

REGULATION OF THE REGENT OF WONOSOBO
NUMBER 10 OF 2021
ON
PROCEDURES FOR TANGIBLE CULTURAL HERITAGE SEARCH AND/OR
RESEARCH PERMITS IN THE REGENCY OF WONOSOBO

BY THE BLESSINGS OF ALMIGHTY GOD

REGENT OF WONOSOBO,

Considering: that for implementing the provisions of Article 22 section (5) and Article 60 section (6) of Regulation of the Regency of Wonosobo Number 1 of 2018 on Protection of Tangible Cultural Heritage, it is necessary to issue a Regulation of the Regent of Wonosobo on Procedures for Permits for Tangible Cultural Heritage Search and/or Research in the Regency of Wonosobo;

Observing:

1. Law Number 13 of 1950 on Establishment of Regency Areas within the Province of Central Java;
2. Law Number 11 of 2010 on Tangible Cultural Heritage (State Gazette of the Republic of Indonesia of 2010 Number 130, Supplement to the State Gazette of the Republic of Indonesia Number 5168);
3. Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234) as amended by Law Number 15 of 2019 on the Amendment to Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2019 Number 183, Supplement to the State Gazette of the Republic of Indonesia Number 6398);
4. Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2014 Number 244), Supplement to the State Gazette of the 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 Governments (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);

5. Regulation of the Province of Central Java Number 10 of 2013 on Preservation and Management of Tangible Cultural Heritage of the Province of Central Java (Regional Gazette of the Province of Central Java of 2013 Number 10, Supplement to the Regional Gazette of the Province of Central Java Number 56);
6. Regulation of the Regency of Wonosobo Number 2 of 2011 on Regional Spatial Plan (Rencana Tata Ruang Wilayah, RTRW) of the Regency of Wonosobo 2011-2031 (Regional Gazette of the Regency of Wonosobo of 2011 Number 2, Supplement to the Regional Gazette of the Regency of Wonosobo Number 2);
7. Regulation of the Regency of Wonosobo Number 1 of 2018 on Protection of Tangible Cultural Heritage (Regional Gazette of the Regency of Wonosobo of 2018 Number 1, Supplement to the Regional Gazette of the Regency of Wonosobo Number 1);

HAS DECIDED:

To issue: REGENT REGULATION ON PROCEDURES FOR PERMITS FOR TANGIBLE CULTURAL HERITAGE SEARCH AND/OR RESEARCH IN THE REGENCY OF WONOSOBO.

CHAPTER I GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means the Regency of Wonosobo.
2. Local Government means a Regent as the administering element of Local Government who leads the implementation of government affairs that are under the authority of the autonomous region.
3. Regent means the Regent of Wonosobo.
4. Regional Apparatus means an element that assists the Regent and the Regional House of Representatives in administering Government Affairs which become the authority of the region.
5. Tangible Cultural Heritage means a material cultural heritage in the form of Tangible Cultural Heritage Objects, Tangible Cultural Heritage Buildings, Tangible Cultural Heritage Structures, Tangible Cultural Heritage Sites, and Tangible Cultural Heritage Areas on land and/or in water that need to be preserved because they have important

values for history, science, education, religion and/or culture through the determination process.

6. Ownership means the strongest and fullest right to Tangible Cultural Heritage while still taking into account the social function and the obligation to preserve it.
7. Control means the granting of authority from the owner to the Government, Provincial Government, Local Government or any person to manage Tangible Cultural Heritage by taking into account the social functions and obligations to preserve it.
8. Preservation means a dynamic effort to maintain the existence of Tangible Cultural Heritage and its value by protecting, developing and utilizing it.
9. Research means a scientific activity carried out according to systematic rules and methods to obtain information, data, and information for the benefit of Preservation of Tangible Cultural Heritage, science, and cultural development.
10. Tangible Cultural Heritage Expert Team of the Municipality of Wonosobo means a group of preservation experts from various fields of science who have competence certificates to provide recommendations for determining, ranking, and removing Tangible Cultural Heritage, appointed by the Regent.
11. Objects Suspected of Being Tangible Cultural Heritage means material cultural heritage in the form of Objects, Buildings, Structures, Sites, and Area in land and/or in water whose existence needs to be preserved because it has important value for history and science knowledge, education, religion, and/or culture based on results of a study by the Tangible Cultural Heritage Expert Team/authorized party, which has not been designated as a Tangible Cultural Heritage.
12. Agency means an Institution or entity in which there is a set of real relationships of norms, values, and beliefs that are centred on various social needs and a series of important actions.

CHAPTER II

TYPES OF TANGIBLE CULTURAL HERITAGE RESEARCH

Article 2

- (1) Types of Tangible Cultural Heritage Research or Objects Suspected of Being Tangible Cultural Heritage, consists of:
 - a. Pure Research, and
 - b. Applied Research.
- (2) Pure Research as referred to in section (1) point a, aims to:
 - a. develop knowledge/technology/art;
 - b. reveal/ compile history related to culture;
 - c. reconstruct life method of humans in the past; and

- d. know process culture.
- (3) Applied Research as referred to in section (1) point b, aims for feasible studies of preservation/rehabilitation/restoration of Tangible Cultural Heritage.

CHAPTER III
PERMITS FOR TANGIBLE CULTURAL HERITAGE SEARCH
AND/OR STUDY

Part One
Assessment Team of Permits for Tangible Cultural Heritage
Search and/or Research

Article 3

- (1) In doing assessment on application for Permits for Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage, the Regent forms an Assessment Team of Permits for Tangible Cultural Heritage Search and/or Research.
- (2) Team membership as referred to in section (1), consists of:
 - a. Regional apparatus administering cultural affairs;
 - b. Regional apparatus administering research and development functions;
 - c. Regional apparatus administering national unity and politics;
 - d. Regional apparatus administering peace, public general order and community protection affairs;
 - e. Regional apparatus administering environmental life affairs;
 - f. Regional apparatus administering regional cooperation functions;
 - g. Legal Division of Regional Secretariat;
 - h. Regional apparatus administering spatial planning affairs;
 - i. Local sub-district Head;
 - j. Tangible Culture Heritage Expert Team of the Regency of Wonosobo.
- (3) Team as referred to in section (1) is formed by and responsible to the Regent.

Part Two
Requirements

Article 4

- (1) Activity of Search and/or activity of research of objects of Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage, can only be done with the Regent's permit.

- (2) The Regent's permit as referred to in section (1) may be issued as long as it meets the provisions, including:
- a. Search and/or Research on Tangible Cultural Heritage Objects and/or Objects Suspected of Being Tangible Cultural Heritage in the Region, can only be carried out in procedures and rules for research while still prioritizing efforts to save and/or preserve Tangible Cultural Heritage or Objects Suspected of Being Tangible Cultural Heritage;
 - b. Search and/or research activities of Tangible Cultural Heritage Objects and/or Objects Suspected of Being Tangible Cultural Heritage done by:
 1. Government Institutions/Provincial Governments/Local Governments administering cultural affairs, or administering other affairs by involving Government Institutions/Provincial Governments/ Local Governments administering cultural affairs;
 2. An organization that is a legal entity in Indonesia that operates in the field of research and/or or preservation of Tangible Cultural Heritage;
 3. Higher Education Institutions with relevant field of study in preserving Tangible Cultural Heritage, science, and/ or cultural development, and/or
 4. Foreign Agency which in field of research and/or preservation of Tangible Cultural Heritage, which meets the requirements based on the provisions of prevailing legislation.
 - c. for individuals or community groups, can only be carried out by Indonesian Citizens with mentoring officially by:
 1. Government Institutions/Provincial Governments/Local Governments administering cultural affairs, or administering other affairs by involving Government Agencies/Provincial Governments/Local Governments that administering cultural affairs;
 2. An organization that is a legal entity in Indonesia that operates in the field of research and/or or preservation of Tangible Cultural Heritage;
 3. Higher Education Institutions with relevant field of study in preserving Tangible Cultural Heritage, science, and/ or cultural development, and/or
 4. Foreign Agency which in field of research and/or preservation of Tangible Cultural Heritage, which meets the requirements based on the provisions of prevailing legislation.
 - d. having/involving experts (including archaeologist), who have experience and expertise in the field of searching

- and/or researching Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage, supported by valid documents/evidence;
- e. involving Tangible Cultural Heritage Expert Team of the Regency of Wonosobo;
 - f. having obtained official permit from the owner of the location, which is known to the local Rural Village Head/Urban Village Head, for the plan on search and/or research activities for Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage as referred to in section (1);
 - g. being willing to deliver Tangible Cultural Heritage objects and/or Objects Suspected of Being Tangible Cultural Heritage to be owned and/or possessed by the Local Government, especially if object findings rated by Tangible Cultural Heritage Expert Team are rare in type, unique in design, few in number, high level of threat or of important value to history, science, education, religion, and/or culture, as evidenced by a written statement;
 - h. not causing discomfort or security disturbance and order in public;
 - i. the applicant is willing to stop and hand over the findings of Tangible Cultural Heritage Objects and/or Objects Suspected of Being Tangible Cultural Heritage to Local Government through the Regional Apparatus administering Cultural Affairs, if based on the Regent's evaluation through the Assessment Team of Permits for Tangible Cultural Heritage Search and /or Research there has been misuse of permits and/or violation of provisions of Legislation, as evidenced by a statement letter;
 - j. the applicant stops and submits the findings of Tangible Cultural Heritage Objects and/or Objects Suspected of Being Tangible Cultural Heritage to Government Area via District Area Head of Cultural Affairs, if happen force majeure conditions/emergency conditions that threaten human safety/environmental preservation/preservation of existing cultural heritage and/or Objects Suspected of Being Tangible Cultural Heritage, as proven by a statement letter;
 - k. the applicant is willing to temporarily stop the activities on Tangible Cultural Heritage Search and/or Research and/or Objects Suspected of Being Tangible Cultural Heritage, if the permit period has expired, until a new permit is issued, as evidenced by a statement letter;
 - l. conducting a presentation of the results on search and/or research of Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage

to the Assessment Team of Permits for Tangible Cultural Heritage Search and /or Research through the Regional Apparatus administering Cultural Affairs after the completion of the research process and/or the end of the permit period;

- m. handing over report results on search and/or research of Tangible Cultural Heritage/Objects Suspected of Being Cultural Heritage to the Regent through the Regional Apparatus administering Cultural affairs after finished research process and/or expiration of the permit period.

Part Three Procedure for Applying Permit

Article 5

- (1) Applicants who apply for a permit to Search and/or Research Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage in the Region, are obligated to make a plan proposal which is submitted to the Regent, with a copy to the Regional Apparatus in Charge of Cultural Affairs.
- (2) Proposal as referred to in section (1) is attached:
 - a. identity of applicant;
 - b. biodata of person in charge of research, experts (including archaeologists) and members of the research team, including a legalized photocopy of the last educational certificate;
 - c. experts (including archaeologist) need to include proof of experience and skill in the field of search and/or research of Cultural Tangible Heritage and/or Objects Suspected of Being Tangible Cultural Heritage;
 - d. type Study;
 - e. the purpose and objectives of search for/research of Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage;
 - f. Tangible Cultural Heritage search/research methodology and/or Objects Suspected of Being Tangible Cultural Heritage;
 - g. time period of Tangible Cultural Heritage search/research and/or Objects suspected of being Tangible Cultural Heritage;
 - h. location of Tangible Cultural Heritage search/research and/or Objects suspected of being Tangible Cultural Heritage;
 - i. source and nominal of budget search/research;
 - j. stamped-enough statement letter signed by the person in charge of the activity, who states that:

1. search and/or research of Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage are carried out in accordance with research procedures and rules remain to prioritize effort rescue and preservation Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage;
2. search and/or research of Tangible Cultural Heritage and/or Objects suspected of being Tangible cultural heritage will be monitored by the involvement/monitoring of the Tangible Culture Heritage Expert Team of the Regency of Wonosobo;
3. being willing to hand over Tangible Cultural Heritage objects and/or Objects Suspected of Being Tangible Cultural Heritage to be owned and/or controlled by the Local Government, especially if the discovery object is assessed by the Tangible Cultural Heritage Expert Team is rare in its type, unique in the design, a little in the amount, the high threat level or has important value for history, science, education, religion, and/or culture;
4. it will not cause unrest or disturbance of security and order in the community;
5. applicant willing stop and deliver object discovery of Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage to the Local Government through the Regional Apparatus in Charge of Cultural Affairs, if based on evaluation of Assessment Team of Permits for Tangible Cultural Heritage Search and/or Research has resulted in misuse of permits or violation of provisions of legislation;
6. The applicant is ready to stop and hand over the discovery of Tangible Cultural Heritage objects and/or Objects Suspected of Being Tangible Cultural Heritage to the Local Government through the Regional Apparatus in Charge of Cultural Affairs, if there is a force majeure condition/emergency condition that threatens human safety/environmental preservation/preservation of Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage;
7. willing to temporarily stop Search and/or Research activities of Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage, if the permit period has expired, until a new permit is issued;

8. perform presentation of search and/or research on Tangible Cultural Heritage and/or Objects Suspected of Being Tangible Cultural Heritage to Assessment Team of Permits of the Tangible Cultural Heritage Search and/or Research through the Regional Apparatus Administering Cultural Affairs after completion of the research process and/or the end of permit period;
 9. submit result reports of search and/or research of Tangible Cultural Heritage/Suspected of Being Tangible Cultural Heritage to the Regent through the Regional Apparatus administering Cultural affairs after completion of the research process and/or or the end of permit period.
- k. individual or community group, is obligated to attach a document on cooperation with:
1. Government Institutions/Provincial Governments/Local Governments administering cultural affairs, or administering other affairs by involving Government Institutions/Provincial Governments/Local Governments that administering cultural affairs;
 2. An organization that is a legal entity in Indonesia that operates in the field of research and/or or preservation of Tangible Cultural Heritage;
 3. Higher Education Institutions with relevant field of study in preserving Tangible Cultural Heritage, science, and/ or cultural development.
1. Permit letter from the location owner (acknowledged by the local Rural Village Head/Urban Village Head) regarding the planned search and/or exploration activities. or research on Tangible Cultural Heritage or Objects Suspected of Being Tangible Cultural Heritage.
- (3) The Regent by consideration from Assessment Team of Permits for Tangible Cultural Heritage Search and/or Research has full authority to allow or reject an application of Search and/or Research of Cultural Heritage Research or Objects Suspected of Being Cultural Heritage, with term certain time.
 - (4) The Regent issues a decision to permit or reject the application as referred to in section (3) not later than 12 (twelve) workdays since the application is received completely.
 - (5) Copy of the Regent's Permit as referred to in section (3) is given to the Cultural Heritage Preservation Center, the Archaeological Center, and the Assessment Team of Permits for Tangible Cultural Heritage Search and /or Research.
 - (6) Regional Apparatus that does search and/or research activities of Cultural Heritage or Objects Suspected of Being

Tangible Cultural Heritage must report to the Regent *Cq.* of Assessment Team of Permits for Tangible Cultural Heritage Search and /or Research.

- (7) In the implementation of search and/or research of Tangible Cultural Heritage or Objects Suspected of Being Tangible Cultural Heritage on the surface of the land, the Regional Apparatus must involve the Tangible Cultural Heritage Expert Team and coordinate with the Assessment Team of Permits for Tangible Cultural Heritage Search and /or Research.
- (8) In the implementation of search and/or research of Tangible Cultural Heritage or Objects Suspected of Being Tangible Cultural Heritage that need to be excavated and/or do diving, the Local Government is obligated to involve the Tangible Cultural Heritage and cooperates officially with:
 - a. Government Institutions/Provincial Governments administering cultural affairs/are in charge of the duties of Cultural Heritage cultural heritage preservation;
 - b. Organization that is a legal entity in Indonesia that operates in the field of research and/or preservation of Tangible Cultural Heritage;
 - c. Higher Education Institutions in major of archaeology/similar and/or knowledge other supportive assistance.
- (9) The Government, Local Government or research organizers are obligated to inform and publish results of research to community, while maintaining the security and confidentiality of data that are deem necessary, in accordance with the provisions of legislation.

CHAPTER IV
MISCELLANEOUS PROVISION

Chapter 6

Regional Apparatus Administering Cultural Affairs, has authority and responsibility to do monitoring on the implementation of this Regent Regulation.

CHAPTER V
CLOSING PROVISION

Chapter 7

This Regent Regulation comes into force on the date its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Regent Regulation by its placement in the Regional Bulletin of the Regency of Wonosobo.

Issued in Wonosobo
on 3 Mei 2021

REGENT OF WONOSOBO,

signed

AFIF NURHIDAYAT

Promulgate in Wonosobo
on 4 Mei 2021

REGIONAL SECRETARY
OF THE REGENCY OF WONOSOBO,

signed

ONE ANDANG WARDOYO

REGIONAL BULLETIN OF THE REGENCY OF WONOSOBO OF 2021 NUMBER
10

Has been translated as an Official Translation
on behalf of Minister of Law
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,

