



Analysis of the Village Head Replacement Mechanism Based on Law Number 6 of 2014 concerning Villages and Derivative Regulations

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ARTICLE INFO

Article history:

Received 11 September 2023

Received in revised form 23 November 2023

Accepted 15 December 2023

ABSTRACT

Law no. 6 of 2014 concerning villages regulates the appointment and dismissal of village heads. In carrying out the mandate for 6 years, it cannot be denied that along the way the village head will die, resign or be dismissed for one reason or another. Law no. 6/2014 does not regulate in detail the mechanism for replacing the village head. The replacement mechanism is regulated in derivative regulations, such as government regulations (PP) and several Minister of Home Affairs regulations. This article will analyze the mechanism for replacing village heads as regulated in the village law and its derivatives. The results of the research show that Law no. 6 of 2014 and its derivative regulations stipulate that if the village head dies, resigns from his position, and fulfills one of the conditions for being dismissed, the BPD reports to the regent via the sub-district head. The regent/mayor will make a decision to permanently dismiss the village head. The replacement of the village head then looks at 2 things, firstly, if the remaining term of office of the dismissed village head is less than 1 year, then leadership in the village will be held by the acting village head until the village head election. However, if the remaining term of office of the village head is more than 1 year, then leadership in the village is held by the acting village head until the village head is elected at the village meeting.

Keyword:

Dismissal of Village Head, Acting Village Head, Replacement of Village Head

INTRODUCTION

The village law stipulates that the term of office of the village head is 6 years, starting from the time of inauguration. A village head can serve a maximum of three consecutive or non-consecutive terms (Kumalasari, 2016; Putri, 2023; Zamhasari

et al., 2023). If the people of the village elect him or her to another term after each, they can hold office for a total of 18 years. During the period of leadership of the village head for 6 years, sometimes conditions beyond human control were

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inevitable, for example, death or other things that made the village head then have to resign from his position. Law No. 6 of 2014 has anticipated this by regulating the mechanism for replacing village heads.

There are several regulations governing the dismissal of village heads, namely Law No. 6/2014, Government Regulation No. 47/2015, Minister of Home Affairs

Regulation No. 66/2017, and Minister of Home Affairs Regulation No. 65/2017. All of these regulations complement each other in explaining the mechanism for dismissing a village head. This article will explain the mechanism for replacing village heads based on the four regulations mentioned above. The articles governing the dismissal of village heads can be seen in Table 1 below:

Table 1. Regulations Governing the Dismissal and Replacement of Village Heads

No	Regulations	About	Chapter
1	Law no. 6 of 2014	Village	40-47
2	Government Regulation no. 47 of 2015	Amendment to PP No. 43 of 2014 concerning Implementing Regulations of Law no. 6 of 2014 concerning Villages	54-60
3	Minister of Home Affairs Regulation No. 65 of 2017	Amendment to Minister of Home Affairs Regulation no. 112 of 2014 concerning Election of Village Heads	47A-49
4	Minister of Home Affairs Regulation No. 66 of 2017	Amendment to Minister of Home Affairs Regulation no. 82 of 2015 concerning the Appointment and Dismissal of Village Heads	8-12

Source: Processed from various sources, 2023.

Not much writing has been done regarding the replacement of the village head. Several articles that have discussed the replacement of village heads are Hasibuan and Gunawan (Hasibuan & Gunawan, 2022). The research he conducted focused on the mechanism for replacing village heads in accordance with Article 8 of Minister of Home Affairs Regulation No. 66/2017 in Matondang Village, Ulu Barumun District, Padang Lawas Regency. Gosi (2019) also conducted similar research in order to earn his master's degree from the Brawijaya University Faculty of Law. He focuses more on replacing village heads from time to time based on Minister of Home Affairs Regulation No. 65/2017 concerning the election of village Heads. Apart from that, Fitria from UIN Mataram highlighted how

the Regent's Regulations in Central Lombok were implemented regarding interim changes of village heads in 2019. The writing that the author will analyze is different from what has been done above. The author will analyze how regulations regulate the mechanism for replacing village heads and what problems arise from this replacement, which must be accommodated by regent or mayor regulations.

RESEARCH METHODS

This research uses a qualitative method with a library research approach. Library research is a series of activities related to methods of collecting library data, reading, recording, and processing research materials (Zed, 2014). This library research limits its activities to library collection

materials only without requiring field research. In the social sciences, library research is used to understand new phenomena that are developing in the field/society. Researchers use this approach to gain a better understanding of the arrangements for replacing village heads as regulated in Law No. 6/2014 and other derivative regulations. In their analysis, researchers placed greater emphasis on regulations relating to the replacement of village heads, namely Law No. 6/2014 concerning villages, Government Regulation No. 47 of 2015 Amendment to Government Regulation No. 43 of 2014 concerning Implementing Regulations of Law No. 6 of 2014 concerning Villages, Minister of Home Affairs Regulation No. 65 of 2017 concerning Amendments to Minister of Home Affairs Regulation No. 112 of 2014 concerning Election of Village Heads, and Minister of Home Affairs Regulation No. 66 of 2017 concerning Amendments to Minister of Home Affairs Regulation No. 82 of 2015 concerning the Appointment and Dismissal of Village Heads. Apart from that, researchers also searched for books, journals, and other documentation.

RESULTS AND DISCUSSION

There are several important things that will be explained in this discussion chapter. First, the factors that cause the village head to quit; second, the mechanism for replacing village heads. These two points will be explained in detail according to Law No. 6 of 2014, Government Regulation No. 47 of 2015 concerning Amendments to PP No. 43 of 2014 concerning Implementing Regulations of Law No. 6 of 2014 concerning Villages, Minister of Home Affairs Regulation No. 66 of 2017 concerning Amendments to Minister of Home Affairs Regulation No. 82 of 2015 concerning the Appointment and Dismissal of Village Heads, and Minister of Home Affairs Regulation No. 65 of 2017 concerning Amendments to Minister of Home Affairs Regulation No. 112 of 2014 concerning Election of Village Heads.

Factors that cause village heads to quit

There are several factors that cause the village head to resign, namely death, his own request, and being dismissed. This can be seen in table 2 below.

Table 2. Arrangements for Dismissal of Village Heads

No	Rule	Chapter	Arrangements for the Dismissal of Village Heads
1	Law no. 6 of 2014	40 verses (1)	The village head quit because: (a) Died (b) Own request (c) Dismissed
2	Government Regulation no. 47 of 2015 in conjunction with PP No. 43 of 2014	54 verses (1)	The village head quit because: (a) Died (b) Own request (c) Dismissed
3	Minister of Home Affairs Regulation No. 66 of 2017 in conjunction with Minister of Home Affairs Regulation No. 82/2015	Article 8 verses (1)	The village head quit because: (a) Died (b) Own request (c) Dismissed

Source: Processed from various sources, 2023.

From Table 2, it can be explained that the village head stops if he dies; this is something that cannot be avoided because it is the destiny of God Almighty. Second,

the village head stops if there is a request from the village head himself. This can happen due to internal and external factors of the village head. For example, he was

unable to carry out the duties and functions of the village head because there was pressure from the community on the village head to resign from his position, and many other factors caused the village head to resign from his position. Third, the

village head quit his position because he was dismissed. There were several factors that caused this village head to be dismissed from his position. For more details, see table 3 below.

Table 3. Factors causing village heads to be dismissed

No	Rule	Chapter	Factors that cause village heads to be dismissed
1	Law no. 6 of 2014	40 verses (2)	The village head was dismissed because: (a) End of term of office; (b) Unable to carry out duties continuously or permanently absent for 6 (six) months; (c) No longer meets the requirements as a candidate for village head; (d) Violating the prohibitions as village head.
2	Government Regulation no. 47 of 2015 in conjunction with PP No. 43 of 2014	54 verses (2)	The village head was dismissed because: (a) End of term of office; (b) Unable to carry out duties continuously or permanently absent for 6 (six) months; (c) No longer meets the requirements as village head; (d) Violating prohibitions as village head; (e) There is a change in the status of a village to a sub-district, the merger of 2 (two) or more villages into 1 (one) new village, or the elimination of a village; (f) Failure to carry out obligations as village head; (g) Declared a convict based on a court decision that has permanent legal force.
3	Minister of Home Affairs Regulation No. 66 of 2017 in conjunction with Minister of Home Affairs Regulation no. 82 of 2015	Chapter 8 verses (1)	The village head was dismissed because: (a) End of term of office; (b) Unable to carry out duties continuously or permanently absent continuously for 6 (six) months due to suffering from illness which results in both physical and mental, not functioning normally as proven by an authorized doctor's certificate and/or whose whereabouts are unknown; (c) No longer meets the requirements as village head; (d) Violating prohibitions as village head; (e) There is a change in the status of a village to a sub-district, the merger of 2 (two) or more villages into 1 (one) new village, or the elimination of a village. (f) Failure to carry out obligations as village head; and/or (g) Declared a convict who is threatened with imprisonment for a minimum of 5 (five) years based on a court decision that has permanent legal force.

Source: Processed from various sources, 2023.

From table 3 above, it can be seen that there are several points added to the factors causing the dismissal of village heads in PP No. 47/2015 and Minister of Home Affairs Regulation No. 66/2017. In article 40 paragraph (2), Law no. 6/2014 states that there are 4 factors that cause a village head to be dismissed, namely, the end of the term of office, being unable to

carry out his duties continuously or being permanently absent for 6 consecutive months, no longer meeting the requirements as a candidate for village head, and violating the prohibitions against being a village head. In point 3, it is emphasized that the village head can be dismissed if he no longer meets the requirements as a candidate for village

head. There is an error at this point because the person concerned has become village head and is no longer a candidate for village head. This editorial was later corrected in PP No. 47/2015 and Minister of Home Affairs Regulation No. 66/2017.

In article 33 of Law no. 6/2014 states several requirements that must be met as a candidate for village head. These requirements are:

- a. Citizen of the Republic of Indonesia;
- b. Fear of God Almighty;
- c. Upholding and practicing Pancasila, implementing the 1945 Constitution of the Republic of Indonesia, as well as maintaining and preserving the integrity of the Unitary State of the Republic of Indonesia and *Bhinneka Tunggal Ika*;
- d. Minimum education completed junior high school or equivalent;
- e. At least 25 (twenty-five) years of age at the time of registration;
- f. Willing to be nominated as Village Head;
- g. Registered as a resident and residing in the local village for at least 1 (one) year before registration;
- h. Not currently serving a prison sentence;
- i. Never been sentenced to imprisonment based on a court decision that has permanent legal force for committing a criminal offense that is punishable by imprisonment for a minimum of 5 (five) years or more, except 5 (five) years after completing the prison sentence and announcing it honestly and openly to the public that the person concerned has been convicted and is not a repeat offender;
- j. Not having their right to vote revoked in accordance with a court decision that has permanent legal force;
- k. Healthy;
- l. Never served as Village Head for 3 (three) terms of office; And
- m. Other conditions regulated in Regional Regulations.

In 2015, article 33 letter (g) was challenged, resulting in Constitutional Court Decision No. 128/PUU-XIII/2015, which deletes article 33 letter (g). With the issuance of this Constitutional Court decision, Article 21 of Minister of Home Affairs Regulation No. 65/2017 concerning Amendments to Minister of Home Affairs Regulation No. 112 of 2014 Concerning the Election of Village Heads was amended in accordance with the Constitutional Court's decision. The requirements for being a candidate for village head according to Article 21 of Minister of Home Affairs Regulation No. 65/2017 are:

- a. Citizen of the Republic of Indonesia;
- b. Fear of God Almighty;
- c. Upholding and practicing Pancasila, implementing the 1945 Constitution of the Republic of Indonesia, as well as defending and maintaining the integrity of the Unitary State of the Republic of Indonesia and *Bhinneka Tunggal Ika*;
- d. Minimum education completed junior high school or equivalent;
- e. At least 25 (twenty-five) years of age at the time of registration;
- f. Willing to be nominated as Village Head;
- g. Deleted;
- h. Not currently serving a prison sentence;
- i. Never been sentenced to prison based on a court decision that has permanent legal force for committing a criminal offense that is punishable by imprisonment for a minimum of 5 (five) years or more, except 5 (five) years after completing the prison sentence and announcing it honestly and openly to the public that the person concerned has been convicted and is not a repeat offender;
- j. Not having their right to vote revoked in accordance with a court decision that has permanent legal force;
- k. Healthy;
- l. Never served as Village Head for 3 (three) terms of office; And

m. Other conditions regulated in regional regulations.

Based on Article 40, paragraph (2), letter (c), Law No. 6/2014 states that a village head can be dismissed if he no longer meets the requirements as village head listed in the article above. Apart from that, the final point that causes a village head to be dismissed according to Article 40, paragraph (2), letter (d), is if the village head violates the prohibitions against being a village head. Article 29 of Law No. 6/2014 regulates the prohibition of being a village head. The prohibitions for being a village head are:

- a. Harmful to public interests;
- b. Make decisions that benefit yourself, family members, other parties, and/or certain groups;
- c. Abuse his/her authority, duties, rights and/or obligations;
- d. Carrying out discriminatory actions against certain citizens and/or community groups;
- e. Carrying out actions that disturb a group of Village residents;
- f. Carrying out collusion, corruption and nepotism, receiving money, goods and/or services from other parties that can influence decisions or actions to be taken;
- g. Become a political party administrator;
- h. Become a member and/or administrator of a prohibited organization;
- i. Holds concurrent positions as chairman and/or member of the Village Consultative Body, member of the People's Representative Council of the Republic of Indonesia, Regional Representative Council of the Republic of Indonesia, Provincial Regional People's Representative Council or Regency/Municipal Regional People's Representative Council, and other positions specified in statutory regulations;

- j. Participate and/or be involved in general election campaigns and/or regional head elections;
- k. Violating the oath/promise of office; And
- l. Leaving duties for 30 (thirty) consecutive working days without clear and unjustified reasons.

In Article 54, Paragraph 2, Government Regulation No. 47/2015 added 3 more points to the factors causing the village head to be dismissed, bringing the factors causing the village head to 7 points. The three additional points are: 1) a change in the status of a village to a sub-district; 2) the merger of two or more villages into one new village; or 3) the elimination of a village; 4) not carrying out his obligations as village head; and 5) being declared a convict based on a court decision that has permanent legal force. So, if there are three incidents mentioned above, the village head can be dismissed.

In Article 8 Paragraph 1 of Minister of Home Affairs Regulation No. 66/2017 Concerning Amendments to Minister of Home Affairs Regulation No. 82 of 2015 Concerning the Appointment and Dismissal of Village Heads, there are 7 factors that cause village heads to be dismissed. Still the same as regulated in Government Regulation No. 47/2015, it's just that there are several editorial points added, namely letters (b) and letter (g). These editorial additions can be seen in Table 3 above.

Temporary Dismissal of the Village Head

Law No. 6/2014 concerning villages regulates the temporary dismissal of village heads. In articles 41 to 45 of the law, it is stated that the village head can be temporarily dismissed if: a) he is declared a defendant who is threatened with imprisonment for a minimum of 5 years based on the case register at court; b) he is named as a suspect in criminal acts of

corruption, terrorism, treason, and/or criminal acts against state security; and c) he is declared a convict based on a court decision that has permanent legal force.

Regulations regarding temporary dismissal are also regulated in Article 9, Minister of Home Affairs Regulation No. 66/2017. In this article, it is explained that the village head can be temporarily dismissed if: a) he does not carry out his obligations as village head; b) he violates the prohibitions as village head; c) he is declared a defendant who is threatened with imprisonment for a minimum of 5 years based on the case register at court; d) he is named as a suspect in criminal acts of corruption, terrorism, treason, and/or criminal acts against state security. When the village head is temporarily dismissed by the regent or mayor, the village secretary carries out the duties and obligations of the village head until a court decision has been made that has permanent legal force.

In Article 44, Law No. 6/2014, it is further explained that if a village head who

is temporarily dismissed after going through a judicial process is found to be innocent based on a court decision that has permanent legal force no later than 30 days from the decision, then the regent or mayor rehabilitates and activates returning the village head concerned as village head until the end of his term of office. If the temporarily dismissed village head has ended his term of office, the regent or mayor must rehabilitate the good name of the village head concerned.

Village Head Replacement Mechanism

The mechanism for replacing village heads is not regulated in detail in Law No. 6/2014 concerning Villages. However, Article 40, Paragraph 4, of Law No. 6/2014 explains that further provisions regarding the dismissal of a village head (died, at his own request, and dismissed) are regulated in a government Regulation. For more details on the replacement mechanism, see table 4.

Table 4. Village Head Replacement Mechanism

No	Rule	Chapter	Village Head Replacement Mechanism
1	Law no. 6 of 2014	-	Unregulated
2	Government Regulation no. 47 of 2015 in conjunction with Government Regulation no. 43 of 2014	54 paragraphs (3) and (4)	(3) If the Village head resigns as intended in paragraph (1), the Village Consultative Body reports it to the regent/mayor through the sub-district head or other designation. (4) The dismissal of the Village head as intended in paragraph (3) is determined by the decision of the regent/mayor.
3	Minister of Home Affairs Regulation No. 66 of 2017 in conjunction with Minister of Home Affairs Regulation no. 82/2015	Article 8 paragraphs (3), (4) and (5)	(3) If the Village head resigns as intended in paragraph (1), the Village Consultative Body reports it to the regent/mayor through the sub-district head or other designation. (4) The report from the leadership of the Village Consultative Body to the regent/mayor as intended in paragraph (3) contains case material experienced by the Village head concerned. (5) Based on the report from the leadership of the Village Consultative Body as referred to in paragraph (4), the regent/mayor conducts a study for the next process.

Source: Processed from various sources, 2023.

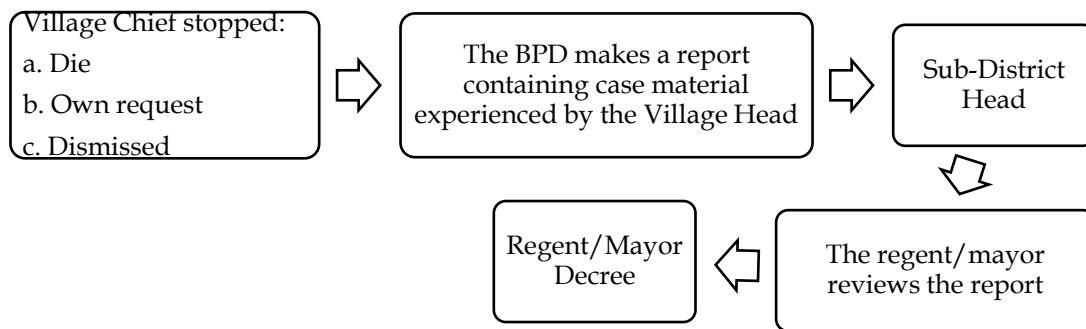
From Table 4 above, it can be seen that the dismissal mechanism is regulated in

more detail in Minister of Home Affairs Regulation No. 66/2017 concerning

Amendments to Minister of Home Affairs Regulation No. 82 of 2015 concerning the

Appointment and Dismissal of Village Heads.

Chart 1. Village Head Dismissal Flow



Source: Processed from various sources, 2023.

There are two forms of the regent or mayor's decision from the BPD report: first, if the term of office of the departing village head is no more than 1 year, then the regent or mayor will appoint a civil servant from the district or city regional government as acting village head until the village head is elected. new. Second, if the term of office of the village head ends for more than one year, the regent or mayor will appoint a civil servant from the district or city regional government as acting village head until a new village head is elected through the results of the village

deliberation. This is regulated in articles 55 and 56 of Government Regulation No. 47/2015 concerning Amendments to Government Regulation No. 43 of 2014 Concerning Implementing Regulations of Law No. 6 of 2014 Concerning Villages.

This dismissal arrangement is closely related to the previous article, namely Article 54 of Government Regulation No. 47/2015. Article 55 states in detail the factors that caused the village head to be dismissed. For more details, see table 5.

Table 5. Dismissal of Village Heads Based on Articles 55 and 56 of Government Regulation no. 47 of 2015

No	Article Sound	Information
1	Article 55 In the event that the remaining term of office of the departing Village Head is no more than 1 (one) year due to being dismissed as intended in Article 54 paragraph (1) letters a and b as well as paragraph (2) letters b, c, d, f, and letter g, the regent/mayor appoints a civil servant from the district/city regional government as acting Village head until a new Village head is elected.	Article 54 paragraph (1) (a) Died (b) Own request Article 54 paragraph (2): (a) Unable to carry out duties continuously or permanently absent for 6 (six) months; (b) No longer meets the requirements as Village head; (c) Violating the prohibitions as Village head; (d) Failure to carry out obligations as Village head; (e) Declared a convict based on a court decision that has permanent legal force.
2	Article 56 In the event that the remaining term of office of the Village Head who has resigned is more than 1 (one) year due to being dismissed as intended in Article 54 paragraph (1) letters a and	Article 54 paragraph (1) (a) Died (b) Own request Article 54 paragraph (2):

letter b as well as paragraph (2) letters b, letter c, letter d, letter f, and letter g, the regent/mayor appoints a civil servant from the district/city regional government as acting Village head until a new Village head is elected through the results of the Village deliberation.

(a) Unable to carry out duties continuously or permanently absent for 6 (six) months;
 (b) No longer meets the requirements as Village head;
 (c) Violating the prohibitions as Village head;
 (d) Failure to carry out obligations as Village head;
 (e) Declared a convict based on a court decision that has permanent legal force.

Source: Processed from various sources, 2023.

From table 5 above, it can be seen that if the village head's term of office is less than 1 year, then the acting village head completes all activities that have been budgeted in the village APBD until the simultaneous village head election is held. If the remaining term of office of the village head is more than one year, the acting village head holds power until a new village head is elected as a result of village deliberations.

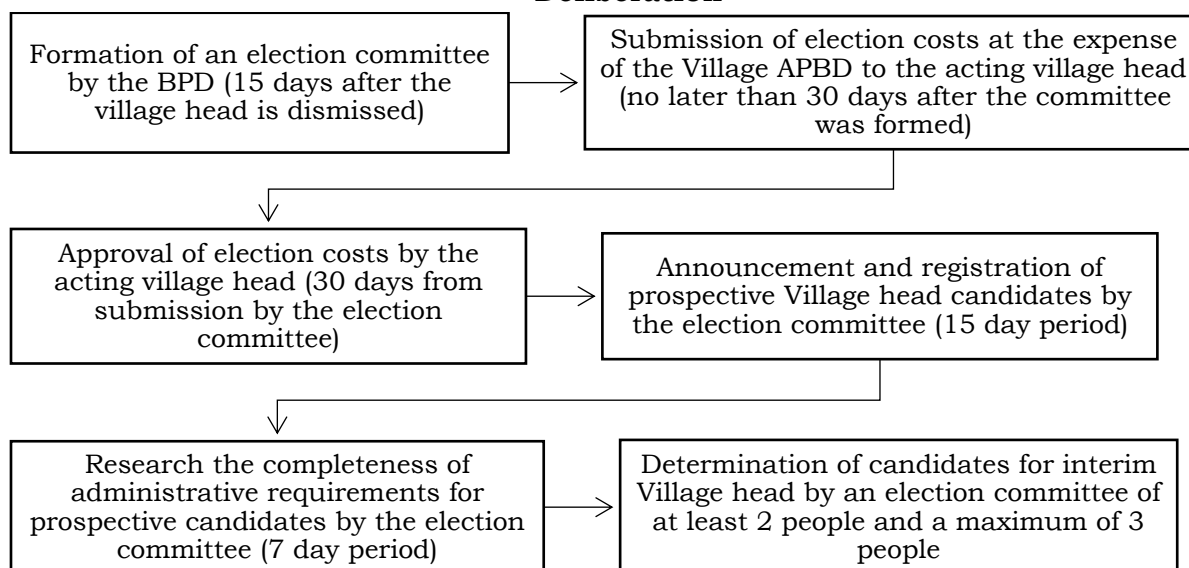
Inter-Time Village Head Election Mechanism Through Village Deliberations

Inter-time village head elections through village meetings are regulated in Article 45 of Government Regulation No. 47 of 2015 concerning Amendments to Government Regulation No. 43 of 2014

concerning Implementing Regulations of Law No. 6 of 2014 concerning Villages. Further provisions regarding the interim election of village heads through village meetings are regulated in Minister of Home Affairs Regulation No. 65/2017 concerning changes to Minister of Home Affairs Regulation No. 112/2014 concerning the election of village Heads. Interim village head elections through village meetings are held no later than 6 months after the village head is dismissed.

The interim village head election is carried out in three stages, namely preparation, implementation, and reporting. The preparation stages for the interim village head election can be seen in Chart 2 below.

Chart 2. Stages of Preparation for Interim Village Head Election through Village Deliberation



Source: Processed from various sources, 2023.

From the chart above, it can be explained that the BPD forms an interim

village head election committee. This committee consists of village officials and

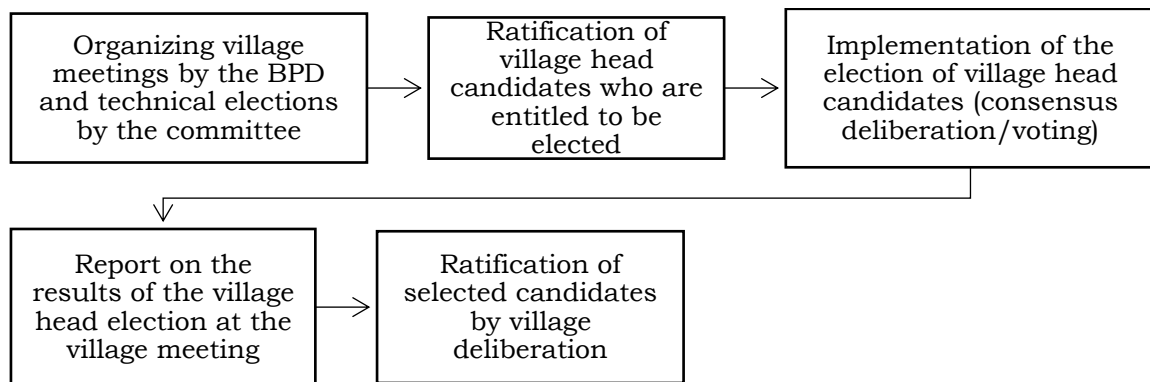
community elements whose numbers are adjusted to the workload and village financial budget. In accordance with Article 47B, Minister of Home Affairs Regulation No. 65/2017 states that the village head election committee is determined by the decision of the BPD leadership. Therefore, the interim village head election committee is responsible for the BPD leadership.

After the committee is formed and determined, the committee carries out a network and screening of prospective village head candidates over time. This screening of prospective candidates is for at least 2 people and a maximum of 3 people. If the number of candidates who meet the requirements is more than three, the committee will carry out additional selection. According to Article 47C, Minister of Home Affairs Regulation No.

65/2017, additional selection consists of: a) having experience with village government; b) education level; and c) other requirements determined by the regent/mayor. The election committee will extend the registration time if there are fewer than two candidates who meet the requirements. The extension is carried out for 7 days. If there are still less than two candidates who meet the requirements after the extension, then the BPD postpones the implementation of the village deliberation for the election of the village head until the time determined by the BPD.

If all preparation stages have been completed, then proceed to the implementation stage. The stages of this implementation can be seen in Chart 3 below.

Chart 3. Stages of Implementing Interim Village Head Elections Through Village Deliberations



Source: Processed from various sources, 2023.

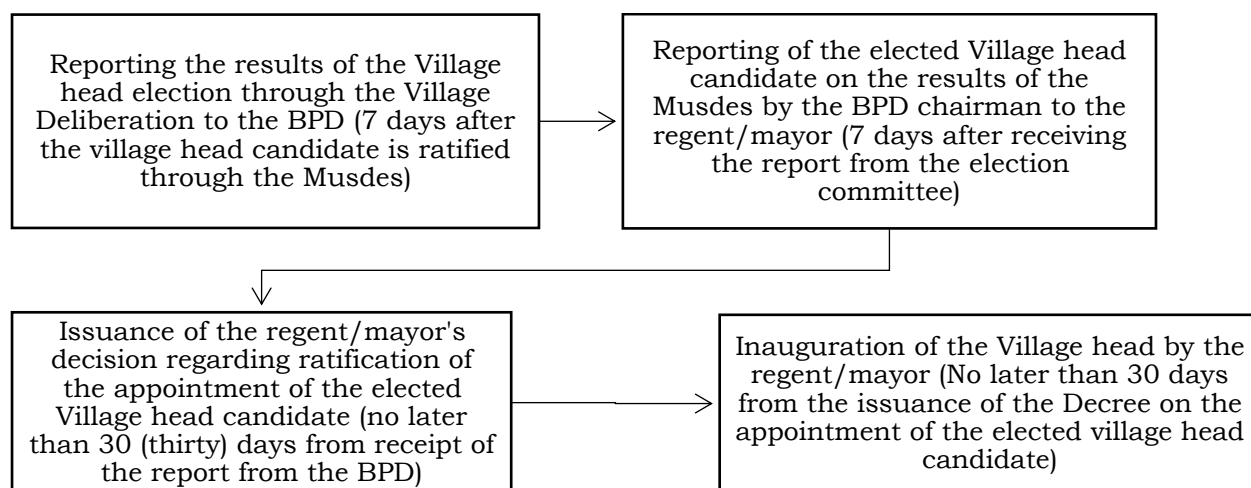
At this point, members of the community who are involved in the village deliberation attend. Elements of this village community come from traditional leaders, religious leaders, community leaders, educational leaders, representatives of farmer groups, representatives of fishermen groups, representatives of crafts groups, representatives of women's groups, representatives of child care and protection groups, representatives of poor community groups, and other elements of society. In accordance with the social and cultural

conditions of the local community. These community elements are represented by at most five people from each hamlet or other designation. Regarding the number of participants in this deliberation, the BPD and the village government discuss and agree on it, taking into account the number of residents who have the right to vote in the village, and this is then determined by a BPD decision. This implementation stage can be shortened for efficiency and effectiveness, which are further regulated in the regent and mayor regulations.

After this reporting stage is complete, enter the next stage, namely the reporting

stage. The reporting stages can be seen in Chart 4.

Chart 4. Stages of Reporting Interim Village Head Elections Through Village Deliberations



Source: Processed from various sources, 2023.

At this reporting stage, it can be seen that the election committee reports the results of its work to the BPD through the Musdes, and after that, the BPD chairman reports the elected village head candidate to the regent or mayor for a ratification decree to be issued. After that, the regent or mayor appoints the elected village head candidate. Article 49 of Minister of Home Affairs Regulation No. 65/2017 explains that further provisions regarding the implementation of interim village head elections are regulated by Regency/City Regional Regulations.

Policy Settings for Postponing Village Head Elections

Regulations regarding the postponement of village head elections are regulated in government regulation no. 47 of 2015 concerning Amendments to Government Regulation no. 43 of 2014 concerning Implementing Regulations of Law no. 6 of 2014 concerning Villages. Article 57 states that a village head whose term of office has expired remains dismissed, and the regent or mayor then appoints the acting village head. The acting village head is appointed by civil servants

from the district or city regional government. Civil servants who are appointed as acting village heads must at least know about leadership and government techniques. The elected acting village head will carry out the duties, authority, and obligations and obtain the same rights as the village head. The Minister of Home Affairs determines the policy of delaying the implementation of village head elections.

During the COVID-19 pandemic, postponement of village head elections occurred in Indonesia. Since the first COVID-19 case was announced in March 2020 (Aseh et al., 2021), Presidential Decree No. 12/2020 concerning the designation of non-natural disasters as the spread of COVID-19 as a national disaster (Siwi, 2021). Based on Article 57, Government Regulation No. 47 of 2015 states that the village head whose term of office has expired remains dismissed, and then the regent or mayor appoints the acting village head. There was a postponement of the village elections through Presidential Decree No. 12/2020, which resulted in an extension of the leadership period of the acting village head.

This, of course, has effects, one of which is confusion for the village government when preparing the Government Work Plan (RKP) for the following year.

In accordance with Article 5, Minister of Home Affairs Regulation No. 114/2014 concerning Village Development Guidelines states that the preparation of the RKP is carried out in July of the current year. The RKP is prepared based on the village RPJM, while the village head's term of office has expired and is being held by the acting village head. The revision of Government Regulation No. 47/2015 does not regulate this matter. So, the guidelines for preparing the RKP under the leadership of the acting village head were not clear. This is what confused the village government when preparing the RKP as a result of the postponement of the village elections during the pandemic.

CONCLUSION

Law No. 6/2014 and its derivative regulations stipulate that village heads can be dismissed permanently and temporarily. First, the village head can be permanently dismissed if he dies at his own request and is dismissed. There are several things that cause a village head to be dismissed, namely the end of their term of office, being unable to carry out their duties continuously, no longer meeting the requirements as village head, violating prohibitions, changing the village's status to sub-district, not carrying out obligations, and being declared a convict. Second, the village head can be temporarily suspended for three reasons: being declared a defendant, being declared a suspect, and being declared a convict.

The mechanism for replacing the village head is regulated in such a way. The BPD has a very important role in immediately reporting to the sub-district head if the village head dies, resigns from his position, or meets one of the conditions to be

dismissed. The regent or mayor then processes the incoming reports. There are two mechanisms for replacing village heads that can be taken, namely by paying attention to the remaining term of office of the village head. If the term of office of the dismissed village head is less than 1 year, then the leadership vacancy in the village will be filled by an acting village head who comes from the district or city civil service until the village head is simultaneously elected. However, if the term of office of the dismissed village head is more than one year, the leadership vacuum in the village will be held by the acting village head until a new village head is elected through a village meeting.

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