
NUMBER ... YEAR 2012
ON
HIGHER EDUCATION

I. GENERAL

The Unitary State of the Republic of Indonesia has a goal as mandated in the Preamble to the 1945 Constitution of the Republic of Indonesia, i.e. "... to protect the whole nation and the whole fatherland of Indonesia and promote public welfare, develop the intellectual life of the nation and participate in keeping the world in order based on independence, everlasting peace and social justice ..." based on Pancasila.

To actualize the goal, Section 31 (3) of the 1945 Constitution of the Republic of Indonesia mandates the Government to devise and implement a national education system that will improve faith and devoutness in God and morals to develop the intellectual life of the nation specified by law. Moreover, Section 31 (5) mandates the Government to promote science and technology by holding high religious values and national integrity to improve human civilization and welfare.

Under Law Number 20 Year 2003 on National Education System, the state has provided a clear framework for the Government to deliver national education according to Section 31 (3) of the Constitution. However, it is necessary to regulate Higher Education in order to perform greater function in developing science and technology by taking into account and implementing the humanities for the empowerment and cultivation of the nation.

Higher Education as integral part of the national education cannot be separated from the message of Section 31 (3) of the 1945 Constitution. In addition, to face the world development more focusing on science, Higher Education is expected to play a strategic role in enhancing human civilization and welfare.

By praxis, the Indonesian nation cannot be separated from international competition on the one hand and partnership with other nations on the other hand. Therefore, to improve the national competitiveness and partnership in this era of globalization, Higher Education is needed to actualize the educational services (*dharma*), to produce cultured, creative, tolerant, democratic intellectuals, scientists and/or professionals of strong character, brave to defend the truth in the interest of the nation and mankind. To implement Research and Public Dedication, there is a need for Higher Education to produce research work in branches of science and technology useful for the nation, state and people.

Tertiary Education Institutions as providers of Higher Education, Research and Public Dedication, must have the autonomy to manage themselves. This is necessary in order that there will be academic freedom and freedom of academic expression and scientific autonomy. Thus, Tertiary Education Institutions may develop academic culture for the Academic Civitas as a dignified scientific community able to interact and promote Indonesia in the global relationship.

Tertiary Education Institutions are on the front line to develop the intellectual life of the nation by promoting science and technology to improve public welfare and social justice for all Indonesian people.

II. SECTION BY SECTION

Section 1

Self-explanatory

Section 2

Self-explanatory

Section 3

Item a

The principle of “scientific truth” refers to search, observation, invention, dissemination and development of science and technology, the truth of which is verified scientifically.

Item b

The principle of “reasoning” refers to search, observation, invention, dissemination and development of science and technology giving priority to thinking activity.

Item c

The principle of “honesty” refers to higher education emphasizing the importance of academic morals of Lecturers and Students to always provide data and information on science and technology as it really is.

Item d

The principle of “equality” refers to higher education offering the same opportunities to all Indonesians without discriminating on the basis of ethnic, religion, race and class or social and economic backgrounds.

Item e

The principle of “benefit” refers to higher education always oriented towards improved civilization and welfare of mankind.

Item f

The principle of “virtue” refers to higher education that must bring in kindness, safety and welfare in the life of the academic civitas, the community, the nation and the state.

Item g

The principle of “responsibility” refers to the Academic Civitas that implements Tridharma and actualizes academic freedom, freedom of academic expression and/or scientific autonomy by holding high religious values and the national integrity and laws and regulations.

Item h

The principle of “diversity” refers to higher education provided in various branches of science and technology by taking into account and respecting the plurality of Indonesians within the Unitary State of the Republic of Indonesia.

Item i

The principle of “affordability” refers to higher education provided at the costs affordable to Students according to the economic ability of the students, their parents or those supporting them financially to ensure that citizens with potential and academic ability will receive higher education without being inhibited by economic problems.

Section 4

Self-explanatory

Section 5

Item a

Self-explanatory

Item b

Self-explanatory

Item c

Self-explanatory

Item d

The research work includes invention and innovation in science and technology to improve living standards for a developed nation.

Section 6

Item a

Self-explanatory

Item b

Self-explanatory

Item c

Self-explanatory

Item d

Self-explanatory

Item e

Self-explanatory

Item f

Self-explanatory

Item h

The “open system” refers to the delivery of higher education with flexibility in presentation, selection and completion time of programs, across units, modes and types of education (multi-entry multi-exit system).

The “multifaceted system” refers to delivery of education oriented towards cultivation, empowerment, character building and personality, and life skills.

Item i

Self-explanatory

Item j

Self-explanatory

Section 7

Self-explanatory

Section 8

Subsection (1)

The word “Academic” in the academic freedom” and “freedom of academic expression” is something scientific or theoretical developed in higher education and free of practical politics effects.

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Section 9

Subsection (1)

Self-explanatory

Subsection (2)

“The authority of professors and/or lecturers having scientific authority and power to openly and responsibly express something related to scientific clusters and branches” refers to lecturers qualified as doctors or equivalent.

Subsection (3)

Self-explanatory

Section 10

Subsection (1)

Self-explanatory

Subsection (2)

Item a

The religious science cluster is a scientific cluster that assesses beliefs in God and holy scriptures including ushuluddin, syariah, adab, dakwah, tarbiyah, philosophy and ideas of Islam, Islamic economy, Hindu education, Hindu explanation, Hindu philosophy, Buddhist education, Buddhist explanation, Buddhist philosophy, Christian education, Catholic education, theology, missiology, pastoral counseling and Confucian education.

Item b

The humanities science cluster is a scientific cluster that assesses and examines humanity values and human thinking, including philosophy, history, language, literature, art of the stage and plastic arts.

Item c

The social science cluster is a scientific cluster that assesses and examines relationship between people and various phenomena in the community, among others sociology, psychology, anthropology, political science, archeology, regional science, cultural science, economics science and geography.

Item d

The natural science cluster is a scientific cluster that assesses and examines the universe in addition to human, including astronomy, geology, biology, chemistry, and physics.

Item e

The formal science cluster is a scientific cluster that assesses and examines theoretical formal systems, including computer science, logics, mathematics, statistics and systematics.

Item f

The applied science cluster is a scientific cluster that assesses and examines the application of science to human life including agriculture, architecture and planning, business, education, engineering, forestry and environment, family and consumers, health, sports, journalism, mass media and communication, law, library and museum, military, public administration, social work and transportation.

Subsection (3)

Self-explanatory

Section 11

Self-explanatory

Section 12

Self-explanatory

Section 13

Self-explanatory

Section 14

Self-explanatory

Section 15

Subsection (1)

Self-explanatory

Subsection (2)

In the case of academic education in religious science, the responsibility lies with the Minister performing a part of government function in religious affairs in coordination with the Ministry.

Section 16

Subsection (1)

The “vocational education” refers to education to prepare Students to be professionals with high skills.

The vocational education curriculum is prepared in cooperation with the professional community and professional organization responsible for the quality of services in their profession to meet the requirements for professional competencies.

Thus, vocational education covers professional education.

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Section 17

Subsection (1)

Self-explanatory

Subsection (2)

Cooperation with the Ministry, other Ministries, LPNK and/or professional organizations includes establishment of competency standards, establishment of graduates’ qualifications, preparation of Curriculum, use of study sources and competency tests.

Section 18

Subsection (1)

Self-explanatory

Subsection (2)

The “cultured” scientists have attitude and behavior always based on the system of values, norms and principles of science, holding high religious values and national integrity.

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Subsection (5)

Self-explanatory

Section 19

Self-explanatory

Section 20

Subsection (1)

Students of master’s degree program having extraordinary ability may continue to the doctoral program after at least 1 (one) year of attending the master’s degree program without the need to complete the master’s program.

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Subsection (5)

Self-explanatory

Section 21

Subsection (1)

Self-explanatory

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Subsection (4)

The “equivalent” is competency under the National Indonesian Qualification Framework.

Subsection (5)

Self-explanatory

Subsection (6)

Self-explanatory

Subsection (7)

Self-explanatory

Section 22

Self-explanatory

Section 23

Subsection (1)

Students of applied master’s degree program having extraordinary ability may continue to the applied doctoral program after at least 1 (one) year of attending the master’s degree program without the need to complete the master’s program.

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Subsection (5)

Self-explanatory

Section 24

Subsection (1)

Self-explanatory

Subsection (2)

The professional program is the responsibility and authority of the Ministry, other Ministries, LPNK, and/or professional organizations responsible for the quality of professional services. Therefore, Tertiary Education Institutions may only provide the program in cooperation with the Ministry, other Ministries, LPNK, and/or professional organizations.

The professional program may use equivalent names such as medical, engineering, pharmaceutical, notary, psychologist, teaching/educational, journalist profession programs pursuant to the conditions of the Ministry, other Ministries, LPNK, and/or professional organizations responsible for the quality of professional services.

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Subsection (5)

Self-explanatory

Subsection (6)

Self-explanatory

Section 25

Subsection (1)

Self-explanatory

Subsection (2)

The specialist program may use equivalent names and have levels, such as medical specialist and sub-specialist program, first (*pratama*), middle (*madya*) and main (*utama*) professional engineering program, pursuant to the conditions of the Ministry, other Ministries, LPNK, and/or professional organizations responsible for the quality of professional services

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Subsection (5)

Self-explanatory

Subsection (6)

Self-explanatory

Section 26

Subsection (1)

Self-explanatory

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Subsection (5)

The professional degrees used include dr. for doctor, apt. for pharmacist, and Akt for accountant.

Subsection (6)

Self-explanatory

Subsection (7)

Self-explanatory

Subsection (8)

Self-explanatory

Section 27

Self-explanatory

Section 28

Self-explanatory

Section 29

Self-explanatory

Section 30

Self-explanatory

Section 31

Self-explanatory

Section 32

Self-explanatory

Section 33

Subsection (1)

Self-explanatory

Subsection (2)

Self-explanatory

Subsection (3)

The study program license related to religious science shall be issued by the Minister who partly deals with the government function in religious services.

Subsection (4)

Self-explanatory

Subsection (5)

Self-explanatory

Subsection (6)

Self-explanatory

Subsection (7)

The revocation of a study program license related to religious science shall be done by the Minister who partly deals with the government function in religious services.

Subsection (8)

Self-explanatory

Section 34

Self-explanatory

Section 35

Subsection (1)

Self-explanatory

Subsection (2)

Self-explanatory

Subsection (3)

Item a

The "religion subject" is education to form Students to become devout and faithful in God and have good moral.

Item b

The "Pancasila subject" is education to give understanding and comprehension to Students about Indonesian ideology.

Item c

The "Civics subject" is education that includes Pancasila, 1945 Constitution of the Republic of Indonesia, Unitary State of the Republic of Indonesia and Bhinneka Tunggal Ika (Unity in Diversity).

Item d

Self-explanatory

Subsection (4)

The "curricular activities" refer to structured activities to achieve Study Program goals.

The "co-curricular activities" refer to programmed activities that are done by Students under the guidance of lecturers as part of curriculum and that may be weighted as one or two semester credits.

The "extracurricular activities" refer to activities that are done by Students in support of the curriculum and that may be weighted as one or two semester credits.

Section 36

Self-explanatory

Section 37

Self-explanatory

Section 38

Self-explanatory

Section 39

Self-explanatory

Section 40

Self-explanatory

Section 41

Subsection (1)

The study sources may include the universe, legislative, executive and judicative branches, education hospital, lab, library, museum, studio, workshop, stadium and broadcasting station.

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Section 42

Self-explanatory

Section 43

Subsection (1)

The “professional certificates” include educator certificates issued by Tertiary Education Institutions established by the Government to implement an educator recruitment program as specified in the law on teachers and lecturers.

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Section 44

Subsection (1)

The “expertise in a branch of science” refers to the ability of a person recognized by the Community due to their practical expertise such as hair cutting, graphic design, mechanic and other practical expertise.

The “achievement outside their study program” is other expertise that is not directly related to their study programs such as Medical Students that win a swimming competition, engineering Students skilled in journalism or photography, etc.

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Subsection (5)

Self-explanatory

Section 45

Subsection (1)

Self-explanatory

Subsection (2)

Self-explanatory

Subsection (3)

The “research through competency” is research assigned to lecturers with the academic qualification as graduates from the doctoral program without competition.

The “research through competition” is research assigned to lecturers through competition.

Section 46

Subsection (1)

Self-explanatory

Subsection (2)

Those must be disseminated are researches funded by the Government and/or regional Governments.

The research that are confidential, and inhibit and/or endanger public interest is research with nature and output related to the state’s secret or safety so that it cannot or must not be known to, owned and used by unauthorized parties.

Being published means that research output is put in an accredited scientific journals and/or books published by Tertiary Education Institutions or other publishers and has ISBN (International Standard Book Number).

Subsection (3)

Self-explanatory

Section 47

Self-explanatory

Section 48

Self-explanatory

Section 49

Self-explanatory

Section 50

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Section 51

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Section 52

Self-explanatory

Section 53

Self-explanatory

Section 54

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Section 55

Self-explanatory

Section 56

Self-explanatory

Section 57

Subsection (1)

Self-explanatory

Subsection (2)

Self-explanatory

Subsection (3)

The words “where necessary” refer to the needs based on the characteristics or profiles of Tertiary Education Institutions in specific areas.

Subsection (4)

Self-explanatory

Section 58

Self-explanatory

Section 59

Self-explanatory

Section 60

Subsection (1)

Self-explanatory

Subsection (2)

The establishment of PTS that provide religious education is subject to the license from the Minister dealing partly with the governmental function in religious services.

The “non-profit principle” is a principle intended not to make profits so that the remaining operating profit shall be re-invested in Tertiary Education Institutions to increase their capacity and/or the quality of their education services.

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Subsection (5)

Self-explanatory

Subsection (6)

Self-explanatory

Subsection (7)

Self-explanatory

Section 61

Self-explanatory

Section 62

Self-explanatory

Section 63

Item a

The “accountability principle” is the ability and commitment to account for all the activities implemented by Tertiary Education Institutions to all stakeholders pursuant to laws and regulations. Accountability is measurable among others by the ratio between Students and Lecturers, adequacy of facilities and infrastructure, quality education delivery, and competencies of graduates.

Item b

The “transparency principle” refers to openness and ability to present relevant and accurate information to stakeholders pursuant to the laws and regulations.

Item c

The “nonprofit principle” refers to the principle of activities not intended to make profits so that all the remaining operating profit shall be re-invested in Tertiary Education Institutions to increase their capacity and/or the quality of their education services.

Item d

The “quality assurance principle” refers to systemic activities to provide higher education services that meet or exceed the national standards for higher education and sustainably improve the quality of education services.

Item e

The “effectiveness and efficiency principle” refers to systemic activities to use resources in providing higher education to be well targeted and avoid waste.

Section 64

Self-explanatory

Section 65

Subsection (1)

Self-explanatory

Subsection (2)

Self-explanatory

Subsection (3)

Item a

The PTN legal entity may use assets and proceeds to generate revenue.

The assets in the form of land cannot be transferred or mortgaged to others.

Item b

Self-explanatory

Item c

Self-explanatory

Item d

Self-explanatory

Item e

Self-explanatory

Item f

Self-explanatory

Item g

Self-explanatory

Subsection (4)

The "PTN legal entity" is fully owned by the state and cannot be transferred to individuals or the private sector. To perform the higher education functions within the scope of the Ministry's responsibility, the Government shall give compensation or bear a portion of the costs incurred by the PTN legal entity.

Subsection (5)

Self-explanatory

Section 66

Self-explanatory

Section 67

Self-explanatory

Section 68

Self-explanatory

Section 69

Subsection (1)

Item a

Lecturers consist of permanent lecturers and nonpermanent lecturers.

Item b

The "teaching personnel" refer to members of the community dedicating themselves and appointed to support higher education delivery. They include librarians, administrators, lab assistants and technicians, and information technical institutions.

Subsection (2)

Self-explanatory

Subsection (3)

The "person who has extraordinary expertise and/or achievement" is intended to meet the needs for lecturers in all higher education programs, particularly one-year diploma program and two-year diploma program.

The laws and regulations refer to law on teachers and lecturers.

Section 70

Subsection (1)

Self-explanatory

Subsection (2)

The employment contract or agreement contains base salary, inherent income, other income and social welfare and fringe benefits pursuant to law on teachers and lecturers.

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Subsection (5)

Self-explanatory

Subsection (6)

Self-explanatory

Section 71

Subsection (1)

The “permanent lecturers” are lecturers not appointed by the Government (non-civil servants/non-civil state apparatus).

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Section 72

Self-explanatory

Section 73

Subsection (1)

The national admission procedure or otherwise only applies to Students of bachelor’s degree program and diploma programs.

The “otherwise” is an independent system for admissions implemented by Tertiary Education Institutions.

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Subsection (5)

Self-explanatory

Subsection (6)

Self-explanatory

Subsection (7)

Self-explanatory

Section 74

Self-explanatory

Section 75

Self-explanatory

Section 76

Subsection (1)

Self-explanatory

Subsection (2)

Item a

The “scholarship” refers to support for education costs provided to students to attend and/or complete their higher education with the main considerations of achievements and/or academic potential.

Item b

The “subsidy for educational costs” is support for education costs provided to students to attend and/or complete their higher education with the main considerations of limited economic ability.

Item c

The “interest-free loans” are loans received by Students free of interest to attend and/or complete their higher education with the obligation to repay after graduation and after having sufficient revenue.

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Section 77

Self-explanatory

Section 78

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Section 79

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Section 85

Self-explanatory

Section 86

Self-explanatory

Section 87

The right of state asset management may include the right of management of land, sea, mines, plantations, forests and museums.

Section 88

Subsection (1)

Item a

The “standard Higher Education operational unit costs” include costs for higher education outside investment and development. The investment costs include procurement of facilities and infrastructure and study sources.

Item b

Self-explanatory

Item c

Self-explanatory

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Subsection (5)

Self-explanatory

Section 89

Subsection (1)

Item a

The budget for PTN is allocated by the Government in the National Budget and/or by regional governments in the regional budget pursuant to the laws and regulations.

Item b

The budget for PTS is allocated by the Government in the National Budget and/or by regional governments in the regional budget in the form of, among others, grants, assistance for education programs, research, and public dedication activities pursuant to the laws and regulations.

In addition to financial assistance, PTS may obtain assistance of lecturers appointed by the Government.

Item c

Support for costs to attend Higher Education for Students may include scholarship, assistance or exemption from education costs and/or interest-free loans

Subsection (2)

Self-explanatory

Subsection (3)

Self-explanatory

Subsection (4)

Self-explanatory

Subsection (5)

The "assistance fund for PTN operations" is fund from the Ministry outside non-tax State Revenue allocated in the National Budget to support Tridharma operational costs.

Subsection (6)

Self-explanatory

Subsection (7)

Self-explanatory

Section 90

Self-explanatory

Section 91

Self-explanatory

Section 92

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Section 93

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Section 98
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Section 100
 Self-explanatory

ANNEX TO GOVERNMENT GAZETTE OF REPUBLIC OF INDONESIA NUMBER ...

Jakarta, 13 July 2012
HOUSE OF PEOPLE'S REPRESENTATIVES OF THE REPUBLIC
OF INDONESIA,
VICE SPEAKER,
Ir. H. TAUFIK KURNIWAN, M.M.

Translator's Statement:

This document is translated accurately and consistently from Indonesian into English.
Tangerang, 23 July 2012

TJENG GOAN HALIM
Sworn Translator