

REGULATION OF THE PROVINCE OF BALI
NUMBER 1 OF 2020
ON
CONTRIBUTION OF TOURISTS TO
THE PROTECTION OF NATURAL AND CULTURAL ENVIRONMENT OF BALI
BY THE BLESSINGS OF ALMIGHTY GOD

THE GOVERNOR OF BALI,

- Considering :
- a. that the natural beauty and uniqueness of Balinese culture based on the philosophical values of *Tri Hita Karana* which is sourced from the local wisdom of *Sad Kerthi* is Bali's main resource, which is a main potential of Balinese tourism;
 - b. that culture-based tourism in Bali has provided benefits to the Government, the Local Government, business actors, tourists, and the society, however, Tourism has also harmed Balinese nature, Balinese people (*krama*), and Balinese culture;
 - c. that to improve service quality tourism and overcome the negative impacts of tourism, culture-based restoration, conservation, and revitalization of natural and cultural environment of Bali through tourist contribution are needed;
 - d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to issue Regulation on Contribution of Tourists to the Protection of the Natural and Cultural Environment of Bali;

- Observing :
1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
 2. Law Number 64 of 1958 on Establishment of Level I Regions in Bali, West Nusa Tenggara and East Nusa Tenggara (State Gazette of the Republic of Indonesia of 1958 Number 115, Supplement to the State Gazette of the Republic of Indonesia Number 1649);
 3. Law Number 10 of 2009 on Tourism (State Gazette of the Republic of Indonesia of 2009 Number 11, Supplement to the State Gazette of the Republic of Indonesia Number 4966);
 4. Law Number 32 of 2009 on Protection and Management of the Environment (State Gazette of the Republic of Indonesia of 2009 Number 140, Supplement to the State Gazette of the Republic of Indonesia Number 5059);
 5. Law Number 23 of 2014 on local Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette Republic of Indonesia Number 5587) as amended several times, last by Law Number 9 of 2015 on the Second Amendment to Law Number 23 of 2014 on Local Government (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
 6. Law Number 5 of 2017 on Advancement of Culture (State Gazette of the Republic of Indonesia of 2017 Number 104, Supplement to the State Gazette of the Republic of Indonesia Number 6055);
 7. Government Regulation Number 27 of 2014 on Management of State/Local-Owned Assets (State Gazette of the Republic of Indonesia of 2014 Number 92, Supplement to the State Gazette of the Republic of Indonesia Number 5533);
 8. Government Regulation Number 12 of 2019 on Local Financial Management (State Gazette of the Republic of Indonesia of 2019 Number 42, Supplement to the State Gazette of the Republic of Indonesia Number 6322);

9. Regulation of the Minister of Home Affairs Number 19 of 2016 on the Guidelines for the Management of Local-Owned Assets (State Bulletin of the Republic of Indonesia of 2016 Number 547);

With The Joint Approval of
REGIONAL HOUSE OF REPRESENTATIVES OF THE PROVINCE OF BALI
and
THE GOVERNOR OF BALI

HAS DECIDED:

To issue: REGIONAL REGULATION ON CONTRIBUTION OF TOURISTS TO THE PROTECTION OF NATURAL AND CULTURAL ENVIRONMENT OF BALI.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Province means the Province of Bali.
2. Provincial Government means the Government of the Province of Bali.
3. Governor means the Governor of Bali.
4. Regional Apparatus means Regional Apparatus of the Province of Bali.
5. Culture means everything related to creativity, taste, intention, and the work of the society.
6. Natural Environment means a spatial unit with all objects, power, conditions, and living creatures, including humans, and their behavior, which affect the continuity of life and the welfare of humans and other living creatures.
7. Protection of the Natural Environment means a systematic and integrated effort made to appease and prevent environmental pollution and/or damage which includes planning, utilization, control, maintenance,

- supervision, and law enforcement.
8. Cultural Protection means an effort to maintain the continuity of culture which is carried out by means of inventory, security, conservation, restoration, and publication.
 9. Tourism means a travel activity carried out by a person or group of people by visiting certain places for the purpose of recreation, personal development, or studying the unique tourist attractions visited in a temporary period.
 10. Tourists mean foreign tourists and domestic tourists who travel to Bali.
 11. Tourist Contributions mean participation of tourists as a form of tourist concern in the Protection of the Natural and Cultural Environment of Bali to the Government of the Province of Bali in the form of goods and/or money.
 12. Tourism means a variety of tourist activities and is supported by various facilities and services provided by the society, business actor, Government, and Local Government.
 13. Tourism destination areas, hereinafter referred to as Tourism Destinations, mean geographical areas within one or more administrative areas in which there are tourist attractions, public facilities, tourism facilities, accessibility, and society that are interrelated and complement the realization of tourism.

CHAPTER II PRINCIPLES AND OBJECTIVES

Article 2

This Tourist Contribution Arrangement is based on the principles of:

- a. justice;
- b. proportionality;
- c. fairness;
- d. transparency;

- e. accountability;
- f. benefit;
- g. participation;
- h. togetherness; and
- i. sustainability.

Article 3

The Tourist Contribution Arrangement aims to:

- a. protect nature, environment, and waste management;
- b. protect custom, traditions, art, and Culture, as well as local wisdom;
- c. accelerate and strengthen efforts to advance Balinese culture as part of the national culture which is united in diversity;
- d. empower Traditional Villages;
- e. develop art and cultural facilities and infrastructure; and
- f. improve the quality of service and implementation of Balinese tourism.

CHAPTER III

TOURIST CONTRIBUTION

Article 4

- (1) Every Tourist visiting the Province contributes to the protection of nature and Culture of Bali.
- (2) Tourist Contributions as referred to in section (1) may be in the form of goods and/or money that are voluntary.
- (3) Tourist Contributions in the form of goods and/or money as referred to in section (2) are facilitated by Regional Apparatuses that handle Tourism affairs.
- (4) Acceptance of Tourist Contributions as referred to in section (1) is proven through proof of acceptance.

Article 5

Further provisions regarding Tourists Contribution management as referred to in Article 4 are regulated in a Governor Regulation.

CHAPTER IV
BENEFIT FOR TOURISTS

Article 6

Tourists benefit from the imposition of contributions in the forms of:

- a. improvement of tourism information services to more comprehensive, integrated, and up-to-date services;
- b. a cleaner, more attractive, and more sustainable natural environment noetic;
- c. custom, traditions, arts, and Culture, as well as the diverse local wisdom and *mataksu*;
- d. cleanliness, order, comfort, and safety in the tourist destination areas;
- e. service in the event of natural disaster; and
- f. services and the implementation of higher-quality Bali tourism.

Article 7

- (1) In the event of not obtaining benefits as referred to in Article 6, the Tourists may submit a complaint.
- (2) The complaints as referred to in section (1), are submitted in writing to the Regional Apparatus in charge of tourism affairs.
- (3) The regional apparatus as referred to in section (2), follows up a complaint in accordance with the provisions of Legislation.

CHAPTER V
GUIDANCE AND SUPERVISION

Article 8

- (1) The Governor carries out guidance and supervision of the implementation of the imposition of Tourist Contributions.
- (2) Guidance and supervision as referred to in section (1),

implemented by the Regional Apparatus dealing with tourism affairs.

- (3) Supervision of Tourists Contributions in the form of goods and/or money is carried out by the Government Internal Supervisory Apparatus.
- (4) The governor can form a team to carry out guidance and supervision.

CHAPTER VI PUBLIC PARTICIPATION

Article 9

- (1) The public may participate in the implementation of this Regional Regulation.
- (2) The public participation, as referred to in section (1), can be carried out in the form of submitting input and suggestions as well as supervising the use of Tourist Contribution funds.

CHAPTER VII CLOSING PROVISIONS

Article 10

The implementing regulations of this Regional Regulation must be issued not later than 6 (six) months as of the promulgation of this Regional Regulation.

Article 11

The Regional Regulation comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Regional Regulation by its placement in the Regional Gazette of the Province of Bali.

Issued in Bali
on 7 April 2020

GOVERNOR OF BALI,

signed

WAYAN KOSTER

Promulgated in Bali
on 7 April 2020

REGIONAL SECRETARY
OF THE PROVINCE OF BALI,

signed

DEWA MADE INDRA

REGIONAL GAZETTE OF THE PROVINCE OF BALI 2020 NUMBER 1

Jakarta, 16 May 2023

Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,



ELUCIDATION OF
REGULATION OF THE PROVINCE OF BALI NUMBER 1 OF 2020 ON
CONTRIBUTION OF TOURISTS TO THE PROTECTION OF NATURAL AND
CULTURAL ENVIRONMENT OF BALI

I. GENERAL

The natural characteristics of Bali, the life of Krama/Balinese people, and Balinese culture which are integrated into a system of people's lives based on the values of custom, religion, artistic and cultural traditions, and local wisdom which have made Bali a small island however it possesses its own characteristics, uniqueness, and beauty, as well as sublime, sacred, and *mataksu*. The combination of natural beauty and the uniqueness of Balinese culture based on the philosophical values of *Tri Hita Karana* which originates from the local wisdom of *Sad Kerthi* is the main potential resource of Bali tourism.

The development of Bali to become a major national and world tourism destination has indeed made a positive contribution to Bali itself and nationally, but on the other hand it has also had a significant negative impact. Bali's fundamentals which include Balinese Nature, Balinese People, and Balinese Culture tend to change massively and systemically. Overall, there has been a decline or degradation, both in quality and quantity, in the Balinese Natural Environment, Balinese Humans, and Balinese Culture.

In order to minimize degradation and the possibility of further damage to Bali's natural environment and the extinction of Balinese culture which is supported especially by Krama Bali, it is urgently necessary to carry out a real program of the preservation of natural and cultural environment of Bali in a planned, directed, structured,

measurable and sustainable manner, so that Bali returns to *being Padma Bhuwana*, the center of world civilization which is beautiful, sacred, and mataksu. The intended program to the protection of the natural and cultural environment of Bali must be carried out in parallel and simultaneously in 3 (three) ways, namely: restoration, conservation, and revitalization. As it should be, the Government and Local Governments who are the executors have to assume the main duties and responsibilities in dealing with this problem in a sustainable manner, while the participation of Krama Adat Bali serves as a supporting element. However, the Government of the Province of Bali faces various constraints on funding sources to carry out these duties and responsibilities.

Therefore, with the constraints of the prevailing legislation, the Government of the Province of Bali must be given the opportunity to explore sources of funding from their superior potential, namely the beauty of the natural environment and the uniqueness of Balinese culture. Thus, the Government of the Province of Bali will be able to take on the duties and responsibilities of carrying out programs to the preservation of natural and cultural environment of Bali which include restoration, conservation, and revitalization activities. The contribution of tourists to protect the natural and cultural environment of Bali is in line with the spirit of fulfilling the obligations of tourists to protect and respect custom, culture, and values of life in the local society and to maintain and preserve the environment as referred to in the provision of Article 25 of Law Number 10 of 2009 on Tourism.

One of the efforts to protect natural and cultural environment of Bali is through the active role of tourists in making a contribution. Tourist contributes to every foreign tourist and domestic tourist who travel to Bali as a form of love and commitment to protecting the natural environment and culture of Bali. This is in accordance with the principle of fair reciprocity, those who enjoy the beauty of the natural environment and the uniqueness of Balinese culture should contribute to the preservation of natural environment and culture of Bali.

Therefore the Regional Regulation of the Province of Bali on the Contribution of Tourists for the Protection of the natural and cultural environment of Bali is needed as an adequate legal basis for the Government of the Province of Bali to encourage the active role of Tourists to contribute

to managing the development of Bali fundamentally and comprehensively by supporting restoration, conservation, and revitalization of natural and cultural environment of Bali for the sake of the existence and sustainability of Bali in local, national and international dynamics.

Arrangements for the Contribution of Tourists for the Protection of the Natural and Cultural Environment of Bali are based on the principles of: justice, proportionality, reasonability, benefit, participation, togetherness and sustainability.

This Provincial Regulation on the Contribution of Tourists for the Protection of the Natural and Cultural Environment of Bali in general regulates the subject matter regarding: General Provisions, Principles and Objectives, Contribution of Tourists, Benefits for Tourists, Guidance and Supervision, Public Participation and Closing Provisions.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Point a

The term “justice” means the balance between rights and obligations.

Point b

The term “proportionality” means the balance between service with responsibility and ability.

Point c

The term “fairness” means within reasonable limits.

Point d

The term “transparency” means the principle of openness that allows the public to know and get the widest possible access to information about regional finance.

Point e

The term "Principle of Accountability" means the principle which determines that every activity and the final results of the activities of State Administrators must be accountable to the public or the people as the highest holder of state sovereignty in accordance with the provisions of the prevailing legislation.

Point f

The term "benefits" means contributions used to improve the quality of tourism services so that the Natural and Cultural Environment of Bali can still provide benefits for Tourism activities.

Point g

The term "participation" means the business world and Tourists participate in the Preservation of Natural and Cultural Environment of Bali as a form of collective investment.

Point h

The term "togetherness" means an activity carried out jointly for the public interests.

Point i

The term "sustainability" means to ensure that the Preservation of the Natural and Cultural Environment of Bali can be carried out continuously so that the natural beauty and uniqueness of Balinese Culture can continue to be enjoyed sustainably.

Article 3

Sufficiently clear.

Article 4

Section (1)

Sufficiently clear.

Section (2)

The term “goods” means goods related to the Protection of the Natural and Cultural Environment of Bali, including waste management equipment, ambulances, plant seeds, cleaning equipment, traditional musical instruments, and others.

Section (3)

The term “facilitation” means communicating the parties who will provide Tourist Contributions.

Section (4)

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Sufficiently clear.

SUPPLEMENT TO THE REGIONAL GAZETTE OF THE PROVINCE OF BALI
NUMBER 1