

REGENT OF GRESIK

REGULATION OF THE REGENT OF GRESIK

NUMBER 51 OF 2009

ON

AMENDMENT TO REGULATION OF THE REGENT OF GRESIK NUMBER 28 OF 2007
ON THE DETERMINATION OF LAND ACQUISITION FOR PT. PENDI MUNGIL / PT. BUMI
MENARA HIJAU AND PT. KERAMIK DIAMOND INDUSTRIES FOR
THE CONSTRUCTION OF THE SURABAYA - MOJOKERTO TOLL ROAD

BY THE BLESSINGS OF ALMIGHTY GOD

REGENT OF GRESIK

Considering: a. that the compensation as stipulated in the Regulation of the Regent of Gresik Number 28 of 2007 dated July 18, 2007, was realized in 2008 to PT. PENDI MUNGIL / PT. MENARA HIJAU in accordance with the price determined based on mutual agreement;

b. that the determination of the land acquisition price for PT. KERAMIK DIAMOND INDUSTRIES was not realized due to the unavailability of funds in the Surabaya ? Mojokerto Toll Road Project, resulting in a renewed mutual agreement on compensation payments;

c. that to realize the implementation referred to in points a and b above, it is necessary to redetermine the payment price in a Regents Regulation.

Considering: 1. Law Number 5 of 1960 on Basic Agrarian Principles;

2. Law Number 51 Pro 1960 on the Prohibition of Land Use Without Permission from the Entitled Party;

3. Law Number 20 of 1961 on the Revocation of Land Rights and Objects Thereon;

4. Law Number 32 of 2004 on Regional Government as amended twice by Law Number 12 of 2008;

5. Presidential Regulation Number 36 of 2005 on Land Acquisition for Public Development as

amended by Presidential Regulation Number 65 of 2006;

6. Presidential Decree Number 34 of 2003 on National Policy in the Field of Land;

7. Regulation of the Minister of Agrarian Affairs/Head of the National Land Agency Number 1 of 1994 on the Implementation Provisions of Presidential Decree Number 55 of 1933 on Land Acquisition for Public Development;

8. Decision of the Governor of East Java Province Number 49 of 1994 on the Land Acquisition Committee for Public Interest in Gresik Regency;

9. Decision of the Regent of Gresik Number 85 of 2003 on the Delegation of Certain Authorities in the Field of Land;

10. Decision of the Regent of Gresik Number 050/19/HK/403.14/2005 on the Second Amendment to the Decision of the Regent of Gresik Number: 590/2833/HK/403.14/2005 on the Land Acquisition Committee for Public Development.

DECIDES

To Enact: AMENDMENT TO REGULATION OF THE REGENT OF GRESIK NUMBER 28 OF 2007 ON THE DETERMINATION OF LAND ACQUISITION FOR PT. PENDI MUNGIL / PT. BUMI MENARA HIJAU AND PT. KERAMIK DIAMOND INDUSTRIES FOR THE CONSTRUCTION OF THE SURABAYA - MOJOKERTO TOLL ROAD

Article I

Several provisions in Regulation of the Regent of Gresik Number 28 of 2007, promulgated in the Gresik Regency Regional Gazette dated July 18, 2007, Number 1610, are amended as follows:

1. The provision of Article 2, section (1), point c is amended to read as follows:

Article 2

(1) The amount of compensation between the owner and the Gresik Regency Land Acquisition Committee is agreed as follows:

- a. Land owned by PT. PENDI MUNGIL / PT. BUMI MENARA HIJAU in Sumpat Village is set at Rp. 235,000,-/m² (two hundred and thirty-five thousand Rupiah) per square meter.
 - b. Land owned by PT. PENDI MUNGIL / PT. BUMI MENARA HIJAU in Tanjungan Village is set at Rp. 235,000,-/m² (two hundred and thirty-five thousand Rupiah) per square meter.
 - c. Land owned by PT. KERAMIK DIAMOND INDUSTRIES is set at Rp. 252,000,-/m² (two hundred and fifty-two thousand Rupiah) per square meter.
- (2) The amount of building compensation is determined according to the appraisal from the Gresik Regency Public Works Agency.
- (3) The amount of crop compensation is determined according to the appraisal from the Gresik Regency Agriculture Agency.

Article II

This Regents Regulation shall come into force on the date of its promulgation.

In order that everyone may be aware of this, the promulgation of this Regents Regulation is ordered by its placement in the Gresik Regency Regional Gazette.

Enacted in Gresik

On December 1, 2009

REGENT OF GRESIK

Dr. KH. ROBBACH MA[?]SUM, Drs. MM