

MANAGEMENT OF COASTAL AREA AND ISLES

(Law Number 27 Year 2007 dated July 17, 2007)

BY THE GRACE OF GOD ALMIGHTY

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering:

- a. that Coastal areas and isles as a part of natural resources blessed by the Grace of God Almighty and as wealth controlled by the state need to be conserved and used for the people's prosperity, either for present generation or the future generation;
- b. that since coastal areas and isles have various potentials of natural resources very important to society development, economy, culture, environment, and support of nation sovereignty, they need to be managed continuously and by global conception by paying attention to aspiration and public participation, and value system of the nation which is based on national law norms;
- c. that according to the consideration as referred at letter a, and b, it is necessary to enact a law regarding Management of Coastal Areas and Isles;

Remembering:

Article 20, Article 21, Article 25A, and Article 33 sentence 3, and 4 Constitution of 1945 (7152/14A-23A);

With together approval
COUNCIL OF PEOPLE REPRESENTATIVE
and

THE PRESIDENT OF THE RESOCIETY OF INDONESIA

D E C I D E S :

To stipulate:

THE LAW REGARDING MANAGEMENT OF COASTAL AREAS AND ISLES.

CHAPTER I
GENERAL PROVISION

Article 1

Referred to in this law as:

1. Management of Coastal Areas and Isles is a process of planning, using, monitoring, and controlling of resources of coastal areas and isles between sectors of Government and Regional Government, between ecosystem of land and sea, also between knowledge and management to increase society prosperity.
2. Coastal area is region between Land Ecosystem and sea which is interfered by the change at land and sea.
3. Little island is an island with the width is smaller or equal with 2,000 km² (two thousand square kilometers) along with its ecosystem unity.
4. Resource of Coastal areas and Isles is a biological resource, non biological resource; artificial resource, and environment services; biological resources cover fish, coral reef, mangrove and another sea biota; non biological resources cover sand, sea water, mineral of bottom of the sea; artificial resources cover sea infrastructure which is related with marine and fishery, and environment services in the form of nature beauty, surface of bottom of the sea where underwater installation which is related with kelautan and perikanan also energy of sea wave which is exist at Coastal area Regional.
5. Ecosystem is a unity of plantations community, animal, organism and another non organism also the process which is connected in establishing the balance, stability and productivity.
6. Bioekoregion is landscape which is exist in one spread out area of ecology unity which is stipulated by nature borders, for example area of river flow, gulf, and current.
7. Coastal area waters is sea which is bordered with land covers waters as far as 12 (twelve) miles of sea which is calculated from beach line, waters which is connected with beach and islands, estuary, gulf, shallow waters and lagoon.
8. Area is part of Coastal Areas and Isles which have certain function which is stipulated according to the criteria of physical characteristic, biology, society, and economy to be defended its existence.
9. Area of Society Usage is part of Coastal Areas which is stipulated its allocation for some of activity sectors.
10. Area of Certain of National Strategy is Area which is related with state sovereignty, controlling of life environment, and/or archaeological site of world heritage, which its development is prioritized for national necessity.
11. Zone is room which its usage is together agreed between some of necessity functionary and has already stipulated its legal status.
12. Zoning is a shape of technical engineering of room usage through the stipulation of functional borders according to resource potency and support efficient also ecology processes which is continue as a one unity in Coastal area Ecosystem.
13. Strategic Plan is a plan which covers policy direction of sector cross for Area of development plan through the purpose stipulation, target and width strategic, also the execution target with direct indicator to monitor plan of national level.
14. Zoning Plan is a plan which is determined the direction of resource usage at each unity of plan along with the structure stipulation and room pattern at Area of planning which covers the activity which do and do not execute also the activity which is only shall be executed after getting the permit.
15. Plan

15. Plan of Management is a plan which covers the chart of policy framework, procedure, and responsibility in order the coordination of decision taking between some institute/institution of government regarding the agreement of resource usage or development activity at stipulated zone.
16. Plan of Action is a follow up of plan of management of Coastal area Regional and Isles which covers purpose, target, budget and schedule for one or some of next future as coordinately to execute some activities which is needed by Government institute, Regional Government, and another of necessity functionary in order to achieve the management result of coastal area resource and Isles at each plan of Area.
17. Detailed Zoning Plan is a detailed plan in 1 (one) Zone according to management direction in Zoning Plan which shall be compiled by Regional Government by paying attention at support efficient of environment and technology which shall be executed also the availability of tools which its turn shows type and amount of permit letter which shall be issued by Regional Government.
18. Right of Effort of Coastal area Waters, next mentioned with HP-3, is right on certain parts from coastal area waters for the Marine administration and fishery, also another administration which is related with the usage of Coastal area Resource and Isles which covers on sea surface and water column until surface of bottom of the sea at borders of certain width.
19. Conservation of Coastal area Regional and Isles is a protection effort, conservation, and the usage of Coastal area Regional and Isles also its ecosystem to guarantee the existence, the availability, and continuation of Coastal area Resource and Isles by still keeping and increase the value quality and its variety.
20. Area of Conservation at Coastal Areas and Isles is Coastal Areas and Isles with certain special characteristic which is protected to create the management of Coastal Areas and Isles as continuation.
21. Border of Beach is lands along the edges which its width is proportional with the shape and condition of beach physic, minimum 100 (one hundred) meter from the highest of tidal point to land direction.
22. Rehabilitation of Coastal area Resource and Isles is the process of recovery and the fixing of Ecosystem condition or broken population even though its result is different from previous condition.
23. Reclamation is an activity which is conducted by Person in order to increase the usage of land resource which is observed from environment angle and economy society with way encirclement, land drainage or drainage.
24. Support Efficient of Coastal Areas and Isles is the ability of Coastal Areas and Isles to support the life of human being and another human being.
25. Mitigation of Disaster is an effort to decrease risk of disaster, either as structurally or physic through the development of natural physic and/or artificial either non structure or non physic through the increase of ability to face threat of disaster at Coastal Areas and Little Islands.
26. Disaster of Coastal area is a incident because of nature event or because of Person action which is causing the change of physic nature and/or biological of coastal area and causing spirit victim, property, and/or the damage at Coastal Areas and Little Islands.
27. Big Effect is the happening of negative changes of environment scale in width scale and old intensity which is cause by one management and/or activity at Coastal Areas and Little Islands.

28. **Pollution of Coastal area** is the entry or the entrance of life creature, substance, energy, and/or another components into the coastal area environment as a cause of Person activity so that the quality of coastal area is lessen until certain level which is causing coastal area environment shall not be functioned according with its allocation.
29. **Acridity** is a conviction procedure of one activity which is consistently has fulfilled the basic standard of system of Management of Regional Coastal area and Isles which covers the judges, appreciation, and incentive on management programs which is conducted by the society as volunteer.
30. **Functionary of Main Necessity** is a user of Coastal area Resource and Isles which have a direct necessity in optimal zing the usage of Coastal area Resource and Little Islands, like traditional fisherman, modern fisherman, fish breeder, tour businessman, fishery communities, and Coastal area Society.
31. **Pemberdayaan of Society** is an effort of the giving of facility, push, or aid to Coastal area Society in order to determine the best choices in using Coastal area Resource and Isles as conversely.
32. **Society** is society which consists with Custom Society and Local Society which stay at Coastal Areas and Little Islands.
33. **Society Custom** is a group of Coastal area Society which as hereditary stay at certain geography because the existence of bond at ancestor beginning, strong connection with Coastal area Resource and Little Islands, also result system which is determining economy institution, politic, society, and legal.
34. **Local Society** is group of Society who executes daily life procedure according with the habits which is already accepted as values which comes into effect but not fully depends on Coastal area Resource and certain Little Islands.
35. **Traditional Society** is society of traditional fishery which still convicted its traditional right in conducting the activity of fish catching or another activity which is legal at certain regional in archipelago waters according to norm of international sea law.
36. **Local Wisdom** is glorious values which still takes effect in procedure of society life.
37. **Accusation of Representative** is a accusation in the form of right of little group of society to act representing the Society in big amount in the effort to propose the charge according with the same of matter, legal fact, and charge the lost.
38. **Person** is a personal and/or legal corporation.
39. **Council of People Representative**, hereinafter called DPR, is Council of People Representative as referred in Constitution of 1945.
40. **Central Government**, hereinafter called the Government, is the President of the Republic of Indonesia who holds the authority of the governance of State of Unity of the Republic of Indonesia as referred in Constitution of 1945.
41. **Regional Government** is governor, mayor, or regent, and regional officer as an executor substance of regional administration.
42. **Regional Administration** is an execution of governance matters by Regional Government and Council of Regional People Representative, according to autonomy principle and helpful duty with the width of autonomy principle in a system and principle of State of Unity of the Republic of Indonesia as in Constitution of 1945.
43. **Nautical Partner** is a network of necessity functionary at management field of Coastal Areas and Isles in the strengthen of capacity of human resource, institute, education, counseling, assistance, training,

applied research, and development of policy recommendation.

44. Minister is the Minister in charge of marine and fishery affairs.

Article 2

Scope of the strengthen of Coastal Areas Regional and Isles cover substitute region between land and sea Ecosystem which is interfered by the changes at land and sea, at land direction covers regional of district regional and at sea direction as far as 12 (twelve) miles of sea which is calculated from coastal line.

CHAPTER II

PRINCIPLE AND PURPOSE

Article 3

The management of Coastal areas and isles is based on the following principles:

1. continuation;
2. consistency;
3. unity;
4. law assurance;
5. partnership;
6. distribution;
7. society role;
8. openness;
9. decentralization;
10. accountability; and
11. justice.

Article 4

The management of Coastal Areas and Isles is intended to:

- a. protect, conservation, rehabilitation, using, and reaching the Coastal area Resource and Isles also its ecology system as continuation;
- b. create the harmonization and synergy between Government and Regional Government in the management of Coastal area Regional and Little Islands;
- c. strengthen society role and government institute also to push society initiative in the management of Coastal area Resource and Isles in order to achieve

justice, balance, and continuation; and

- d. to increase society value, economy, and society culture through society role in the usage of Coastal area Resource and Little Islands.

CHAPTER III

PROCESS OF MANAGEMENT OF COASTAL AREA AND ISLES

Article 5

The management of Coastal Areas and Isles covers the activity of planning, using, monitoring, and controlling on human interaction in using Coastal area Resource and Isles also continuation of natural process in the effort to increase Society prosperity and keep the unity of State of Unity of the Republic of Indonesia.

Article 6

The management of Coastal Areas and Isles as referred to in Article 5 must be executed by integrated activities:

- a. between Government and Regional Government;
- b. between Regional Government;
- c. between sectors;
- d. between Government, business world, and Society;
- e. between land and sea Ecosystem; and
- f. between knowledge and management principles.

CHAPTER IV PLANNING

Part One

Article 7

1. Planning of management of Coastal area Regional and Isles as referred in Article 5, covers with:
 - a. Strategic Plan of Coastal area Regional and Isles next shall be mentioned with RSWP-3-K;
 - b. Zoning Plan of Coastal area Regional and Isles next shall be mentioned with RZWP-3-K;
 - c. Management Plan of Coastal area Regional and Isles next shall be mentioned with RPWP-3-K;
 - d. Action Plan of management of Coastal area Regional and Isles next shall be mentioned with RAWP-3-K.

2. Norm, standard, and guidance of compilation of management of Coastal Areas and Isles is regulated with Regulation of Minister.
3. Regional Government obliges to compile all plans as referred at sentence 1 according to each authority.
4. Regional Government compiles plan of Management of Coastal Areas and Isles by involving the society according to norm, standard, and guidance as referred at sentence 2.
5. Regional Government of Sub-District/Town compiles Zoning Plan detailed at each Zone of Coastal area Region and certain Isles in its region.

Part Two

Strategic Plan of Coastal Areas and Little Islands

Article 8

1. RSWP-3-K is un separated part from long development plan for each Regional Government.
2. RSWP-3-K as referred at sentence 1 obliges to consider the necessity of Government and Regional Government.
3. Period of time of RSWP-3-K of Regional Government for 20 (twenty) years and shall be re observed at least once 5 (five) years.

Part Three

Zoning Plan of Coastal Areas and Isles

Article 9

1. RZWP-3-K is a direction of the usage of resource at Coastal Areas and Isles of province government and/or government of sub-district/town.
2. RZWP-3-K is harmonized, adjusted, and balanced with Plan of Room Procedure of Regional (RTRW) of province government or government of sub-district/town.
3. Plan of RZWP-3-K is executed by considering:
 - a. harmony, adjustment, and balance with support efficiency of ecosystem, function of usage and

function of protection, dimension of space and time, dimension of technology and social culture, also function of defense and security;

- b. integrity of the usage for some type of resources, functions, environment aesthetics, and quality of coastal area land; and
- c. obligation to allocate space and access of Society in the usage of Coastal area Regional and Isles which is having the function of social and economy.
4. Period of time of the take effect of RZWP-3-K as long as 20 (twenty) years and shall be re observed each 5 (five) years.
5. RZWP-3-K is stipulated with Regulation of Regional.

Paragraph 1

Zoning Plan of Coastal Areas and Isles of Province

Article 10

RZWP-3-K of Province as referred in Article 9, covers with:

- a. room allocation in Area of Public Usage, Area of Conservation, Area of Certain of National Strategy, and sea current;
- b. relation between land and sea Ecosystem in one Biological and economic region;
- c. stipulation of the usage of sea space; and
- d. stipulation of priority of sea Area for the purpose of conservation, social culture, economy, sea transportation, strategic industry, also defense and security.

Paragraph 2

Zoning Plan of Coastal Areas and Isles of

Sub-District/Town

Article 11

1. RZWP-3-K of Sub-District/Town consist of direction regarding:
 - a. space allocation in Plan of Area of Public Usage, plan of Area of Conservation, plan of Area of Certain of National Strategy, and plan of current;
 - b. relation between Ecosystem of Coastal area and Isles in one Bioekoregion.

2. Compilation of RZWP-3-K as referred at sentence 1 is obliged to follow and integrities plan of Government and Regional Government by paying attention at Area, Zone, and/or Current of Sea which has already stipulated according with the regulation and law.

Part Four

Plan of Management of Coastal Areas and Isles

Article 12

1. RPWP-3-K is contented:
 - a. policy regarding the regulation also administration procedure of the resource usage which is permitted and forbidden.
 - b. priority scale of the resource usage according with the characteristic of Coastal area Regional and Little Islands;
 - c. the guarantee of the accommodated of considerations on the result of public consultation in the purpose stipulation of management of Area also revise on the purpose stipulation and permission;
 - d. regulated and systematic of reporting mechanism to guarantee the data supply and accurate information and accessible; also
 - e. the supply of the trained of human being resource to implement the policy and its procedure.
2. RPWP-3-K shall take effect as long as 5 (five) years and shall be re observed at least 1 (one) time.

Part Five

Plan of Action of

Management of Coastal Areas and Little Islands

Article 13

1. RAPWP-3-K is executed by directing Plan of Management and Plan of Zonasi as an effort to create the strategic plan.
2. RAPWP-3-K shall take effect for 1 (one) until 3 (three) years.

Part Six

Mechanism of Plan Compilation

Article 14

1. Suggestion of compilation of RSWP-3-K, RZWP-3-K, RPWP-3-K, and RAPWP-3-K is executed by Regional Government also business world.
2. Mechanism of compilation of RSWP-3-K, RZWP-3-K, RPWP-3-K, and RAPWP-3-K of province government and sub-district/town government is executed by involving the society.
3. Regional Government is obliged to spread the concept of RSWP-3-K, RZWP-3-K, RPWP-3-K, and RAPWP-3-K to obtain the input, opinion, and fixing suggestion.
4. Regent/mayor submits the final document of management plan of Coastal Areas and Isles of sub-district/town to governor and Minister to be know ledged.
5. Governor submits the final document of management plan of Coastal Areas and Isles of province to Minister and regent/mayor at the related of province area.
6. Governor or Minister submits the opinion and/or suggestion on suggestion of final document of management plan of Coastal area Regional and Islesin period of time for 30 (thirty) working days.
7. In case of opinion and/or suggestion as referred at sentence 6 do not fulfill, therefore those of the final document of management plan of Coastal area Regional and Isles is definitive shall take effect.

Part Seven

Data and Information

Article 15

1. Government and Regional Government oblige to manage data and information regarding Coastal Areas and Little Islands.

2. Up date of data and information is executed by Government and Regional Government as periodically and documented also publicized as officially, as a public document, according to regulation and law.
3. Data and information as referred at sentence 1 shall be used by each Person and/or main of necessity functionary with still paying attention on the necessity of Government and Regional Government.
4. Each Person who uses the Resource of Coastal area and Isles as referred at sentence 2 oblige to submit the data and information to Government and/or Regional Government at least 60 (sixty) working days since the beginning of the usage.
5. The change on data and information as referred at sentence 1 is only can be executed with the permit of Government and/or Regional Government.
6. Guidance of management on data and information regarding Management of Coastal area Regional and Isles is regulated with Regulation of Minister.

CHAPTER V

USAGE

Part One

Right to Exploit Waters of Coastal Area

Article 16

1. The usage of coastal area waters is given in the form of HP-3.
2. HP-3 as referred at sentence 1 covers the effort on sea surface and water column until the surface of bottom of the sea.

Article 17

1. HP-3 is given in width and certain time.
2. The giving of HP-3 as referred at sentence 1 is obliged by considering the necessity of conservation of Coastal area Ecosystem and Little Islands, Society

of Custom, and national necessity also right of peace cross for foreign ship.

Article 18

HP-3 shall be given to:

- a. Personal of Indonesian citizen;
- b. Legal corporation which is established according to Indonesia law; or
- c. Society of Custom.

Article 19

1. HP-3 is given for period of time of 20 (twenty) years.
2. Period of time as referred at sentence 1 shall be lengthen for first step at the longest for 20 (twenty) years.
3. Period of time as referred at sentence 2 shall be re lengthen for second step according with regulation and law.

Article 20

1. HP-3 shall transfer, shall be transferred, and become debt guarantee with the burden on burden right.
2. HP-3 is given in the form of certificate of HP-3.
3. HP-3 is ended because:
 - a. its period of time is ended and do not re lengthen;
 - b. neglected; or
 - c. cancelled for public necessity.
4. Procedure of the giving, registration, and cancellation of HP-3 is furthermore regulated with Regulation of Government.

Article 21

1. The giving of HP-3 obliges to fulfill the technical requirements, administrative and operational.
2. Technical requirement as referred at sentence 1 covers:

- a. accordance with plan of Zone and/or plan of management of Coastal area Regional and Little Islands;
 - b. result of public consultation according with the amount and its usage volume; also
 - c. consideration on test result from some on suggestion alternative or the activity which potential to destruct Resource of Coastal area and Little Island.
3. Administrative requirement as referred at sentence 1 covers:
- a. the supply of administrative document;
 - b. plan compilation and the execution of the usage of Coastal area Resource and Isles according with the efficient of ecosystem support;
 - c. the making of monitoring system and its result report to HP-3 giver; also
 - d. in case HP-3 is directly connected with beach line, the application obliges to have right on land.
4. Operational requirements as referred at sentence 1 covers the obligation of HP-3 holder to:
- a. Empower the Society around the activity location;
 - b. convict, respect, and protect the Society rights of Custom and/or local Society;
 - c. paying attention on Society right to obtain the access to beach border and river estuary; also
 - d. execute the resource rehabilitation which having the destruction at HP-3 location.
5. Rejection on HP-3 application oblige to be along with one reason as mentioned hereunder:
- a. there is a serious threat on conservation of Coastal area Regional;
 - b. do not support with scientific proof; or
 - c. estimated destruction shall not be recovered.
6. The giving of HP-3 as referred at sentence 1 is executed through opened notification.

Article 22

HP-3 shall not be given at Conservation Area,

fishery asylum, shipment asylum, port asylum, and public beach

Part Two

The Usage of Isles and its Around Waters

Article 23

1. The usage of Isles and its around waters is executed according to the ecology unity and wholly economical and unity with big island at its near.
2. The usage of Isles and its around waters is prioritized to one of or more necessity as the following:
 - a. conservation;
 - b. education and training;
 - c. research and development;
 - d. sea cultivation;
 - e. tour;
 - f. business of fishery and marine and industry of fishery as conservatory;
 - g. organic farming; and/or
 - h. breeding.
3. Excluding for the purpose of conservation, education and training, also research and development, the usage of Isles and its around waters, oblige:
 - a. fulfill the requirement of environment management;
 - b. shows the ability of local watering system; also
 - c. using the technology which is friendly environment.
4. The usage of Isles and its around waters as referred at sentence 2 and 3 oblige to have HP-3 which is published by Government or Regional Government according to its authorization.
5. For the usage of Isles and its around waters which has been used for the necessity of human being life, Government or Regional Government publishes HP-3 after executing the deliberation with the related Society.
6. Mayor/regent facilitating the mechanism of deliberation as referred at sentence 5.

7. The usage of Isles and its around waters by foreigner shall have to obtain the Minister approval.

Article 24

Isles, atoll, and coral cluster which are stipulated as the base point of calculation of Indonesia waters are stipulated by Minister as a protected area.

Article 25

The usage of Isles and its around waters for the purpose of observation, research and data compilation for the development of knowledge is obliged to involving institute and/or related institution and/or local expert.

Article 26

Further regulation regarding the usage of Isles and its around waters as referred in Article 23, 24, and 25 shall be regulated with Regulation of Minister.

Article 27

1. The usage of the outside of Isles is executed by Government together with Regional Government in the effort to keep sovereignty of State of Unity of the Republic of Indonesia.
2. The usage of the outside of Isles as referred at sentence 1 shall be regulated with Regulation of Government.

Part Three Conservation

Article 28

1. Conservation of Coastal areas and Isles shall be executed to:
 - a. keep the conservation of Coastal area Ecosystem and Little Islands;
 - b. protect the current of fish migration and another sea biota;
 - c. protect the sea biota habitat; and
 - d. protect the archacological site of traditional culture.

2. For conservation necessity as referred at sentence 1, part of Coastal Areas and Isles shall be stipulated as Conservation Area.

3. Conservation Area as referred at sentence 2 which having a special chararter as one unity of Ecosystem is executed to protect:

- a. fish resource;
- b. place of transit and/or current of another sea biota;
- c. region which is regulated by certain adapt, like sasi, mane'e, panglima laout, awig-awig and/or another technical terms of certain custom; and
- d. unique of coastal area ecosystem and/or sensitive on the changes.

4. Conservation Area at Coastal Areas and Isles is stipulated by Regulation of Minister.

5. The management of Conservation Area as referred at sentence 2 is executed by Government or Regional Government in accordance to authority according with regulation and law.

6. To achieve the purpose as referred at sentence 1, the Minister shall stipulate:

- a. category of Conservation Area;
- b. National Conservation Area;
- c. Pattern and procedure of management of Conservation Area; and
- d. another matter which is took important for the achievement of those purpose.

7. Suggestion on Conservation Area as referred at sentence 3 shall be executed by personal, group of society, and/or by Government/Regional Government in accordance by special characteristic of Area which is supported with the data and scientific information.

ARTICLE 29 (TO BE CONTINUED)

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MANAGEMENT OF COASTAL AREA AND ISLES

(Law Number 27 Year 2007 dated July 17, 2007)

[Continued from Business News No. 7588 - 7589 pages 16A - 26A]

Article 29

Conservation Area as referred in Article 28 sentence 2 is divided into three Zones, there are:

- a. Main Zone;
- b. Limited Usage Zone; and
- c. Other Zone according the Area allocation.

Article 30

The changes of main Zone as referred in Article 29 for exploiting activity which shall cause big effect shall be executed by Government or Region Government by paying attention on DPR consideration.

Article 31

1. Region Government stipulates beach border which is adjusted with the characteristic of topography, biophysics, hydro-oceanography of coastal area, necessity of economy and culture, also another provision.
2. The stipulation of beach border follows the provision:
 - a. protection on earthquake and/or tsunami;
 - b. protection on beach from erosion or abrasion ;
 - c. protection on artificial resource from coastal area from storm, flood, and another natural disaster;

- d. protection on coastal area ecosystem, for example a wet soil, mangrove, coral reef, padang lamun, gemuk pasir, estuary, and delta;
 - e. regulation on public access; also
 - f. regulation for water and waste canal.
3. Furthermore provision regarding border of beach as referred at sentence 2 shall be regulated with Regulation of President.

Part Four
Rehabilitation
Article 32

1. Rehabilitation on Coastal Areas and Isles obliges to be executed by paying attention on the balance of Ecosystem and/or variety of local biological.
2. Rehabilitation as referred at sentence 1 shall be executed with the following ways:
- a. the biological resource enrichment;
 - b. habitat recovery;
 - c. protection on species of sea biota in order to grow and naturally develop; and
 - d. environmentally sound.

Article 33

1. Rehabilitation as referred in Article 32 shall be executed by Government and/or Regional Government and/or each Person which is directly or not directly obtain the benefit from Coastal Areas and Isles s.
2. Furthermore provision regarding Rehabilitation shall be regulated with Regulation of President.

Part Five
Reclamation
Article 34

1. Reclamation of Coastal Areas and Isles s shall be executed in order to increase the benefit and/or added value of Coastal Areas and Isles s which is observed from technical aspect, environment, and social economy.
2. The execution of reclamation as referred at sentence

1 oblige to keep and pay attention:

- a. continuation on life and Society life;
- b. the balance between the usage necessity and the necessity of conservation of environment functional of Coastal Area and Isles s;
- c. technical requirements of the taking, dredging, and material piling up.

3. Planning and reclamation execution shall be regulated furthermore with Regulation of President.

Part Six
Forbidden
Article 35

In the usage of Coastal Areas and Isles s, each Person directly or not directly forbids:

- a. mining the coral reef which shall cause the destruction of coral reef Ecosystem;
- b. take the coral reef at conservation Area;
- c. use the explosive material, poisoned material, and/or another material which shall destruct the coral reef Ecosystem;
- d. use the tools, ways, and another method which shall destruct the coral reef Ecosystem;
- e. use way and method which shall destruct mangrove Ecosystem which is not in appropriate with the characteristic of Coastal Areas and Isles s;
- f. execute the conversion of mangrove Ecosystem at Area or Cultivation Zone which do not calculate the continuation of ecology functional of Coastal Area and Isles s;
- g. cut off the mangrove at conservation area for the industry activity, a place group resides, and/or another activity;
- h. use way and method which destruct the padang lamun;
- i. execute the mining of sand at area which is if as technically, ecology, social, and/or culture which shall cause the environment destruction and/or environment pollution and/or damage its local Society;
- j. execute the mining of oil and gas at area which is if as technically, ecology, social, and/or culture which shall cause the environment destruction and/or environment pollution and/or damage its local Society;

k. execute

- k. execute the mining of mineral at area which is if as technically, ecology, social, and/or culture which shall cause the environment destruction and/or environment pollution and/or damage its local Society;
- l. execute the physical development which shall cause the environment destruction and/or damage its local Society.

CHAPTER VI MONITORING AND CONTROLLING

Part One

General

Article 36

1. To guarantee the application of Management of Coastal Areas and Isles s as unity and continues, shall be executed the monitoring and/or the controlling on the execution of the provision at Management of Coastal Areas and Isles s field, by certain functionary who is authorized at management of Coastal Areas and Isles s field according to its work habits and the given of the authorization of special police.
2. The monitoring and/or controlling as referred at sentence 1 shall be executed by the functionary of certain civil state employee who handles the management of Coastal Areas and Little Area field according to its work habits which is owned.
3. Functionary of certain civil state employee as referred at sentence 2 authorizes:
 - a. execute patrol/patrolling at Coastal Areas and Isles s or its legal area; also
 - b. accept the report which is related with the destruction of Coastal Area Ecosystem, Conservation Area, Area of Public Usage, and Area of Certain National Strategic.
4. Functionary Authority as referred at sentence 2 shall be regulated with Regulation of Minister.
5. In order of monitoring and controlling execution of Management of Coastal Areas and Isles s as referred at sentence 1, Government and Regional Government oblige to execute the monitoring, field monitoring, and/or evaluation on the planning and its execution.

6. Society shall have a role in monitoring and controlling of Management of Coastal Areas and Isles s as referred at sentence 1.

Part Two

Monitoring

Article 37

Monitoring on planning and execution of management of Coastal Areas and Isles s shall be executed as coordinately by related institution according with its authority.

Article 38

Monitoring by Society shall be executed through the submit of report and/or complaint to the authorized party.

Article 39

Furthermore provision regarding monitoring on the planning and execution of Management of Coastal Areas and Isles s as referred in Article 37 and 38 shall be regulated with Regulation of Minister.

Part Three

Controlling

Paragraph 1

Accreditation Program

Article 40

1. In executing the controlling as referred in Article 39, Government obliges to execute the accreditation on the program of Management of Coastal Areas and Isles s.
2. In case the execution of accreditation as referred at sentence 1 Government shall hand over the authority of the execution of accreditation to Regional Government.
3. Standard and guidance of Accreditation as referred at sentence 1 covers:
 - a. relevance of priority issue;
 - b. process of public consultation;
 - c. positive effect on the environment conservation;
 - d. effect on the increasing of the Society prosperity;
 - e. implementation ability which is capable; and
 - f. policy support and Government program and Regional Government.

4. Government and/or Regional Government shall give the incentive to the management of Management Program of Coastal Area and Isles s which has already obtained the accreditation in the form of:
 - a. program aid according with the Government ability which shall be directed to optimal zed the accreditation program; and/or
 - b. technical aid.
5. Governor authorizes to compile and/or to submit the suggestion of program accreditation of Management of Coastal Area and Isles s which becomes its authorization to Government according with the standard and guidance as referred at sentence 3.
6. Regent/mayor authorizes to compile and/or submit the suggestion of program accreditation of Management of Coastal Area and Isles s which becomes its authorization to governor and/or Government according with the standard and guidance as referred at sentence 3.
7. Organization of Society and/or group of Society shall compile and/or submit the suggestion of program accreditation of Management of Coastal Area and Isles s to Government according with the standard and guidance as referred at sentence 3.
8. Furthermore provision regarding the accreditation program as referred at sentence 1 shall be regulated with Regulation of Minister.

Paragraph 2
Partners of Maritime
Article 41

1. In order for the increasing of functionary capacity of the necessity of management of Coastal Area and Isles s shall be established Partners of Maritime as a corporation forum between Government, Regional Government, University, self-supporting institution of society, organization of profession, figure of Society, and/or business world.
2. Partners of Maritime as referred at sentence 1 shall

be facilitated by Government, Regional Government, and/or business world.

3. Activity of Partners of Maritime shall be focused at:
 - a. assistance and/or counseling;
 - b. education and training;
 - c. research of applied; also
 - d. policy recommendation.
4. Furthermore provision regarding the activity of Partners of Maritime as referred at sentence 3 shall be regulated with Regulation of Minister.

CHAPTER VII
RESEARCH AND DEVELOPMENT
Article 42

1. To increase the quality of planning and implementation of management of Coastal Area and Isles s, Government executes the research and development of knowledge and technology also the development of human resource at field of management of Coastal Area and Isles s as continually.
2. Government regulates, pushes, and/or applies the research and development of management of Coastal Area and Isles s to produce the knowledge and information which are needed in the management of Coastal Area and Isles s for more effective, efficient, economical, has a high competition and environment friendly, also respect on tradition wisdom or local culture.

Article 43
Research and development of Management of Coastal Area and Isles s shall be executed by Government, Regional Government, university, institution self-supporting of Society, research institution and private development, and/or personally according with the regulation and law.

Article 44
Result of the research is open for all party, excluding the certain of result of research which is stated by Government do not publicized.

Article 45

1. Each foreigner who executes the research at Coastal Area and Isles s first oblige to obtain the permit from the Government.
2. The research which is executed by foreigner and/or foreign legal corporation as referred at sentence 1 shall have to be followed the Indonesian researcher.
3. Each foreigner who executes the research at Coastal Area and Isles s shall have to submit its research result to Government.

Article 46

Furthermore provision regarding the application of research and development at Coastal Area and Isles s as referred in Article 42, 43, 44, 45 shall be regulated with the Regulation of President.

CHAPTER VIII

EDUCATION, TRAINING, AND COUNSELING

Article 47

Government shall execute the education, training, and counseling of Management of Coastal Area and Isles s to increase the development of human resource at Management of Coastal Area and Isles s field, according with the regulation and law.

Article 48

Government in applying the education, training, and counseling of Management of Coastal Area and Isles s shall be corporate with some parties, either at national level or international level.

Article 49

Furthermore provision regarding the application of education, training, and counseling of Management of Coastal Area and Isles s as referred in Article 47 and 48 shall be regulated with Regulation of President.

CHAPTER IX

AUTHORITY

Article 50

1. Minister authorizes to give HP-3 at area of Coastal

Area Water cross the province and Area of Certain of National Strategic.

2. Governor authorizes to give HP-3 at area of Coastal Area Water until 12 (twelve) miles of the sea which is calculated from beach line to a direction of open sea and/or to a direction of archipelago water, and Water of Coastal Area cross the sub-district/town.
3. Regent/mayor authorizes to give HP-3 at area of Coastal Area Water 1/3 (one per three) from area of province authorization.

Article 51

1. Minister authorizes to stipulate:
 - a. HP-3 at Area of Certain of National Strategic;
 - b. Permit of the usage of Isles s which shall cause big effect on the environment changes; and
 - c. The changes of main Zone statues at Area of National Water Conservation.
2. Stipulation of HP-3 as referred at sentence 1, shall be executed after paying attention on the consideration of DPR.
3. Stipulation procedure as referred at sentence 1, shall be regulated furthermore in Regulation of Government.

Article 52

1. Management of Coastal Area and Isles s shall be executed by Government and Regional Government.
2. To increase the affectivity of Management of Coastal Area and Isles s, Government shall execute the assistance on Regional Government in formulizing and executing the Plan of Management Action of Coastal Area and Isles s.
3. In order to push the increasing of regional autonomy execution at Coastal Areas and Isles s, Government shall establish the unit of technical executor of management of Coastal Area and Isles s according with the necessity.

Article 53

Article 53

1. Management of Coastal Area and Isles s at national level shall be executed as a unity under the Minister coordination.
2. Type of activity which is coordinated as referred at sentence 1 covers:
 - a. judgment on each suggestion of activity plan at each sector according with the planning of Management of Coastal Area and Isles s as unity;
 - b. planning on sector, region, and business world which is province cross and certain area;
 - c. program of national accreditation;
 - d. recommendation of activity permit according to the authorization of each Government institution; also
 - e. the supply of data and information for Management of Coastal Area and Isles s which is province cross and certain Area which has a strategic purpose.
3. The execution of activity as referred at sentence 2 shall be regulated with Regulation of President.

Article 54

1. Management of Coastal Area and Isles s at province level shall be executed as unity which is coordinated by the department in charge of marine and fishery.
2. Type of activity which is coordinated as referred at sentence 1 covers:
 - a. judgment on each suggestion of activity plan at each autonomy Department or corporation according with the planning of Management of Coastal Area and Isles s as Province unity;
 - b. planning at each of region institution, each sub-district/town, and business world;
 - c. program of accreditation of province scale;
 - d. recommendation of activity permit according to the authorization of vertical institution at region, autonomy department, or region corporation; also
 - e. the supply of data and information for Management of Coastal Area and Isles s at province.

3. The execution of activity as referred at sentence 2 shall be regulated by governor.

Article 55

1. Management of Coastal Area and Isles s at sub-district/town level shall be executed as unity which is coordinated by the department in charge of marine and fishery.
2. Type of activity which is coordinated as referred at sentence 1 covers:
 - a. judgment on each suggestion of activity plan on each necessity autonomy according with the planning of Management of Coastal Area and Isles s as Province unity;
 - b. planning between institution, business world, and society;
 - c. program of accreditation of sub-district/town scale;
 - d. recommendation of activity permit according to the authorization of each autonomy department or region corporation; also
 - e. the supply of data and information for Management of Coastal Area and Isles s at sub-district/town scale.
3. The execution of activity as referred at sentence 2 shall be regulated by regent/mayor.

CHAPTER X

MITIGATION OF DISASTER

Article 56

In compiling the management plan and the usage of the unity of Coastal Areas and Isles s, Government and/or Regional Government obliges to input and execute the part which covered the mitigation of disaster at Coastal Areas and Isles s according with type, level, and its region.

Article 57

Mitigation of disaster of Coastal Areas and Isles s shall be executed by involving the Government responsibility, Regional Government, and/or Society.

Article 58

The execution of mitigation of disaster of Coastal Areas as referred in Article 57 shall be executed by paying attention on the aspect of:

- a. social, economy, and Society culture;
- b. conservation of life environment;
- c. the usage and affectivity; also
- d. scope of region width.

Article 59

1. Each person which is in Coastal Areas and Isles s obliges to execute the mitigation of disaster on the activity which is potentially causing the destruction of Coastal Area and Isles s.
2. Mitigation of disaster as referred at sentence 1 shall be executed through the structure activity/physic and/or non structure/non physic.
3. The choice of activity as referred at sentence 1 shall be determined by the authorized institution.
4. Provision regarding the mitigation of disaster and destruction of Coastal Areas and Isles s shall be regulated furthermore with Regulation of Government.

CHAPTER XI

RIGHT, OBLIGATION, AND ROLE OF SOCIETY

Article 60

1. In Management of Coastal Areas and Isles s, Society has the right for:
 - a. obtain the access on the water which has already stipulated of HP-3;
 - b. obtain the compensation because of the financial loss of access on Coastal Area Resource and Isles s which becomes the working field to fulfill the necessity because of the giving of HP-3 according with regulation and law;

- c. execute the activity of management of Coastal Areas and Isles s according to tradition law which takes effect and do not contrary with regulation and law;
- d. obtain the benefit on the execution of Management of Coastal Areas and Isles s;
- e. obtain the information relating with Management of Coastal Areas and Isles s;
- f. submit the report and complaint to the authorized party on the financial loss which fall on itself which is related with the execution of Management of Coastal Areas and Isles s;
- g. state the objection on management plan which has already notified in certain of period of time;
- h. report to the law officer on the pollution and/or the destruction of Coastal Areas and Isles s which loosen its life;
- i. submit the accusation to the court on some of Coastal Area and Isles s matter which loosen its life; also
- j. gain the substitute financial loss.

2. Society in Management of Coastal Areas and Isles s obliges:
 - a. give the information which is related with the management of Coastal Areas and Isles s;
 - b. maintain, protect, and keep the conservation of Coastal Areas and Isles s;
 - c. submit the report of the happening of the danger, pollution, and/or environment destruction at Coastal Areas and Isles s;
 - d. monitor the plan execution of Management of Coastal Areas and Isles s; and/or
 - e. execute the program of Management of Coastal Areas and Isles s which is approved at village level.

ARTICLE 61 (TO BE CONTINUED)

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MANAGEMENT OF COASTAL AREA AND ISLES

(Law Number 27 Year 2007 dated July 17, 2007)

[Continued from Business News No. 7590 pages 26A - 32A]

Article 61

1. Government convicts, respects, and protect the rights of Tradition Society, traditional society, and Local Wisdom on Coastal Areas and Isles s which has been used as hereditary.
2. The conviction of the rights of Tradition Society, Traditional Society, and Local Wisdom as referred at sentence 1 shall become the reference in the Management of Coastal Areas and Isles s as continually.

Article 62

1. Society has the same opportunity for rolling in the planning, executing, and monitoring on the Management of Coastal Areas and Isles s.
2. Provision regarding the role of society in Management of Coastal Areas and Isles s as referred at sentence 1 shall be regulated furthermore in Regulation of Minister.

CHAPTER XII

COMMUNITY EMPOWERMENT

Article 63

1. Government and Regional Government oblige to empower the Society in order to increase its prosperity.
2. Government obliges to push the business activity of Society through activities in Management of Coastal Areas and Isles s field which usefulness and useful.

3. In order of the endeavor of Society, Government and Regional Government shall materialize, grow, and increase the awareness and responsibility in:
 - a. the taking of decision;
 - b. the execution of management;
 - c. the partnership between society, business world, and Government/Regional Government;
 - d. the development and the application of national policy at life environment field;
 - e. the development and the application of preventive effort and proactive to prevent the decreasing of support and capacity of Coastal Areas and Isles s;
 - f. the usage and the development of technology which is environment friendly;
 - g. the supply and the spread of the environment information; also
 - h. the giving of the appreciation to the meritorious person at Management of Coastal Areas and Isles s field.
4. Provision regarding the guidance of endeavor of society shall be regulated furthermore with Regulation of Minister.
2. Settlement of dispute outside the court shall be applied to achieve the deal regarding the shape and amount of its substitute financial loss and/or regarding certain action in order to prevent the happening or the repeat of big effect as a cause of do not the execution of Management of Coastal Areas and Isles s.
3. In the settlement of dispute outside the court as referred at sentence 1 shall be used as a third party service, either who has the authority to take decision or do not has the authority to take decision to help the settlement of dispute.
4. Result of the deal of settlement of dispute outside the court shall have to be stated in written and characterized tied all parties.

Article 66

1. Each person and/or the responsibility of the activity which violate the law and cause the destruction of Coastal Areas and Isles s as regulated in this Law oblige to pay substitute financial loss to the state and/or execute certain action according to the court decision.
2. Certain action as referred at sentence 1 obliges to pay rehabilitation expense of Coastal Area environment and Isles s to the state.
3. Besides the burden to execute the certain action as referred at sentence 2, judge shall stipulate the guarantee seizure and amount of force money (dwangsom) on everyday of the latest of payment.

Article 67

1. Each Person and/or responsibility of the activity which is managed the Coastal Areas and Isles s shall directly responsible and once at the time of happening of pollution and/or the destruction with the obligation by paying the financial loss as a cause of its action.

CHAPTER XIII

SETTLEMENT OF DISPUTE

Article 64

1. Settlement of dispute in Management of Coastal Areas and Isles s through the court and/or outside the court.
2. Settlement of dispute outside the court as referred at sentence 1 do not take effect on criminal act at Management of Coastal Areas and Isles s as referred in this Law.

Article 65

1. Settlement of dispute outside the court shall be executed by the parties according to the regulation and law.

2. The manager of Coastal Areas and Isles s shall be freed from the obligation to pay substitute financial loss as referred at sentence 1 if the related could prove that the pollution and/or the destruction of environment of Coastal Areas and Isles s is caused by one of the following reason:
 - a. disaster;
 - b. war;
 - c. force condition of outside of the human ability (force majeure); or
 - d. action of third party.
3. In case the happening of the financial loss which is caused by the deliberateness by third party as referred at sentence 2 letter d, third party shall responsible to pay substitute financial loss.

CHAPTER XIV CLASH ACTION

Article 68

Society has the right to submit clash action to the court according with the regulation and law.

Article 69

1. In order of the execution of responsibility of Management of Coastal Areas and Isles , social organizations have the right to file lawsuit in interests of conservation of environment function.
2. The social organizations as referred at sentence 1 shall have to fulfill the requirements as the following:
 - a. as an official organization at those region or national organization;
 - b. in the form of legal corporation;
 - c. having a based budget which is firmly stated the purpose of the establishment of organization for the necessity of environment conservation; and
 - d. has already executed the activity according with the based budget and budget of its house hold.
3. The right to submit lawsuit as referred at sentence 1 is limited on the charge to execute the certain action

without any charge of substitute financial loss excluding the substitute of expense or expense which is decidedly paid.

CHAPTER XI INVESTIGATION

Article 70

1. Excluding the functionary of Police of State of the Republic of Indonesia, certain functionary of civil of state employee which its scope of duty and responsibility at the field of Management of Coastal Areas and Isles s, shall be given the special authority as an investigator as referred in Penal Code.
2. Certain functionary of civil of state employee as referred at sentence 1 is an investigator of civil of state employee.
3. Investigator of civil of state employee as referred at sentence 2 is authorized:
 - a. accept the report or complaint from someone regarding a criminal action in the marine and fishery field in Coastal Areas and Isles;
 - b. execute the checking on the truth of the report or an explanation regarding a criminal action of Management of Coastal Areas and Isles s;
 - c. call a person to be heard and checked as a witness or suspect in the case of criminal action of Management of Coastal Areas and Isles ;
 - d. execute the checking of the infrastructure of Coastal Areas and stop the equipments which are suspected shall be used for executing the criminal action of Management of Coastal Areas and Isles ;
 - e. seal and/or seize the activity tools which are used to execute the criminal action of management of Coastal Areas and Isles s as a prove;
 - f. bring up an Expert which is needed in connecting with the criminal action of management of Coastal Areas and Isles;
 - g. make and sign the checking of minutes;
 - h. execute the stopping of investigation; and
 - i. apply another action according to the law.

4. Investigator of civil of state employee submits the beginning of investigation to the investigator of functionary of Police of State of the Republic of Indonesia.
5. Investigator of civil of state employee submits the result of investigation to the general prosecutor through the investigator of functionary of Police of State of the Republic of Indonesia.

CHAPTER XVI
ADMINISTRATIVE SANCTION
Article 71

1. Violation on the requirement as mentioned in HP-3 is subjected the administrative sanction.
2. Administrative sanction as referred at sentence 1 in the form of warning, temporary freezing, administrative fine, and/or the cancellation of HP-3.
3. Furthermore provision regarding the administrative fine as referred at sentence 2 shall be regulated with the Regulation of Minister.

Article 72

1. In case the program of Management of Coastal Areas and Isles do not execute in according with the document of planning, the Government shall stop and/or re withdraw the given incentive to the Regional Government, entrepreneur, and Society who are accepted the accreditation.
2. Regional Government, entrepreneur, and Society oblige to fix un suitability between the management program and document of planning as referred at sentence 1.
3. In case the Regional Government, entrepreneur, and Society oblige to fix the un suitability at sentence 2, Government shall execute the action:
 - a. temporary freezing of aid through accreditation; and/or
 - b. permanent cancellation of program accreditation.

CHAPTER XVII
PENALTY
Article 73

1. Imprisonment for 2 (two) years at the minimum and 10 (ten) years at the maximum and fine amounting to Rp 2,000.000.000,00 (two billion rupiahs) at the minimum and Rp 10,000.000.000,00 (ten billion rupiahs) at the maximum can be imposed on anybody intentionally:
 - a. Executing the mining activity of coral reef, taking coral reef in conservation Area, using explosive material and poisonous material, and/or other way which destruct coral reef ecosystem as referred in Article 35 letter a, b, c, and d;
 - b. Using the way or method which shall destruct the mangrove Ecosystem, execute the conversion of mangrove Ecosystem, cut off the mangrove for industry activity and a place of group resides, and/or another activity as referred in Article 35 letter e, f, and g;
 - c. using the way and method which shall destruct padang lamun as referred in Article 35 letter h;
 - d. executing the sand mining as referred in Article 35 letter i;
 - e. executing the mining of oil and gas as referred in Article 35 letter j;
 - f. executing the mineral mining as referred in Article 35 letter k;
 - g. executing the physic mining which is causing the destruction as referred in Article 35 letter l;
 - h. not overcoming disaster in Coastal Areas and Isles which is caused by nature and/or Person until causing the emerge of disaster or with intentionally execute the activity which shall cause the happening of disaster sensitivity as referred in Article 59 sentence 1.
2. In case of the destruction as referred at sentence 1 being attributable to carelessness, the penalty is imprisonment for 5 (five) years at the maximum and fine amounting to Rp 1.000.000.000,00 (one billion rupiah) at the maximum.

Article 74

Article 74

Penalty in the form of imprisonment for 6 (six) months at the maximum or fine amounting to Rp 300.000.000,00 (three million rupiah) at the maximum can be imposed on anybody that due to carelessness, the relevant:

- a. does not execute the rehabilitation obligation as referred in Article 32 sentence 1; and/or
- b. does not execute the reclamation obligation as referred in Article 34 sentence 2.

Article 75

Imprisonment for 6 (six) months at the maximum or fine amounting to Rp 300.000.000,00 (three million rupiah) at the maximum can be imposed on anybody that due to carelessness, the relevant:

- a. executes the business activity at Coastal Areas without HP-3 as referred in Article 21 sentence 1; and/or
- b. does not execute the obligation as referred in Article 21 sentence 4.

CHAPTER XVIII

TRANSITIONAL PROVISION

Article 76

Program of Management of Coastal Areas and Isles s also institute/institution which has already appointed for the execution shall still take effect and do its authorization as long as do not contrary with this Law.

Article 77

Each institute which is related with Management of Coastal Areas and Isles s shall do the main duty and function also its authorization as a unity according with this Law.

Article 78

All regulation and law which is related with the Management of Coastal Areas and Isles s which has already exist, as long as do not contrary with this Law, still take effect until the publishing of the latest of the execution regulation according to this Law.

CHAPTER XIX

CONCLUSION

Article 79

Regulation of the execution of this Law shall have already stipulated at least:

- a. Regulation of Government which is amended by this Law shall be settled at least 12 (twelve) months counted since this Law shall come into force.
- b. Regulation of President which is amended by this Law shall be settled at least 6 (six) months counted since this Law shall come into force.
- c. Regulation of Minister which is amended by this Law shall be settled at least 3 (three) months counted since this Law shall come into force.

Article 80

This Law shall come into force on the promulgated date.

For public cognizance, it is ordered the promulgation of this Law with its placement in Statute Book of Republic of Indonesia.

Ratified in Jakarta

On July 17, 2007

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

sgd.

SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta

On July 17, 2007

THE MINISTER OF LAW AND HUMAN RIGHTS

sgd.

ANDI MATTALATA

STATUTE BOOK OF THE REPUBLIC OF INDONESIA
YEAR 2007 NUMBER 84

ELUCIDATION (TO BE CONTINUED)

—==(M)==—



GOVERNMENT REGULATIONS

MANAGEMENT OF COASTAL AREAS AND ISLES

(Law Number 27 Year 2007 dated July 17, 2007)

[Continued from Business News No. 7591 pages 18A-22A]

ELUCIDATION

ON

LAW NUMBER 27 YEAR 2007

REGARDING

MANAGEMENT OF COASTAL AREAS AND ISLES

I. GENERAL

1. Gist

Coastal areas and isles have been increasingly vulnerable to destruction due to human activities in utilizing resources thereof or natural disasters in the last decade. In addition, accumulation of partial/sectoral exploitation in coastal areas and isles or impacts of other activities in the upstream area of coastal areas supported by the existing legislation frequently destroy resources of coastal areas and isles. The existing legislation rather favor exploitation of resources of coastal areas and isles without regards to conservation of resources. In the meantime, awareness of the strategic values of sustainable, integrated and community-based management of coastal areas and isles is relatively less. Inept appreciation of rights of traditional/local communities in the management of coastal areas and isles, such as sasi, manee, panglima laot,

awig-awig, limited space for participation of communities in the management of resources of coastal areas and isles indicates that the integrated coastal area and isle management has not been integrated with development activities of various sectors and regions. The coastal management system has not been able to eliminate causes of destruction and has not opened opportunity for biological resources to recover naturally or the substitution of non-biological resources by other resources.

In relation thereto, the uniqueness of coastal areas and isles vulnerable to conflicts and limited access of utilization for coastal and isle communities needs to be managed properly so that impacts of human activities are controllable and part of the coastal areas is preserved for the need of conservation. Communities need to be encouraged to manage their coastal areas properly and the successful communities need to be granted with incentives, while the destructive ones need to be granted by sanction. The norms of coastal area and isle management are formulated in the scope of planning, utilization, management, control, and supervision by observing norms governed in other legislation, such as Law No. 26/2007 on Layout

(Statute Book of the Republic of Indonesia Year 2007 No. 68, Supplement to Statute Book No. 4725). The norms of coastal area and isle management which would be contained are focused on legal norms not yet regulated in the existing legislation system or rather specific that the promulgated general regulation. The norms would contribute a role to the government, communities and private as stakeholders, either regional interests, national interests and international interests through integrated regional management system. Pursuant to the nature of the Unitary State of the Republic of Indonesia as a law state, the development of coastal and isle management system as part of sustainable development which is environmentally sound must be given a clear, firm and comprehensive legal basis to assure legal certainty for the need of coastal and isle management. The legal basis is based on Pancasila and the Constitution of 1945.

2. Objectives of the formulation of this law are:

- a. preparing regulation equivalent to law regarding the management of coastal areas and isles, especially for the planning, utilization, rights and access of communities, settlement of conflicts, conservation, disaster mitigation, coast reclamation, rehabilitation of coastal damage and elaboration of related international conventions;
- b. building synergy and mutual strengthening between central and regional government institutions related to the management of coastal

areas so as to create harmonious inter-institutional cooperation and prevent as well as minimize conflicts of utilization and conflict of authority between activities in the coastal areas and isles; as well as

- c. providing legal certainty and protection as well as improving welfare of communities of coastal areas and isles through the formulation of regulation, which could assure rights of coastal communities as well as other stakeholders, including business communities.

3. Scope

This law is applied in coastal areas and isles covering the hub of waters and mainland influences, towards the mainland that covers jurisdiction of districts and seaward as far as 12 (twelve) nautical miles from the coast towards offshore and/or archipelagic waters. In general, the scope of regulation of this law consists of three parts, namely planning, management as well as supervision and controlling with the description as follows:

a. Planning

Planning is executed through integrated coastal management approach, which integrates various plans formulated by sectors and regions so as to create harmony and be mutually strengthening in the utilization. The integrated coastal management constitutes an approach providing a direction for the utilization of resources of coastal areas and isles in a sustainable manner

by integrating various development plans of various administration levels, between land and sea ecosystems, as well as between science and management. The planning of coastal management is executed so as to be able to create harmonious relations between interests of economic development and conservation of resources of coastal areas and isles as well as observes characteristic and uniqueness of the regions.

The integrated planning constitutes a gradual and programmed effort to utilize resources of coastal areas and isles optimally so as to be able to result in economic benefits in a sustainable manner for the people's welfare. The gradual plan is accompanied by control over the possible impacts of sectoral development and preservation of resources. The planning of coastal areas and isles is broken down into four phases: (1) strategic plan, (ii) zoning plan, (iii) management plan and (iv) action plan.

b. Management

Management of coastal areas and isles cover the following phases of regulatory policies:

1. Utilization and exploitation of coastal and isle waters are executed through the issuance of utilization license and coastal water concession (HP-3). The utilization license is granted in accordance with legislation and authority of the respective related-institutions.
2. HP3 is granted in cultivation waters or waters zone of public utilization, unless otherwise regulated specifically.

3. Regulation of coastal management starts from the planning, utilization, implementation, control, supervision, recognition of rights and community empowerment, authority, institutional affairs to prevention and settlement of conflicts.

4. Management of isles is executed in a cluster by observing ecological linkage, economic linkage and socio cultural linkage in a bio-co-region with the main island or other islands as center of economic growth.

Resources of coastal areas and isles which are relatively rich frequently become center of economic growth and the population thereof is dense. However, most of the population is relatively poor and the poverty triggers pressure on resources of coastal areas and isles, which become sources of livelihood. If ignored, it would imply on the rising destruction of coastal and isle ecosystem. In addition, there is a trend that industrialization and economic development in coastal areas and isles frequently marginalize local communities. In relation thereto, norms of community empowerment are needed.

Coastal areas and isles which are vulnerable to changes need to be protected through management so as to be usable for fulfilling the living need and livelihood of communities. In relation thereto, policies are needed in the management so as to be able to balance the

level of utilization of resources of coastal areas and isles for economic interests without sacrificing the need of the future generation through the development of conservation and coast demarcation area.

c. Supervision and control

Supervision and control are executed to:

1. ascertain deviations in the implementation of strategic plan, zoning plan, management plan as well as implications of the deviations on change in quality of coastal ecosystem;
2. encourage the utilization of resources in coastal areas and isles in accordance with management plan of coastal areas;
3. impose sanction on violators, in the form of administrative sanction such as nullification of license or revocation of right; civil sanction such as fine or compensation; and penalty such as detention or imprisonment.
4. The law on management of coastal areas and isles constitutes a foundation of adjustment to provisions contained in other legislation. This law is mutually complementary to other laws, such as:
 - a. fishery law;
 - b. regional administration law;
 - c. forestry law;
 - d. general, oil and gas mining law;
 - e. layout law;
 - f. environmental management law;

- g. shipping law;
- h. natural resource and ecosystem conservation law;
- i. basic agrarian principle law;
- j. waters law;
- k. tourism law;
- l. industry and trading law;
- m. water resource management law;
- n. national development planning system law; and
- o. dispute settlement arbitration and alternative law.

This law is expected to become a basis for the development of coastal areas and isles, which is executed by related sectors so that overlapping of authority and conflict of interest are avoidable.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear

Article 2

The scope of regulation in this law covers coastal areas, namely sea space still influenced by activities in the mainland and mainland space wherein sea influence is still felt as well as isles and surrounding waters which constitute a totality and have huge potential with the utilization based on resources, environment and communities.

In the implementation, seaward is stipulated as far as 12 (twelve) nautical miles from the coast line as already stipulated in Law No. 32/2004 on regional administration (Statute Book of Year 2004 No. 125, Supplement to Statute Book No. 4437), while toward the mainland, the limit is stipulated in accordance with limit of district for provincial authority.

Regental/municipal authority seaward is stipulated as far as one thirds of the sea territory becoming the provincial authority as already stipulated in Law No. 32/2004 on regional administration, while the limit toward the mainland is stipulated in accordance with border of district.

Article 3

Letter a

Sustainability principle is applies so that:

1. the utilization of resources does not exceed regeneration capacity of biological resources or innovation growth of substitution of coastal non-biological resources;
2. the utilization of coastal resources may not sacrifice (quality and quantity) of the need of the future generation for coastal resources; and
3. the utilization of resources having impact not yet ascertained must be done carefully and supported by adequate scientific research.

Letter b

Consistency principle constitutes consistency of various institutions and administration levels, starting from the planning, implementation, control and supervision, to execute coastal and isle management programs already accredited.

Letter c

Integration principle is developed by:

1. integrating policies with planning of various administration sectors horizontally and vertically between the government and regional governments; and
2. integrating mainland ecosystem and sea ecosystem on the basis of inputs resulting from developments of science and technology to assist decision making process in the management of coastal areas and isles.

Letter d

Legal certainty principle is needed to guarantee the certainty of law, which rules management of coastal and isle resources clearly and is understandable and obeyed by all stakeholders; as well as decision which is made on the basis of accountable mechanism or method and does not marginalize communities of coastal areas and isles.

Letter e

Partnership principle constitutes a cooperation agreement between interesting parties related to the management of coastal areas and isles.

Letter f

Equitable distribution principle is directed to benefits of resources of coastal areas and isles, which can be enjoyed by most of the communities.

Letter g

Public participation principle is intended:

a. to enable

- a. to enable communities of coastal areas and isles to play role in the planning, implementation, supervision and controlling;
- b. to have transparent information to ascertain government policies and have adequate access to utilize resources of coastal areas and isles;
- c. to assure representation of votes of communities in the decision;
- d. to utilize the resources fairly.

Letter h

Transparency principle is intended to assure transparency for the public to obtain honest, true and non-discriminatory information about the management of coastal areas and isles, starting from the phase of planning, utilization, controlling to the phase of supervision by observing constantly the protection of human rights of individuals, groups and state secret.

Letter i

Decentralization principle constitutes the delegation of administration authority from the government to governments of autonomous regions to rule and administer public administration affairs in the field of coastal area and isle management.

Letter j

Accountability principle is intended to ensure that the management of coastal areas and isles is transparent and accountable.

Letter k

Justice principle constitutes a principle relying on truth, non-discrimination, impartiality, and non-authoritative in the management of resources of coastal areas and isles.

Article 4

Sufficiently clear

Article 5

Two factors influencing the sustainability of resources in coastal areas and isles are:

- a. human interaction in utilizing resources and environmental services directly and indirectly, such as the development in coastal areas and isles, destructive fishery, coast reclamation, utilization of mangrove and marine tourism; and
- b. natural processes, such as abrasion, sedimentation, wave, tidal, current, wind, salinity, tectonic quake and tsunami.

Article 6

Integration of science and management principles constitutes integrated management based on input of valid scientific data and information to provide various alternatives and recommendations for decision makers by taking into account socio, economic and cultural, institutional and biogeophysics conditions and characteristics of the local environment.

Article 7

Paragraph (1) up to paragraph (3)

Sufficiently clear

Paragraph (4)

Public participation on the basis of norms, standards and guidance is done through formal and non-formal public consultation and/or traditional deliberation.

Paragraph (5)

Sufficiently clear

Article 8

Paragraph (1)

RSWP-3-K of Province and Regency/City is formulated on the basis of actual issues related to management of coastal areas and isles such as degradation of resources, less-developed communities, conflicts of utilization and authority, natural disaster in coastal areas and isles and guarantee for legal certainty to achieve the stipulated goals.

Paragraph (2)

Central and regional interests constitute integration in the management of coastal areas and isles, such as state defense, border area of state, conservation area, international shipping lane, fish migration area and international agreement area in the field of marine and fishery.

Paragraph (3)

Sufficiently clear

Article 9

Paragraph (1)

Sufficiently clear

Paragraph (2)

RSWP-3-K of Province and Regency/City constitutes part of provincial and regental/municipal territorial layout in accordance with Article 5 paragraphs (4) and (5) of Law No. 26/2007 on Layout.

Paragraph (3)

Sufficiently clear

Paragraph (4)

The validity period of RSWP-3-K of Province and Regency/City is in accordance with the validity period of provincial territorial layout plan and regental/municipal territorial layout plan, namely 20 (twenty) years, as governed in Article 23 paragraph (3) and Article 26 paragraph (4) of Law No. 26/2007 on Layout.

Paragraph (5)

RSWP-3-K of Province is stipulated by a provincial regulation in line of Article 23 paragraph (3) and RSWP-3-K of Regency/City is stipulated by a regental/municipal regulation in line with Article 26 paragraph (7) of RSWP-3-K of Province.

Article 10

RZWP-3-K of Province covers the mainland planning area of coastal district as far as waters territory

maximally 12 (twelve) nautical miles, measured from the coast line seaward and/or towards the archipelagic waters in a spatial square wherein mainland ecosystem and sea waters are mutually linked. Scale of map of zoning plan is adjusted to the accuracy level of map of provincial layout plan, in accordance with Article 14 paragraph (7) of Law No. 26/2007 on Layout.

Letter a

Public utilization area equivalent to cultivation area in Law No. 26/2007 on Layout constitutes an area used for economic, socio cultural interests, such as fishery, sea transport infrastructure, maritime industry, tourism, resettlement and mining.

Conservation area has the main function of protecting the conservation of resources of coastal areas and isles equivalent to the protected area in Law No. 26/2007 on Layout.

Sea lane constitutes waters used for, among others, shipping lane, undersea pipe/cable and sea biota migration.

Certain national strategic area observes criteria; maritime borders of state sovereignty; geopolitical area, state defense and security, sites of world heritage, outmost isles becoming base point and/or habitat of endemic and rare biota.

Letter b

Sufficiently clear

Letter c

Sea space is utilized for, among others, seaport activity, fishing, cultivation, tourism, industry and resettlement.

Letter d

Sufficiently clear

Article 11

Paragraph (1)

RZWP-3-K of Regency/City covers mainland planning area of coastal district as far as 1/3 (one thirds) of the waters territory belonging to provincial authority. Specification of planning in every zone and accuracy rate of scale of planning map are adjusted to regental/municipal territorial layout plan as governed in Article 14 paragraphs (5), (6) and (7) of Law No. 26/2007 on Layout.

Paragraph (2)

Sufficiently clear

Article 12

Paragraph (1)

Letter a

The permissible use of resources constitutes the use of resources without destroying ecosystem of coastal areas and isles.

The forbidden use of resources is the use of resources potential to destroy ecosystem of coastal areas and isles.

Letter b

Characteristic of coastal area constitutes a region having high biological productivity and development intensity as well as dynamic ecological change.

Isles constitute a definition integrated totally with others, physically, ecologically, socially, culturally and economically with characteristic as follows:

- a. separate from big island;
- b. extremely vulnerable to changes attributed to nature and/or people;
- c. having limited supporting capacity of island;
- d. if the isles are inhabited, their population has specific socio and cultural condition;
- e. economically dependent on economic developments of other islands, either the principal island and continent.

Letter c

Results of public consultation are in accordance with transparent, democratic agreement and recorded in a public consultation document.

Letters d and e

Sufficiently clear

Paragraph (2)

Sufficiently clear

Article 13

Paragraphs (1) and (2)

Sufficiently clear

Article 14

Paragraphs (1) and (2)

Sufficiently clear

Paragraph (3)

Inputs, responses, suggestions of improvement resulting from the main stakeholders, institutions of the

government, provincial governments and regental/municipal governments in the region are submitted effectively through the available communications channel.

Paragraph (4)

Sufficiently clear

Paragraph (5)

The provincial government is obliged to improve and publish final planning document of the management of coastal areas and isles on the basis of inputs, responses and suggestions of improvement received from the responding parties.

Paragraph (6)

Sufficiently clear

Paragraph (7)

In the case of the final planning document of management of coastal areas and isles not gaining response and/or input until the deadline stipulated by this law, the document is deemed final.

Article 15

Paragraph (1)

The said data and information are accurate, accountable, updated and in accordance with the need of coastal areas and isles.

Paragraph (2)

The official publication is realized through state

gazette in the national level, regional gazette in the provincial and regental/municipal level.

Paragraph (3) up to paragraph (6)

Sufficiently clear

Article 16 up to Article 19

Sufficiently clear

Article 20

Paragraph (1)

Debt guarantee constitutes debt having settlement guaranteed by mortgage right, which may be in the form of debts already existing or agreed in certain amount or the amount which may be determined on the basis of credit agreement or other agreement resulting in debt-receivable relations upon the submission of mortgage right.

The mortgage right affixing to HP-3 constitutes a guarantee right charged with HP-3, covering or not covering other things which constitute a totality with HP-3, for the settlement of certain debt that grants privilege to certain creditors against other creditors.

Mortgage right may be granted to a debt resulting from legal relation or a debt or more resulting from legal relations.

Paragraph (2)

Sufficiently clear

Paragraph (3)

Letter a

Sufficiently clear

Letter b

Abandoned means an action taken by holder of HP-3 without doing anything for coastal waters for three years consecutively.

Letter c

Sufficiently clear

Paragraph (4)

Registration of HP-3 constitutes a series of activities executed by the government continuously and regularly, which cover measuring, processing, bookkeeping and presentation as well as preservation of physical data and judicial data in the form of map and list regarding fields of waters, including the issuance of HP-3 certificate.

Article 21

Sufficiently clear

Article 22

Fishery reserve constitutes a specific waters territory, either briny water or sea water with specific condition and characteristic as the protecting and regenerating place of certain resources, which functions as protection area.

Shipping lane constitutes parts of natural and artificial waters, which are deemed safe for sailing, viewed from aspect of depth, width and other shipping barriers. Seaport area covers working and interest area of seaport. Public coast constitutes part of the public utilization area already used by communities for, among others, interests

of socio, cultural activities, tourism, recreation, sports and economy.

Paragraph (2)

Sufficiently clear

Article 23

Sufficiently clear

Paragraph (3)

Letter a up to letter c

Sufficiently clear

Article 24

The protected area constitutes area which must be protected from environmental destruction attributable to human actions or nature to preserve the totality of the Unitary State of the Republic of Indonesia.

Letter d

Unique coastal ecosystem is among others, sand knoll in southern coast of Yogyakarta, lagoon Segara Anakan, coastal ecosystem of Derawan Islan as habitat for sea turtle to lay egg.

Article 25 up to Article 27

Sufficiently clear

Paragraph (4) up to paragraph (7)

Sufficiently clear

Article 28

Paragraph (1)

Letter a

Preservation of coastal ecosystem covers efforts to protect sand knoll, estuary, lagoon, bay, delta, mangrove, coral reef and pastureland.

Article 29

Letter a

Core zone constitutes part of the conservation area in the protected coastal areas and isles, which is designated to protection of habitat and population of coastal and isle resources as well as having utilization restricted to research.

Letters b and c

Sufficiently clear

Letter b

Limited utilization zone constitutes part of conservation zone of coastal areas and isles which may only be used for coastal cultivation, ecotourism, and traditional fishery.

Letter d

Traditional cultural sites are, among others, place when ship having specific archeological and historical values sink, maritime historical site, and religious or traditional ritual site.

Letter c

Sufficiently clear

Article 30

See elucidation on Article 50 paragraph (1)

Indirect utilization constitutes an activity of individual or statutory body in utilizing part of coastal areas and isles to support the principal activity.

Article 31

Sufficiently clear

Letter a

Mining of coral reef means the taking of coral reef intentionally for the need of construction materials, aquarium ornaments, handicraft, industry and other interests so that the cover of life coral is less than 50% (fifty percent) in the exploited area.

Article 32

Paragraph (1)

Sufficiently clear

Paragraph (2)

Letter a

Enrichment of biological resources is applied to fishes already encountering a decrease in population.

Letter b up to letter f

Sufficiently clear

Letter b up to letter d

Sufficiently clear

Letter g

Mangrove felling in area already allocated in the planning of management of coastal areas and isles for fish breeding is permitted as long as the conservation norms are fulfilled.

Article 33

Sufficiently clear

Article 34

Paragraph (1)

Reclamation in coastal areas may only be done if the obtained social and economic benefits are bigger than social and economic costs.

Letters h and i

Sufficiently clear

Paragraphs (2) and (3)

Sufficiently clear

Article 36

Paragraph (1)

Supervisor by authority of special police is supervisor undertaking patrolling activities and other police tasks outside the investigative task.

Article 35

Direct utilization constitutes activity of individual or statutory body in utilizing part of coastal areas and isles for the principal activity.

Supervisor constitutes a civil servant in institution in charge of management of coastal areas and isles.

Paragraph (2)

Sufficiently clear

Paragraph (3)

Certain civil servant supervisor or investigator patrols actively but collects reports from communities about violations and destruction of coastal areas and isle through a community-based supervision system.

Paragraph (4)

Sufficiently clear

Paragraph (5)

Supervision and control are executed to:

- a. ascertain deviations in the implementation of strategic plan, zoning plan, management plan as well as implications of the deviations on change in quality of coastal ecosystem;
- b. encourage the utilization of resources in coastal areas and isles in accordance with management plan of coastal areas;
- c. enforce law by imposing sanction on violators, in the form of administrative sanction, civil sanction and/or penalty.

Paragraph (6)

Communities play an important role in supervision and control over the management of coastal areas and isles through:

- a. planning of management on the basis of customs and the common or existing practices in communities;

- b. implementation of management by featuring creative-ness and independence in the case of the quantity and variation of management of coastal areas and isles so as to be able to increase economic activities in places which have not been utilized previously so that the area of supervision and control can be expanded;
- c. settlement of conflicts regarding new rules intentionally prepared by communities because of their need or rules facilitated by the government.

Article 37 up to article 39

Sufficiently clear

Article 40

Paragraph (1) up to paragraph (3)

Sufficiently clear

Paragraph (4)

Incentives may be granted in the form of:

- a. program assistance covering:
 1. program adjusted to condition and need;
 2. formal recognition in the form of approval or certification by the government and/or regional government to program submitted by program managers of coastal and isle management;
 3. consistency of the government and /or regional governments in the implementation of programs.
- b. technical assistance in the form of human resource support qualitatively and quantitatively, equipment, knowledge enhancement, communications and socialization to communities.

Paragraph (5) up to paragraph (8)

Sufficiently clear

in status of core zone in national sea conservation area, outmost isles and habitat of endemic biota.

Article 41 up to article 49

Sufficiently clear

Letters b and c

Sufficiently clear

Article 50

Paragraph (1)

Certain National Strategic Area (KSNT) is stipulated by the following mechanism:

- a. the Minister submits application for consideration to the House of Representatives;
- b. the House of Representatives and the Minister organizes a hearing to discuss application for the consideration as meant in letter a;
- c. the Minister sets up an independent integrated team consisting of representatives of the government, university, scientific authorities and other related parties;
- d. the result of the integrated study is submitted to the House of Representatives to be used as a basis for granting consideration to the Minister.

Paragraphs (2) and (3)

Sufficiently clear

Paragraph (2)

Stipulation of HP-3 by the minister in KSNT, license to exploit isles causing serious impact on the environment, change in status of core zone in conservation area of national waters is done by the following mechanism:

- a. the Minister submits application for consideration to the House of Representatives;
- b. the House of Representatives and the Minister organizes a hearing to discuss application for the consideration as meant in letter a;
- c. the Minister sets up an independent integrated team consisting of representatives of the government, university, scientific authorities and other related parties;
- d. the result of the integrated study is submitted to the House of Representatives to be used as a basis for granting consideration to the Minister.

Article 51

Paragraph (1)

Letter a

Certain National Strategic Area covers, among others areas designated to geopolitical, defense and security interests, area vulnerable to serious disaster, change

Paragraph (3)

Sufficiently clear

Article 52 up to article 58

Sufficiently clear

Article 59

Paragraph (1)

Mitigation is done to minimize risks of disaster for communities living in coastal areas and isles vulnerable to disaster. Mitigation is executed through structural/physical activities and/or non-structural/non-physical activities.

Paragraph (2)

Structural/physical activities cover the development of early warning system, development of facilities and infrastructure and/or environmental management to minimize risks of disasters. Non-structural/non-physical activities cover the formulation of legislation, map of areas vulnerable to disaster, map of disaster risk, layout, zoning, education, counseling, and generating public awareness.

Paragraphs (3) and (4)

Sufficiently clear

Article 60 up to article 63

Sufficiently clear

Article 64

Settlement of dispute is regulated as follows:

1. efforts should be taken to settle every dispute related to management of coastal areas and isles outside the court;
2. parties in dispute execute the out-of-court settlement of dispute by means of consultation, specialist evaluation, negotiation, mediation, conciliation, arbitration or local custom/habit/wisdom;

3. settlement of dispute over the management of coastal areas and isles through the court is intended to obtain a decision on the returning of a right, amount of compensation or certain actions, which must be taken by the loser.

Article 65 up to article 68

Sufficiently clear

Article 69

Paragraphs (1) and (2)

Sufficiently clear

Paragraph (3)

Certain actions are, among others:

1. installing or improving waste treatment unit so that the waste complies with the stipulated quality standard;
2. restoring the function of coastal areas;
3. eliminating or destroying causes of environmental pollution or destruction in coastal areas.

Concrete cost or spending is cost decidedly spent by institution in charge of the management of coastal areas and isles, such as cost of materials, personnel and equipment for provisional action to prevent greater negative impact.

Article 70

Paragraph (1)

Sufficiently clear

Paragraph (2)

Civil servant investigator investigates violation of provisions in the field of the management of coastal areas and isles.

or evidences from people or agencies with respects to crime in the field of management of coastal areas and isles.

Paragraph (3)

1. Besides investigator of the Indonesian Police, certain civil servant officials in charge of the management of coastal areas and isles is given special authority as the investigator as meant in the penal code
2. Investigator has the authority as governed in this law, among others, examining the truth of reports and information related to crime in the field of the management of coastal areas and isles, asking information and/

Paragraphs (4) and (5)

Sufficiently clear

Article 71 up to article 80

Sufficiently clear

SUPPLEMENT TO STATUTE BOOK OF
THE REPUBLIC OF INDONESIA YEAR 2007

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