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GENERAL
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**PRESIDENTIAL DECREE
NO. 10/2000 ; DATED : JANUARY 28, 2000**

RE

THE AGENCY FOR CONTROLLING ENVIRONMENTAL IMPACTS

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering : that in order to assure the orderly administration of the government and development in the field of the control of environmental impacts, it is deemed necessary to improve status, tasks, functions, organisational structure and working arrangement of the Agency for Controlling Environmental Impacts.

**Bearing
in mind**

1. Article 4 paragraph (1) of the Constitution of 1945;
2. Law No. 23/1997 on the Environment Management (State Gazette of 1997 No. 68, Supplement to State Gazette No. 3669);
3. Law No. 22/1999 on the Regional Administration (State Gazette of 1999 No. 60, Supplement to State Gazette No. 3839);
4. Presidential Decree No. 136/1998 on the Principles of Organisations of Non-ministerial Government Institutions.

HAS DECIDED :

To stipulate : **THE PRESIDENTIAL DECREE ON THE AGENCY FOR CONTROLLING ENVIRONMENTAL IMPACTS**

**CHAPTER I
STATUS, TASKS AND FUNCTIONS
Article 1**

- (1) The Agency for Controlling Environmental Impacts, hereinafter called Bapedal, shall be a non-ministerial government institution subordinate and responsible to the President.
- (2) Bapedal shall be led by a head.

Article 2

Bapedal shall have the task of executing public administration and development tasks in the field of the control of environmental impacts covering the prevention and control of environmental pollution and damage as well as rehabilitation of the quality of the environment in formulating technical policies and programs for the control of environmental impacts according to laws on force.

Article 3

In executing the tasks as meant in Article 2, Bapedal shall perform the functions of :

- a. assessment and formulation of national technical policies in the field of the control of environmental impacts;
- b. stipulation of technical policies in the field of the control of environmental impacts according to general policies stipulated by the President and guidances set forth by the State Minister for the Environment as well as laws in force;
- c. coordination of functional activities in the execution of the task of Bapedal, including internasional cooperation in the field of the control of environmental impacts;
- d. empowerment and facilities of community and government activities in regions in the field of the control of environmental impacts according to laws in force;
- e. development of institutional capacities, human resources, participation of all environment partners in controlling environmental impacts and voluntary enhancement of environmentally sound management facilities and technology alternatives;
- f. prevention and control of environmental pollution and/or destruction as well as restoration of the quality of the environment;
- g. monitoring, examination, guiding and technical evaluation of management of waste and hazardous and toxic materials (B3);
- h. supervision, improvement of laws and settlement of environmental disputes;
- i. development of information systems and service as well as public relations in the framework of the control of environmental impacts;
- j. planning, development and establishment of working networks with environmental partners to raise awareness of the environment through environmental educational and training courses;
- k. development of emergency alertness and response to environmental disaster, facilities for controlling environmental impacts, and human resources in the fields of control of the environment;
- i. monitoring, inspection and supervision in the framework of the control of environmental impacts;

CHAPTER II
ORGANISATION
Part One
Organizational Structure
Article 4

Bapedal shall consist of :

- a. Head;
- b. Cheif Secretariat;

- c. Deputy in charge of Institutional Capacities, Human Resources and Environment Partners Development.
- d. Deputy in charge of the Control of Environmental Pollution;
- e. Deputy in charge of the Control of Environmental Damage;
- f. Deputy in charge of the Improvement of Environmental Laws.

**Part Two
Head
Article 5**

The Head shall have the tasks of :

- a. leading Bapedal in accordance with the tasks and functions stipulated on the basis of law in force;
- b. stipulating technical policies in the field of the control of environmental impacts;
- c. undertaking coordination and cooperation with parties concerned (shareholders) in the field of the control of environmental impacts;
- d. empowering the institution and apparatus of Bapedal so as to have credibility and accountability.

**Part Three
Chief Secretariat
Article 6**

- (1) The chief Secretariat shall be an executive element of Bapedal subordinate and responsible to the Head.
- (2) The chief secretariat shall be led by a chief secretary.

Article 7

The Chief Secretariat shall have the tasks of coordinating activities, promoting and providing administrative service for all organizational units within Bapedal.

Article 8

In executing the tasks as meant in Article 7, the Chief Secretariat shall perform the functions of:

- a. Coordination, Synchronization and Integration of Activities within Bapedal;
- b. Coordination of Planning and Formulation of Technical Policies of Bapedal;
- c. Coordination of Compilation of Laws Connected with the tasks of Bapedal
- d. Coordination of International Cooperation in the field of the control of Environmental Impacts;
- e. Administrative Promotion and Service, Administration, Organisation and Operation, Personnel, Financial, Logistic and Internal Affairs;
- f. Execution of other tasks assigned by the Head according to the fields of tasks.

**Part Four
Deputy in charge of Institutional Capacities
Human Resources and Environment Partners Development
Article 9**

Deputy in charge of Institutional Capacities, Human Resources and Environment Partners Development, hereinafter called Deputy I, shall be an element executing part of the tasks and functions of Bapedal who is subordinate and responsible to the Head.

Article 10

Deputy I shall have the tasks of assisting the Head to coordinate the development of institutional capacities, human resources and environment partners in the framework of raising awareness of communities of the control of environmental impacts.

Article 11

In executing the tasks as meant in Article 10, Deputy 1 shall perform the functions of :

- a. formulation of technical policies in the field of institutions, human resources and environment partners in the framework of the control of environment impacts;
- b. realisation of the development of institutional capacities, human resources and environment partners in the framework of the development of programs for the control of environment impacts;
- c. enhancement of the role of environment partners in the framework of raising awareness of communities of the control of environmental impacts;
- d. execution of other tasks assigned by the Head in accordance with the fields of tasks.

Part five

Deputy in charge of the Control of Environmental Pollution

Article 12

Deputy in charge of the Control of Environmental Pollution, hereinafter called Deputy II, shall be an element executing part of the tasks and functions of Bapedal who is subordinate and responsible to the Head.

Article 13

Deputy II shall have the tasks of assisting the Head to control water and air pollution as well as to manage waste and hazardous and toxic materials (B3).

Article 14

In executing the tasks as meant in Article 13, Deputy II shall perform the functions of :

- a. formulation of policies in the field of the control of water and air pollution, management of waste and B3 as well as the the restoration of quality of the environment;
- b. execution of the control, monitoring, supervision and evaluation of environmental pollution resulting from certain activities, including water and air pollution as well as management of waste and B3'
- c. coordination of the implementation of control of environmental pollution as well as management of waste and B3;
- d. execution of other tasks assigned by the Head in accordance with field of tasks.

Part Six
Deputy in charge of the Control of Environmental Damages
Article 15

Deputy in charge of the Control of Environmental Damages, hereinafter called Deputy III, shall be an element executing part of the tasks and functions of Bapedal who is subordinate and responsible to the Head.

Article 16

Deputy III shall have the tasks of assisting the Head to control land and forest damage, biodiversity damage and protection of the safety of biological resources as well as damage and pollution of coastal areas and seas.

Article 17

In executing the tasks as meant in Article 16, Deputy III shall perform the functions of :

- a. Formulation of technical policies in the field of the control of damage and restoration of quality of the environment;
- b. execution of the control, monitoring, supervision and evaluation of environmental damage connected with damage of land and forests, biodiversity and protection of the safety of biological resources as well as damage and pollution of coastal areas and seas;
- c. coordination of the implementation of control of environmental damage;
- d. execution of other tasks assigned by the Head in accordance with the fields of tasks.

Part Seven
Deputy in charge of the Improvement
of Environment Laws
Article 18

Deputy in charge of the Improvement of Environmental Law, hereinafter called Deputy IV, shall be an element executing part of the tasks and functions of Bapedal who is subordinate and responsible to the Head.

Article 19

Deputy IV shall have the tasks of assisting the Head to undertake activities of Law enforcement, settle environmental disputes, coordinate the development, application and monitoring as well as voluntary evaluation of instruments of environmental management, environmentally sound technology, and analyses of environmental impacts.

Article 20

In executing the tasks as meant in Article 19, Deputy IV shall perform the functions of :

- a. formulation of technical policies in the field of the improvement of environmental laws and instruments of environmental management;

- b. coordination of the implementation, examination and technical evaluation in the field of the improvement and enforcement of laws as well as the settlement of environmental disputes;
- c. coordination of the development, application, monitoring and voluntary evaluation of management instruments and environmentally sound technology;
- d. coordination of the development, application, monitoring, supervision and evaluation of application of environmental impact analyses;
- e. execution of other tasks assigned by the Head in accordance with the field of tasks.

**CHAPTER III
RANKS, APPOINTMENT AND RELIEF
Article 21**

- (1) The Head shall be an echelon 1a rank.
- (2) The Chief Secretary and Deputies shall be echelon 1a ranks or echelon 1b ranks at the minimum.

Article 22

- (1) The Head shall be appointed and relieved by the President.
- (2) The Chief Secretary and Deputies shall be appointed and relieved by the President on the basis of recommendations from the Head.
- (3) Other officials shall be appointed and relieved by the Head.

**CHAPTER IV
FINANCING
Article 23**

Costs required for executing the tasks and functions of Bapedal shall be borne by the State Budget of Revenue and Expenditure.

**CHAPTER V
WORKING ARRANGEMENT
Article 24**

Bapedal shall be coordinated by the State Minister for the Environment.

Article 25

The Head shall convey reports, advice and considerations in the fields of tasks and responsibility to the President,

Article 26

In executing the respective tasks, elements within Bapedal shall be obliged to apply intensively the principles of coordination, integration and synchronization in their relations with other institutions within Bapedal and other government institutions/agencies.

**CHAPTER VI
MISCELLANY**

Article 27

Details of tasks, functions, organisational structure and working arrangement of organisational units within Bapedal shall be stipulated by the Head of Bapedal after securing prior written approval from the Minister in charge of the enhancement of efficiency of the state apparatus.

**CHAPTER VII
TRANSITIONAL PROVISION
Article 28**

All technical directives based on Presidential Decree No.196/1998 on the Agency for Controlling Environmental Impacts shall remain effective as long as they do not contravene or are not yet amended or replaced on the basis of this Presidential Decree.

**CHAPTER VIII
CLOSING PROVISIONS
Article 29**

With the enforcement of this Presidential Decree, Presidential Decree No. 196/1998 on the Agency for Controlling Environmental Impacts shall be declared null and void.

Article 30

The Presidential Decree shall come into force as from the date of stipulation.

Stipulated in Jakarta
On January 28, 2000

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

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ABDURRAHMAN WAHID

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