

REPUBLIC OF INDONESIA  
MINISTER OF PUBLIC WORKS

REGULATION OF MINISTER OF PUBLIC WORKS  
NUMBER: 67 /PRT/ 1993

ON

PROVINCIAL WATER ~~REGULATION~~ COMMITTEE  
REGIONAL LEVEL 1

MINISTER OF PUBLIC WORKS,

Considering:

- a. based on the provision of Article 8, Government Regulation (GR) No.22/1982 on Water Resources Management (WRM) ,MPW has the authority of and the responsibility for coordinating all matters as mentioned in Article 5 paragraph (1) Law no. 11/1974 on Water Resources Development.
- b. based on article 12 GR.No. 22/1982 on WRM., the Minister's authority and responsibility may be delegated in the form of co-administration to the Local Government for river basins which are within their respective jurisdiction, except adjudicated differently in GR.
- c. to implement coordination of WRM. in the provinces, it is necessary to have Provincial WR Committees (PWRC).
- d. for the reasons mentioned under point c above it is required to issue Ministerial Regulation of PW on Provincial WR. Committee.

- Referring to:
1. Law Num.11/ 1974 on WR.
  2. GR. Num.22/ 1982 on WRM.
  3. GR. Num.23/ 1982 on Irigation.
  4. GR. Num.27/ 1991 on Swamps.
  5. GR. Num.35/ 1991 On Rivers.
  6. Presidential Decree Num.44/1974 on Ministerial Organization.
  7. Pres. Decree Num .15 / 1984 on Min.Orgzn.Arrangmt.
  8. Pres. Decree Num.96/M/1983 on establishment of The sixth Development Cabinet of Rep.Indonesia.

9. Minist. Decree of PW. Num.39/PRT/1989 on the Division of River Basin .
10. Minist. Decree of PW. Num.48/PRT/ 1990 on Water and Water Sources Management in the river basin.

### HEREBY PROMULGATES

Decision : Minister of Public Works Decree on Water Resources Committees at Provincial Level/ Regional Government level I.

#### CHAPTER I. GENERAL PROVISION. Article 1

The meaning of the following provisions are :

1. Water Regulation is all legal provisions governing the right of use, the control, management, utilization, processing and policing of water resources, including the natural inorganic, riches contained therein, for the optimization of benefits with a view to satisfying the vital needs of the people. [ Law no.11/1974 Art. 1 (6)].
2. River basin is a water management unit as defined in Article 1, number 7 of Law Number 11 of 1974 on Water Resources Development as the result of the development of one more drainage basin. ( PP 22/1982, Article 1, f.).
3. Governor is the head of Provincial Government.

#### CHAPTER II. ESTABLISHMENT, POSITION, FUNCTION AND TASK. Article 2

- (1) In every Province/ Regional Government Level I shall be established a Provincial WR Committee (PWRC).
- (2) The establishment of the PWRC as mentioned in paragraph (1) is decided by the Governor.

#### Article 3

- (1) The PWRC is placed under and accounts to the Governor.
- (2) The PWRC is a forum for consultation and coordination of WR in the province area concerned.

#### Article 4

Function of the PWRC is to assist the Governor in implementing the authority to coordinate WR matters based on Article 8 GR.22/ 1982 which covers as follows :

- a. the decision of a priority plan for water use and/ or water sources.
- b. the decision to set priorities of water use and/ or water sources in the plan of : protection, development, and water source utilization.
- c. the regulation of water use and/ or water source.
- d. the regulation of disposing/ discharging waste water and the other waste disposal.
- e. regulating WR structures development and other structures on/ nearby water sources.
- f. regulating other problems that may appear.

#### Article 5

Tasks of the PWRC :

- a. To collect, to analyze and to prepare material necessary for the Central/ Provincial Government to decide its policy concerning the matters mentioned in Article 3, which shall be in line with National Water Resources Policy currently in effect.
- b. To give its opinions, consideration and/ or advice to the Governor in case of problems in connection with water allocation and water use.
- c. To control on implementation of the decision coordinated by Governor.
- d. To prepare a routine and periodical working report to the Governor and the MPW.

### CHAPTER III. ORGANIZATION ARRANGEMENT.

#### Article 6

- (1) The composition of PWRC membership is as follows :
  - a. The Governor or an official functionary appointed by the Governor acts as the leader and as member.
  - b. The Chief of Provincial PW Service/ Prov. WR Service acts as Secretary of PWRC and as member.
  - c. The Chief of Provincial Vertical Instance and Regional level 1 Services related to water use priority as mentioned in article 8 paragraph (2) Law No. 11/ 1974 on WR, as member.

- (2) The PWRC will be assisted by a Secretariate and shall be placed within Provincial PW Service/WR Service Regional level I.
- (3) Considering the growing requirement in providing water in every RB ~~Unit~~, the Governor may establish a river basin WR Executing Committee, to assist the PWRC.

CHAPTER IV.  
MANAGEMENT.  
Article 7

- (1) The PWRC can arrange meetings or plenary conferences, limited or jointly and perform field observation, periodically or whenever necessary.
- (2) Working procedure as mentioned above in paragraph (1) shall be decided further by the Governor.

Article 8

In performing its task, the PWRC can invite water users or other parties concerned as well as individuals to be present at the meeting/ Committee conference, in order to obtain additional data or information needed.

CHAPTER V.  
FINANCING.  
Article 9

The source of financing for implementing the task of the PWRC will be :

- a. Assistance funds from The Central Government, in case allocated.
- b. Funds allocated from revenue of water use and or water source fee, which will be decided by Governor.

CHAPTER VI.  
MISCELLANEOUS.  
Article 10

- (1) If there is a problem of WR coordination in a RBU which is located in more than one province, a joint meeting can be arranged which will be attended by the PWRCs concerned and chaired by the MPW or an official appointed by the MPW.
- (2) The decision of the joint meeting as mentioned in paragraph (1) is binding for the PWRCs concerned.

Article 11

The work of the Provincial Irrigation Committee and the PWRC shall be coordinated, water allocation for irrigation shall be based on the policy decision as mentioned on article 4.

CHAPTER VII.

CLOSING.

Article 12

- (1) This Ministerial Decree will come into force on the date of the promulgation.
- (2) Matters not covered by the decree will be decided by separate decree.
- (3) The follow up of this decree will be delegated to the Governor of every area.
- (4) This decree will be sent to the parties concerned for recognition and obedience.

Decided in : J A K A R T A  
Date in effect: 2 December 1993

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MINISTER OF PUBLIC WORKS

sign

RADINAL MOOCHTAR

Translated by: UNDP/FAC Project PWS/90/024.  
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