

GOVERNMENT OF THE REGENCY OF GRESIK

REGIONAL REGULATION OF THE REGENCY OF GRESIK

NUMBER 7 OF 2012

ON

THE MANAGEMENT OF DISASTER MITIGATION

BY THE BLESSINGS OF ALMIGHTY GOD

The REGENT OF GRESIK,

Considering: a. that the Regency of Gresik has geographical, geological, and demographic conditions that are prone to disasters, both caused by natural factors, non-natural factors, and human actions that cause environmental damage, loss of property, psychological impact, and loss of life, which in certain circumstances can hinder regional development;

b. that to anticipate disaster risks and restore post-disaster conditions in accordance with the values that live, grow, and develop in community life, systematic, planned, coordinated, and integrated disaster mitigation efforts are needed;

c. that based on the provisions of Article 9 of Law Number 24 of 2007, the authority of the Regional Government in the management of disaster mitigation must establish regional policies in its area in line with regional development;

d. that based on the considerations as referred to in points a, b, and c, it is necessary to issue a Regional Regulation of the Regency of Gresik on Disaster Mitigation Management;

Considering: 1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;

2. Law Number 12 of 1950 on the Establishment of Regions within the Province of East Java as amended by Law Number 2 of 1965 on the Amendment of the Boundary of the Surabaya Municipality and the Type II Region of Surabaya (State Gazette of 1965 Number 19, Supplement to the State Gazette of the Republic of Indonesia Number 2730);

3. Law Number 32 of 2004 on Regional Government (State Gazette of the Republic of Indonesia of 2004 Number 125, Supplement to the State Gazette of the Republic of Indonesia Number 4437) as amended twice by Law Number 12 of 2008 on the Second Amendment to Law Number 32 of 2004 on Regional Government (State Gazette of the Republic of Indonesia of 2008 Number 59, Supplement to the State Gazette of the Republic of Indonesia Number 4844);

4. Law Number 33 of 2004 on Financial Balance between the Central Government and Regional Governments (State Gazette of the Republic of Indonesia of 2004 Number 126, Supplement to the State Gazette of the Republic of Indonesia Number 4438);

5. Law Number 38 of 2004 on Roads (State Gazette of the Republic of Indonesia of 2004 Number 132, Supplement to the State Gazette of the Republic of Indonesia Number 4441);

6. Law Number 24 of 2007 on Disaster Mitigation (State Gazette of the Republic of Indonesia of 2007 Number 66, Supplement to the State Gazette of the Republic of Indonesia Number 4723);

7. Law Number 26 of 2007 on Spatial Planning (State Gazette of the Republic of Indonesia of 2007 Number 68, Supplement to the State Gazette of the Republic of Indonesia Number 4725);

8. Law Number 11 of 2009 on Social Welfare (State Gazette of the Republic of Indonesia of 2009 Number 12, Supplement to the State Gazette of the Republic of Indonesia Number 4967);

9. Law Number 25 of 2009 on Public Services (State Gazette of the Republic of Indonesia of 2009

Number 112, Supplement to the State Gazette of the Republic of Indonesia Number 5038);

10. Law Number 32 of 2009 on Environmental Protection and Management (State Gazette of the Republic of Indonesia of 2009 Number 33, Supplement to the State Gazette of the Republic of Indonesia Number 4988);

11. Law Number 36 of 2009 on Health (State Gazette of the Republic of Indonesia of 2009 Number 144, Supplement to the State Gazette of the Republic of Indonesia Number 5063);

12. Law Number 12 of 2011 on the Formation of Legislation (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234);

13. Law Number 2 of 2012 on Land Acquisition for Development in the Public Interest;

14. Government Regulation Number 79 of 2005 on Guidelines for Guidance and Supervision of Regional Government Management (State Gazette of the Republic of Indonesia of 2005 Number 165, Supplement to the State Gazette of the Republic of Indonesia Number 4593);

15. Government Regulation Number 34 of 2006 on Roads (State Gazette of the Republic of Indonesia of 2006 Number 30, Supplement to the State Gazette of the Republic of Indonesia Number 4638);

16. Government Regulation Number 38 of 2007 on the Division of Government Affairs between the Central Government, Provincial Regional Governments, and Regency/City Regional Governments (State Gazette of the Republic of Indonesia of 2007 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 4737);

17. Government Regulation Number 41 of 2007 on Regional Apparatus Organization (State Gazette of the Republic of Indonesia of 2007 Number 89, Supplement to the State Gazette of the Republic of

Indonesia Number 4741);

18. Government Regulation Number 21 of 2008 on Disaster Mitigation Management (State Gazette of the Republic of Indonesia of 2008 Number 42, Supplement to the State Gazette of the Republic of Indonesia Number 4828);

19. Government Regulation Number 22 of 2008 on Funding and Management of Disaster Assistance (State Gazette of the Republic of Indonesia of 2008 Number 43, Supplement to the State Gazette of the Republic of Indonesia Number 4829);

20. Government Regulation Number 23 of 2008 on the Role of International Institutions and Non-Governmental Foreign Institutions in Disaster Mitigation (State Gazette of the Republic of Indonesia of 2008 Number 44, Supplement to the State Gazette of the Republic of Indonesia Number 4830);

21. Government Regulation Number 42 of 2008 on Water Resources Management (State Gazette of the Republic of Indonesia of 2008 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 4858);

22. Presidential Regulation Number 36 of 2005 on Land Acquisition for the Implementation of Development in the Public Interest as amended by Presidential Regulation Number 65 of 2006 on Amendments to Presidential Regulation Number 36 of 2005 on Land Acquisition for the Implementation of Development in the Public Interest;

23. Presidential Regulation Number 8 of 2008 on the National Disaster Management Agency;

24. Regulation of the Minister of Home Affairs Number 46 of 2008 on Guidelines for the Organization and Work Procedures of the Regional Disaster Management Agency;

25. Regulation of the Minister of Home Affairs Number 53 of 2011 on the Formation of Regional

Legal Products;

26. Regulation of the Head of the National Disaster Management Agency Number 1 of 2008 on the Organization and Work Procedures of the National Disaster Management Agency;

27. Regulation of the Head of the National Disaster Management Agency Number 3 of 2008 on Guidelines for the Formation of the Regional Disaster Management Agency;

28. Regulation of the Head of the National Disaster Management Agency Number 4 of 2008 on Guidelines for the Preparation of Disaster Mitigation Plans;

29. Regulation of the Head of the National Disaster Management Agency Number 6 of 2008 on Guidelines for the Use of Ready-to-Use Funds;

30. Regulation of the Head of the National Disaster Management Agency Number 9 of 2008 on the Standard Operating Procedure of the Rapid Response Team;

31. Regional Regulation of the Regency of Gresik Number 8 of 2010 on the Organization of Other Institutions as Regional Apparatus;

With Mutual Agreement

THE REGIONAL HOUSE OF REPRESENTATIVES OF REGENCY OF GRESIK

and

The REGENT OF GRESIK

DECIDE:

To Enact: REGIONAL REGULATION ON DISASTER MITIGATION MANAGEMENT.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means the Regency of Gresik.
2. Head of Region means the Regent of Gresik.
3. Regional Government means the Government of the Regency of Gresik.
4. Regional House of Representatives, hereinafter referred to as DPRD, means the Regional House of Representatives of the Regency of Gresik.
5. National Disaster Management Agency, hereinafter referred to as BNPB, means a non-departmental government agency headed by a minister-level official established by the Government, as the agency authorized to manage disaster mitigation at the national level.
6. Regional Disaster Management Agency, hereinafter referred to as BPBD, means the Regional Disaster Management Agency of the Regency of Gresik.
7. Head of Agency means the Head of the Regional Disaster Management Agency of the Regency of Gresik.
8. Disaster means an event or series of events that threaten and disrupt the lives and livelihoods of the community, caused by natural and/or non-natural factors, and/or human factors resulting in loss of human life, environmental damage, loss of property, and psychological impact.
9. Natural Disaster means a disaster caused by an event or series of events caused by nature, including earthquakes, tsunamis, volcanic eruptions, floods, droughts, typhoons, landslides, forest/land fires due to natural factors, and space events/celestial bodies.
10. Non-Natural Disaster means forest/land fires caused by humans, transportation accidents,

construction/technology failures, industrial impacts, nuclear explosions, environmental pollution, space activities, and extraordinary events caused by plant pests and diseases, epidemics, and outbreaks.

11. Social Disaster means an event or series of events caused by humans, including social unrest and social conflict between groups or between communities and terror.

12. Disaster Mitigation Management means a series of efforts that include the determination of development policies that risk causing disasters, including pre-disaster, emergency response, early recovery, and post-disaster.

13. Disaster Prevention means a series of activities carried out to reduce or eliminate disaster risks, both through reducing disaster threats and reducing the vulnerability of those threatened by disasters.

14. Disaster Risk means the potential losses caused by a disaster in a certain area and time period, in the form of death, injury, illness, threatened lives, loss of security, displacement, damage or loss of property, and disruption to community activities.

15. Disaster Mitigation Management is a series of efforts that include the determination of development policies that risk causing disasters, disaster prevention activities, emergency response, and rehabilitation.

16. Preparedness means a series of activities carried out to anticipate disasters through organization, and through appropriate and effective steps.

17. Early Warning means a series of activities providing warnings as soon as possible to the community about the possibility of a disaster in a certain place by the authorized institution.

18. Mitigation means a series of efforts to reduce disaster risks, both through physical development and awareness and increased ability to cope with disaster threats.

19. Disaster Emergency Response means a series of activities carried out immediately at the time of a disaster to address the adverse impacts caused, including the evacuation of victims, saving lives and property, fulfilling basic needs, protection, refugee management, and emergency restoration of infrastructure and facilities.

20. Disaster Victims means individuals or groups of people who suffer or die as a result of a disaster.

21. Recovery means efforts carried out during the post-disaster period, consisting of rehabilitation

and reconstruction.

22. Rehabilitation means the repair and restoration of all aspects of public services to an adequate level, with the main goal of normalizing or properly running all aspects of government and community life in the post-disaster area as it was before the disaster.

23. Reconstruction means rebuilding all infrastructure and facilities and institutions in the post-disaster area, both at the government and community levels, with the main goal of the growth and development of economic, social, and cultural activities, upholding the law and order, and the resurgence of community participation in all aspects of community life in the post-disaster area.

24. Management of Disaster Mitigation Assistance means the activities of receiving, storing, and distributing assistance provided and used in pre-disaster, emergency response, early recovery, and post-disaster.

25. Disaster Emergency Response Assistance means assistance to meet basic needs during emergencies.

26. Extraordinary Event, hereinafter referred to as KLB, means a status applied to classify the outbreak of a disease outbreak marked by a significant epidemiological increase in morbidity or mortality in an area within a certain period of time.

27. Disaster Mitigation Fund means funds used for disaster mitigation for the pre-disaster, emergency response, early recovery, and/or post-disaster stages.

28. State Budget, hereinafter referred to as APBN, means the annual financial plan of the state government approved by the House of Representatives.

29. Regional Budget, hereinafter referred to as APBD, means the annual financial plan of the Regional Government approved by the Regional House of Representatives.

CHAPTER II

PRINCIPLES, PRINCIPLES, AND OBJECTIVES

Article 2

(1) The principles in disaster mitigation management are:

- a. humanity;
- b. justice;
- c. equality of position in law and government;
- d. balance, harmony, and consistency;
- e. order and legal certainty;
- f. togetherness;
- g. sustainability of culture and the environment;
- h. based on science and technology; and

(2) The principles of participation in disaster mitigation management are:

- a. risk reduction;
- b. quick and accurate;
- c. priority;
- d. coordination and integration;
- e. efficient and effective;
- f. transparency and accountability;
- g. public interest;
- h. proportionality;
- i. professionalism;
- j. partnership;
- k. empowerment;
- l. non-discrimination;
- m. non-proselytizing;
- n. independence;
- o. local wisdom;
- p. rebuilding for the better; and
- q. sustainability.

Article 3

The objectives of disaster mitigation management are:

- a. to provide protection to the community from the threat of disasters;
- b. to ensure that disaster mitigation is carried out in a planned, integrated, coordinated, comprehensive, and sustainable manner;
- c. to build public and private participation and partnerships;
- d. to encourage the spirit of mutual cooperation, solidarity, and charity;
- e. to minimize the impact of disasters;
- f. to reduce vulnerability and increase community capacity in dealing with disasters.

CHAPTER III

RESPONSIBILITIES AND AUTHORITIES

Article 4

- (1) The Regional Government is responsible for disaster mitigation management.
- (2) In carrying out its duties and responsibilities in disaster mitigation, the regional government delegates the management of disaster mitigation to the BPBD.
- (3) Other regional apparatus are obligated to provide technical support to the BPBD as needed.

Article 5

The responsibilities of the Regional Government in disaster mitigation management include:

- a. disaster risk reduction and guidance on disaster risk reduction through development programs;

- b. protection of the community from the impacts of disasters;
- c. ensuring the fulfillment of the rights of the community and refugees affected by disasters in accordance with minimum service standards;
- d. allocating adequate disaster mitigation funds in the APBD;
- e. allocating disaster mitigation budget in the form of ready-to-use funds;
- f. restoring conditions from the impact of disasters according to regional capacity; and
- g. maintaining authentic and credible archives/documents of disaster threats and impacts.

Article 6

(1) The authority of the Regional Government in disaster mitigation management includes:

- a. establishing disaster mitigation policies in the Region, in line with regional development policies;
- b. preparing development plans that incorporate disaster mitigation policy elements;
- c. determining the status and level of regional disasters;
- d. implementing cooperation in disaster mitigation with other Provinces and/or Regencies/Cities;
- e. regulating the use of technology that has the potential to be a source of disaster threats or hazards;
- f. formulating policies for the prevention of the control and depletion of natural resources that exceed the capacity of nature and the impact of climate change; and
- g. controlling the collection and distribution of disaster contributions in the form of money or goods.

(2) The determination of the status and level of disaster as referred to in section (1) point c includes indicators that include:

- a. the number of victims;
- b. property losses;
- c. damage to infrastructure and facilities;
- d. the extent of the affected area; and
- e. the resulting socio-economic impact.

Article 7

In the event that the Regional Government is unable to exercise its authority as referred to in Article 6 section (1), the Regional Government must request assistance and/or support from the Provincial Government and/or the Government in accordance with the Legislation.

CHAPTER IV

REGIONAL DISASTER MANAGEMENT AGENCY OF THE REGENCY OF GRESIK

Article 8

(1) To carry out its responsibilities and authorities in disaster mitigation management, the Regional Government establishes the BPBD in accordance with the provisions of legislation.

(2) The BPBD as referred to in section (1) is led by the Head of Agency who is under and responsible to the Regent.

Article 9

The organizational structure of the BPBD consists of:

- a. Head of Agency;
- b. Guiding Element; and
- c. Implementing Element.

Article 10

(1) The Guiding Element of disaster mitigation as referred to in Article 9 point b has the function of:

- a. formulating the concept of implementing disaster mitigation policies in the Region; and
- b. monitoring and evaluating disaster mitigation management in the Region;

(2) The membership of the guiding element as referred to in section (1) consists of:

- a. Regional Government officials related to disaster mitigation; and
- b. Community members, professionals, and experts.

(3) The membership of the guiding element as referred to in section (2) point b is selected through a fit and proper test conducted by the committee.

Article 11

(1) The Implementing Element of disaster mitigation as referred to in Article 9 point c has the function of:

- a. coordination;
- b. command; and
- c. control in disaster mitigation management in the Regional area.

(2) The membership of the disaster mitigation implementing element as referred to in section (1) consists of professional and expert personnel.

Article 12

The Coordination function as referred to in Article 11 section (1) point a includes:

- a. Coordination of the BPBD with other agencies/offices horizontally at the pre-disaster, emergency response, and post-disaster stages, is carried out in the form of:

1. formulating disaster mitigation policies and strategies;
2. preparing disaster mitigation plans;
3. determining minimum needs standards;
4. creating disaster emergency response procedures;
5. disaster risk reduction;
6. creating disaster-prone maps;
7. preparing disaster mitigation budgets;
8. providing disaster mitigation resources/logistics; and
9. education and training, conducting drills/simulations of disaster mitigation.

b. Coordination of disaster mitigation management can be carried out through cooperation with other related agencies/organizations and parties in accordance with the provisions of legislation;

c. Cooperation involving the participation of other countries, international institutions, and non-governmental foreign institutions is carried out through coordination with the BNPB in accordance with the provisions of legislation.

Article 13

(1) The Command function as referred to in Article 11 section (1) point b is carried out in the status of a disaster emergency.

(2) In the status of a disaster emergency as referred to in section (1), the Regent can appoint a disaster emergency response commander upon the proposal of the Head of BPBD.

(3) The Disaster Emergency Response Commander as referred to in section (2) controls disaster mitigation operational activities and is authorized to activate and upgrade the Operations Control Center to a Command Post.

(4) The Disaster Emergency Response Commander as referred to in section (2) has the authority to command related agencies/institutions including:

- a. rescue;

- b. deployment of human resources;
- c. deployment of equipment; and
- d. deployment of logistics.

(5) The Disaster Emergency Response Commander in carrying out his duties is responsible to the Regent.

Article 14

The Control function as referred to in Article 11 section (1) point c is carried out in the case of:

- a. the use of technology that suddenly and/or gradually becomes a source of disaster threats;
- b. the control and management of natural resources that suddenly and/or gradually have the potential to become a source of disaster hazards;
- c. the depletion of natural resources that exceeds their carrying capacity, causing the threat of disaster;
- d. planning and enforcing regional spatial plans in relation to disaster mitigation;
- e. disaster mitigation activities carried out by government and non-governmental agencies/organizations;
- f. the determination of development policies that have the potential to cause disasters; and
- g. the collection and distribution of assistance in the form of money and/or goods and other services intended for disaster mitigation in its area, including granting permits for the collection of contributions in its area.

Article 15

Provisions regarding the organizational structure, work procedures, echeloning, and personnel in the Regional BPBD are in accordance with legislation.

CHAPTER V

DISASTER MITIGATION MANAGEMENT

Part One

General

Article 16

Disaster mitigation management in the region is carried out based on four aspects, including:

- a. the socio-economic and cultural aspects of the community;
- b. environmental sustainability;
- c. usefulness and effectiveness; and
- d. the broad scope of the area.

Article 17

(1) In disaster mitigation management, the Regional Government, in accordance with its authority, can:

- a. cooperate with other regions;
- b. determine the status of a disaster emergency and disaster-prone areas to be prohibited areas for settlements; and/or
- c. revoke or reduce some or all of the ownership rights of any person over an object in accordance with legislation.

(2) Anyone whose ownership rights are revoked or reduced as referred to in section (1) point c is entitled to compensation in accordance with legislation.

(3) Disaster-prone areas as referred to in section (1) point b are further regulated by the Regents Regulation.

Article 18

Disaster mitigation management involves three stages including:

- a. pre-disaster;
- b. during emergency response; and
- c. post-disaster.

Part Two

Pre-Disaster

Article 19

Disaster mitigation management in the pre-disaster phase includes:

- a. in situations where no disaster has occurred; and
- b. in situations where there is a potential for a disaster to occur.

Paragraph 1

Situation Where No Disaster Has Occurred

Article 20

(1) Disaster mitigation management in situations where no disaster has occurred includes:

- a. disaster mitigation planning;
- b. Early warning recognition and monitoring;
- c. disaster risk reduction;
- d. prevention;
- e. integration into development planning;
- f. disaster risk analysis requirements;
- g. implementation and enforcement of regional spatial plans;
- h. education and training; and
- i. disaster mitigation technical standard requirements.

(2) To support disaster mitigation management in situations where no disaster has occurred as referred to in section (1), research and development in the field of disaster can be carried out.

Article 21

(1) Disaster mitigation planning as referred to in Article 20 section (1) point a is part of regional development planning prepared based on the results of disaster risk analysis and disaster mitigation efforts, which are elaborated in program activities and budget details.

(2) Disaster mitigation planning as referred to in section (1) includes:

- a. recognition and assessment of disaster threats;
- b. understanding community vulnerability;
- c. analysis of the possibility of disaster impacts;
- d. selection of disaster risk reduction actions;
- e. determining the mechanism for preparedness and mitigation of disaster impacts; and
- f. allocation of tasks, authority, and available resources.

(3) The preparation of disaster mitigation plans as referred to in section (1) and section (2) is coordinated by the BPBD, based on guidelines established by the BNPB.

(4) Disaster mitigation plans are prepared for a period of 5 (five) years and are evaluated periodically every 2 (two) years or at any time if a disaster occurs.

(5) The disaster mitigation plan as referred to in section (2) is established by the Regent.

Article 22

(1) Disaster risk reduction as referred to in Article 20 section (1) point b is an activity to reduce threats and vulnerabilities and increase community capacity in dealing with disasters.

(2) Disaster risk reduction as referred to in section (1) is carried out through activities:

- a. Early warning system;
- b. recognition and monitoring of disaster risks;
- c. participatory disaster mitigation planning;
- d. developing a disaster-aware culture;
- e. fostering commitment to disaster mitigation management; and
- f. applying physical, non-physical efforts, and disaster mitigation regulations.

Article 23

(1) Prevention as referred to in Article 20 section (1) point c is carried out to reduce or eliminate disaster risks by reducing disaster threats and the vulnerability of those threatened by disasters.

(2) Prevention as referred to in section (1) is carried out through activities:

- a. identification and recognition of sources of hazard or disaster threats;
- b. monitoring of:
 - 1. control and management of natural resources;
 - 2. use of high technology;
- c. supervision of the implementation of spatial planning and environmental management; and

d. strengthening community social resilience.

(3) Prevention activities as referred to in section (2) are the responsibility of the Government, Regional Government, and community.

Article 24

The integration of disaster mitigation into development planning as referred to in Article 20 section (1) point d is carried out by the Regional Government through coordination, integration, and synchronization by including disaster mitigation elements into the Regional development plan.

Article 25

(1) The requirements for disaster risk analysis as referred to in Article 20 section (1) point e are carried out to identify and assess the level of risk from a condition or activity that can cause a disaster;

(2) The requirements for disaster risk analysis are used as a basis for preparing an environmental impact analysis, spatial planning, and taking preventive and mitigation actions.

(3) Disaster risk analysis is prepared based on the requirements of disaster risk analysis through research and studies on a condition or activity that has a high risk of causing a disaster.

(4) Every development activity that has a high risk of causing a disaster must be accompanied by a disaster risk analysis.

(5) The BPBD, in accordance with its authority, monitors and evaluates the implementation of disaster risk analysis.

Article 26

(1) The implementation and enforcement of regional spatial plans as referred to in Article 20 section (1) point f are carried out to control land use in accordance with regional spatial plans.

(2) Control of land use as referred to in section (1) includes the enforcement of regulations related to

spatial planning, safety standards, and the imposition of sanctions on violators.

(3) In the implementation and enforcement of regional spatial plans as referred to in section (1), a disaster-prone map is created to be informed to the community in disaster-prone areas.

(4) The Regional Government periodically conducts monitoring and evaluation of planning, spatial implementation, and fulfillment of safety standards.

Article 27

(1) Education and training as referred to in Article 20 section (1) point g are carried out to increase community awareness, care, ability, and preparedness in dealing with disasters.

(2) Education and training as referred to in section (1) are carried out by the Regional Government and the community, both individuals and groups, community institutions, and other parties, in the form of formal, non-formal, and informal education in the form of basic, advanced, technical training, simulations, and drills.

Article 28

(1) The technical standard requirements for disaster mitigation as referred to in Article 20 section (1) point h are standards that must be met in disaster mitigation.

(2) The technical standard requirements for disaster mitigation as referred to in section (1) are prepared by referring to guidelines established by the BNPB.

Paragraph 2

Situation Where There is a Potential for a Disaster to Occur

Article 29

Disaster mitigation management in situations where there is a potential for a disaster to occur includes:

- a. preparedness;
- b. early warning; and
- c. disaster mitigation.

Article 30

(1) Disaster mitigation preparedness is to ensure that quick and accurate actions are taken when a disaster occurs.

(2) Preparedness as referred to in section (1) is carried out in the form of:

- a. preparation and testing of emergency response plans;
- b. organizing, installing, and testing early warning systems;
- c. providing and preparing goods for basic needs;
- d. preparing personnel, infrastructure, and facilities that will be deployed and used in the implementation of standard operating procedures;
- e. installing instructions on disaster characteristics and rescue in disaster-prone areas;
- f. inventorying disaster-prone areas and safe locations for evacuating refugees and safe evacuation routes;
- g. dissemination, training, drills, and simulations on emergency response mechanisms;
- h. preparing evacuation locations; and
- i. preparing and updating standard operating procedures for disaster emergency response.

Article 31

(1) The Regional Government prepares general and special infrastructure and facilities for disaster mitigation in the Region in an effort to prevent, overcome, and mitigate the occurrence of disasters, in accordance with the provisions of legislation.

(2) General infrastructure and facilities include:

- a. early warning equipment in accordance with the conditions and capabilities of the Region;
- b. disaster posts and supporting equipment such as disaster location maps, communication equipment, emergency tents, generators (lighting equipment), body bags, and others;
- c. operational vehicles in accordance with regional conditions;
- d. disaster-prone maps;
- e. refugee evacuation routes and locations;
- f. standard operating procedures for disaster mitigation;
- g. public kitchens and logistics equipment;
- h. health posts with medical personnel and medicines;
- i. emergency tents for sheltering and evacuating refugees, preparing velbeds and preparing stretchers and other equipment;
- j. clean water facilities and sanitation/toilets at refugee evacuation sites, separating sanitation/toilets for men and women;
- k. data collection equipment for disaster victims (dead and injured, refugees, community buildings, government and private); and
- l. temporary refugee locations.

(3) Special infrastructure and facilities include:

- a. a media center as an information center that is easily accessible and reachable by the community;
- b. an official spokesperson/liaison officer who is tasked with informing about disaster incidents to agencies that need it in the Center and in the Region, the mass media, and the community;
- c. field hospitals and supporting health equipment;
- d. a trauma center by the Regional Government or disaster-concerned community institutions that functions to restore the psychological condition of disaster victims;
- e. transportation equipment in disaster mitigation;
- f. mass graves for deceased victims; and
- g. other special infrastructure and facilities.

(4) The BPBD is responsible for operating, using, and maintaining disaster infrastructure and facilities in the Region.

Article 32

(1) The Regional Government prepares a disaster emergency response plan as a reference in carrying out disaster mitigation in emergency situations, the implementation of which is carried out in a coordinated manner by the BPBD.

(2) The disaster emergency response plan can be supplemented with the preparation of contingency plans.

Article 33

(1) In the implementation of preparedness for the provision, storage, and distribution of logistics and equipment to disaster locations, a logistics and equipment management system is prepared by the BPBD, in accordance with the provisions of legislation.

(2) The development of the logistics and equipment management system as referred to in section (1) is carried out to optimize existing logistics and equipment in each agency/institution in the BPBD network.

(3) The functions of logistics and equipment management are:

- a. as the organizer of logistics and equipment management who has responsibilities, duties, and authorities in the Region;
- b. as the main contact point for disaster mitigation operations in disaster areas covering two or more bordering Regencies/Cities;
- c. coordinating all services and distribution of logistics and equipment in the disaster area;
- d. as the center for information, verification, and evaluation of the situation in the disaster area;
- e. maintaining relationships and coordinating all institutions involved in disaster mitigation and reporting periodically to the Head of BNPB;

- f. assisting and guiding operations in the disaster area at each stage of logistics and equipment management; and
- g. consistently implementing the guidelines of the logistics and equipment management system for disaster mitigation.

Article 34

- (1) Early warning is a quick and accurate action in order to reduce the risk of being affected by a disaster and prepare for emergency response actions.
- (2) Early warning as referred to in section (1) is carried out by:
 - a. observing disaster symptoms;
 - b. analyzing observation data;
 - c. making decisions based on the results of the analysis;
 - d. disseminating the results of the decision; and
 - e. taking action by the community.
- (3) Observation of disaster symptoms is carried out by authorized agencies/institutions in accordance with the type of disaster threat, to obtain data on disaster symptoms that may occur, taking into account local wisdom.
- (4) Authorized agencies/institutions submit the results of the analysis to the BPBD according to the location and level of the disaster, as a basis for making decisions and determining early warning actions.
- (5) Early warnings as referred to in section (2) must be disseminated by the Regional Government, private broadcasters, and the mass media in the Region in order to mobilize resources.
- (6) The BPBD coordinates the actions taken by the community to save and protect the community.

Article 35

- (1) Disaster mitigation is carried out to reduce the risks and impacts caused by disasters on the

community in disaster-prone areas.

(2) Disaster mitigation activities as referred to in section (1) are carried out through:

- a. planning and implementing regional spatial planning based on disaster risk analysis;
- b. regulating construction, infrastructure provision, and building layout; and
- c. conducting education, training, and outreach, both conventionally and modernly.

(3) In order to implement disaster mitigation as referred to in section (1) and section (2), the Regional Government prepares disaster information, a database, and disaster maps that include:

- a. the area of the Regency, District, and Village/Sub-district;
- b. the population of the Regency, District, and Village/Sub-district;
- c. the number of community houses, government buildings, markets, schools, community health centers, hospitals, places of worship, public facilities, and social facilities;
- d. types of disasters that often occur or recur;
- e. disaster-prone areas and disaster risks;
- f. the extent of disaster-prone areas;
- g. evacuation locations;
- h. evacuation routes;
- i. human resources for disaster mitigation; and
- j. other matters as needed.

(4) Disaster information, database, and disaster maps as referred to in section (3) function to:

- a. formulate policies, strategies, and disaster mitigation action plans;
- b. identify, monitor disaster hazards, vulnerabilities, and capacities in dealing with disasters;
- c. provide protection to the community in disaster-prone areas;
- d. develop early warning systems;
- e. identify disaster hazards, disaster risks, and losses due to disasters; and
- f. implement development that adapts to disasters and prepares the community to live in harmony

with disasters.

Article 36

In the context of disaster mitigation, the Regional Government, in accordance with its authority:

a. for landslide-prone areas, conducts:

1. control of land use considering the typology and level of vulnerability or disaster risk;
2. determination of the location and evacuation routes from residential areas and the determination of population relocation; and
3. restrictions on the establishment of buildings, except for monitoring disaster threats.

b. for landslide-prone areas with a high level of vulnerability, establishes:

1. provisions prohibiting settlement activities; and
2. provisions prohibiting excavation and slope cutting activities.

c. for landslide-prone areas with a moderate level of vulnerability, establishes:

1. provisions prohibiting the construction of industry/factories;
2. clearing slopes of human activities;
3. provisions prohibiting slope cutting and excavation; and
4. restrictions on the mining of category C mineral materials, taking into account slope stability and slope reclamation support.

d. for landslide-prone areas with a low level of vulnerability, are designated as areas unsuitable for industry.

Article 37

In the context of disaster mitigation for areas prone to tidal waves, the Regional Government, in accordance with its authority, establishes:

- a. control of land use, considering the characteristics, type, and disaster threats; and
- b. control of buildings, except for the construction of buildings for the purpose of monitoring disaster threats and public interest.

Article 38

In the context of disaster mitigation for flood-prone areas, the Regional Government, in accordance with its authority, establishes:

- a. the determination of floodplains;
- b. the utilization of floodplains for green open spaces and the control of the development of public facilities with low density;
- c. provisions prohibiting activities for public facilities