

SILVICULTURE SYSTEM INSIDE AREA OF BUSINESS LICENSE TO UTILIZE TIMBER FOREST PRODUCTS IN PRODUCTION FORESTS

(Regulation of the Minister of Forestry No.: P.11/Menhut-II/2009, dated February 9, 2009)

WITH THE BLESSING OF THE ONE AND ONLY GOD

THE MINISTER OF FORESTRY,

Considering:

- a. that inside area of Business License to Utilize Timber Forest Product - Natural Forests (IUPHHK-HA), Business License to Utilize Timber Forest Products - Eco-system Restoration (IUPHHK-RE) and Business License to Utilize Timber Forest Products - Timber Estate (IUPHHK-HT) in production forests, operations may be performed with one or more Silviculture Systems, in accordance with the characteristics of forest resources and its environment as regulated in Article 34 paragraph (2) and Article 38 paragraph (1) of Government Regulation No. 6 Year 2007 in conjunction with Government Regulation No. 3 Year 2008;
- b. that the Silviculture System referred to in letter a is meant so that efforts on the utilization of production forests of natural forests, eco-system restoration, and cultured forests can be managed pursuant to principles of the management of preserved forests and to increase its productivity;
- c. that related with those issues, it is necessary to stipulate a regulation of the Forestry Minister concerning Silviculture System within an area of business permit for the utilization of wood forest products in production forests.

In view of:

1. Law No. 5 Year 1990 concerning Conservation of Natural Bio-Resources and its Ecosystem (Statute Book of the Republic of Indonesia Year 1990 No. 49; Supplement to Statute Book of the Republic of Indonesia No. 3419);
2. Law No. 23 Year 1997 (**BN No. 6092 pages 19A-21A and so on**) concerning Management of the Living Environment (Statute Book of the Republic of Indonesia Year 2007 No. 68; Supplement to Statute Book of the Republic of Indonesia No. 3699);
3. Law No. 41 Year 1999 (**BN No. 6412 pages 1A-6A and so on**) concerning Forestry (Statute Book of the Republic of Indonesia Year 1999 No. 167, Supplement to Statute Book No. 3888) having been amended by Law No. 19 Year 2004 concerning Stipulation of Government Regulation In Lieu of Law No. 1 Year 2004 concerning Amendment to Law No. 41 Year 1999 concerning Forestry to Become a Law (Statute Book of the Republic of Indonesia Year 2004 No. 86, Supplement to Statute Book No. 4412);
4. Law No. 32 year 2004 (**BN No. 7183 pages 1A_11A and so on**) concerning the Regional Government (Statute Book of the Republic of Indonesia Year 2004 No. 125, Supplement to Statute Book of the Republic of Indonesia No. 4437) having been amended by Law No. 8 Year 2005 concerning Stipulation of Government Regulation In Lieu of Law No. 3 Year 2005 (**BN No.**

- 7218 pages 20A-21A)** concerning Amendment to Law No. 32 Year 2004 concerning the Regional Government to Become a Law (Statute Book of the Republic of Indonesia Year 2005 No. 108, Supplement to Statute Book of the Republic of Indonesia No. 4548);
5. Law No. 26 Year 2007 (**BN No. 7599 pages 10A-30A and so on**) concerning Spatial Layout (Statute Book of the Republic of Indonesia Year 2007 No. 68; Supplement to Statute Book of the Republic of Indonesia No. 4725);
 6. Government Regulation No. 44 Year 2004 concerning Forest Planning (Statute Book of the Republic of Indonesia Year 2007 No. 146, Supplement to Statute Book of the Republic of Indonesia No. 4452);
 7. Government Regulation No. 6 Year 2007 (**BN No. 7529 pages 1A-21A and so on**) concerning Forest Order and Compilation of Forest Management Plan, and the Utilization of Forest (Statute Book of the Republic of Indonesia Year 2007 No. 22, Supplement to Statute Book of the Republic of Indonesia No. 4696) having been amended by Government Regulation No. 3 Year 2008 (Statute Book of the Republic of Indonesia Year 2008 No. 16, Supplement to Statute Book of the Republic of Indonesia No. 4814);
 8. Presidential Decree No. 187/M Year 2004 (**BN No. 7128 pages 30A-31A**) concerning Establishment of Indonesia United Cabinet having been amended several times lastly by No. 31/P Year 2007;
 9. Presidential Regulation No. 9 Year 2005 concerning Position, Mission, Functions, Organization Structure, and Work Mechanism of State Ministries of the Republic of Indonesia having been amended several times, lastly by No. 20 Year 2008;
 10. Presidential Regulation No. 10 Year 2005 concerning Organization Units and Duties of Echelon-I of State Ministries of the Republic of Indonesia having been amended several times, lastly by No. 50 Year 2008;
 11. Regulation of the Minister of Forestry No. P.13/Menhut-II/2005 concerning Organization and Work Procedure of the Forestry Department having been amended several times, lastly by No. P.64/Menhut-II/2008;
 12. Regulation of the Minister of Forestry No.: P.58/Menhut-II/2008 concerning Competence and Certification of Management Technical Manpower of Preserved Production Forest (State Gazette of the Republic of Indonesia Year 2008 No. 52)

D E C I D E S :

To stipulate:

THE REGULATION OF THE MINISTER OF FORESTRY CONCERNING SILVICULTURE SYSTEM INSIDE AREA OF BUSINESS LICENSE TO UTILIZE TIMBER FOREST PRODUCTS IN PRODUCTION FORESTS

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Regulation, definitions of terms used are :

1. Production forest is a forest zone having its main function to yield forest products.
2. Business License to Utilize Timber Forest Products of Natural forest, hereinafter abbreviated to IUPHHK-HA) is a business permit given to utilize forest products in the form of wood from a natural forest in production forests thru activities on harvesting or cutting, enrichment, maintenance and marketing.

3. Business License to Utilize Timber Forest Products of Industrial Timber Estate, hereinafter abbreviated to IUPHHK-HTI is a business permit provided to utilize forest products in the form of wood from production forests thru activities on land preparation, cultivation of seedlings, planting, maintenance, harvesting, and marketing.
4. Business License to Utilize Timber Forest Products of ecosystem restoration in natural forests, hereinafter abbreviated to IUPHHK-RE is a business permit given to develop a zone in a natural forest in production forests having an important ecosystem so that its functions and representation can be maintained thru activities on maintenance, protection and the recovery of forest ecosystem including planting, enrichment, spacing (thinning out), breeding animals, and releasing flora and fauna to restore bio-elements (flora and fauna) and non bio-elements (land, climate and topography) of a zone back to its original nature in order to achieve a balance of the biological and ecosystem.
5. Silviculture System is a harvesting system according to the place of growth based on the formation of forest development, i.e. the climatic and edaphis process, and types of forests developed in the context of the management of preserved forest or system of forest planting techniques from the selection of seeds or seedlings, raising seedlings, planting, maintaining plants and harvesting.
6. Minister is the Minister assigned the duty and responsibility in the aspect of forestry.
7. Director General is the Director General assigned the duty and responsibility in the aspect of Forest Production Management.
8. Provincial Service is the Service assigned the mission and responsibility in the aspect of forestry in a Province area.
9. Regency/City Service is the Service assigned the mission and responsibility in the aspect of forestry in a Regency/City area.

CHAPTER II

SILVICULTURE SYSTEM

Article 2

- (1) Silviculture System to be chosen and implemented shall be based on:
 - a. Age of stands;
 - b. Forest harvesting system.
- (2) Silviculture System based on the age of stands as meant in paragraph (1) letter a consists of:
 - a. Silviculture System for stands of the same age;
 - b. Silviculture System for stands not of the same age.
- (3) Silviculture System based on forest harvesting as meant in paragraph (1) letter b consists of:
 - a. selective cutting system;
 - b. total cutting system.

Article 3

- (1) Silviculture System for stands of the same age as referred to in Article 2 paragraph (2) letter a, is performed by Total Cutting with Artificial Rejuvenation ((THPB) and/or Total Cutting with Natural Rejuvenation (THPA).
- (2) In order to maintain natural regeneration and the formation of forest structure, basically harvesting shall be carried out using the Indonesian Selective Cutting Planting (TPTI) system.

Article 4

- (1) Silviculture System for stands not of the same age as referred to in Article 2 paragraph (2) letter b, is performed by selective cutting on:
 - a. individuals;
 - b. groups;
 - c. columns.
- (2) The Individual Selective Cutting Silviculture System meant in paragraph (1) letter a, is performed with Indonesian Selective Cutting Planting (TPTI).
- (3) The Group Selective Cutting Silviculture System meant in paragraph (1) letter b, is performed with Gap/Discontinuous Cutting (TR).
- (4) The Column Selective Cutting Silviculture System meant in paragraph (1) letter c, is performed with Column Selective Cutting (TPTJ).

Article 5

- (1) The THPB Silviculture System referred to in Article 3, is implemented on logged over area or on cultured forest in common production forests or production forest that can be converted within a business permit area for the utilization of products of wood forest in production forests based on Business Work Plan on the Utilization of Wood Forest Products (RKUPHHK).
- (2) The THPA Silviculture System referred to in Article 3, is implemented on logged over area or in cultured forest thru a coppice system and/or generative in common production forests or production forests that can be converted within a business permit area for the utilization of products of wood forest in production forests based on Business Work Plan on the Utilization of Wood Forest Products (RKUPHHK).

Article 6

- (1) TPTI and/or TR Silviculture System referred to in Article 4 paragraph (2) and paragraph (3), are implemented on virgin forests or logged over areas within a business permit area for the utilization of wood forest products in production forests based on Business Work Plan on the Utilization of Wood Forest Products (RKUPHHK).
- (2) The TPTJ Silviculture System referred to in Article 4 paragraph (4), is implemented on logged over areas within a business permit area for the utilization of wood forest products in production forests based on Business Work Plan on the Utilization of Wood Forest Products (RKUPHHK).

Article 7

- (1) Performance of Silviculture System referred to in Article 3 and/or Article 4 thru an Annual Work Plan (RKT) shall be submitted based on RKUPHHK by the Technical Manpower on the Management of Preserved Production Forest - Forest Management (GANISPHL-BINHUT)
- (2) Competence and certification of Technical Manpower on the Management of Preserved Production Forest - Forest Management (GANISPHL-BINHUT) as meant in paragraph (1), is regulated in Forestry Minister Regulation No. P.58/Menhut-II/2008.

CHAPTER III

CYCLE AND CUTTING CYCLE

Article 8

- (1) Cycle of stands of the same age as referred to in

Article 2 paragraph (2) letter a is stipulated based on ripe age for economical cutting and/or based on maximum yielding age.

(2) Cycle for stands not of the same age as referred to in Article 2 paragraph (2) letter b, is stipulated based on the cutting diameter of stand cutting cycle of natural forests.

(3) Cutting cycle and cutting diameter referred to in paragraph (2) is as follows:

a. on dry land forests:

1) 30 (thirty) years for diameters of 40 cm (forty centimeters) in common production forests and/or in convertible production forests, and 50 cm (fifty centimeters) in limited production forests using the TPTI or TR Silviculture System.

2) 25 (twenty five) years for TPTJ system on plant columns with a width of 3 (three) meters shall be cut totally, and in in-between columns, those having a diameter as of 40 cm (forty centimeters).

b. in swamp forests: 40 (forty) years for diameters of 30 cm (thirty centimeters)

c. in mangrove forests: 20 (twenty) years for chip raw material and 30 (thirty) years for charcoal for diameters of 10 cm (ten centimeters)

CHAPTER IV

SILVICULTURE TECHNIQUE

Article 9

(1) Silviculture techniques, among others Selection Management (Bina Pilih) or Indonesian Intensive Selective Cutting for the Silviculture System referred to in Article 4 are stipulated by the Director General.

(2) The Silviculture techniques meant in paragraph (1) among others are in the form of choosing the types, tree breeding, provision of seedling, manipulation of the environment, planting and maintenance.

CHAPTER V

MANAGEMENT AND CONTROL

Article 10

(1) The Director General exercises the management on the performance of Silviculture System and Silviculture technique by holders of IUPHHK and/or on KPHP.

(2) The Head of Province Forestry Service exercises control on the performance of Silviculture System and Silviculture technique thru a Controller of Management Technical Manpower of Preserved Production Forest - Forest Management (WASGANISPHPL-BINHUT) based on technical guidance of the Director General.

(3) Competence and certification of WASGANISPHPL-BINHUT referred to in paragraph (2) is regulated in Minister Regulation No. P.58/Menhut-II/2008.

CHAPTER VI

OTHER PROVISIONS

Article 11

(1) Change of cutting cycle and/or cutting diameter may be proposed to the Minister, and the Minister will assign the Forestry Research & Development Board to perform a study.

(2) Based on result of the study of the Forestry Research & Development Board, the Minister can approve or reject the proposal for the change of cutting cycle and/or cutting diameter as meant in paragraph (1).

(3) Exception

- (3) Exception on the change meant in paragraph (1) may be granted directly to a permit holder, if the permit holder uses helicopter logging and/or skyline logging in the performance of harvesting.

CHAPTER VII
TRANSITIONAL PROVISIONS

Article 12

- (1) Implementation of Silviculture System that had been stipulated before the issuance of this regulation is still applicable.
- (2) Revision of Silviculture System on IUPHHK-HA and IUPHHK-HT may be submitted to adopt this regulation, and shall be submitted thru a revision of Work Plan on Forest Utilization Business (RKUPH).
- (3) Compilation, evaluation and legalization of RKUPH as meant in paragraph (2), are regulated in separate Minister regulations.

CHAPTER VIII
CLOSING PROVISIONS

Article 13

With the stipulation of this regulation, Forestry Minister Regulation No. P.30/Menhut-II/2005 concerning Standards of Silviculture System in Natural Forests on Dry Land and/or Wet Land/Swamps is declared as no more applicable.

Article 14

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

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

Stipulated in Jakarta
on February 9, 2009
THE MINISTER OF FORESTRY,
sgd
H. M.S. KABAN

Enacted in Jakarta
on : February 16, 2009
THE MINISTER OF LAW AND HUMAN RIGHTS
THE REPUBLIC OF INDONESIA,
sgd
ANDI MATTALATTA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2009 NO. 24

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