



REGENT OF MENTAWAI ISLANDS
WEST SUMATERA PROVINCE

REGULATION OF REGENT OF MENTAWAI ISLANDS
NUMBER 13 OF 2016

ON

GUIDELINES OF COMMENCEMENT OF REGIONAL REGULATION OF MENTAWAI
ISLANDS REGENCY NUMBER 2 OF 2015 ON MANAGEMENT AND UTILIZATION OF
SURFING TOURISM

BY THE GRACE OF GOD ALMIGHTY
REGENT OF MENTAWAI ISLANDS

- Considering : that in order to follow up the commencement of Regional Regulation of Mentawai Islands Regency Number 2 of 2015 on Management and Utilization of Surfing Tourism, it needs to stipulate Regulation of Regent of Mentawai Islands Regency Number 2 of 2015 on Management and Utilization of Surfing Tourism;
- Observing : 1. Indonesian Law Number 49 of 1999 on Establishment of Mentawai Islands Regency (Indonesian State Gazette of 1999 Number 177, Annex No. 3898) as amended by Indonesian Law Number 9 of 2000 on Amendment of Indonesian Law Number 49 of 1999 on

- Establishment of Mentawai Islands Regency (Indonesian State Gazette of 2000 Number 76, Annex No. 3946);
2. Indonesian Law Number 31 of 2004 on Fishery (Indonesian State Gazette of 2004 Number 18, Annex No. 4433) as amended by Indonesian Law Number 45 of 2009 on Amendment of Indonesian Law Number 31 of 2004 on Fishery (Indonesian State Gazette of 2014 Number 154, Annex No. 5073);
 3. Indonesian Law Number 33 of 2004 on Financial Balance between Central Government and Regional Government (Indonesian State Gazette of 2004 Number 126, Annex No. 4438);
 4. Indonesian Law Number 26 of 2007 on Spatial Planning (Indonesian State Gazette of 2007 Number 61, Annex No. 4725);
 5. Indonesian Law Number 27 of 2007 on Management of Coastal Area and Small Islands (Indonesian State Gazette of 2007 Number 84, Annex No. 4739) as amended by Indonesian Law Number 1 of 2014 on Amendment of Indonesian Law Number 27 of 2007 on Management of Coastal Area and Small Islands (Indonesian State Gazette of 2014 Number 2, Annex No. 5490);
 6. Indonesian Law Number 10 of 2009 on Tourism (Indonesian State Gazette of 2009 Number 11, Annex No. 4966);
 7. Indonesian Law Number 32 of 2009 on Protection and Management of Environment (Indonesian State Gazette of 2009 Number 140, Annex No. 5059);
 8. Indonesian Law Number 12 of 2011 on Formation of Legislation (Indonesian State Gazette of 2011 Number 82, Annex No. 5234);
 9. Indonesian Law Number 23 of 2014 on Regional Government (Indonesian State Gazette of 2014 Number 244, Annex No. 5587) as amended for several times and the latest version is Indonesian Law Number 9 of 2015 on Second Amendment of Indonesian Law Number 23 of 2014 on Regional Government (Indonesian State Gazette of 2015 Number 58, Annex No. 5679);
 10. Government Regulation Number 19 of 1999 on Control of Marine Pollution and or Impairment (Indonesian State Gazette of 1999 Number 155, Annex No. 3816);

11. Government Regulation Number 36 of 2002 on Rights and Obligation of Foreign Ship in Peacefully Passing Indonesian Water (Indonesian State Gazette of 2002 Number 70, Annex No. 4209);
12. Government Regulation Number 37 of 2002 on Rights and Obligation of Foreign Ship and Aircraft in Peacefully Passing Indonesian Water through the Stipulated Water Lanes (Indonesian State Gazette of 2002 Number 71, Annex No. 4210);
13. Government Regulation Number 60 of 2007 on Conservation of Fish Sources (Indonesian State Gazette of 2007 Number 134, Annex No. 4779);
14. Government Regulation Number 50 of 2011 on Ultimate Plan of National Tourism Development in 2010-2025 (Indonesian State Gazette of 2011 Number 125, Annex No. 5262);
15. Government Regulation Number 27 of 2012 on Environmental Permit (Indonesian State Gazette of 2012 Number 48, Annex No. 5285);
16. Regional Regulation of Mentawai Islands Regency Number 1 of 2015 on Tourism;
17. Regional Regulation of Mentawai Islands Regency Number 2 of 2015 on Management and Utilization of Surfing Tourism;
18. Regional Regulation of Mentawai Islands Regency Number 8 of 2015 on Retribution of Recreational Places;

DECISION

To Stipulate : REGULATION OF REGENT OF MENTAWAI ISLANDS NUMBER 13 OF 2016 ON GUIDELINES OF COMMENCEMENT OF REGIONAL REGULATION OF MENTAWAI ISLANDS REGENCY NUMBER 2 OF 2015 ON MANAGEMENT AND UTILIZATION OF SURFING TOURISM

CHAPTER I

GENERAL STIPULATION

Article 1

In this Regulation, the intended:

1. Region is Mentawai Islands Regency.

2. Regional Government is the Government of Mentawai Islands Regency.
3. Regent is the Regent of Mentawai Islands Regency.
4. Department of Culture, Tourism, Youth, and Sports Affairs which is subsequently referred to as *Disbudparpora* is the Department of Culture, Tourism, Youth, and Sports Affairs of Mentawai Islands Regency.
5. Tourism is the travelling activity done by a person or a group of people by visiting certain places for recreational purposes, self-developmment, or learning the uniqueness of the visited tourism place.
6. Enterprise is a group of people and/ or capital which becomes an integrity, either for business purpose or not which includes Limited Company, Limited Partnership, other Companies, State-Owned Enterprise (BUMN), or Regional-Owned Enterprise (BUMD) with any name and shape, firm, joint venture, cooperation, retirement fund, alliance, association, foundation, mass organization, social-politic organization, or other organization, institution, and other forms of enterprise including collective investment contract and permanent establishment.
7. Surfing is a kind of sport which is done on the water by standing up on a surfing board and following the flow of waves.
8. Surfing tourism site is the points or coordinate spots of surfing waves on the water.
9. Surfing tourism is the sport activity done by a person on a surfing wave with the purpose of enjoying and fulfilling the surfing need.
10. Exclusive tourism is the tourism which is particularly managed and limited which pays attention to the environmental carrying capacity.
11. Surfing ship is a ship with the function of transportation for the surfer which has the facility that is more than other domestic ships.
12. Surfing accommodation business is the business of providing accommodation for the surfers such as hotel, resort, villa, or cottage that is completed by other tourism services.
13. Hotel resort is the accommodation service for the tourists that features the natural view and architecturally has the period of building and activity rooms that can be separated.
14. Villa is the accommodation services in the form of a single building that is completed by facilities, entertainment activity, and other facilities.
15. Tourist cottage is the accommodation service in the form of house for staying which is lived by the owner and is partly utilized for rent by providing the opportunity to the tourist for interacting in the daily activities of the owner.

16. Surfing travel service which is subsequently mentioned as tourism business is the event organizer for surfing tourism and surfing travel agency.
17. Event organizer for surfing tourism is the service provider of travel planning and/ or service provider and manager of surfing tourism.
18. Surfing tourism travel agency is the business of facility booking, such as ticket booking and accommodation booking and the documents for surfing travel.
19. Mooring Buoy in the tourism site is the floating equipment for the mooring of surfing ship and/ or surfing boat.
20. Quota is the highest number of people who may do the surfing activity on a surfing point.
21. Surfing carrying capacity is the maximum capacity of number of surfers on a surfing point and/ or surfing area.
22. Tourism Information Center which is subsequently mentioned as TIC is the Tourism Information Center of Mentawai Islands Regency.

CHAPTER II

SCOPE

Article 2

- (1) The scope of commencement of management and utilization of surfing tourism includes the plan of management, stipulation of carrying capacity, mechanism of utilization, surveillance, prohibition, and sanction.
- (2) The commencement of management and utilization of surfing tourism as intended in article (1), is commenced by the Regent through *Disbudparpora*.

CHAPTER III

MANAGEMENT PLAN OF SURFING TOURISM

Article 3

The management of surfing tourism is commenced sustainably by considering the carrying capacity.

Article 4

The management of surfing tourism as intended in Article 3 is commenced based on the management plan.

Article 5

Management plan of surfing tourism as intended in Article 4 includes:

- a. Stipulation of zonation;
- b. Stipulation of carrying capacity;
- c. Mechanism of utilization; and
- d. Technique of Surveillance.

ZONATION OF SURFING TOURISM

Article 6

Zonation of surfing tourism is stipulated on the surfing area of the district.

Article 7

Surfing area of the district as intended in Article 6 includes:

- a. zonation of surfing area of West Siberut District;
- b. zonation of surfing area of South West Siberut District;
- c. zonation of surfing area of North Sipora District;
- d. zonation of surfing area of South Sipora District;
- e. zonation of surfing area of North Pagai District; and
- f. zonation of surfing area of South Pagai District.

CHAPTER V

CARRYING CAPACITY OF SURFING TOURISM

Article 8

- (1) The limited carrying capacity of surfing tourism limits the number of surfers that can undertake surfing in the surfing area of the district.
- (2) Number of surfers who can surf in the surfing area of the district which has limited carrying capacity as intended in section (1) is stipulated by Regent Decree.
- (3) Limitation of surfers as intended in section (2) is divided by the percentage quota as follows:
 - a. quota of tourists for accommodation business is 50 percent;
 - b. quota of tourists for surfing ship is 30 percent;
 - c. quota of other tourists is 20 percent.

CHAPTER VI

SERVICE

Article 9

Services for tourists are provided by *Disbudparpora* either directly or indirectly.

Article 10

- (1) Direct services as intended in Article 9 is done through TIC Office and Beach Watch Post.
- (2) Services in TIC Office as intended in article (1) is commenced on:
 - a. TIC Office Padang;
 - b. TIC Office Tuapejat, Tuapejat Sub-District;
 - c. TIC Office Maileppet, Maileppet Sub-District;
 - d. TIC Office Peipei, Taileleu Sub-District; and
 - e. *Disbudparpora* Office.
- (3) Service in Beach Watch Post as intended in section (1) is commenced on:
 - a. Beach Watch Post of Nyangnyang Island, Taileleu Sub-District;
 - b. Beach Watch Post of Karamajat Island, Taileleu Sub-District;
 - c. Beach Watch Post of Jati Beach, Tuapejat Sub-District;
 - d. Beach Watch Post of Katiet Beach, Bosua Sub-District; and
 - e. Beach Watch Post of Teluk Pasongan Beach, Silabu Sub-District.

Article 11

- (1) The form of service for surfers on TIC and Watch Post as intended in Article 10 is commenced by:
 - a. providing information on surfing tourism and other necessary information;
 - b. management of quota of surfers on the surfing spot; and
 - c. providing emergency assistance for the surfers if there is any problem and accident in the location of surfing.
- (2) The form of information of surfing tourism as intended in section (1) letter a includes:
 - a. information about the location of surfing point;
 - b. information about the service of tourism transportation;
 - c. information about accommodation services;
 - d. information about a place for purchasing tickets.
- (3) The emergency assistance for surfers as intended in section (1) letter c is in the form of:
 - a. providing first aid for surfers who experience accident in the surfing location;

- b. helping the surfers who have accident to reach the nearest health care centre to receive medical attention.

Article 12

The indirect service as intended in Article 9 is done through providing tourism information on the website www.mentawai-travel.com

CHAPTER VII MECHANISM OF UTILIZATION SURFING TOURISM

Article 13

- (1) Utilization of surfing tourism is done by each surfer by paying the Retribution first.
- (2) Proof of Retribution payment as intended in section (1) is in the form of ticket and is completed with a bracelet.

Article 14

Payment for ticket and bracelet is done on:

- a. TIC Office Padang; and
- b. *Disbudparpora* Office.

Article 15

The validity period of ticket and bracelet as the admission of surfing is 15 (fifteen) days, and can be extended by re-paying the ticket and bracelet for the next 15 days of visiting.

CHAPTER VIII SURVEILLANCE

Article 16

Surveillance is categorized as Internal surveillance, External surveillance, and Integrated team surveillance.

Article 17

Internal surveillance as intended in Article 16 is carried out by *Disbudparpora* through Beach Watch Post.

Article 18

External surveillance as intended in Article 16 can be done in association with tourism business, and the community for which results of Surveillance should be reported to *Disbudparpora*.

Article 19

Integrated team surveillance as intended in Article 16 is the Cross-sectoral surveillance and Cross-institution which include:

- a. *Disbudparpora* as the coordinator;
- b. Police District of Mentawai Islands Regency;
- c. Tuapejat Navy;
- d. Department of Water and Fishery;
- e. KP2T;
- f. Law Division;
- g. Office of Integration of Nation, Politics, and Social Protection; and
- h. Municipal Police.

Article 20

Bureau of tourism travel and/ or tourism travel agency, tour guides, and providers of accommodation are obliged to report the number of their tourist guests to the staff of Beach watch post on each visit.

CHAPTER IX PROHIBITION

Article 21

Each surfer is prohibited to surf beyond the carrying capacity as intended in Article 8 section (2) and section (3).

Article 22

- (1) Each surfer is obligated to wear bracelet as the mark when they do the surfing activity.
- (2) Each surfer is prohibited to re-use the bracelet which is no longer valid.
- (3) Each surfer is prohibited to wear a bracelet which is not theirs when they do the surfing activity.

CHAPTER X

SANCTION

Article 23

The bureau of tourism travel and/ or tourism travel agency, tour guides, and providers of accommodation who do not report as intended in Article 20, will be imposed sanctions of warning up to the recommendation of revocation of Tourism Business Registration License (TDUP) of the company.

Article 24

Each surfer who violates Article 21 will be imposed sanctions of prohibition to surf by the staff of Beach watch post.

CHAPTER XI

STIPULATION OF CLOSING

Article 25

The Regulation of Regent starts to apply on the commenced date.

In order that every individual is aware of this regulation, it is ordered to legislate the Regulation of Regent by including it into the Regional Report of Mentawai Islands Regency.

Stipulated In Tuapejat,
On 16 May 2016

REGENT OF MENTAWAI
ISLANDS,

signed

YUDAS SABAGGALET

Commenced In Tuapejat
On 16 May 2016

REGIONAL SECRETARY OF
MENTAWAI ISLANDS REGENCY,

signed

IFDIL GUSTI

REGIONAL REPORT OF MENTAWAI ISLANDS REGENCY OF 2016
NUMBER: 13