

DECISION OF THE HEAD OF THE AGENCY FOR THE CONTROL OF ENVIRONMENTAL IMPACT

NUMBER: KEP-23A/1998; DATED: MAY 15, 1998

RE

THE GUIDELINE OF TECHNICAL CONSIDERATIONS ON THE ESTABLISHMENT OF REGIONAL AGENCIES FOR THE CONTROL OF ENVIRONMENTAL IMPACTS

HEAD OF THE AGENCY FOR THE CONTROL OF ENVIRONMENT IMPACT,

Considering:

that in sustaining the establishment of Regional Agencies for the Control of Environmental Impacts, it is deemed necessary to stipulate a Decision of the Head of the Agency for the Control of Environmental Impacts on the Guidelines of Technical Consideration on the Establishment of Regional Agencies for the Control of Environmental Impacts.

Bearing in mind:

1. Law No. 5/1974 on the Principles of Regional Administration (State Gazette No. 38/1974; Supplement to State Gazette No. 3037);
2. Law No. 24/1972 on the Arrangement of Space;
3. Law No. 23/1997 on the Management of the Environment (State Gazette No. 68/1997; Supplement to State Gazette No. 3699);
4. Government Regulation No. 20/1990 on the Control of Pollution of Water (State Gazette No. 24/1990; Supplement to State Gazette No. 3409);
5. Government Regulation No. 51/1993 on the Analysis of Environment Impacts (State Gazette No. 84/1993; Supplement to State Gazette No. 3538);
6. Government Regulation No 19/1994 on the Processing of Hazardous and Toxic Pollutants (State Gazette No. 26/1994) jo. Government Regulation No. 12/1995 (State Gazette No. 24/1995; Supplement to State Gazette No. 3595);
7. Presidential Decree No. 77/1994 on the Agency for the Control of Environmental Impacts;
8. Presidential Decree No. 60/1998 on the Status, Duties, Function, Structures of Organization and Working System of the Minister;
9. Decree of the State Minister of Environment Affairs No. Kep-26/MENLH/9/1993 on the Organization and Working System of the Staff of the State Minister of Environment Affairs;
10. Decree of the Minister of Domestic Affairs No. 98/1996 on the Guidelines of the Establishment, the Organization and the Working System of Regional Agencies for the Control of Environmental Impacts;
11. Decision of the Head of the Agency for the Control of Environmental Impacts No. Kep-135/1995 on the Organization and Working System of the Agency for the Control of Environmental Impacts;
12. Decision of the Head of the Agency for the Control of Environmental Impacts No. Kep-136/1995 on the Organization and Working System of the Agency for the Control of Environmental Impacts;

Taking into account:

Instruction of the Minister of Domestic Affairs No. 11/1997 on the Implementing Guidelines of Decree of the Minister of Domestic Affairs No. 98/1996 on the Guidelines of the Establishment, the Organization and the Working System of Regional Agencies for the Control of Environmental Impacts.

HAS DECIDED

To stipulate:

Decision of the Head of the Agency for the Control of Environmental Impacts regarding the Guidelines of Technical Consideration on the Establishment of Regional Agencies for the Control of Environmental Impacts.

Article 1

(1) In assessing and evaluating the Establishment of Regional Agencies for the Control of Environmental Impacts, it is necessary to consider the provisions contained in the Decree of the Minister of Domestic Affairs No. 98/1996 on the Guidelines of the Establishment, the Organization and the Working System of Regional Agencies

for the Control of Environmental Impacts, and Instruction of the Minister of Domestic Affairs No. 11/1997 on the Implementing Guidelines of Decree of the Minister of Domestic Affairs No. 98/1996 on the Guidelines of the Establishment, the Organization and the System of Regional Agencies for the Control of Environmental Impacts.

(2) In considering the Establishment of Regional Agencies for the Control of Environmental Impacts from the aspect of life environment, it is necessary to make a technical assessment and evaluation by considering the factors affecting the management of life environment, particularly the environmental impacts.

Article 2

The general and technical procedures for assessment and evaluation shall be Guidelines of the Technical Consideration regarding the Establishment of the Agency for the Control of Environmental Impacts, which constitute an attachment and inseparable part of this Decision.

Article 3

This Government Regulation shall come into force as from the date of stipulation, on condition that if in future an error is found, there shall be a rectification and improvement as it should be.

Stipulated in: Jakarta
on: May 15, 1998

HEAD OF THE AGENCY FOR THE CONTROL OF ENVIRONMENTAL IMPACTS

sgd.

JUWONO SUDARSONO.

ATTACHMENT

CRITERIA FOR DETERMINING THE PATTERN OF BAPEDALDA (REGIONAL AGENCY FOR THE CONTROL OF ENVIRONMENTAL IMPACTS) ORGANIZATION

- I. Evaluation according to Decree of the Minister of Domestic Affairs No. 98/1996 on the Guidelines of the Establishment of the Organization and Working System of BAPEDALDA.
- II. Technical Evaluation from the Aspect of the Environment.

The elements evaluated

Score

-
- | | | |
|----|--|-----|
| 1. | Potential of Issue on Regional Environment | |
| a. | Yes | 50 |
| b. | No | 0 |
| 2. | Potential of Issue on Global Environment | |
| a. | Yes | 50 |
| b. | No | 0 |
| 3. | Space Arrangement | |
| a. | Yes | 100 |
| b. | No | 0 |
| 4. | Program for the Control of Environmental Impacts | |
| a. | Yes | 100 |
| b. | No | 0 |
| 5. | Facilities for Health Care | |
| a. | Yes | 50 |
| b. | No | 0 |
| 6. | Number of Poor Villages | |
| a. | ≥20% | 100 |
| b. | ≤ 20% | 0 |

- | | | |
|-----|---------------------------------------|-------------|
| 7. | Center of Economic Growth// | |
| | a. Yes | 100 |
| | b. No | 0 |
| 8. | Autonomous Sampling Region | |
| | a. Yes | 50 |
| | b. No | 0 |
| 9. | Foreign Aid for projects | |
| | a. Yes | 50 |
| | b. No | 0 |
| 10. | Development Density | |
| | a. Yes | 100 |
| | b. No | 0 |
| 11. | Protection/Conservation Area | |
| | a. Yes | 100 |
| | b. No | 0 |
| 11 | Instruments of Policy for the Control | |
| | a. Yes | 100 |
| | b. No | 0 |
| 13. | Geographical Information System | |
| | a. Yes | 50 |
| | b. No | 0 |
| | Total Score | 1000 |

III. Calculation of Evaluation

- The evaluation according to the Decree of the Minister of Domestic Affairs shall be expressed in terms of a maximum score of 1000 "weighing", 50%.
- The evaluation viewed from the technical aspects of the management of life environment according to the Decision of the Head of BAPEDAL (Agency for the Control of Environmental Impacts) shall be expressed in terms of a maximum score of 1000 worth 50%.
- The Determining of Organization Pattern shall be calculated from the sum of the scores (n) according to the Decree of the Minister of Domestic Affairs (x1) multiplied by the weight for the Ministry of Domestic Affairs (y1) plus the scores according according to the Decision of the Head of BAPEDAL (x2) multiplied by the weight for BAPEDAL (y2), by using the following formula:

$$n = (x1y1) + (x2y2)$$

- n < 500 = Minimum Pattern

n = 500 or ≥ 500 = Maximum Pattern

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