



**LAW OF THE REPUBLIC OF INDONESIA  
NUMBER 24 OF 2007  
CONCERNING  
DISASTER MANAGEMENT**

**NATIONAL AGENCY DISASTER MANAGEMENT  
(BNPB)**



PRESIDEN  
REPUBLIK INDONESIA

**THE PRESIDENT OF THE REPUBLIC OF INDONESIA**

**LAW OF THE REPUBLIC OF INDONESIA**

**NUMBER 24 OF 2007**

**CONCERNING**

**DISASTER MANAGEMENT**

**BY THE GRACE OF THE ONE ALMIGHTY GOD**

**THE PRESIDENT OF THE REPUBLIC OF INDONESIA,**

- Having considered** :
- a. That Unitary State Of The Republic of Indonesia shall bear responsibility to protect the entire nation of Indonesia as well as the whole homeland with the aim of providing protection for the life and livelihood including protection against disasters, in order to attain public welfare based on Pancasila Ideology, as mandated in 1945 Constitution of the Republic of Indonesia
  - b. That the territory of the Unitary State Of The Republic of Indonesia has geographical, geological, hydrological, and demographical conditions with potential disasters due to natural factors, nonnatural factors as well as human factors, which result in fatalities, damage to the environment, loss of material possessions with a psychological impact, which in certain circumstances can hinder national development;
  - c. That the provisions of legislation on existing disaster management are not able to serve as a strong and comprehensive legal ground and are not in line with latest social developments and needs of the Indonesian nation, preventing

well-planned, coordinated, and integrated disaster management efforts;

- d. That on the basis of the considerations as set forth in the letter a, letter b, and letter c, it is necessary to pass the law concerning Disaster Management;

**Having observed:** Article 20 and Article 21 in the 1945 Constitution of the Republic of Indonesia;

**With The Joint Approval of THE HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF INDONESIA**

**and**

**THE PRESIDENT OF THE REPUBLIC OF INDONESIA**

**HAS DECIDED:**

**To Issue : LAW CONCERNING DISASTER MANAGEMENT.**

## **CHAPTER I**

### **GENERAL PROVISIONS**

#### **Article 1**

In this law:

1. Disaster shall mean an event or a series of events threatening and disturbing the community life and livelihood, caused by natural and/or nonnatural as well as human factors resulting in human fatalities, environmental damage, loss of material possessions, and psychological impact.
2. Natural disaster shall mean an event or a series of events caused by nature such as earthquake, tsunami, volcanic eruption, flood, drought, typhoon, and landslide.
3. Nonnatural disaster means a nonnatural event or a series of nonnatural events such as technological failure, modernization failure, and epidemic.
4. Social disaster means an event or a series of events caused by humans, which include social conflicts between community groups, and terrorism.

5. Disaster management means a series of efforts encompassing policies on development with disaster risk, disaster prevention, emergency response, and rehabilitation.
6. Activities of disaster prevention means a series of activities carried out to eliminate and/or reduce disaster threat.
7. Alertness means a series of activities in anticipation of disaster through organizing as well as efficient and effective measures.
8. Early warning means a series of activities of giving an urgent warning to community about a potential disaster in a certain area by authorized agency.
9. Mitigation means a series of efforts to reduce disaster risk, through physical development as well as awareness and improved capability to face disaster threat.
10. Disaster emergency response means a series of prompt actions during the disaster to deal with negative impacts, such as rescuing and evacuating victims and material possessions, providing basic necessities and protection, taking care of refugees, salvaging and recovering infrastructure and facilities.
11. Rehabilitation means repairing and recovering all aspects of public or community services to an adequate level at post-disaster areas particularly to normalize or recover all aspects of government administration and community life at post-disaster areas.
12. Reconstruction means rebuilding of all facilities and infrastructure, institutions at post-disaster areas, at government and community levels particularly aim to enable growth in economic, social and cultural activities, enforce law and order, and revive public participation in all aspects of community life at post-disaster areas.
13. Disaster threat means an event that runs a risk of disaster.
14. Being disaster-prone means geological, biological, hydrological, climatological, geographical, social, cultural, political, economic, and technological conditions or characteristics in a territory that for a certain period of time may decrease the territory's capability to prevent, alleviate, reach full alertness, and respond to negative impacts from a certain danger.
15. Recovery means a series of activities aiming at bringing the conditions of disaster-affected community and the environment back

to pre-disaster conditions by restoring the functions of institutions, infrastructure, and facilities through rehabilitation.

16. Disaster prevention means a series of activities to reduce or eliminate disaster risk, through reducing disaster threat and disaster-prone people's vulnerability.
17. Disaster risk means potential loss from a disaster in a certain area and in a specific period of time such as deaths, wounds, illnesses, threatened lives, missing sense of security, refugee, damaged or lost assets, and disturbance to community activities.
18. Disaster emergency aid means provision of aid for basic necessities during the emergency.
19. Disaster emergency status means a situation set by the Government for a certain period of time on the recommendation of the Agency given the task of disaster management.
20. Refugees means people or groups of people forced to leave their dwelling places for an uncertain time due to negative impact of disaster.
21. Anybody means an individual, a group of people, and/or a legal entity.
22. Disaster victim means a person or a group of people suffering or dying from disasters.
23. Central Government, hereinafter referred to as Government, means the President of the Republic of Indonesia, who shall hold executive powers of the Unitary State Of The Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia.
24. Regional governments means governor, regent/mayor or regional government or regional personnel as the organizing element of the regional government administration.
25. Business institution means any legal entities that may take the forms of state-owned enterprises, regional-owned enterprises, cooperatives, or private sector established in accordance with the provisions of legislation, doing a fixed and continued business, working and domiciled in the territory of the Unitary State Of The Republic of Indonesia.
26. International institutions means organizations inside the United Nations organizational structure or those representing the United

Nations or other international organizations and foreign non-governmental organizations from other countries outside the United Nations.

## **CHAPTER II**

### **FOUNDATION, PRINCIPLES, AND OBJECTIVE**

#### **Article 2**

Disaster management shall be based on adhered to Pancasila Ideology and the Republic of Indonesia's 1945 Constitution of the Republic of Indonesia.

#### **Article 3**

- (1) Disaster management as referred to in Article 2 shall be implemented on the basis of:
- a. humanity;
  - b. justice;
  - c. equality before the law and government administration;
  - d. balance, harmony, and congruence;
  - e. order and legal certainty;
  - f. togetherness;
  - g. environmental conservation; and
  - h. science and technology.
- (2) Disaster management principles as referred to in Article 2, shall be implemented on the basis of include the principles of:
- a. being quick and appropriate;
  - b. priority;
  - c. coordination and integrity;
  - d. efficiency and effectiveness;
  - e. transparency and accountability;
  - f. partnership;
  - g. empowerment;

- h. nondiscrimination; and
- i. non-proselytism.

#### **Article 4**

The use of Disaster Management shall be to achieve the objectives:

- a. to provide protection for community against disaster threat;
- b. to harmonize the existing legislation;
- c. to guarantee a well-planned, integrated, coordinated, and comprehensive disaster management;
- d. to respect local culture;
- e. to encourage participation and partnership of both public and private sector;
- f. to encourage the spirit of mutual cooperation, loyalty, and philanthropy; and
- g. to create peace in social and national lives.

### **CHAPTER III**

#### **RESPONSIBILITY AND AUTHORITY**

##### **Article 5**

Government and regional governments shall bear responsibility for disaster management.

##### **Article 6**

Government's responsibility of the government for disaster management shall include:

- a. disaster risk reduction and integration thereof into the development program;
- b. protection for community against disaster impact;
- c. guarantee of fulfillment of disaster-affected communities members' and refugees' rights in a fair manner and in accordance with minimum service standard;
- d. recovery from disaster impact;
- e. sufficient disaster management budget allocation in National Budget;

- f. disaster management budget allocation in the form of ready fund; and
- g. safeguard of authentic files/documents against disaster threat and impact.

#### **Article 7**

- (1) The authority of the government over disaster management shall encompass:
  - a. stipulation of disaster management policy in line with national development policy;
  - b. development planning that includes elements of disaster management policy;
  - c. decision on status and level of national and regional disasters;
  - d. policy option for cooperation with other countries, agencies, or other international parties in disaster management;
  - e. formulation of policy on using technologies with potential disaster threat or danger;
  - f. formulation of policy on preventing natural resource control and depletion beyond nature ability of recovery; and
  - g. check on money or goods collection and channeling on a national scale.
- (2) Decision on status and level of national and local disasters as referred to in paragraph (1) letter c shall contain the following indicators:
  - a. number of victims;
  - b. loss of material possessions;
  - c. damage to facilities and infrastructure;
  - d. coverage of disaster-affected area; and
  - e. socioeconomic impacts.
- (3) Further provisions concerning decision on disaster status and level as referred to in paragraph (2) shall be stipulated by a Presidential Regulation.

#### **Article 8**

The responsibility of regional governments for disaster management shall include:



- a. guarantee of disaster-affected community members and refugees rights in a fair manner and in accordance with minimum service standard;
- b. protection for community against disaster impact;
- c. disaster risk reduction and integration thereof into the development program; and
- d. allocation of sufficient disaster management budget in APBD.

#### **Article 9**

The authority of regional governments over disaster management shall include:

- a. decision on disaster management policy in line with regional development policy;
- b. development planning that include elements of disaster management policy;
- c. implementation of policy on disaster management cooperation with other provinces and/or Regencies/cities;
- d. regulation on use of technologies with potential sources of disaster threat or danger in its territory;
- e. formulation of policy on preventing natural resource control and depletion beyond nature ability of recovery; and
- f. check on money or goods collection and channeling on a provincial, Regency/city scale.

### **CHAPTER IV**

### **INSTITUTION**

#### **Part One**

#### **National Disaster Management Agency**

#### **Article 10**

- (1) As referred to in Article 5 Government shall establish National Disaster Management Agency.

- (2) As referred to in paragraph (1) National Disaster Management Agency a Nondepartmental Government Institution on a level equal to ministries.

#### **Article 11**

As referred to in Article 10 paragraph (1) National Disaster Management Agency shall comprise the elements of:

- a. steering committee; and
- b. managing executive body.

#### **Article 12**

National Disaster Management Agency shall have the tasks of:

- a. providing guidelines and directions on disaster management which include disaster prevention, emergency response, rehabilitation, and reconstruction in a fair and equitable manner;
- b. setting disaster management standardization and requirements by virtue of Legislation;
- c. communicating information on activities to community;
- d. reporting on disaster management to the President once a month, in normal condition and at any time in disaster emergency condition;
- e. using and giving account for international and national contributions/aid;
- f. giving account for use of budget received from State Budget;
- g. carrying out other obligations in accordance with Legislation; and
- h. preparing guidelines on establishment of Regional Disaster Management Agency.

#### **Article 13**

National Disaster Management Agency shall have the functions encompassing:

- a. formulation and stipulation of disaster management policy and handling of refugees through quick, appropriate, effective and efficient actions; and
- b. coordination of disaster management activities in a well-planned, integrated, and comprehensive manner.

#### **Article 14**

- (1) Disaster management steering committee referred to in Article 11 letter a shall have the functions of:
  - a. formulating the concept of policy on national disaster management;
  - b. monitoring; and
  - c. evaluating disaster management.
- (2) The steering committee membership as referred to in paragraph (1) shall include:
  - a. related government officials; and
  - b. professional community members.
- (3) The steering committee membership referred to in paragraph (2) letter b shall receive appointment through a fit and proper test conducted by the House of Representatives of the Republic of Indonesia.

#### **Article 15**

- (1) Establishment of disaster management executing element as referred to in Article 11 letter b shall remain the Government's authority.
- (2) The managing executive referred to in paragraph (1) shall have coordinating, commanding, and executing functions in disaster management.
- (3) The managing executive membership referred to in paragraph (1) shall comprise professional and expert staff.

#### **Article 16**

To carry out the functions as referred to in Article 13 letter b, the disaster management managing executive shall receive integrated tasks during:

- a. pre-disaster period;
- b. emergency response; and
- c. post-disaster period.

**Article 17**

Further provisions concerning the establishment, functions, tasks, organizational structure, and working arrangement of National Disaster Management Agency. shall be stipulated by a Presidential Regulation.

**Part Two**

**Regional Disaster Management Agency**

**Article 18**

- (1) Regional governments referred to in Article 5 shall establish Regional Disaster Management Local Agency.
- (2) Regional Disaster Management Agency as referred to in paragraph (1) shall comprise:
  - a. provincial level agency presided over by an official who rank second to governor or equivalent to echelon Ib; and
  - b. Regency/city level agency presided over by an official whose position rank second to regent/mayor or equivalent to echelon IIa.

**Article 19**

- (1) Regional Disaster Management Agency shall comprise the elements of:
  - a. steering committee; and
  - b. executive body.
- (2) Regional Disaster Management Agency referred to in paragraph (1) shall be established in coordination with National Disaster Management Agency.

**Article 20**

Regional Disaster Management Agency shall have the functions of:

- a. formulating and stipulating disaster management policy, and handling refugees through quick, appropriate, effective, and efficient actions; and
- b. coordinating disaster management in a well-planned, integrated, and comprehensive manner.

**Article 21**

Disaster Management Local Agency shall have the tasks of:

- a. stipulating guidelines and directions in accordance with local government and Disaster Management National Agency policies on disaster management that include disaster prevention, emergency response, rehabilitation, and reconstruction in a fair and equitable manner;
- b. stipulating disaster management standardization and requirements by virtue of Legislation;
- c. preparing, deciding on, and disseminating maps of disaster-prone areas;
- d. preparing and deciding on disaster handling fixed procedure;
- e. carrying out disaster management in its territory;
- f. reporting disaster management to head of local government on a monthly basis in normal condition and at any time in disaster emergency condition;
- g. check on money or goods collection and channeling;
- h. giving account for the use of budget from APBD; and
- i. carrying out other obligations in accordance with Legislation.

#### **Article 22**

- (1) Regional disaster management steering committee as referred to in Article 19 paragraph (1) letter a shall have the functions of:
  - a. preparing the concept of local disaster management policy implementation;
  - b. monitoring; and
  - c. evaluating local disaster management.
- (2) The steering committee membership as referred to in paragraph (1) shall include:
  - a. related regional government officials; and
  - b. professional and expert community members.
- (3) The steering committee membership as referred to in paragraph (2) letter b shall receive appointment through a fit and proper test conducted by Regional House of Representatives.

### **Article 23**

- (1) Establishment of local disaster management executive body as referred to in Article 19 paragraph (1) letter b shall remain authority of regional government.
- (2) Regional disaster management executive body as referred to in paragraph (1) shall have the functions of:
  - a. coordination;
  - b. command; and
  - c. executive in disaster management within its territory.
- (3) Regional disaster management's executive body membership as referred to in paragraph (1) shall include professional and expert staff.

### **Article 24**

To carry out the functions as referred to in Article 23 paragraph (2), regional disaster management executive body shall receive integrated tasks during:

- a. pre-disaster period;
- b. emergency response; and
- c. post-disaster period.

### **Article 25**

Further provisions concerning the establishment, functions, tasks, organizational structure, and work procedure of Regional Disaster Management Agency shall be governed by a Regional Regulation.

## **CHAPTER V**

### **RIGHTS AND OBLIGATIONS OF THE COMMUNITY**

#### **Part One**

#### **Rights of The Community**

### **Article 26**

- (1) Anybody shall have the rights to:
  - a. enjoy social security and sense of security, particularly for disaster-prone community groups;

- b. have education, training, and skill in disaster management.
  - c. obtain written and/or oral information on disaster management policy.
  - d. participate in planning, operation, and maintenance of healthcare aid program including psychosocial support;
  - e. participate in decision-making on disaster management activities, particularly those related to him/her and to his/her community; and
  - f. exercise supervision in accordance with regulated mechanism for disaster management.
- (2) Anybody affected by disaster shall have the right to receive aid for basic necessities.
- (3) Anybody shall have the right to receive compensation for losses from disaster due to construction failure.

## **Part Two**

### **Obligations of The Community**

#### **Article 27**

Anybody shall come under obligations of:

- a. keeping a harmonious social community life, maintaining the balance, congruence, harmony, and sustainability of environmental functions;
- b. carrying out disaster management activities; and
- c. providing correct information to the public on disaster management.

## **CHAPTER VI**

### **BUSINESS INSTITUTIONS'**

### **AND INTERNATIONAL INSTITUTIONS' ROLES**

#### **Part One**

#### **Business Institutions Role**

#### **Article 28**

Business institutions shall have an opportunity to take part in disaster management, both jointly and severally with other parties.

### **Article 29**

- (1) Business institutions shall adjust their activities to disaster management policy.
- (2) Business institutions shall come under obligation to submit a report to the government and/or agency in charge of disaster management and to transparently inform the public thereof.
- (3) Business institutions shall come under obligation to consider the principles of humanity in performing their disaster management economic functions.

### **Part Two**

#### **International Institutions' Role**

### **Article 30**

- (1) International institutions and foreign non-governmental organizations can participate in disaster management activities and receive Government protection for their workers.
- (2) International institutions and foreign non-governmental organizations as referred to in paragraph (1) can carry out disaster management severally, jointly, and/or together with Indonesian working partner while considering the local community social, cultural, and religious backgrounds.
- (3) Further provisions concerning the implementation of disaster management activities by international institutions and foreign non-governmental organizations shall be governed by a Government Regulation.

## **CHAPTER VII**

### **DISASTER MANAGEMENT**

#### **Part One**

#### **General**

### **Article 31**

Disaster management shall take account of 4 (four) aspects:

- a. social, economic, and cultural lives;
- b. environmental conservation;



- c. benefit and effectiveness; and
- d. scope of territory.

### **Article 32**

- (1) In disaster management, the Government may:
- a. determine that the disaster-prone areas shall come under prohibition for settlement; and/or
  - b. revoke or reduce, in part or in whole, anybody's proprietary rights to an object in accordance with Legislation.
- (2) Anybody whose proprietary rights have been revoked or reduced as referred to in paragraph (1) letter b shall have the rights to receive compensation in accordance with Legislation.

### **Part Two**

#### **Stages**

### **Article 33**

Disaster management shall comprise 3 (three) stages:

- a. pre-disaster;
- b. emergency response; and
- c. post-disaster.

#### **First Paragraph**

#### **Pre-Disaster**

### **Article 34**

Disaster management at pre-disaster stage referred to in Article 33 letter a shall include:

- a. situation without disaster; and
- b. situation with potential disaster.

### **Article 35**

Disaster management in a situation without disaster as referred to in Article 34 letter a shall include:

- a. disaster management planning;
- b. disaster risk reduction;

- c. prevention;
- d. integration into development planning;
- e. disaster risk analysis requirements;
- f. spatial structure plan implementation and enforcement;
- g. education and training; and
- h. technical standard requirement for disaster management.

### **Article 36**

- (1) The Government and Regional government shall stipulate disaster management planning as referred to in Article 35 letter a in accordance with their authority.
- (2) The Agency shall coordinate disaster management planning as referred to in paragraph (1).
- (3) Disaster management planning as referred to in paragraph (1) shall require preparation of disaster risk data in a territory at a certain time based on the official document that contains disaster management activity program.
- (4) Disaster management planning as referred to in paragraph (1) shall include:
  - a. recognition and study of disaster threat;
  - b. understanding on community's vulnerability;
  - c. analysis of potential disaster impact;
  - d. options for reducing risk disaster measures;
  - e. selection of mechanism for alertness and for disaster impact management; and
  - f. allocation of tasks, authority, and available resources.
- (5) The Government and Regional government at a certain time shall review the disaster management planning document on a periodical basis.
- (6) To harmonize disaster management planning activities, the Government and Regional governments may obligate the disaster management team to implement disaster management planning.

### **Article 37**

- (1) Disaster risk reduction as referred to in Article 35 letter b shall aim to reduce potential negative impacts, particularly in a situation without disaster.
- (2) Activities as referred to in paragraph (1) shall include:
  - a. recognition and monitoring of disaster risk;
  - b. participatory disaster management planning;
  - c. promotion of disaster-awareness practices;
  - d. greater commitment of disaster management team; and
  - e. application of physical and non-physical efforts, and instructions on disaster management.

### **Article 38**

Prevention as referred to in Article 35 letter c shall include:

- a. sure identification and recognition of sources of disaster danger or threat;
- b. check on control and management of natural resources with abrupt and/or gradual potential to become a source of disaster;
- c. monitoring the use of technology with abrupt and/or gradual potential to become a source of disaster threat or danger;
- d. spatial structuring and environmental management; and
- e. strengthening of community's social resilience.

### **Article 39**

Integration of disaster management into development planning as referred to in Article 35 letter d shall include disaster management plan elements in central and Regional development plans.

### **Article 40**

- (1) Disaster management plan as referred to in Article 36 paragraph (3) shall require periodical reviews.
- (2) Disaster management plan preparation as referred to in paragraph (1) shall require coordination by the Agency.

- (3) Any development activity running a high risk of disaster shall require a disaster risk analysis as part of disaster management in accordance with the authority concerned.

#### **Article 41**

- (1) National Disaster Management Agency shall prepare and stipulate disaster risk analysis requirements as referred to in Article 35 letter e.
- (2) Fulfillment of disaster risk analysis requirements referred to in paragraph (1) shall be shown in a document ratified by a government official in accordance with Legislation.
- (3) National Disaster Management Agency shall carry out the risk analysis monitoring and evaluation as referred to in paragraph (1).

#### **Article 42**

- (1) Implementation and enforcement of spatial structure plan as referred to in Article 35 letter f shall aim to reduce disaster risk including the application of regulations on spatial structure, safety standard, and the imposition of sanction on violators.
- (2) The Government shall periodically monitor and evaluate the implementation of spatial structure and the achievement of safety standard.

#### **Article 43**

Government shall carry out and stipulate education, training, and technical standard requirements for disaster management as referred to in Article 35 letters g and h in accordance with Legislation.

#### **Article 44**

Disaster management in a situation with potential disaster as referred to in Article 34 letter b shall include:

- a. alertness;
- b. early warning; and
- c. disaster mitigation.

#### **Article 45**

- (1) Alertness as referred to in Article 44 letter a shall aim to ensure quick and appropriate efforts in facing disasters.
- (2) Alertness as referred to in paragraph (1) shall require:

- a. preparation and try-out for disaster emergency plans;
- b. organization, installation, and testing of early warning system;
- c. provision and preparation of supplies for fulfillment of basic necessities;
- d. organization, counseling, training, and rehearsal regarding emergency response mechanism;
- e. preparation of location for evacuation;
- f. composition of accurate data, information, and update on disaster emergency response fixed procedures; and
- g. provision and preparation of materials, goods, and equipment to fully recover facilities and infrastructure.

**Article 46**

- (1) The early warning as referred to in Article 44 letter b shall aim to take quick and appropriate disaster risk reduction actions and prepare emergency response actions.
- (2) Early warning as referred to in paragraph (1) shall require:
  - a. observation of disaster signs;
  - b. analysis of results from disaster signs observation;
  - c. decision-making by the authorities;
  - d. dissemination of disaster warning information; and
  - e. community actions.

**Article 47**

- (1) Mitigation as referred to in Article 44 letter c shall aim to reduce disaster risk for community in disaster-prone areas.
- (2) Mitigation as referred to in paragraph (1) shall require:
  - a. implementation of spatial structuring;
  - b. regulation of development, infrastructure development, building lay-out; and
  - c. conventional and modern education, counseling, and training;

**Second Paragraph**  
**Emergency Response**

**Article 48**

Disaster management during the emergency response as referred to in Article 33 letter b shall include:

- a. quick and appropriate study of location, damages, and resources;
- b. deciding on the disaster emergency status;
- c. rescue and evacuation of disaster-affected community;
- d. fulfillment of basic necessities;
- e. protection for vulnerable group; and
- f. immediate recovery of essential facilities and infrastructure.

**Article 49**

Quick and appropriate study as referred to in Article 48 letter a shall aim to identify:

- a. disaster area coverage;
- b. number of victims;
- c. damage to facilities and infrastructure;
- d. disturbance to the functions of public service and government administration; and
- e. capability of natural and artificial resources.

**Article 50**

(1) Upon deciding on disaster emergency status, National Disaster Management Agency and Regional Disaster Management Agency shall have easy access to:

- a. mobilization of human resources;
- b. mobilization of equipment;
- c. mobilization of logistics;
- d. immigration, excise, and quarantine;
- e. licensing;
- f. procurement of goods/services;

- g. management of and accountability for money and/or goods;
  - h. rescue; and
  - i. command over sectors/institutions.
- (2) Further provisions concerning easy access as referred to in paragraph (1) shall be governed by a Government Regulation.

#### **Article 51**

- (1) The Government shall decide on disaster emergency status in accordance with the scale of disaster.
- (2) The President shall make decision as referred to in paragraph (1) on a national scale, likewise the governor on a provincial scale and regent/mayor on a Regency/city scale.

#### **Article 52**

Rescue and evacuation of victims as referred to in Article 48 letter c shall require humanity services in disaster area through:

- a. search and rescue of victims;
- b. emergency aid; and/or
- c. evacuation of victims.

#### **Article 53**

Fulfillment of basic necessities as referred to in Article 48 letter d shall include aid for:

- a. necessities of water supply and sanitation;
- b. food;
- c. clothing;
- d. healthcare;
- e. psychosocial service; and
- f. accommodation and dwelling place.

#### **Article 54**

The handling of disaster-affected communities and refugees shall require data collection, placement in safe locations, and fulfillment of basic necessities.

### **Article 55**

- (1) Protection for vulnerable group as referred to in Article 48 letter e shall give priority to the vulnerable group in the forms of rescue, evacuation, protection, healthcare, and psychosocial services.
- (2) Vulnerable group as referred to in paragraph (1) shall comprise:
  - a. infants, preschoolers, and children;
  - b. pregnant women or nursing mothers;
  - c. the disabled; and
  - d. the elderly.

### **Article 56**

Recovery of essential facilities and infrastructures referred to in Article 48 letter f shall require repair to and/or replacement of damages from disasters.

### **Third Paragraph**

#### **Post-Disaster**

### **Article 57**

Disaster management at post-disaster stage as referred to in Article 33 letter c shall include:

- a. rehabilitation; and
- b. reconstruction.

### **Article 58**

- (1) Rehabilitation as referred to in Article 57 letter a shall require:
  - a. improvement to disaster area environment;
  - b. repair to public facilities and infrastructure;
  - c. provision of aid for community housing repair;
  - d. socio psychological recovery;
  - e. healthcare;
  - f. reconciliation and conflict resolution;
  - g. socioeconomic and cultural recovery;
  - h. security and order recovery;



- i. government administration function recovery; and
  - j. public services' function recovery.
- (2) Further provisions concerning rehabilitation as referred to in paragraph (1) shall be governed by a Government Regulation.

**Article 59**

- (1) Reconstruction as referred to in Article 57 letter b, shall require better development activities including:
- a. rebuilding of facilities and infrastructure;
  - b. rebuilding of community's social facilities;
  - c. revival of socio cultural community life;
  - d. use of appropriate design with improved and disaster-resistant equipment;
  - e. participation of social institutions and organizations, business world, and community;
  - f. improvement to social, economic, and cultural conditions;
  - g. improvement to public service functions; and
  - h. improvement to essential services in community.
- (2) Further provisions concerning reconstruction as referred to in paragraph (1) shall be governed by a Government Regulation.

**CHAPTER VIII**

**DISASTER AID FINANCING  
AND MANAGEMENT**

**Part One**

**Financing**

**Article 60**

- (1) The Government and Regional governments shall jointly bear responsibility for disaster management fund.
- (2) The Government and Regional governments shall encourage community participation in provision of funds.

### **Article 61**

- (1) The Government and Regional governments shall decide upon sufficient disaster management budget allocation referred to in Article 6 letter e, letter f and Article 8 letter d.
- (2) Government, Regional government, National Disaster Management Agency and Regional Disaster Management Agency shall use the sufficient disaster management budget allocation referred to in paragraph (1) in accordance with their respective primary duties and functions.

### **Article 62**

- (1) During the emergency response, National Disaster Management Agency National Disaster Management Agency shall use ready fund as referred to in Article 6 letter f.
- (2) The Government shall provide ready fund as referred to in paragraph (1) in the budget of National Disaster Management Agency.

### **Article 63**

Further provisions concerning disaster management funds handling mechanism as referred to in Article 60 to Article 62 shall be governed by a Government Regulation.

### **Article 64**

Funds for disaster management interest caused by outer space-related activities shall remain the responsibility of the launching state and/or the owner in accordance with international law and agreement.

## **Part Two**

### **Disasters Aid Management**

#### **Article 65**

Disaster aid management shall encompass planning, use, maintenance, monitoring, and evaluation of goods, services, and/or national and international assistance funds.

#### **Article 66**

The Government, Regional government, National Disaster Management Agency and Regional Disaster Management Agency shall carry out disaster aid resource management as referred to in Article 65 at any disaster stages in accordance with Legislation.

### **Article 67**

During the disaster emergency response, National Disaster Management Agency shall direct the use of existing disaster aid in all related sectors.

### **Article 68**

Procedures for disaster aid utilization and accountability during the emergency response shall adapt specifically to the needs, situations, and conditions of the emergency.

### **Article 69**

- (1) The Government and Regional governments shall provide grief and disability compensation money to disaster victims.
- (2) Disaster victims who have lost their livelihood can obtain soft loan for productive businesses.
- (3) The Government and Regional governments shall bear responsibility for providing grief and disability compensation money as referred to in paragraph (1) and soft loan for productive businesses as referred to in paragraph (2).
- (4) Procedures and amount of aid as referred to in paragraph (1) and paragraph (2) shall be regulated further by a Government Regulation.
- (5) Community elements may participate in provision of aid.

### **Article 70**

Disaster aid management as referred to in Article 65 up to Article 69 shall be carried out in accordance with Legislation.

## **CHAPTER IX SUPERVISION**

### **Article 71**

- (1) Government and regional governments shall exercise supervision over the entire stages of disaster management.
- (2) Supervision as referred to in paragraph (1) shall include:
  - a. source of disaster threat;
  - b. policy on development with disaster risk;
  - c. exploitation activities with disaster risk;

- d. utilization of domestic goods, services, technologies, as well as engineering and design capabilities;
- e. environmental conservation activities;
- f. planning for spatial structuring;
- g. environmental management;
- h. reclamation activities; and
- i. financial management.

#### **Article 72**

- (1) In supervising contribution collection reports, Government and Regional governments may request an audit of the contribution collection reports.
- (2) Based on the report as referred to in paragraph (1) Government and community may request an audit.
- (3) If the audit as referred to in paragraph (2) should show any deviation in the use of the contributions, the organizer of the collected contributions shall face sanction in accordance with Legislation.

#### **Article 73**

Supervision as referred to in Article 71 and Article 72 shall be exercised in accordance with Legislation.

### **CHAPTER X**

#### **DISPUTE RESOLUTIONS**

#### **Article 74**

- (1) Settlement of dispute about disaster management at the first stage shall be based on deliberation for consensus.
- (2) In case of no agreement on dispute resolutions as referred to in paragraph (1), the parties may agree on a settlement outside or inside the court.

**CHAPTER XI**  
**PENAL PROVISIONS**

**Article 75**

- (1) Anybody who, through negligence, should undertake high-risk development without disaster risk analysis as referred to in Article 40 paragraph (3) and consequently cause disaster, shall be punishable by imprisonment of at the least 3 (three) years or at the most 6 (six) years and a fine of at the least Rp 300,000,000.00 (three hundred million rupiahs) or at the most Rp 2,000,000,000.00 (two billion rupiahs).
- (2) In the event the crime as referred to in paragraph (1) should lead to loss of material possessions or goods, the criminal shall be punishable by imprisonment of at the least 6 (six) years or at the most 8 (eight) years and a fine of at the least Rp 600,000,000.00 (six hundred million rupiahs) or at the most Rp 3,000,000,000.00 (three billion rupiahs).
- (3) In the event the crime as referred to in paragraph (1) should lead to fatalities, the criminal shall be punishable by imprisonment of at the least 8 (eight) years or at the most 10 (ten) years and a fine of at the least Rp 3,000,000,000.00 (three billion rupiahs) or at the most Rp 6,000,000,000.00 (six billion rupiahs).

**Article 76**

- (1) In the event the crime as referred to in Article 75 paragraph (1) should be committed deliberately, the criminal shall be punishable by imprisonment of at the least 5 (five) years or at the most 8 (eight) years and a fine of at the least Rp 2,000,000,000.00 (two billion rupiahs) or at the most Rp 4,000,000,000.00 (four billion rupiahs).
- (2) In the event the crime as referred to in Article 75 paragraph (2) should be committed deliberately, the criminal shall be punishable by imprisonment of at the least 8 (eight) years or at the most 12 (twelve) years and a fine of at the least Rp 3,000,000,000.00 (three billion rupiahs) or fines at the most Rp. 6,000,000,000.00 (six billion rupiahs).
- (3) In the event the crime as referred to in Article 75 paragraph (3) should be committed deliberately, the criminal shall be punishable by imprisonment of at the least 12 (twelve) years or at the most 15 (fifteen) years and a fine of at the least Rp 6,000,000,000.00 (six billion rupiahs) or at the most Rp 12,000,000,000.00 (twelve billion rupiahs).

#### **Article 77**

Anybody who should deliberately hinder the easy access as referred to in Article 50 paragraph (1) shall be punishable by imprisonment of at the least 3 (three) years or at the most 6 (six) years and a fine of at the least Rp 2,000,000,000.00 (two billion rupiahs) or at the most Rp 4,000,000,000.00 (four billion rupiahs).

#### **Article 78**

Anybody who should deliberately misuse disaster aid management as referred to in Article 65, shall be punishable by a life imprisonment or an imprisonment of at the least 4 (four) years or at the most 20 (twenty) years and a fine of at the least Rp 6,000,000,000.00 (six billion rupiahs) or at the most Rp 12,000,000,000.00 (twelve billion rupiahs).

#### **Article 79**

- (1) In the event the crime as referred to in Article 75 through Article 78 should be committed by a corporation, its management shall be punishable by imprisonment and fine. In addition, the corporation may also be punished with an aggravated fine of 3 (three) times the amount of fine referred to in Article 75 up to Article 78.
- (2) Other than the fine as referred to in paragraph (1), the following additional punishments may also be imposed on the corporation:
  - a. revocation of business license; or
  - b. revocation of legal entity status.

### **CHAPTER XII**

#### **TRANSITIONAL PROVISIONS**

#### **Article 80**

Upon the effectiveness of this law, any legislation relating to disaster management shall remain effective as long as it is not contradictory or there has been no issuance of new implementing regulation by virtue of this law.

#### **Article 81**

Any activity program related to disaster management stipulated before the stipulation of this law shall remain effective until its validity period has come to an end, unless otherwise determined in Legislation.

**Article 82**

- (1) Before establishment of National Disaster Management Agency, the National Agency for Coordinating Disaster Management still may perform its tasks.
- (2) After establishment of Disaster Management National Agency, the National Coordinating Agency for Disaster Management shall be dissolved.

**CHAPTER XIII  
CLOSING PROVISIONS**

**Article 83**

Upon this law taking effect, the National Disaster Management Agency shall be established within no later than 6 (six) months and the Regional Disaster Management Agency shall be established within no later than 1 (one) year.

**Article 84**

A Government regulation for implementation of this law shall have been issued within no later than 6 (six) months after the promulgation of this Law.

**Article 85**

This Law shall come into effect as of the date of its promulgation.

In order that this Law is known to the general public, it is ordered that this Law be promulgated in the state Gazette of the Republic of Indonesia.

Enacted in Jakarta  
On 26 April , 2007  
THE PRESIDENT OF  
THE REPUBLIC OF INDONESIA,  
signed  
DR. H. SUSILO BAMBANG  
YUDHOYONO

Promulgated in Jakarta  
On 26 April, 2007

MINISTER OF JUSTICE AND HUMAN RIGHTS OF THE  
REPUBLIC OF INDONESIA

signed  
HAMID AWALUDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 66  
OF YEAR 2007

This copy is in conformity with the original  
STATE SECRETARIAT OF THE REPUBLIC OF INDONESIA  
Head of Bureau for Legislation  
Division of Politic and People's Welfare

signed and sealed

Wisnu Setiawan

Promulgate to announce a new law, etc. officially, to proclaim (...)  
Enacted : (...) (...) to make or pass a law  
Ratify : to make an agreement a contract, etc. officially valid,...by  
signing it