
**LIVING ENVIRONMENT MANAGEMENT EFFORTS AND LIVING ENVIRONMENT
MONITORING EFFORTS AND STATEMENT LETTER ON CAPABILITY TO MANAGE
AND MONITORING THE LIVING ENVIRONMENT**
**(Regulation of the State Minister on Living Environment Affairs
No. 13 Year 2010, dated May 7, 2010)**

WITH THE BLESSING OF THE ONE AND ONLY GOD
STATE MINISTER ON LIVING ENVIRONMENT AFFAIRS
REPUBLIC OF INDONESIA,

Considering:
That in the context of exercising provisions of Article 35 paragraph (3) of Law No. 32 Year 2009 concerning Protection and Management of the Living Environment,

it is necessary to stipulate Regulation of the State Minister on Living Environment Affairs concerning Living Environment Management Efforts and Living Environment Monitoring Efforts, and Statement Letter on Capability to Manage and Monitor the Living Environment;

In view of:

1. Law No. 32 Year 2009 (BN No. 7880 pgs 6B-18B etc) concerning Protection and Management of the Living Environment (State Gazette of the Republic of Indonesia Year 2009 No. 140, Supplement to State Gazette of the Republic of Indonesia No. 5059);
2. Presidential Regulation No. 47 Year 2009 (BN No. 7927 pgs 2B-12B) concerning Establishment and Organization of State Ministries;

DECIDES:

To stipulate:

REGULATION OF THE STATE MINISTER ON LIVING ENVIRONMENT AFFAIRS CONCERNING LIVING ENVIRONMENT MANAGEMENT EFFORTS AND LIVING ENVIRONMENT MONITORING EFFORTS AND STATEMENT LETTER ON CAPABILITY TO MANAGE AND MONITOR THE LIVING ENVIRONMENT

Article 1

In this Minister Regulation, definitions of terms used are:

1. Living Environment Management Efforts - Living Environment Monitoring Efforts, hereinafter referred to UKL-UPL (Upaya Pengelolaan Lingkungan Hidup - Upaya

Pemantauan Lingkungan Hidup), is management and monitoring on efforts and/or activities not imposing important impacts on the living environment required for decision making process on the performance of efforts and/or activities.

2. Statement Letter on Capability to Manage and Monitor the Living Environment, hereinafter referred to SPPL (Surat Pernyataan Kesanggupan Pengelolaan dan Pemantauan Lingkungan Hidup), is a statement on ability from the responsible party on efforts and/or activities to exercise the management and monitoring of the living environment on impacts on the living environment from efforts and/or activities outside of efforts and/or activities obligated to be equipped with Analysis of Environmental Impact (Amdal – Analisis Mengenai Dampak Lingkungan) or UKL-UPL.
3. Initiator is the party responsible on efforts and/or activities.
4. Chief of Regency / City Living Environment Agency is the chief of the agency exercising government affairs in the field of protection and management of regency / city living environment.
5. Chief of Province Living Environment Agency of is the chief of the agency exercising government affairs in the field of protection and management of province living environment.
6. Deputy Minister is the Deputy of State Minister on Living Environment Affairs whose duty and responsibility is in the field of Amdal.

7. Minister is the Minister exercising government affairs in the field of protection and management of the living environment.

Article 2

- (1) Every effort and/or activity not included in the criteria obligated to have an Amdal must possess UKL-UPL.
- (2) Every effort and/or activity not obligated to be equipped with UKL-UPL must compile SPPL.

Article 3

- (1) Types of efforts and/or activities obligated to be equipped with UKL-UPL or SPPL as meant in Article 2 shall be stipulated by the governor or regent/mayor based on result of filtering.
- (2) The filtering referred to in paragraph (1) shall be performed in accordance with filtering guidance set forth in Attachment I constituting an inseparable part of this Minister Regulation.

Article 4

- (1) UKL-UPL shall be compiled by the initiator in accordance with the compilation form set forth in Attachment II.
- (2) SPPL shall be compiled by the initiator in accordance with the compilation form set forth in Attachment III.
- (3) The attachments referred to in paragraph (1) and paragraph (2) constitute inseparable parts of this Minister Regulation.

Article 5

The initiator submits UKL-WPL or SPPL to the:

- a. Chief of Regency / City Living Environment Agency, if the efforts and/or activities are located within the area of one (1) Regency / City;
- b. Chief of Province Living Environment Agency, if the efforts and/or activities are located within:
 1. the area of more than one (1) Regency / City;
 2. inter- Regency / City; and/or
 3. in the sea in a maximum of 12 (twelve) miles from the shore line into the open sea and/or to the direction of territorial seas for provinces, and 1/3 (one third) of the provincial territory authority for Regencies / Cities; or
- c. Deputy Minister, if the efforts and/or activities are located within:
 1. the area of more than one (1) province;
 2. an area in conflict with another country;
 3. in the sea in a maximum of 12 (twelve) miles measured from the shore line into the open sea; and/or
 4. border of the Unitary State of the Republic of Indonesia and another country.

Article 6

- (1) The initiator shall submit UKL-UPL or SPPL to the Chief of Regency / City Living Environment Agency, Chief of Province Living Environment Agency, or Deputy Minister in accordance with the authority referred to in Article 5.

- (2) The Chief of Regency / City Living Environment Agency, Chief of Province Living Environment Agency, or Deputy Minister issue a receipt as proof of receiving the UKL-UPL or SPPL referred to in paragraph (1) to the initiator who had met the compilation form of UKL-UPL or SPPL.
- (3) After receiving the UKL-UPL or SPPL that met the form referred to in paragraph (2), the Chief of Regency / City Living Environment Agency, Chief of Province Living Environment Agency, or Deputy Minister perform inspection on the UKL-UPL or SPPL, where-in its performance shall be carried out by work units in charge of the inspection of UKL-UPL or SPPL.

Article 7

- (1) The Chief of Regency / City Living Environment Agency, Chief of Province Living Environment Agency, or Deputy Minister have the obligation to:
- perform inspection of UKL-UPL in coordination with the agency in charge of efforts and/or activities and issues a recommendation on UKL-UPL within a maximum of 14 (fourteen) work days from receiving a UKL-UPL; or
 - perform inspection of SPPL and issues SPPL approval within a maximum of seven (7) work days from receiving a SPPL.
- (2) In the event there is a shortage of data and/or information in UKL-UPL or SPPL and requires additional and/or corrections, the initiator has an obligation to perfect it and/or to complete it in accordance with

the result of the inspection referred to in paragraph (1).

- (3) The Chief of Regency / City Living Environment Agency, Chief of Province Living Environment Agency, or Deputy Minister has the obligation to:
- issue a UKL-UPL recommendation within a maximum of seven (7) work days from receiving a UKL-UPL having been perfected by the initiator; or
 - provide approval for SPPL within a maximum of seven (7) work days from receiving a SPPL having been perfected by the initiator.
- (4) In the event the Chief of Regency / City Living Environment Agency, Chief of Province Living Environment Agency, or Deputy Minister did not perform the inspection referred to in paragraph (1) or did not issue a UKL-UPL recommendation or SPPL approval within the period referred to in paragraph (3), UKL-UPL or SPPL that had been submitted by the party responsible on the efforts and/or activities shall be deemed as having been examined and legalized by the Chief of Regency / City Living Environment Agency, Chief of Province Living Environment Agency, or Deputy Minister.
- (5) The UKL-UPL recommendation referred to in paragraph (3) letter a shall be issued in accordance with the form set forth in Attachment IV constituting an inseparable part of this Minister Regulation.

Article 8

- (1) UKL-UPL recommendation as meant in Article 7 paragraph (3) letter a shall be used as basis to:

a. obtain

- a. obtain environmental permit; and
- b. perform the management and monitoring of the living environment.

(2) The permit issuing Official has the obligation to include requirements and obligations in the UKL-UPL recommendation referred to in paragraph (1) in an environmental permit.

Article 9

- (1) Expenses for the compilation and inspection of UKL-UPL or SPPL are borne on the party responsible on the efforts and/or activities.
- (2) Administration and mailing costs, procurement of office utensils to support the process of inspection performance of UKL-UPL or SPPL, issuance of UKL-UPL recommendation or SPPL approval, performance of managing and controlling, are borne on the:
 - a. State Revenue and Expenditure Budget for the inspection of UKL-UPL or SPPL approval performed in the Living Environment Ministry; or
 - b. Region Revenue and Expenditure Budget for the inspection of UKL-UPL or SPPL approval performed in Province Living Environment Agency or Regency / City Living Environment Agency.

Article 10

By the time this Minister Regulation commences to come to effect, Decision of State Minister on Living Environment Affairs No. 86 Year 2002 (BN No. 6874 pgs 7B-9B) concerning Guidance for the Performance of Living Environ-

ment Management Efforts and Living Environment Monitoring Efforts shall be revoked and declared as not in effect any more.

Article 11

This Minister Regulation commences to come to effect from the date of enactment.

For public cognizance, this Minister Regulation shall be announced in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

on May 7, 2010

STATE MINISTER ON LIVING ENVIRONMENT AFFAIRS

REPUBLIC OF INDONESIA,

sgd.

GUSTI MUHAMMAD HATTA

Enacted in Jakarta

On May 7, 2010

MINISTER OF LAW AND HUMAN RIGHTS

REPUBLIC OF INDONESIA,

sgd.

PATRIALIS AKBAR

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