

AGRICULTURAL, FISHERY AND FORESTRY EXTENSION SYSTEM
(Law No. 16/2006 dated November 15, 2006)

BY GRACE OF GOD THE ALMIGHTY

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:

- a. that extension as part of efforts to enhance national life and promote the people's welfare constitutes human right of Indonesian citizens;
- b. that sustainable agricultural, fishery and forestry development constitutes a must to meet the need for food, housing and raw materials of industries, expand job and business opportunities, enhance the welfare of people, mainly farmers, planters, breeders, fishermen, fish breeders, fish processors and communities inside and around forest areas, particularly in the rural areas, increase national income as well as preserve environmental conservation;
- c. that better enhancement of role of the agricultural, fishery and plantation sector need human resources qualified, reliable, as well as having managerial skill, entrepreneurial spirit and business organization so that agents of agricultural, fishery and forestry development can build businesses from upstream to downstream, which are highly competitive and capable of participating in forest and environmental conservation in line with the principles of sustainable development;
- d. that in order to realize the goals as meant in letters a, b and c, the government is obliged to organize counseling in the agricultural, fishery and forestry sector;
- e. that regulation of the current agricultural, fishery and forestry extension system remain distributed in various kinds of legislation thus being not yet able to provide solid and complete legal basis for the implementation of agricultural, fishery and forestry extension;
- f. that based on the considerations as meant in letters a, b, c, d and e, it is necessary to enact a law on Agricultural, Fishery and Forestry Extension System;

In view of:

Articles 20, 21, 28C and 33 of the Constitution of 1945;

By joint approval of:

THE HOUSE OF REPRESENTATIVES OF
THE REPUBLIC OF INDONESIA

AND

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

D E C I D E S :

To stipulate:

THE LAW ON AGRICULTURAL, FISHERY AND FORESTRY
EXTENSION SYSTEM

CHAPTER I
GENERAL PROVISION

Article 1

Referred to in this law as:

1. Agricultural, Fishery and Forestry Extension System, hereinafter called Extension System is all series of efforts to develop capability, knowledge, skill as well as behavior of the main agents and business communities through counseling.
2. Agricultural, Fishery and Forestry Extension, hereinafter called extension is a learning process for the main agents and business communities to make them ready and capable of helping and organizing themselves in accessing market information, technology, capital and other resources in a bid to drive up productivity, business efficiency, income and welfare as well as raise awareness of conservation of environment functions.
3. Agriculture covering food crop, horticulture, plantation and animal husbandry, hereinafter called agriculture is all activities covering upstream business, farming, agroindustry, marketing and biological resource management supporting services in suitable and sustainable agro-ecosystem with the support of technology, capital, manpower and management to obtain maximal benefit to the people's welfare.

4. Fishery is all activities related to sustainable management and exploitation of fish resources and their environment, starting from pre-production, production, processing to marketing realized in a fishery business system.
5. Fish is all kinds of organism having life circle located wholly and partly in waters.
6. Forestry is a management system related to forest, forest area and forest products, which is executed in an integrated and sustainable manner.
7. Forest Area is certain area appointed and/or stipulated by the government to have their existence preserved as permanent forest.
8. Main agents of agricultural, fishery and forestry activities, hereinafter called the main agents, are communities inside and around forest area, farmers, planters, breeders, fishermen, fish breeders, fish processors and their core families.
9. Communities insides and around forest area are people living inside and around forest area having a social community unit with the same source of income dependent on forest and their activities can influence forest ecosystem.
10. Farmers are individual Indonesian citizens and their families or corporations managing business in the agriculture, wanatani, minatani, agropasture, animal and plant cultivation, inside and around forest area, covering upstream business, farming, agroindustry, marketing and supporting service.
11. Planters are individual Indonesian citizens or corporations undertaking plantation business.
12. Breeders are individual Indonesian citizens or corporations undertaking animal husbandry.
13. Fishermen are individual Indonesian citizens or corporations whose source of income or business activity is fishing.
14. Fish breeders are individual Indonesian citizens or corporations undertaking fish breeding activity.
15. Fish processors are individual Indonesian citizens or corporations undertaking fish processing business.
16. Business communities are individual Indonesian citizens or corporations established by Indonesian statutory body, which manage agricultural, fishery and forestry business.
17. Institutions of farmer, planter, breeder, fishermen, fish breeder, fish processor and communities inside and outside forest area are institutions developed from, by and for the main agents.
18. Agricultural, fishery or forestry counselors, be they Civil Servant, private and self-initiative counselors, hereinafter called counselors are individual Indonesian citizens undertaking counseling activity.
19. Civil Servant Counselors are civil servants given task, responsibility, authority and right fully by the authorized official in agriculture, fishery or forestry organizational unit to undertake counseling activities.
20. Private counselors are counselors coming from business communities and/or institutions having competence in the counseling field.
21. Self-Initiative Counselors are the main agents succeeding in the businesses and other communities ready and capable of becoming counselors because of their awareness.
22. Extension substances are substances of counseling to be conveyed by counselors to the main agents and business communities in various models, covering information, technology, social engineering, management, economy, law and environmental conservation.
23. Agricultural, fishery and forestry extension program, hereinafter called extension program is a written plan formulated systematically to provide directives and guidelines as a controlling instrument to achieve the goal of extension.

24. Recommendation is the issuance of approval of technology to be used as extension substance.
25. Extension institutions are government and/or community organizations having tasks and functions to organize extension.
26. Agricultural, Fishery and Forestry Extension Commission, hereinafter called the Extension Commission is an independent institution established in the central, provincial and regental/municipal level, consisting of specialists and/or practitioners having expertise and awareness in the extension or rural development sector.
27. Minister is the minister in charge of agricultural affairs, fishery affairs or forestry affairs.
28. Central Government, hereinafter called the government is the President of the Republic of Indonesia holding the executive power of the Republic of Indonesia as meant in the Constitution of 1945.
29. Regional Governments are governors, regents or mayors and regional apparatuses as regional administrators.
30. Village or what is called in other name, hereinafter called Village is a legal community unit having territorial borders, authorized to regulate and handle interests of local community, based on local origin and tradition recognized and respected in the administration system of the Republic of Indonesia.

CHAPTER II

PRINCIPLE, GOAL AND FUNCTION

Article 2

Extension is executed on the basis of principles of democracy, benefit, equity, integration, equilibrium, transparency, cooperation, participation, partnership, sustainability, justice, equitable distribution and accountability.

Article 3

The objective of extension system regulation covers the development of human resources and enhancement of social capital, namely:

- a. strengthening the development of advanced and modern agriculture, fishery as well as forestry in the sustainable development system;
- b. empowering the main agents and business communities in a bid to enhance capability by means of creating a conducive business climate, driving up motivation, developing potential, opening opportunities, raising awareness and accompanying as well as facilitating;
- c. providing legal certainty for the realization of counseling which is productive, effective, efficient, decentralized, participatory, transparent, self-initiative, equitable in partnership, gender, extended and future oriented, environmentally sound and accountable that can guarantee the realization of agriculture, fishery and forestry development;
- d. providing protection, justice and legal certainty for the main agents and business communities to obtain extension service as well as for counselors in undertaking the extension; and
- e. developing modern and prosperous human resources as the main agents and targets of agriculture, fishery and forestry development.

Article 4

The extension system factions:

- a. to facilitate the learning process of the main agents and business communities;
- b. to facilitate access of the main agents and business communities to sources of information, technology and other resources so as to be able to develop their businesses;
- c. to enhance the leadership, managerial and entrepreneurial skill of the main agents and business communities;
- d. the assist the main agents and business communities in developing their organizations to become economic organizations highly competitive, productive, applying good corporate governance and sustainable;

- e. to help analyze and solve problems as well as respond to opportunities and challenges encountering the main agents and business communities in managing business;
- f. to enhance awareness of the main agents and business communities of conservation of environment functions;
- g. to institutionalize values of developed and modern agriculture, fishery and forestry development culture for the main agents in a sustainable manner.

CHAPTER III TARGET OF EXTENSION

Article 5

- (1) Parties mostly entitled to benefit of extension cover the main targets and intermediate targets.
- (2) The main targets of the extension are the main agents and business communities.
- (3) The intermediate targets are other stakeholders, covering agriculture, fishery and forestry advocacy groups or institutions as well as young generation and community leaders.

CHAPTER IV POLICY AND STRATEGY

Article 6

- (1) Extension policies are stipulated by the government and regional governments in accordance with their respective scopes of authority by observing the principles and goals of the extension system.
- (2) In stipulating the extension policies as meant in paragraph (1), the government and regional governments observe the following provisions:
 - a. extension is executed in an integrated manner to agriculture, fishery and forestry development sub-systems;
 - b. extension can be executed by the main agents and/or other communities as partner of the government and regional governments, individually or in cooperation, in an integrated manner with

programs in every administrative level of administration.

- (3) Further provisions on the extension policies as meant in paragraphs (1) and (2) are regulated by regulations of minister, governor, or regents/mayors.

Article 7

- (1) The extension strategy is formulated and stipulated by the government and regional governments in accordance with their respective scopes of authority, covering adult education method, counseling as community drive, development of organization dynamism and leadership, justice and perspective gender, and enhancement of capacity of the professional main agents.
- (2) In formulating the extension strategy, the government and regional governments observe extension policies stipulated on the basis of the provision as meant in Article 6 by involving stakeholders in the agriculture, fishery and forestry sectors.
- (3) Further provisions on the extension strategy as meant in paragraphs (1) and (2) are regulated by regulations of minister, governor, or regents/mayors.

CHAPTER V INSTITUTIONAL

Part One Extension Institution

Article 8

- (1) Extension institutions consist of:
 - a. government extension institution;
 - b. private extension institution; and
 - c. self-initiative extension institution.
- (2) The government extension institution as meant in paragraph (1) letter a:
 - a. in the central level, is in the form of board in charge of extension affairs;
 - b. in the provincial level, is in the form of extension coordinating board;
 - c. in the regental/municipal level, is in the form of extension executive board.
 - d. In the district level, is in the form of extension center.

- (3) The private extension institution as meant in paragraph (1) letter b can be established by business communities by observing interests of the main agents as well as local agriculture, fishery and forestry development.
- (4) The private extension institution as meant in paragraph (1) letter c can be established on the basis of agreement between the main agents and business communities.
- (5) The extension institution in the village/sub-district level is in the form of non-structural village/sub-district extension post.

Article 9

- (1) The extension board in the central level as meant in Article 8 paragraph (2) letter a has the following tasks:
 - a. formulating national policies, national extension programs, standardizing and accrediting counselors, facility and infrastructure as well as financing the extension;
 - b. Organizing the development of extension, database, service and extension information network;
 - c. implementing extension, coordination, supervision, monitoring and evaluation, as well as allocation and distribution of extension resources;
 - d. promoting cooperation in national, regional and international extension; and
 - e. enhancing capacity of civil servant, self-initiative and private counselors.
- (2) The extension board in the central level is responsible to the Minister.
- (3) In order to coordinate, integrate, synchronize and optimize performance of extension in the central level, non-structural national extension coordination forum is needed with the establishment further regulated in a presidential regulation.

Article 10

- (1) In order to stipulate extension policies and strategy, the Minister is assisted by National Extension Commission.

- (2) The National Extension Commission has the task of providing input to the minister as substances of formulation of extension policies and strategy.
- (3) Further provisions on the National Extension Commission as meant in paragraphs (1) and (2) are regulated by a regulation of the Minister.

Article 11

- (1) The Extension Coordination Board as meant in Article 8 paragraph (2) letter a has the following tasks:
 - a. undertaking inter-sectoral coordination, integration, synchronization, optimizing participation, advocating communities by involving specialists, business communities, related institutions, universities and extension targets;
 - b. formulating provincial extension policies and programs in line with national extension policies and programs;
 - c. facilitating institutional development and community forum for the main agents and business communities to develop their businesses and giving feedback to the regional governments; and
 - d. enhancing capacity of civil servant, self-initiative and private counselors.
- (2) The Extension Coordination Board in the provincial level is chaired by the governor.
- (3) In order to support activities of the provincial extension coordination board, secretariat is established and chaired by an official equivalent to IIa echelon and the establishment of the secretariat is further regulated by a regulation of the governor.

Article 12

- (1) In order to stipulate provincial extension policies and strategy, the governor is assisted by Provincial Extension Commission.
- (2) The Provincial Extension Commission has the task of providing input to the governor as substances of formulation of provincial extension policies and strategy.
- (3) Further provisions on the Provincial Extension Commission as meant in paragraphs (1) and (2) are regulated by a regulation of the governor.

Article 13

- (1) The extension executive board as meant in Article 8 paragraph (2) letter c has the following tasks:
- formulating regental/municipal extension policies and programs in line with the national and provincial extension policies and programs;
 - implementing extension and developing extension mechanism, working arrangement and method;
 - collecting, processing, packing and disseminating substances of extension to the main agents and business communities;
 - fostering the development of cooperation, partnership, institutional management, personnel, facility and infrastructure as well as extension financing;
 - developing and facilitating activity institutions and forums for the main agents and business communities; and
 - enhancing capability of civil servant, self-initiative and private counselors through sustainable learning process.
- (2) The extension executive board in the regental/municipal level is led by official equivalent to Echelon II and responsible to regents/mayors with the establishment further regulated by a regulation of regent/mayor.

Article 14

- (1) In order to stipulate regental/municipal extension policies and strategy, the regent/mayor is assisted by Regental/Municipal Extension Commission.
- (2) The Regental/Municipal Extension Commission has the task of providing input to the regent/mayor as substances of formulation of regental/municipal extension policies and strategy.
- (3) Further provisions on the Regental/Municipal Extension Commission as meant in paragraphs (1) and (2) are regulated by a regulation of the regent/mayor.

Article 15

- (1) The Extension Center as meant in Article 8 paragraph (2) letter d has the following tasks:
- formulating extension programs in the district level

in line with regental/municipal extension programs;

- realizing extension on the basis of extension programs;
 - providing and disseminating information on technology, production facility, financing and market;
 - facilitating the development of institutions and partnership between the main agents and business communities;
 - facilitating the enhancement of capacity of civil servant, self-initiative and private counselors through sustainable learning process; and
 - realizing the learning process through pilot project and development of farming business models for the main agents and business communities.
- (2) The extension center functions as a meeting forum of counselors, main agents and business communities.
- (3) The extension center is responsible to the regental/municipal extension executive board, with the established further regulated by a regulation of regent/mayor.

Article 16

- (1) The village/sub-district extension post as meant in Article 8 paragraph (5) constitutes a non-structural working unit established and managed participatorily by the main agents.
- (2) The extension post functions as a meeting forum of counselors, main agents and business communities to:
- formulate extension programs;
 - implement extension in village/sub-district;
 - inventory problems and solution;
 - implementing the learning process through pilot project and development of farming business models for the main agents and business communities;
 - develop leadership, entrepreneurship, as well as institution of the main agents and business communities;
 - organizing consultative meeting, technical meeting, site meeting and other extension methods for the main agents and business communities;

- g. facilitating service for information, consultation, education and training for the main agents and business communities; and
- h. facilitating rural extension forum.

Article 17

The private and/or self-initiative extension institution as meant in Article 8 paragraph (1) letters b and c has the following tasks:

- a. formulating extension plan integrated with extension programs;
- b. organizing a meeting with counselors and the main agents in accordance with the need;
- c. establishing forum, network and institution of the main agents and business communities;
- d. organizing consultative meeting, technical meeting, site meeting and other extension methods for the main agents and business communities;
- e. promoting business partnership with parties on the basis of mutual benefiting;
- f. develop leadership, entrepreneurship, as well as institution of the main agents and business communities;
- g. conveying business information and technology to the main agents and business communities;
- h. managing agricultural, fishery and forestry as well as rural self-initiative education and training institutions for the main agents and business communities;
- i. realizing the learning process through pilot project and development of farming business models for the main agents and business communities;
- j. undertaking independent study to solve problems and develop business model, giving feedback and undertaking technology assessment;
- k. monitoring the implementation of extension facilitated by the main agents and business communities.

Article 18

Further provisions in the government extension institution as meant in Article 8 paragraph (2) are regulated by a presidential regulation.

Part Two

Main Agent Institution

Article 19

- (1) The main agent institution consists of farmers, planters, breeders, fishermen, fish breeders, fish processors as well as communities inside and around fo-

rest, which is established by the main agents formally or informally.

- (2) The institution as meant in paragraph (1) functions as a learning forum, cooperation forum, production facility and infrastructure providing unit, production unit, processing and marketing unit as well as supporting service unit.

- (3) The institution as meant in paragraph (1) can be in the form of group, combination of groups, association or corporation.

- (4) The institution as meant in paragraph (1) is facilitated and empowered by the government and/or regional governments to make it growing and developing to become a solid and independent organization so as to be capable of achieving the objectives expected by the members.

CHAPTER VI

COUNSELOR

Article 20

- (1) Extension is carried out by civil servant counselors, private counselors and/or self-initiative counselors.
- (2) Appointment and placement of civil servant counselors are adjusted to the available need and formation on the basis of legislation.
- (3) The existence of private and self-initiative counselors is independent to meet the need of the main agents and business communities.

Article 21

- (1) The government and regional governments enhance competence of civil servant counselors through education and training.
- (2) The government and regional governments facilitate the implementation of education and training of private and self-initiative counselors.
- (3) Enhancement of competence of the counselors as meant in paragraphs (1) and (2) refers to the standards, accreditation as well as educational and training methods of counselors regulated by a regulation of the Minister.

Article 22

- (1) Civil servant counselors constitute functional officials regulated on the basis of legislation.
- (2) Transfer of duty of civil servant counselors only can be done in the case of the relevant being replaced by new civil servant counselors in accordance with legislation.

CHAPTER VII IMPLEMENTATION

Part One

Extension Program

Article 23

- (1) The extension programs aim at providing directives, guidelines and controlling instrument of accomplishment of the extension goals.
- (2) The extension programs consist of village/sub-district or site working unit extension programs, district extension programs, regental/municipal extension programs, provincial extension programs and national extension programs.
- (3) The extension programs as meant in paragraph (2) are formulated by observing integration and synergy of extension programs in every level.
- (4) The extension programs as meant in paragraph (3) are ratified by Heads of Extension Centers, Regental/Municipal Extension Executive Boards, Provincial Extension Coordinating Boards or the Head of the Extension Board in accordance with administrative levels of administration.
- (5) The village/sub-district extension programs as meant in paragraph (2) are acknowledged by heads of villages/sub-districts.

Article 24

- (1) Extension programs are formulated every year and contain extension plan for next year by observing circle of budget of the respective levels and cover organization and management of resources as the basis for implementation of extension.

- (2) The extension programs as meant in paragraph (1) must be measurable, realistic, beneficial and applicable as well as executed participatorily, integratedly, transparently, democratically and accountably.

Article 25

Provisions on guidelines on formulation of extension programs are regulated by a regulation of the Minister.

Part Two

Working Mechanism and Method

Article 26

- (1) Counselors formulate and implement annual action plan on the basis of extension programs.
- (2) Extension is executed by referring to the extension programs as meant in Articles 23, 24 and 25.
- (3) Extension is executed by using participatory approach through the working mechanism and method adjusted to the need as well as condition of the main agents and business communities.
- (4) Further provisions on the working mechanism and method of extension are stipulated by a regulation of the Minister, governor or regent/mayor.

Part Three

Substance of Extension

Article 27

- (1) Substances of extension are made on the basis of the need and interests of the main agents and business communities by observing benefit and conservation of agricultural, fishery and forestry resources.
- (2) The substances of extension as meant in paragraph (1) contain elements of human resource development and enhancement of social capital as well as elements of science, technology, information, economy, management, law and environmental conservation.

Article 28

- (1) Substances of extension in certain form of technology to be conveyed to the main agents and business communities must secure recommendation from the

government institution unless otherwise technology results from traditional knowledge.

(2) The government institution giving the recommendation is obliged to issue recommendation shortly after verification and administrative process are completed.

(3) The certain technology as meant in paragraph (1) is stipulated by the Minister.

(4) Provisions on the issuance of recommendation as meant in paragraphs (1) and (2) are implemented in accordance with legislation.

Part Four Role and Cooperation Article 29

The government and regional governments facilitate and encourage the role of the main agents and business communities in the implementation of extension.

Article 30

(1) Cooperation in extension can be realized among extension institutions vertically, horizontally or in inter-sectoral manner.

(2) Cooperation in extension between national, regional and/or international extension institutions can be done after securing approval from the Minister.

(3) Private and self-initiative counselors in executing the extension to the main agents and business communities can coordinate with civil servant counselors.

CHAPTER VIII FACILITY AND INFRASTRUCTURE Article 1

(1) In order to enhance capacity of extension institutions and performance of counselors, adequate facilities and infrastructure are needed so that the extension can be realized effectively and efficiently.

(2) The government, regional governments, private extension institutions and self-initiative extension institutions provide the extension facilities and infrastructure as meant in paragraph (1).

(3) Civil servant, private and self-initiative counselors can utilize the facilities and infrastructure as meant in paragraph (2).

(4) Further provisions on the utilization of facilities and infrastructure are regulated by a regulation of the Minister, governor or regent/mayor.

CHAPTER IX FINANCING

Article 32

(1) Adequate financing for fulfilling the extension cost is needed for ensuring effective and efficient extension.

(2) Source of financing for extension is provided through APBN, provincial or regental/municipal APBD, sectorally and inter-sectorally, or other legitimate and non-binding sources.

(3) Financing of extension related to functional and professional allowance, operational cost of civil servant counselors as well as facilities and infrastructure comes from APBN, while financing of extension in provinces, regencies/cities, districts and villages results from APBD with the amount and allocation adjusted to extension programs.

(4) The amount of functional and professional allowance of civil servant counselors as meant in paragraph (1) is based on hierarchy of position in accordance with legislation.

(5) In the case of extension being organized by private and self-initiative counselors, financing can be assisted by the government and regional governments.

Article 33

Further provisions on financing of extension as meant in Article 32 are regulated by a government regulation.

CHAPTER X FOSTERING AND SUPERVISION Article 34

(1) The government fosters and supervises extension organized by both regional governments, private or self-initiative institutions.

- (2) The fostering and supervision as meant in paragraph (1) are applied to institution, personnel, implementation, facilities and infrastructure as well as financing of extension.
- (3) In order to foster and supervise performance of counselors, the government facilitates the establishment of professional organization and code of conduct of counselors.
- (4) Every counselor becoming member of professional organization abides by code of conduct of counselors.
- (5) The professional organization of counselors is obliged to foster and supervise as well as to provide consideration about members violating code of conduct.
- (6) Further provisions on the fostering and supervision as meant in paragraph (1) are regulated by a government regulation.

CHAPTER XI PENAL PROVISION

Article 35

- (1) Every civil servant counselor undertaking extension with certain technology substances not yet securing the recommendation as meant in Article 28 paragraph (1) is subjected to administrative sanction on the basis of legislation in the personnel affairs by observing consideration from the professional organization and code of conduct of counselors.
- (2) Every recommending official not abiding by the provision as meant in Article 28 paragraphs (2) and (3) is subjected to administrative sanction on the basis of legislation on personnel affairs.
- (3) Every private counselor undertaking extension with certain technology substance not yet securing the recommendation as meant in Article 28 paragraph (1) is subjected to administrative sanction in the form of revocation of certificate as counselor by observing consideration from the professional organization and code of conduct of counselors.

- (4) Every self-initiative counselor undertaking extension with certain technology substance not yet securing the recommendation as meant in Article 28 paragraph (1) is subjected to administrative sanction in the form of revocation of certificate as counselor, unless otherwise technology substance results from traditional knowledge.

Article 36

Everybody and/or extension institution undertaking extension intentionally or because of their negligence, inflicting loss on socio-economy, environment and/or public health is sentenced in accordance with legislation.

CHAPTER XII TRANSITION

Article 37

- (1) Extension already organized before the promulgation of this law and not contravening this law still can be implemented.
- (2) The implementation of the extension as meant in paragraph (1) must be settled in not later than one year as from the date of promulgation of this law.

Article 38

Extension institutions in the central level, already existing before the promulgation of this law must be adjusted in not later than 2 (two) years.

CHAPTER XIII CONCLUSION

Article 39

With the enforcement of this law, all legislation in the extension sector is declared to remain effective as long as they do not contravene this law or have not been replaced by the new ones on the basis of this law.

Article 40

Technical regulations of this law must have been stipulated in not later than one year as from the date of promulgation of this law.

Article 41

The law comes into force as from the date of promulgation.

For public cognizance, the law shall be promulgated by placing it in Statute Book of the Republic of Indonesia.

Ratified in Jakarta

On November 15, 2006

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Sgd

DR. H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta

On November 15, 2006

THE MINISTER OF LAW AND HUMAN RIGHTS

Sgd

HAMID AWALUDDIN

STATUTE BOOK OF THE REPUBLIC OF INDONESIA
YEAR 2006 NO. 92

ELUCIDATION

ON

LAW NO. 16/2006

CONCERNING

AGRICULTURAL,

FISHERY AND FORESTRY EXTENSION SYSTEM

I. GENERAL

The Unitary State of the Republic of Indonesia based on Pancasila and the Constitution of 1945 aims at, among others, realizing the people's welfare and enhancing national life.

Indonesia as an agrarian and maritime state has the third largest tropical forest in the world with biological diversity absolutely high. It constitutes the most valuable basic-capital in driving up national economy because the agricultural, fishery and forestry sector was proven and tested capable of contributing significantly to national gross domestic product when the economic crisis jolted Indonesia in 1998. In relation thereto, Indonesian people are obliged to thank God The Almighty for gift of biological resources, fertile soil, suitable climate so that the agricultural, fishery and forestry sector can become the backbone of national economy.

Farmers, planters, breeders, fishermen, fish breeders, fish processors and communities inside and around forest area constitute part of the Indonesian

society so that their welfare and intellectuality needs to be enhanced. The enhancement is realized by, among others, extension.

Agricultural, fishery and forestry extension is a learning process for the main agents to make them ready and capable of assisting and organizing themselves in accessing market information, technology, and other resources as part of efforts to raise productivity, business efficiency, income and welfare as well as generate awareness of conservation of environment functions.

In a bid to anticipate change in strategic environment developing in the 21th century with issues of globalization, decentralization, democratization, and sustainable development, reliable human resources are needed for realizing solid, productive, efficient and competitive agriculture, fishery and forestry so as to be able to bring about welfare to all Indonesian people.

In order to answer the change in strategic environment, agricultural, fishery and forestry revitalization is needed. The revitalization will be fruitful if the program is supported by, among others, agricultural, fishery and forestry extension system.

The extension system has not been supported by solid and complete legislation thus being less capable of providing guarantee for legal certainty as well as justice for the main agents, business communities and counselors. The condition results in different understanding and implementation among the communities. In addition, rapid change in legislation and extension policies weakened spirits and performance of counselors thus being potential to affect food security and impede national economic growth.

The existing laws remain partial and have not regulate extension system broadly, firmly and completely. It can be seen in the following laws:

1. Law No. 6/1967 on Animal Husbandry and Veterinary Basic Provisions;
2. Law No. 5/1990 on Conservation of Biological Resources and Their Ecosystems;
3. Law No. 12/1992 on Plant Cultivation System;
4. Law No. 16/1992 on Animal, Fish and Plant Quarantine;
5. Law No. 7/1996 on Food;
6. Law No. 23/1997 on Environmental Management;
7. Law No. 41/1999 on Forestry;
8. Law No. 29/2000 on Plant Variety Protection;

9. Law No. 18/2002 on the National Science and Technology Research, Development and Application System;
10. Law No. 18/2004 on Plantation;
11. Law No. 31/2004 on Fishery;
12. Law No. 32/2004 on Regional Administration.

Based on the above mentioned considerations, this law regulates agricultural, fishery and forestry extension system holistically and comprehensively in an integrated and harmonious regulation between extension organized by government extension institutions, private extension institutions and self-initiative extension institutions to the main agents and business communities.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear

Article 2

Democracy-based extension means extension organized by respecting opinions of the government, regional governments, and the main agents as well as other business communities.

Benefit-based extension means that extension must be beneficial to enhancement of knowledge, skill and change in behaviors to increase productivity, income and welfare of the main agents and business communities.

Equity-based extension means that relations between counselors, main agents and business communities must be equal partners.

Integration-based extension means that the extension is executed in an integrated manner between interests of the government, business communities and society.

Equilibrium-based extension means that extension must observe equilibrium between policy, innovation, technology and local community wisdom, gender mainstreaming, equilibrium between exploitation of resources and environmental conservation, and equilibrium between developed regions and relatively backward regions.

Transparency-based extension is the realization of extension transparently between counselors and main agents as well as business communities.

Cooperation-based extension means that extension must be executed synergically in activities of agricultural, fishery and forestry development as well as other sectors which constitute the collective goals of the government and communities.

Participation-based extension means that the implementation of extension involves actively the main agents and business communities and counselors as from the planning, implementation, monitoring and evaluation.

Partnership-based extension means that extension is executed on the basis of mutually respecting, beneficial, strengthening and needing principles between the main agents and business communities, which is facilitated by counselors.

Sustainability-based extension means that extension is executed continuously and in a sustainable manner so that knowledge, skill as well as behavior of the main agents and business communities are better and in accordance with developments for realizing independence.

Justice-based extension means that extension positions the main agents and business communities righteous to obtain service proportionally in accordance with capability, condition as well as the need of the main agents and business communities.

Equitable distribution-based extension means that extension must be applicable equitably to all territory of the Republic of Indonesia and all layers of the main agents and business communities.

Accountability-based extension means that evaluation of performance of extension is executed by comparing the implementation already realized to the planning already prepared simply, measurably, achievably, rationally and the activities can be scheduled.

Article 3

Human resource development means, among others enhancement of spirits, perspectives, intellectuality, skill as well as science and technology to set up independent personality.

Enhancement of social capital is, among others, the establishment of group, combination of groups/associations, management, leadership, capital access and information access.

Letters a and b

Sufficiently clear

Letter c

Decentralized means that the implementation of extension constitutes domestic affairs of villages or site working-units, regencies/cities and provinces.

Participatory means that the implementation of extension involves the main agents, starting from the planning, implementation to evaluation.

Transparency means that extension is executed by principles of transparency so that the involved elements can ascertain.

Self-initiative means that extension is executed by prioritizing to the capability of the extension executives.

Equitable position means that extension is executed on the basis of equitable position between counselors, main agents and business communities.

Accountable means that evaluation of performance of extension is executed by comparing the implementation already realized to the planning already prepared simply, measurably, achievably, rationally and the activities can be scheduled.

Letters d and e

Sufficiently clear

Article 4

Sufficiently clear

Article 5

Paragraph (1)

Sufficiently clear

Paragraph (2)

The main targets of agricultural extension cover farmers, planters, breeders individually or in group, and other business communities.

The main targets of fishery extension cover fishermen, fish breeders and fish processors individually or in group, and groups undertaking fishery activity.

The main targets of forestry extension cover communities inside and around the forest area, groups or individuals of communities managing commodities produced from forest areas.

Paragraph (3)

Young generation and community leaders are young generation and community leaders by observing justice and perspective gender.

Articles 6 and 7

Sufficiently clear

Article 8

Paragraph (1)

Sufficiently clear

Paragraph (2)

Extension institution in the central level is agency in charge of extension affairs in every department/ministry responsible for agricultural, fishery and forestry sector.

In the provincial level, it is in the form of extension coordinating board responsible to the President through the Minister.

In the regental/municipal level, it is in the form of extension executive board responsible to regent/mayor.

In the district level, it's in the form of agricultural, fishery and forestry extension center responsible to regental/municipal extension executive board.

Paragraphs (3) and (4)

Sufficiently clear

Paragraph (5)

Extension posts in the rural areas constitute a forum of civil servant, private and self-initiative counselors as well as the main agents and business communities in the rural area as a place to discuss, plan, implement and monitor extension activities.

Article 9

Sufficiently clear

Article 10

Paragraph (1)

National Extension Commission is an independent institution as working partner of the Minister in giving recommendation related to extension. Members

of the National Extension Commission consist of specialists and/or practitioners having expertise and awareness in the extension or rural development sector.

Paragraphs (2) and (3)
Sufficiently clear

Article 11

Paragraph (1)

In the provincial level, Extension Coordinating Board is established because most of the extension activities rest on regencies/cities, while in the provincial level, the board is rather coordinative.

Paragraphs (2) and (3)
Sufficiently clear

Article 12

The provincial extension commission constitutes an independent institution established by the governor, consisting of specialists and/or practitioners having expertise and awareness in the extension or rural development sector.

Article 13
Sufficiently clear

Article 14

The regental/municipal extension commission constitutes an independent institution established by the regent/mayor, consisting of specialists and/or practitioners having expertise and awareness in the extension or rural development sector.

Article 15 up to Article 18
Sufficiently clear

Article 19

Paragraph (1)

Institution of the main agents is established participatorily in accordance with agreement between farmers, planters, fishermen, fish breeders, fish processors as well as communities inside and around forest.

Paragraph (2) up to paragraph (4)
Sufficiently clear

Article 20

Paragraph (1)

Sufficiently clear

Paragraph (2)

Provisions on appointment of civil servant counselors must secure priority from the government and regional governments to meet the need for civil servant counselors.

Paragraph (3)

Independent means that counselors work on the basis of their intention or at expense of institutions/business communities.

Article 21

Sufficiently clear

Article 22

Paragraph (1)

Civil servant counselors obtain equitable requirement, position hierarchy, functional allowance, professional allowance and retirement age.

Paragraph (2)

Sufficiently clear

Article 23

Paragraph (1)

Sufficiently clear

Paragraph (2)

Village or site working-unit extension programs are formulated by the main agents and business communities facilitated by counselors.

Paragraph (3)

Integration means that extension programs are formulated by observing district, regental, provincial and national extension programs on the basis of the need of the main agents and business communities.

Synergy means that relations between extension programs in every level are mutually supporting.

The provision aims at ensuring that all programs are harmonious and do not contravene in various levels.

Paragraphs (4) and (5)
Sufficiently clear

Articles 24 and 25
Sufficiently clear

Article 26
Paragraph (1) up to paragraph (3)
Sufficiently clear

Paragraph (4)
The extension methods are, among others, seminar, workshop, apprenticeship, comparative study, site meeting, technology meeting.

Article 28
Paragraph (1)
Technology can be in the form of product or process.

The product is, among others, seed, equipment and machine, material, pesticide and animal/fish medicine. Process means technology package, such as integrated plant management (PTT).

Certain technology is technology predicted to be capable of destroying the environment, affecting health and public peace and inflicting economic loss on the main agents, business communities and society. Among them are, genetically engineering technology, seedling technology and pest controlling technology.

Technology coming from traditional knowledge is product or process found by communities and/or already utilized broadly in accordance with tradition from generation to generation.

Paragraph (2)
Government institution issuing recommendation is the minister or official appointed by the minister.

Paragraphs (3) and (4)
Sufficiently clear

Article 29
Sufficiently clear

Article 30
Paragraph (1)
Sufficiently clear

Paragraph (2)
Cooperation means cooperation starting from the formulation of plan, implementation to monitoring of extension.

Paragraph (3)
Sufficiently clear

Article 31
Paragraphs (1) and (2)
Sufficiently clear

Paragraph (3)
The provision aims at enabling civil servant, private and self-initiative counselors to utilize facilities and infrastructure owned by the respective parties.

Paragraph (4)
Sufficiently clear

Article 32
Sufficiently clear

Article 33
Regulation regarding the financing of extension is, among others, minimal standard of operational cost, financing source as well as allocation and distribution of cost.

The minimal standard of operational cost covers:

- a. regular trip;
- b. appliance cost (raincoat, site shoe and working suit, soil test kit)
- c. pilot project and demonstration cost;
- d. formulation cost of extension substances;
- e. formulation cost of action plan.

Article 34 up to article 41
Sufficiently clear

SUPPLEMENT TO STATUTE BOOK OF THE REPUBLIC
OF INDONESIA NO. 4660

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