

**Decree of the Governor
Head of Level I Region of West Java
Number : 18 of 1994**

Regarding

**Establishment of Provincial Water Management Committee
of Provincial Region Level I of West Java**

THE GOVERNOR HEAD OF LEVEL I REGION OF WEST JAVA

Taking into account :

- a. that for the implementation of water management which can provide maximum benefit for the community interest in all aspects of life and livelihood, within the framework of protecting, developing and utilizing water and or water resources, it is necessary to establish an integrated approach from the elements of involved institutions.
- b. that with regard to the aforesaid matter, the Regulation of the Minister of Public Works No. 67/PRT/1993 regarding Water Management Committee of the Provincial Region Level I as a forum for consultative discussion to assist the Governor as Head of Region in executing the authority of coordinating water management, has been issued.
- c. that as follow-up of the aforesaid Regulation of the Minister of Public Works No. 67/PRT/1993, it is necessary to stipulate the establishment of Provincial Water Management Committee of the Provincial Region Level I of West Java through the issuance of this Decree.

Bearing in mind :

1. Law No. 5 of 1974 regarding Basic Principles of Government in the Regions;
2. Law No. 11 of 1974 regarding Water Resources;
3. Government Regulation No. 22 of 1982 regarding Water Management;
4. Government Regulation No. 23 of 1982 regarding Irrigation;
5. Government Regulation No. 20 of 1990 regarding Control of Water Pollution;
6. Government Regulation No. 27 of 1991 regarding Swamp;
7. Government Regulation No. 35 of 1991 regarding River;
8. Regulation of the Minister of Public Works No. 39/PRT/1989 regarding Division of River Basin;
9. Regulation of the Minister of Public Works No. 67/PRT/1993 regarding Water Management Committee of the Provincial Region Level I;
10. Regulation of the Provincial Region Level I of West Java No. 5 of 1987 regarding Irrigation;
11. Regulation of the Provincial Region Level I of West Java No.12 of 1989 regarding Water Management.

It Is Hereby Instructed

To stipulate : The Decree of the Governor as Head of Level I Region of West Java, regarding the Establishment of the Provincial Water Management Committee of the Provincial Region of West Java.

Chapter I General Provision

Part One Meaning

Article I

In this Decree the terms used have the following meanings :

- a. Governor means the Governor as Head of Level I Region of West Java;
- b. Level I Region means the Provincial Level I Region of West Java;
- c. Level II Region means the Regency/Municipality
Level II Region within the Provincial Region Level I of West Java;
- d. Water Management means the conduct of all activities for regulating the development of factors such as ownership, authority, management, utilization, exploitation and conservation of water and water resources including inorganic natural riches contained therein, for achieving maximum benefit in keeping with the people's necessities and livelihood;
- e. Provincial Irrigation Committee means a forum for consultative discussion at the provincial level having the function to assist the Governor as Head of Region in the provision, distribution and allocation of irrigation water;
- f. River Basin means an area for water resources management as intended in Article 1 item 7 of Law No.11/1974 as a product of the development of one or more river catchments;
- g. Water means any water found in or originating from surface as well as underground water resources;
- h. Water resources means natural water bodies and reservoir whether surface or underground;
- i. Conservation of water resources means the conduct of activities for protecting water resources against damages caused by people and nature;
- j. Development of water resources means the conduct of activities for increasing the benefit of water resources and its environment;
- k. Use of water resources means the conduct of activities for utilizing water resources.

Part Two Establishment

Article 2

With this Decree, the Provincial Water Management Committee of the Provincial Region Level I of West Java is established.

Chapter II Position, Function and Task

Article 3

The Provincial Water Management Committee as intended in Article 2 of this Decree, shall be a forum for consultative discussion within the framework of coordinating water management within the Provincial Region Level I of West Java which is located under and responsible to the Governor as Head of Region.

Article 4

The Provincial Water Management Committee as intended in Article 3 of this Decree has a function to assist the Governor as Head of Region in executing the authority for coordinating water management in :

- a. Determining the priority plan for use of water and or water resources.
- b. Determining the priority for use of water and or water resources in the framework of conservation, development and use of the aforesaid water resources.
- c. Regulating the use of water and or water resources.
- d. Regulating the discharge of waste water and other wastes.
- e. Regulating the construction of water resources structure as well as other structures at the sources of water.
- f. Regulating other problems which may arise.

Article 5

The Provincial Water Management Committee as intended in Article 3 of this Decree has the task :

- a. To collect, process and supply information obtained from the technical units of river basin management and involved institutions which are required for determining policy of the Government of Level I Region regarding coordination of water management covering :
 - (1) Data on water quantity provision of surface water and groundwater sources.
 - (2) Data on water quality of surface water and groundwater sources.
 - (3) Data on conservation of water and/or water resources.
 - (4) Data on water requirement in the involved sector based on time, space, quantity and quality which has been or shall be utilized.
 - (5) Data on utilization of water resources which has been or shall be utilized.

- b. To provide recommendation and/or suggest solution to the Governor as Head of Level I Region in connection with :
 - (1) Provision and use of water resources including determination of water allocation for use in the dry season and in the rainy season to support the needs of various sectors, based on jointly agreed criteria which refer to valid regulations.
 - (2) To determine a location/a way of discharging waste water including its financing and management.
 - (3) To determine arrangement of flood flow for minimizing damage.
 - (4) Coordination of problems for digging of group C excavated materials in water ways and water bodies.
- c. To supervise implementation of the decisions of coordinative matters which covers:
 - (1) Collection and assessment of written report from involved institutions.
 - (2) Providing suggestion for follow-up of the supervision report.
- d. To prepare reports periodically or at any time if required with regard to its tasks, for submission to the Governor as Head of Level I Region and to the Minister of Public Works through the Director General of Water Resources Development.

Chapter III Structure of Organization

Article 6

- 1. Structure of Organization of the Provincial Water Management Committee as intended in Article 2 of this Decree consists of :
 - (a) Chairman
 - (b) Deputy Chairman
 - (c) Secretary
 - (d) Member
- 2. Membership composition of the Provincial Water Management Committee mentioned in para 1 of this Article is shown in the Attachment to this Decree.
- 3. In carrying out its task the Provincial Water Management Committee mentioned in para 1 of this Article is assisted by a Secretariat within the Provincial Water Resources Public Works Service of the Provincial Region Level I of West Java which shall be established by the Chairman of the Provincial Water Management Committee of Provincial Region Level I.

Article 7

The Secretariat of Provincial Water Management Committee as intended in Article 6 para (3) of this Decree has the task to assist the Secretary in supplying data for meeting, preparing report, conducting administrative activities and other tasks given by the Secretary.

Article 8

1. To assist the Provincial Water Management Committee as intended in Article 3 of this Decree, the Governor as Head of Level I Region may establish a Committee for Implementing Water Management in Satuan Wilayah Sungai (river basin).
2. Membership composition of the Basin Water Management Committee as intended in para (1) of this Article shall be further determined.
3. The Committee for Implementing Water Management in the Satuan Wilayah Sungai has the task to assist the Provincial Water Management Committee of the Provincial Region Level I of West Java in executing coordination of water management in the river basin concerned which covers :
 - (a) To obtain data as mentioned in Article 5 item a of this Decree from the authorized institution.
 - (b) To monitor the implementation of coordinative decision determined by the Governor.
 - (c) To prepare report regarding its task to the Provincial Water Management Committee.

Chapter IV Working Arrangement

Article 9

1. The Provincial Water Management Committee of the Provincial Region Level I of West Java, should periodically or at any time as required conduct a meeting/session either plenary, limited or combined at least 3 times a year i.e. at preparation of annual program, prior to rainy season and dry season, and make field observations.
2. Working arrangement mentioned in para (1) of this Article shall be further determined by the Governor as Head of Region.

Article 10

In implementing its task, the Provincial Water Management Committee of the Provincial Region Level I of West Java, should invite the water users and or other interested parties to attend the meeting/committee session to collect additional data or information which is required.

Chapter V Financing

Article 11

The sources of finance for implementing the task of the Provincial Water Management Committee of the Provincial Region Level I of West Java can be derived from :

- a. Financial support from the Central Government.
- b. Funds obtained from retribution and or fees charged for use of water and water resources which shall be further determined by the Governor as Head of Region.

Chapter VI Miscellaneous

Article 12

1. Implementation of coordination of Water Management in the Satuan Wilayah Sungai situated in two Provinces of Level I Region, is conducted through combined meeting of the Provincial Water Management Committees of the Provincial Region Level I concerned chaired by one of the Chairmen of the Provincial Water Management Committees of Level I Region who is selected on consultative basis by the participants of the combined meeting.
2. The decision made by the combined meeting mentioned in para (1) of this Article is binding for the Provincial Water Management Committee of Provincial Region Level I concerned.
3. In case that coordination problem as intended in para 1 of this Article cannot be solved in the Combined Meeting, it should be forwarded to the Director General of Water Resources for solution.

Article 13

1. Working relationship between the Provincial Irrigation Committee and Provincial Water Management Committee of the Provincial Region Level I of West Java is coordinative in nature with the proviso that the provision of water for irrigation is based on established policies as intended in Article 4 of this Decree.

Article 14

Matters not yet sufficiently covered in this Decree with regard to the implementation shall be regulated further by the Governor as Head of Region.

Article 15

This Decree is valid from the date of issue with the proviso that any mistake discovered thereafter shall be corrected.

Decreed in : Bandung
Date : May 13, 1994

**The Governor as Head of Level I
Region of West Java**

signed

R. Nuriana

c.c.

1. Coordinator Minister for EKUIN, Jakarta.
2. Minister of Home Affairs, Jakarta.
3. Minister of Public Works, Jakarta.
4. State Minister of National Development Planning/Chairman of Bappenas, Jakarta.
5. Minister of Agriculture, Jakarta.
6. Minister of Forestry, Jakarta.
7. Minister of Environment, Jakarta.
8. Minister of Defense and Security, Jakarta.
9. Minister of Industry, Jakarta.
10. Minister of Mining and Energy, Jakarta.
11. Chairman, Regional Assembly of the People Representatives of the Provincial Region Level I of West Java, Bandung.
12. Commander, Military Territory II of Siliwangi, Bandung.
13. Head, Police of West Java Region, Bandung.
14. Head, Regional Development Planning Board, Provincial Region Level I of West Java, Bandung.
15. Assistants to the Governor in charge of Region I upto V within West Java.
16. Head, Inspectorate of Provincial Territory, Level I Region of West Java.
17. Directorate of Social Politics, West Java Province, Bandung.
18. Head, Public Works Regional Office, West Java Province, Bandung.
19. Head, Agriculture Regional Office, West Java Province, Bandung.
20. Head, Water Resources Public Works Service, Provincial Region Level I of West Java.

21. Head, Food Crops Agriculture Service, Provincial Region Level I of West Java.
22. Head, Fishery Service, Provincial Region Level I of West Java, Bandung.
23. Head, Plantation Service, Provincial Region Level I of West Java, Bandung.
24. President Director, Perhutani Unit III, West Java, Bandung.
25. Head, Regional Office of National Land Agency, West Java Province, Bandung.
26. Head, Directorate of Village Community Development, West Java Province, Bandung.
27. Head, Bureau of Regional Economic, Secretariat of Territory/Region Level I of West Java, Bandung.
28. President Director of PTP XVI, Cirebon.
29. President Director of Jatiluhur Authority Public Corporation, Jakarta.
30. Regents/Mayors Head of Level II Regions within West Java.

Attachment : **Decree of the Governor as Head of Level I Region of West Java**
Number : **18 of 1994**
Date : **May 13, 1994**
Subject : **Establishment of Provincial Water Management Committee of Provincial Region Level I of West Java**

**Composition of Membership of Provincial Water Management Committee
Provincial Region Level I of West Java**

Chairman and Member : Deputy Governor in charge for Economic and Development, Provincial Region Level I of West Java

Deputy Chairman I and member : Head, Regional Development Planning Board, Provincial Region Level I of West Java.

Deputy Chairman II and Member : Head, Public Works Regional Office, West Java Province.

Secretary and Member : Head, Provincial Water Resources of Public Works Service, Provincial Region Level I of West Java.

Vice Secretary and Member : Chief, River and Swamp Sub Directorate.

Member :

1. Assistant II to the Secretariat of Territory Region Level I of West Java.
2. Head, Public Works Regional Office, West Java Province.
3. Head, Industry Regional Office, West Java Province.
4. Head, Forestry Regional Office, West Java Province.
5. Head, Regional Office of National Land Agency, West java Province.
6. Head, Ciptakarya Service, Provincial Region Level I of West Java.
7. Head, Food Crcps Agriculture Service, Provincial Region Level I of West Java.
8. Head, Fishery Service, Provincial Region Level I of West Java.
9. Head, Plantation Service, Provincial Region Level I of West Java.
10. Head, Mining Service, Provincial Region Level

- I of West Java.
11. Head, Bureau of Environment, Secretariat of the Territory Region Level I of West Java.
 12. Head, State Electricity Corporation Pikitdro of West Java.
 13. Head, HKTI of West Java.
 14. Head, KADINDA of West Java.
 15. President Director, Jatiluhur Authority Public Corporation.
 16. Head, Directorate of Community Guidance, Police of West Java Territory.
 17. Assistants to the Governor for Regions I-V.
 18. Head, Regional Capital Investment Coordination Board, Provincial Region Level I of West Java.
 19. The Universities of ITB, UNPAD, IPB.
 20. The experts having related scientific discipline.

**Governor as Head of Level I Region
of West Java**

signed

R. Nuriana