

# STIPULATIONS OF STANDARD OF QUALITY OF SEA WATER IN PROVINCE OF CAPITAL AND SPECIAL REGION OF JAKARTA (DKI JAKARTA PROVINCE)

(Regulation of the Governor of DKI Jakarta Province No. 93/2006 dated October 5, 2006)

WITH THE GRACE OF THE ALMIGHTY GOD

THE GOVERNOR OF DKI JAKARTA PROVINCE,

Considering:

- a. that, pursuant to the provisions of Article 5 paragraph (1) of Decree of the State Minister of Environment No. 51/2004 on Standard of Quality of Sea Water in DKI Jakarta Province, Region may stipulate Standard of Quality of Sea Water similar to or stricter than the one stipulated by this regulation;
- b. that, with the authority of Region to stipulate Standard of Quality of Sea Water in its Area as meant in paragraph a, it is necessary for the Governor to issue further stipulations of Standard of Quality of Sea Water in DKI Jakarta Province;
- c. that, based on the considerations as meant in paragraphs a and b, it is necessary to stipulate Regulation of Governor on Stipulations of Standard of Quality of Sea Water in DKI Jakarta Province;

In view of:

1. Law No. 9/1990 on Tourism;
2. Law No. 21/1992 on Shipping;
3. Law No. 23/1997 on Environmental Treatment;
4. Law No. 34/1999 on Administration of DKI Jakarta Province;
5. Law No. 10/2004 on Law Making;
6. Law No. 32/2004 on Regional Administration;
7. Government Regulation No. 19/1999 on Prevention of Pollution and Harming of the Sea;

8. Government Regulation No. 25/2000 on Authorities of Government and Province as Autonomous Region;
9. Government Regulation No. 69/2001 on Harbor Affairs;
10. Government Regulation No. 82/2001 on Prevention of Water Pollution;
11. Decree of the State Minister of Environment No. 51/2004 on Standard of Quality of Sea Water;
12. Regional Regulation of DKI Jakarta Province No. 3/2001 on Organization Structures and Work Procedures of Regional Apparatuses and Secretariat of Regional House of Representatives of DKI Jakarta Province;
13. Decision of the Governor of DKI Jakarta Province No. 139/2001 on Organization and Work Procedure of Regional Environmental Treatment Agency of DKI Jakarta Province.

## DECIDES :

To stipulate:

REGULATION OF GOVERNOR ON STIPULATIONS OF STANDARD OF QUALITY OF SEA WATER IN PROVINCE OF CAPITAL AND SPECIAL REGION OF JAKARTA (DKI JAKARTA PROVINCE).

## CHAPTER I

### GENERAL PROVISIONS

#### Article 1

Hereinafter referred to as:

1. Region is DKI Jakarta Province.
2. Governor is Governor of DKI Jakarta Province.
3. Sea is water territory being part of geographical unit and its related components which border and system are designated based on functional aspects.

4. Standard of Quality of Sea Water is standard or criteria of living creatures, substance, energy, or components that exist or shall exist and/or pollutants at a certain tolerable in sea water.
5. Sea Biota is various kinds of organisms that live in sea water.
6. Port is a place consisting of land and the surrounding waters with certain borders as place for government administrative activities and economic activities used as place for vessels to dock, set anchor, for passengers going onboard and offboard and/or unloading and loading of goods equipped with marine safety facilities and port supporting activities and as place of change of transportation moda.
7. Shore is an area limited by highest high water line and lowest low water line.
8. Territory is a space being a geographical unit and its related components with border and system designated based on functional aspects and having certain characteristics.
9. Protected Territory is a territory designated with main function to protect conservation of environment consisting of natural and artificial resources.
10. Port Operational Territory is water and land territory in public port used directly as place of port activities.
11. Ecosystem is environmental component being an integral unit and mutually affects one another in forming environmental balance, stability, and productivity.
12. Group of Islands is several islands that form part of a zone with primary functions and which has other functions that support the primary functions.
13. Natural resource conservation is cultivation of non-renewable natural resources to guarantee wise utilization of non-renewable natural resources, and renewable natural resources to guarantee sustainable supply of renewable natural resources by maintaining and improving of qualities, values, and varieties.
14. Protection and Conservation of Sea Environment is any efforts intended to maintain wholeness of sea ecosystem.
15. Conservation of Function of Sea Environment is efforts to maintain supportability and accommodability of sea environment.
16. Harming of the Sea is a process that causes direct or indirect changes to physical and/or biological characteristics that are not in accordance with criteria of sea damage.
17. Sea Damage is physical and/or biological condition of the sea which is not in accordance with criteria of sea damage.
18. Criteria of sea damage is criteria of physical and/or biological changes to sea environment tolerable.
19. Status of quality of sea is level of quality of sea in certain location and at certain time based on standard of quality of sea water and/or criteria of sea damage.
20. Protection of Quality of Sea is an effort or activity operated to maintain quality of sea in good condition.
21. Marine Tourism is recreational activity or tourism on the sea and on shore.

## CHAPTER II

### PRINCIPLES, VISIONS, MISSIONS, AND PURPOSES

#### Article 2

Stipulations of Standard of Quality of Sea Water in DKI Jakarta Province are arranged based on principles of:

- a. Exploitation of the sea and natural resources for all interests integrally, harmoniously, synchronously, and balancedly;

b. Equality . . . . .

- b. Equality, justice, and legal protection.

#### Article 3

*Vision of the stipulations of Standard of Quality of Sea Water based on the principles as meant in Article 2 is "Realization of Standard of Quality of Sea Water in DKI Jakarta Province conducive for growth and development of synchronization in cultivation of sea environment to increase social welfare".*

#### Article 4

To realize the vision as meant in Article 3, stipulations of Standard of Quality of Sea Water are directed to 3 primary missions, namely:

- a. To prevent pollution of waters, to prevent and rehabilitate harming of environment of water territory on shore and Jakarta Bay to realize principle of sustainable conservation of environment;
- b. To exploit the waters and group of islands for recreation and tourism according to their intended purposes.
- c. To increase welfare of fisherman, fish and shell breeders, seaweed farmers, and processors of fishery products in DKI Jakarta.

#### Article 5

The purposes of stipulations of Standard of Quality of Sea Water in accordance with the primary missions as meant in Article 4 are:

- a. To prevent pollution of waters, to prevent and rehabilitate harming of environment of water territory on shore and Jakarta Bay to realize principle of sustainable conservation of environment;
- b. To increase participation of society in planning, exploitation, and control of exploitation of natural resources pursuant to supportability and accommodability of water environment on shore and Jakarta Bay;
- c. To support implementation of environmental protection through application of criteria of environmental damage.

### CHAPTER III

#### SCOPE

##### Article 6

In implementing stipulations of Standard of Quality of Sea Water in DKI Jakarta Province, the scope is only limited to sea territory in DKI Jakarta Province from Marunda shore in the Eastern part to Dadap shore in the Western part.

### CHAPTER IV

#### STIPULATIONS OF STANDARD OF QUALITY OF SEA WATER

##### Article 7

- (1) Stipulations of Standard of Quality of Sea Water based on the scope as meant in Article 6 consist of:
  - a. Standard of Quality of Sea Water for seaports;
  - b. Standard of Quality of Sea Water for marine tourism;
  - c. Standard of Quality of Sea Water for sea biota.
- (2) Stipulations of Standard of Quality of Sea Water as meant in paragraph (1) are as specified in Attachments I, II, and III of this regulation.

##### Article 8

Stipulations of Standard of Quality of Sea Water as meant in Article 8 paragraph (2) is reviewed periodically, at least once in every 5 years.

### CHAPTER IV

#### QUALITY OF STANDARD OF QUALITY OF SEA WATER

##### Article 9

- (1) To maintain quality of Standard of Quality of Sea Water as meant in Article 8 paragraph (2), the following activities are performed:
  - a. Maintaining conservation of functions of sea environment in accordance with its intended purposes;
  - b. Performing prevention of pollution and/or harming of sea environment.
- (2) To perform prevention of pollution and/or harming of the sea as meant in paragraph (1) clause b, the following stages of activities are performed:

- a. Protection of quality of the sea;
- b. Prevention of pollution of the sea;
- c. Prevention of harming of the sea;
- d. Solving of pollution and/or harming of the sea;
- e. Recovery of quality of the sea.

(3) Activities of maintaining of conservation of functions of sea environment in accordance with its intended purposes as meant in paragraph (1) clause a are based on the laws in force.

#### CHAPTER V PROHIBITIONS

##### Article 10

Each person or party responsible for business and/or activity may not commit an act that causes pollution and/or harming of sea environment as meant in Article 9 paragraph (1) clause b.

#### CHAPTER VI CONTROL, MONITORING, AND REPORTING

##### Article 11

(1) Control over implementation of this regulation is carried out by Head of Regional Environmental Treatment Agency.

(2) Control as meant in paragraph (1) and monitoring to identify quality of sea water are performed at least twice a year.

(3) Result of the performance of control as meant in paragraph (1) is reported to the Governor once in every six (6) months or incidentally when necessary.

#### CHAPTER VII SANCTIONS

##### Article 12

The violations as meant in Article 9 paragraph (1) clause b are subjected to administrative sanction in form of indemnity pursuant to the laws in force.

#### CHAPTER VIII OTHER PROVISIONS

##### Article 13

If a person is to plan a business/activity potential to generate impact on the sea environment, whether on the water territory on shore and/or in sea territory of the Province in DKI Jakarta Province as meant in Article 6, he shall comply with the provisions of the laws on Environmental Impact Analysis.

#### CHAPTER IX CLOSING PROVISIONS

##### Article 14

This regulation comes into effect as from the date it is promulgated.

For public cognizance, this Regulation is promulgated by placing it in the Regional Gazette of DKI Jakarta Province.

Stipulated in Jakarta

On October 5, 2006

THE GOVERNOR OF DKI JAKARTA PROVINCE

Sgd

SUTYOSO

Promulgated in Jakarta

On October 19, 2006

REGIONAL SECRETARY OF DKI JAKARTA PROVINCE

Sgd

RITOLA TASMAYA

REGIONAL GAZETTE OF DKI JAKARTA PROVINCE OF  
2006 NO. 96

#### Editors Note :

- Attachments are not available.

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