
FORESTRY AND PLANTATIONS

DEPARTMENT OF FORESTRY AND PLANTATIONS

DECREE OF THE MINISTER OF FORESTRY AND PLANTATIONS

NUMBER : 146/Kpts-II/2000 ; DATED : JUNE 7, 1999

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**EVALUATION OF AND FOLLOW-UP TO RELEASE OF FOREST ZONES
 FOR DEVELOPMENT OF PLANTATION CULTIVATION BUSINESS**

THE MINISTER OF FORESTRY AND PLANTATIONS

- Considering :**
- a. that based on the Joint Decree of the Minister of Forestry, the Minister of Agriculture and the Head of the Agency for National Land Affairs No. 364/Kpts-II/90, No. 519/Kpts/HK.050/7/90 and No. 23-VIII-90, dated July 25, 1990 the provisions and requirement have been stipulated on release of Forest Zones and Provision of HGU for Development of Agricultural Business;
 - b. that in accordance with the reality there are still many applications for release of forest zones and many applications who have obtained principle permits or permits for forest zone release, do not implementation the permits in accordance with the valid provisions, so that neglected land is created;
 - c. that in connection with the matter in point b, it is deemed necessary to conduct evaluation of the development of the forest zone release in the context of optimization of land utilization for plantations;
 - d. that in connection with the above-mentioned matters, it is deemed necessary to stipulate a Decree of the Minister of Forestry and Plantations on the evaluation of the forest zone release for development of plantation cultivation business.

**Bearing
 in mind**

- 1. Act No. 5/1990;
- 2. Act No. 12/1992;
- 3. Act No. 24/1999;
- 4. Act No. 41/1999;
- 5. The Presidential Decree No. 15/1984 jo Presidential Decree No. 58/1993;
- 6. The Presidential Decree No. 355/M/1999;

HAS DECIDED :

**To stipualte : THE DECREE OF THE MINISTER OF FORESTRY AND PLANTATIONS ON
 EVALUATION OF AND FOLLOW-UP TO FOREST ZONES RELEASE FOR
 DEVELOPMENT OF PLANTATION CULTIVATION BUSINESS.**

Article 1

In this Decree the evaluation means the study and assessment of the forest zone release ranging from the stage of application, utilization of forest zone to the state of settlement of status of the zones to determine the follow-up to the settlement in the context of optimization of plantation cultivation land.

Article 2

- (1) The evaluation on the forest zone release for the development of plantation cultivation business is aimed at enhancing efficiency in the use of forest zones for the development of plantation cultivation business.
- (2) The targets of the evaluation as referred to in sub section 1 cover :
 - a. The stage of application;
 - b. The stage of principle permit approval;
 - c. The stage of forest zone release.

Article 3

- (1) The evaluation as referred to in Article 2, is conducted by a Team consisting of elements of the Plantation and Forestry Planning Agency, the Secretariat General, Directorate General of Production Forest management and the Directorate General of Planning.
- (2) The Team as referred to in sub section 1 is stipulated by the Head of the Plantation and Forestry Planology Agency.
- (3) The Team as referred to in sub-section 1 performs the following duties :
 - a. Evaluating the applications for release of forest zones ranging from the stage of application to the stage of forest zone release;
 - b. Being responsible and reporting evaluation results to the Minister of Forestry and Plantations.
 - c. The Team shall have been able to complete its duties within a period of 6 (six) months as from the stipulation of this Decree.

Article 4

The stage of application is stipulated as follows :

- a. The applications for release of forest zones for the development of plantation cultivation business which have not met the requirements as stipulated in the Joint Decree No. 364/Kpts-II/90, No. 519/Kpts/HK.050/7/90 and Number 23-VIII-90 are rejected.
- b. The rejection as referred to in point a is conducted by the Head of the Plantation and Forestry Planning Agency on behalf of the Minister of Forestry and Plantations.

Article 5

The stage of principle permit approval is stipulated as follows :

- a. Applicants who have obtained principle permits and within a period of 6 (six) months as from the issuance of their decrees there is no development, settlement/progress both physically and administratively, their principle permits can be cancelled.
- b. Before the sanction of cancellation is stipulated, applicants are given 3 (three) consecutive warning at the interval of 15 (fifteen) work days.
- c. The warnings as referred to in letter b, are given by the Head of the Plantation and Forestry Planning Agency on behalf of the Minister of Forestry and Plantations.
- d. Forest zones which have been given principle permits subjected to further cancellation as referred to in point c are intended to accommodate new applications which meet requirements.

Article 6

The stage of forest zone release is stipulated as follows :

- (1) Applicants who have obtained forest zone release within a period of 1 (one) year but :
 - a. do not utilize the forest zones, or
 - b. abuse the utilization, or
 - c. do not carry out activities in accordance with the proposal and IUP (business licences), or
 - d. do not settle the processing of the HGU (land titles for business operation), can have their approvals cancelled.
- (2) Before imposing the sanction of cancellation, applicants are given 3 (three) consecutive warnings at the interval of 15 (fifteen) work days.
- (3) The warnings as referred to in sub-section 2 are given by the Head of the Plantation and Forestry Planning Agency on behalf of the Minister of Forestry and Plantations.

Article 7

Applicantst who have obtained the forest zone release, and within a period of 1 (one) year have utilized the forest zones and or settled the processing of HGU, are continued to be directed to utilize the zones applied for.

Article 8

- (1) With the stipulation of this decree :
 - a. applications for release of forest zones for the development of plantation cultivation business;
 - b. recommendations on land reservation from the Governor;

- c. technical recommendations and considerations from the Head of Regional Office, the Ministry of Forestry and Plantations;
- (2) Applicants for release of forest zones who have met requirements, and have obtained principle permits, shall have their subsequent process during the implementation of evaluation temporarily suspended.

Article 9

With the stipulation of this decree, new applications for release of forest zones for development of plantation cultivation business, during the implementation of the evaluation and its follow-up action are closed.

Article 10

With the stipulation of this Decree, all provisions which are against this Decree are declared void.

Article 11

This decree shall come into force the date of stipulation.

Stipulated in : Jakarta

On : June 7, 2000

THE MINISTER OF FORESTRY AND PLANTATIONS

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Dr. Ir. NURMAHMUDI ISMAIL. Msc

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