

**GUIDANCE FOR TECHNICAL LAND CONSIDERATIONS FOR
THE ISSUANCE OF LOCATION PERMITS,
THE DESIGNATION OF LOCATIONS AND THE ISSUANCE OF
PERMITS FOR CHANGE IN LAND USE
(Regulation of the Chief of the National Land Agency No. 2/2011
dated February 4, 2011)**

BY THE GRACE OF ALMIGHTY GOD
THE CHIEF OF THE NATIONAL LAND AGENCY OF
THE REPUBLIC OF INDONESIA,

Considering :

That to implement Government Regulation No. 16/2004 on Land Management and Government Regulation No. 38/2007 on Distribution of Government Affairs among the Government, Provincial Governments and Regency/Municipal Governments, it is

necessary to stipulate Guidance for Technical Land Considerations for the Issuance of Location Permits, the Designation of Locations and the Issuance of Permits for Change in Land Use by issuing Regulation of the Chief of the National Land Agency of the Republic of Indonesia;

In view of :

1. Law No. 5/1960 on the Basic Regulation of Agrarian Affairs (Statute Book of 1960 No. 104,

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- Supplement to Statute Book No. 2043);
2. Government Regulation No. 16/2004 on Land Management (Statute Book of 2004 No. 45, Supplement to Statute Book No. 4385);
 3. Government Regulation No. 38/2007 on Distribution of Government Affairs among the Government, Provincial Governments and Regency/Municipal Governments (Statute Book of 2007 No. 82, Supplement to Statute Book No. 4737);
 4. Government Regulation No. 13/2010 on the Types and Tariffs of Non-Tax State Revenues at the National Land Agency (Statute Book of 2010 No. 18, Supplement to Statute Book No. 5100);
 5. Presidential Regulation No. 10/2006 on National Land Agency;
 6. Regulation of the State Minister for Agrarian Affairs/Chief of the National Land Agency No. 2/1999 on Location Permit;
 7. Regulation of the Chief of the National Land Agency No. 3/2006 on the Organization and Work Mechanism of the National Land Agency;
 8. Regulation of the Chief of the National Land Agency No. 4/2006 on the Organization and Work Mechanism of the Regional Offices of the National Land Agency and Land Offices;
 9. Regulation of the Chief of the National Land Agency No. 3/2007 on Provisions to Implement Presidential Regulation No. 36/2005 on Procurement of Land for Development Projects for Public Interests as already amended by Presidential Regulation No. 65/2006 on Amendment to Presi-

- dential Regulation No. 36/2005 on Procurement of Land for Development Projects for Public Interests;
10. Regulation of the Chief of the National Land Agency No. 1/2010 on Service Standard and Land Control;

DECIDES :

To stipulate :

REGULATION OF THE CHIEF OF THE NATIONAL LAND AGENCY ON GUIDANCE FOR TECHNICAL LAND CONSIDERATIONS FOR THE ISSUANCE OF LOCATION PERMITS, THE DESIGNATION OF LOCATIONS AND THE ISSUANCE OF PERMITS FOR CHANGE IN LAND USE.

Article 1

Referred to in this Regulation as :

1. Technical land considerations for the issuance of location permits are considerations containing provisions and requirements on the use and utilization of land as the basis for the issuance of location permits to companies to obtain land needed to make investment which are also valid as permits to transfer titles as well as to use the land for the purpose of investment.

2. Technical.....
to be continued

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[Continued from Business News No. 8157-8158 page 47-48]

2. Technical land considerations for the designation of locations are considerations containing provisions and requirements on the use and utilization of land as the basis for the issuance of decisions on the designation of locations of land needed for development projects for public interests by the Government or Regional Governments.
3. Technical land considerations for the issuance of permits for change in land use are considerations containing provisions and requirements on the use and utilization of land as the basis for the issuance of permits to applicants to change the use and utilization of their land.

the upper right side below the words "BANK INDONESIA" printed in red ink that will turn around into orange below the ultraviolet ray;

f) on the upper right side below the serial number there is rectoverso if seen through the ray there will be a complete logo of Bank Indonesia in a reverse position;

g) on the lower right side exactly below nominal figure "10000" there are the words "PERUM PERCETAKAN UANG RI IMP" and the issuance year "2005";

h) above the water mark there is invisible printing in the form of pyramid house silhouette that will turn around into yellowish green below the ultraviolet ray;

i) on the lower left side of the main picture there is invisible printing in the form of nominal figure "10000" in a quadrangle box that will turn around into yellowish green below the ultraviolet ray;

j) on the left side of the main picture there are design elements in the form of red small circles with centers in white that spread;

k) microtext, namely text that can only be read using magnifying glass found on :

1) on the right side above the roof of the pyramid house in the form of figure 10000 on tree leaves;

2) the lower right side of the main picture filling nominal figure "10000" in the form of abbreviation "BI";

l) minitext, namely a small-sized text that can be read without using magnifying glass found :

1) above and below the water mark in the form of the words "BANK INDONESIA" in the form of curves with different text sizes;

2) on the right side above the words "BANK INDONESIA" and below nominal figure "10000" in the form of the words "BANK INDONESIA" forming a circle.

c. Materials

banknote paper has specifications as follows :

1. made of cotton fiber;
2. measuring 145 mm in length and 65 mm in width;
3. violet;
4. not turning around below ultraviolet ray;
5. water mark in the form of picture of National Hero Sultan Mahmud Badaruddin II and electrotype in the form of BI logo and Palembang regional ornament;
6. safety yarn planted in the banknote paper carrying frequently the word "BI10000" that will turn around into red below the ultraviolet ray.

Article 2

Technical land considerations shall serve as requirements for the issuance of location permits, the designation of locations or the issuance of permits for change in land use.

Article 3

Guidance for technical land considerations for the issuance of location permits, the designation of locations and the issuance of permits for change in land use shall be realized on condition that it :

- a. shall not sacrifice public interests;
- b. shall not mutually disturb the use of nearby land;
- c. shall meet principles of sustainability;
- d. shall observe principles of justice; and
- e. shall meet the land and regulation.

Article 4

(1) The guidance for technical land considerations for the issuance of location permits, the designation of locations and the issuance of permits for change in land use as referred to in Article 3 shall be further put in technical guidance for the use and utilization of land.

(2) The technical guidance for the use and utilization of land as referred to in paragraph (1) is contained in Attachment I to this regulation.

Article 5

(1) Technical land considerations for the issuance of location permits, the designation of locations and

the issuance of permits for change in land use shall cover:

- a. a summary of technical land considerations; and
- b. maps for technical land considerations.

(2) The procedure of issuing technical land considerations as referred to in paragraph (1) is contained in Attachment II to this regulation.

Article 6

The summary as referred to in Article 5 paragraph (1) letter a shall contain :

- a. Approval or rejection of whole or part of land for certain use and utilization proposed by applicants through location permits, designation of locations, or permits for change in land use; and
- b. Provisions and requirements on the use and utilization of land for the whole or part of land for certain use and utilization approved as referred to in letter a.

Article 7

Maps for technical land considerations as referred to in Article 5 paragraph (1) letter b shall at least cover :

- a. Guidance for location map;
- b. use of land;
- c. general picture of land control;
- d. land capacity;
- e. proper use of land;
- f. availability of land; and

g. technical land considerations.

Article 8

To draw up the summary and maps as referred to in Article 6 and Article 7 data and information are needed based on :

- a. data and information in the field;
- b. regency/municipal/provincial/national balance sheet of land use; and
- c. data and information obtained from other sources needed.

Article 9

(1) Technical land considerations for the issuance of location permits, the designation of locations and the issuance of permits for change in land use shall be drawn up and issued by a team of technical land considerations.

(2) The team as referred to in paragraph (1) shall consist of :

- a. cross provincial technical land considerations conducted by a National Technical Land Considerations Team set up under a decision of the Chief of the National Land Agency;
- b. cross regency/municipal technical land considerations conducted by a Provincial Technical Land Considerations Team set up under a decision of the Chief of the Regional Office of the National Land Agency; and
- c. regency/municipal technical land considerations conducted by a Regency/Municipal

Technical Land Considerations Team set up under a decision of the Head of the Land Office.

(3) The National Technical Land Considerations Team as referred to in paragraph (2) letter a shall be made up of :

- a. Manager : Chief of the National Land Agency;
- b. Chief concurrently member: Deputy for Land Control and Management to Chief of the National Land Agency;
- c. Secretary concurrently member: Director of Land Use Management; and
- d. Members : Technical elements at the National Land Agency.

(4) The Provincial Technical Land Considerations Team as referred to in paragraph (2) letter b shall be made up of:

- a. Manager : Chief of the Regional Office of the National Land Agency;
- b. Chief concurrently member: : Head of the Land Control and Management Section;
- c. Secretary concurrently member: Head of the Land Use Management Section; and
- d. members : Technical elements at the Regional Office of the National Land Agency.

(5) The Regency.Municipal Technical Land Considerations Team as referred to in paragraph (2) letter c shall be made up of:

- a. Manager : Chief of the Land Office;
- b. Chief concurrently member : Head of the

Land Control and Management Section;

- c. Secretary concurrently member : Head of the Certain Land and Estate Use Subsection; and
- d. members : Technical elements at the Land Office.

(6) In carrying out its tasks, the Technical Land Considerations Team for the Issuance of Location Permits, the Designation of Locations and the Issuance of Permits for Change in Land Use as referred to in paragraph (2) shall be assisted by secretariat officers and field officers whose numbers and qualifications will be adjusted to the extent and type of activity applied for.

(7) The technical land considerations team as referred to in paragraph (2) shall be decided every budget year.

Article 10

The requirements of applications and the period of time for the issuance of technical land considerations for the issuance of location permits, the designation of locations and the issuance of permits for change in land use shall follow Regulation of the Chief of the National Land Agency No. 1/2010 on Service Standard and Land Control.

Article 11

- (1) The nurturing and monitoring of location permits, designation of locations, and issuance of permits for change in land use shall be conducted by :
 - a. the Chief of the National Land Agency at na-

tional, provincial and regency/municipal level;

- b. the Chief of the Regional Office of the National Land Agency at provincial and regency/municipal levels; and
- c. the Head of the Land Office at regency/municipal level.

(2) The nurturing and monitoring as referred to in paragraph (1) for location permits shall be conducted by observing:

- a. a summary of technical land considerations; and
- b. provisions in Regulation of the State Minister for Agrarian Affairs/Chief of the National Land Agency No. 2/1999 on Location Permits.

(3) The results of nurturing and monitoring as referred to in paragraph (2) shall serve as considerations in cancelling location permits as referred to in Government Regulation No. 38/2007 on the Distribution of Government Affairs among the Government, Provincial Governments and Regency/Municipal Governments (Attachment I subsection 1 point 3 letter h).

- (4) The cancellation of location permits as referred to in paragraph (3) shall be done by the Chief of the National Land Agency at the request of :
 - a. Provincial Government based on considerations from the Chief of the Regional Office of the National Land Agency; and
 - b. Regency/Municipal Government based on considerations from the Chief of the Land Office.

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Article 12

Fees on technical land considerations for the issuance of location permits, the designation of locations and the issuance of permits for change in land use shall be based on Government Regulation No. 13/2010 on the Types and Tariffs of Non-Tax State Revenues at the National Land Agency.

Article 13

This regulation shall come into force as from the date of stipulation.

Stipulated in Jakarta

On February 4, 2011

CHIEF OF THE NATIONAL LAND AGENCY OF
THE REPUBLIC OF INDONESIA

sgd.

JOYO WINOTO, Ph. D

Editor's Notes :

- Attachments are not carried for technical reasons.

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