

REGULATION OF THE MUNICIPALITY OF BUKITTINGGI  
NUMBER 6 OF 2023

ON  
TANGIBLE CULTURAL HERITAGE

BY THE BLESSINGS OF ALMIGHTY GOD

MAYOR OF BUKITTINGGI,

- Considering : a. that in order to create a cultured society with an Indonesian personality and to connect the past and present for sustainability in the future, it is necessary to Preserve the Tangible Cultural Heritage in the Regions as a national cultural asset in order to promote the Regional culture;
- b. that Tangible Cultural Heritage is a fragile, unique, rare and non-renewable resource, so comprehensive arrangements are needed to ensure the sustainability and existence of Tangible Cultural Heritage in the municipality of Bukittinggi;
- c. that in order to implement the authority of the Local Government in the cultural sector to protect, develop and utilize Tangible Cultural Heritage, as well as guarantee legal certainty in the Management of Tangible Cultural Heritage in the Region, regulations regarding Tangible Cultural Heritage are required;
- d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to stipulate Regional Regulation on Tangible Cultural Heritage;
- Observing : 1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 9 of 1956 on Establishment of Autonomous Regions of Major Cities within the Province of Central Sumatra (State Gazette of the Republic of Indonesia of 1956 Number 20);
3. 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);
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 6 of 2023 on Enactment of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation to Become Law (State Gazette of the Republic of

- Indonesia of 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856);
5. Government Regulation Number 1 of 2022 on National Registration of Tangible Cultural Heritage Preservation (State Gazette of the Republic of Indonesia of 2022 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 6756);

With the Joint Approval of  
THE REGIONAL HOUSE OF REPRESENTATIVES  
OF THE MUNICIPALITY OF BUKITTINGGI  
and  
THE MAYOR OF BUKITTINGGI

HAS DECIDED:  
To issue : REGIONAL REGULATION ON TANGIBLE CULTURAL HERITAGE.

## CHAPTER I GENERAL PROVISIONS

### Article 1

In this Regional Regulation:

1. Region means the Municipality of Bukittinggi.
2. Local Government means the Mayor as an element of the Local Government administration that leads the implementation of government affairs that are the authority of the autonomous Region.
3. Mayor means the Mayor of Bukittinggi.
4. Regional Apparatus means an element that assists the Mayor and the Regional House of Representatives in administering government affairs that are within the authority of the region.
5. Office means a Regional Apparatus administering Local Government affairs in the field of Tangible Cultural Heritage.
6. Tangible Cultural Heritage means 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 of which existence needs to be preserved because they have important value for history, science, education, religion, and/or culture through the Determination process.
7. Tangible Cultural Heritage Objects means natural objects and/or man-made objects, whether movable or immovable, in the form of a unit or group, or parts thereof, or remains thereof that have a close relationship with culture and the history of human development.
8. Regional Tangible Cultural Heritage Buildings means structures made from natural objects or man-made objects to meet the need for walled and/or unwalled and roofed spaces.
9. Tangible Cultural Heritage Structure means a structure made of natural objects and/or man-made objects to fulfill the need for activity space that is integrated with nature, facilities and infrastructure to accommodate human needs.
10. Tangible Cultural Heritage Sites means locations on land and/or in water that contain Tangible Cultural Heritage

- Objects, Tangible Cultural Heritage Buildings, and/or Tangible Cultural Heritage Structures as a result of human activities or evidence of past events.
11. Tangible Cultural Heritage Area means a geographical spatial unit that has two or more Tangible Cultural Heritage Sites that are located close to each other and/or show distinctive spatial characteristics.
  12. Objects Suspected of Being Tangible Cultural Heritage (*Objek yang Diduga Cagar Budaya*), hereinafter abbreviated as the ODCB, means objects, buildings, structures and/or locations that are suspected of meeting the criteria as Tangible Cultural Heritage.
  13. Determination means the granting of Tangible Cultural Heritage status to objects, buildings, structures, locations or geographical space units carried out by the Local Government based on the recommendations of the Tangible Cultural Heritage Expert Team.
  14. Ownership means the strongest and most complete right to Tangible Cultural Heritage while still paying attention to its social function and the obligation to preserve it.
  15. Control means the granting of authority from the owner to the Government, Local Government, or any person to manage Tangible Cultural Heritage while still paying attention to its social function and the obligation to preserve it.
  16. Controlled by the State means the highest authority held by the State in organizing legal acts regarding the Preservation of Tangible Cultural Heritage.
  17. Registration means an effort to Record objects, buildings, structures, locations and/or geographical space units to be proposed as Tangible Cultural Heritage to the regency/municipal government or Indonesian missions and then included in the National Register of Tangible Cultural Heritage.
  18. Assessment means the process of testing material by a Team of Experts on the proposed Registration Object Files.
  19. Ranking means the process of arranging Tangible Cultural Heritage based on its importance.
  20. National Register of Tangible Cultural Heritage means an official list of the nation's cultural assets in the form of Tangible Cultural Heritage located at home and abroad.
  21. Recording means the act of recording Tangible Cultural Heritage data into the National Register.
  22. Management means an integrated effort to protect, develop and utilize Tangible Cultural Heritage through policies for planning, implementation and supervision for the greatest possible welfare of the people.
  23. Preservation means a dynamic effort to maintain the existence of Tangible Cultural Heritage and its value by protecting, developing and utilizing it.
  24. Protection means an effort to prevent and overcome damage, destruction or extinction by means of Rescue, Security, Zoning, Maintenance and Restoration of Tangible Cultural Heritage.
  25. Rescue means an effort to avoid and/or prevent Tangible Cultural Heritage from damage, destruction or extinction.
  26. Security means an effort to protect and prevent Tangible Cultural Heritage from threats and/or disturbances.
  27. Zoning means the determination of spatial boundaries of Tangible Cultural Heritage Sites and Tangible Cultural Heritage Areas according to needs.

28. Maintenance means an effort to maintain and care for the physical condition of Tangible Cultural Heritage so that it remains sustainable.
29. Restoration means an effort to restore the physical condition of damaged Tangible Cultural Heritage Objects, Tangible Cultural Heritage Buildings and Tangible Cultural Heritage Structures in accordance with the authenticity of the materials, shape, layout and/or workmanship techniques to extend their life.
30. Development means the increase in the potential value, information, and promotion of Tangible Cultural Heritage and its Utilization through Research, Revitalization, and Adaptation in a sustainable manner and does not conflict with the objectives of Preservation.
31. Utilization means the utilization of Tangible Cultural Heritage for the greatest benefit of the people's welfare while maintaining its sustainability.
32. Removal means the act of removing the status of Tangible Cultural Heritage from the National Register of Tangible Cultural Heritage.
33. Transfer means the process of transferring the rights of Ownership and/or Control of Tangible Cultural Heritage from one person to another person or the Local Government.
34. Research means a scientific activity carried out according to systematic rules and methods to obtain information, data and statements for the purposes of preserving tangible Cultural Heritage, science and cultural development.
35. Revitalization means a development activity aimed at reviving the important values of Tangible Cultural Heritage by adjusting the function of new spaces that do not conflict with the principles of Preservation and the cultural values of the community.
36. Adaptation means an effort in the Development Tangible Cultural Heritage for activities that are more in line with current needs by making limited changes that will not result in a decline in its important value or damage to parts that have important value.
37. Duplication means the activity of direct duplication of Tangible Cultural Heritage Objects, Tangible Cultural Heritage Buildings, or Tangible Cultural Heritage Structures, either in whole or in part.
38. Every Person means an individual, group of people, community, incorporated business entity, and/or unincorporated business entity.
39. Incentives means support in the form of advocacy, assistance, or other non-financial forms to encourage the Preservation of Tangible Cultural Heritage from the Central Government and Local Governments.
40. Compensation means a reward in the form of money and/or non-money from the Government or Local Government.
41. Tangible Cultural Heritage Expert Team means a group of Preservation experts from various fields of science who have competency certificates to provide recommendations for the Determination, Ranking and Removal of Tangible Cultural Heritage.

#### Article 2

The regulation of Tangible Cultural Heritage is based on:

- a. Pancasila;
- b. unity in diversity;
- c. archipelagic character;
- d. justice;
- e. legal order and certainty;
- f. benefits;
- g. sustainability;
- h. participation; and
- i. transparency and accountability.

#### Article 3

Regulation of Tangible Cultural Heritage aims at:

- a. realizing effective Tangible Cultural Heritage Management and involving the active role of the community;
- b. securing legal certainty in the Management of Tangible Cultural Heritage in the Region; and
- c. becoming a guideline for officials and the community in the Management of Tangible Cultural Heritage in the Region.

#### Article 4

The scope of regulation of Tangible Cultural Heritage includes:

- a. duties and authorities of the Local Government;
- b. Tangible Cultural Heritage criteria;
- c. Determination of Tangible Cultural Heritage;
- d. Ownership, Control, discovery and search;
- e. Preservation of Tangible Cultural Heritage;
- f. guidance and supervision; and
- g. public participation.

### CHAPTER II

#### DUTIES AND AUTHORITIES OF LOCAL GOVERNMENT

#### Article 5

- (1) The Local Government has the duties of the Protection, Development and Utilization of the Tangible Cultural Heritage.
- (2) The duties of the Local Government as referred to in section (1) include:
  - a. realizing, growing, developing, and increasing awareness and responsibility for the rights and obligations of the community in the Tangible Cultural Heritage Management;
  - b. developing and implementing policies that can ensure protected and utilized Tangible Cultural Heritage;
  - c. conducting Tangible Cultural Heritage Research and Development;
  - d. providing Tangible Cultural Heritage information to the public;
  - e. organizing Tangible Cultural Heritage promotions;
  - f. facilitating Every Person in implementing the utilization and promotion of Tangible Cultural Heritage;
  - g. organizing disaster management in emergency situations for objects, buildings, structures, sites and areas that have been declared as Tangible Cultural Heritage and providing support to areas experiencing disasters;

- h. carrying out supervision, monitoring and evaluation of the Preservation of cultural heritage; and
- i. allocating funds for the interests of Preservation of Tangible Cultural Heritage.

Article 6

In the management of Tangible Cultural Heritage, the Local Government has the authority to:

- a. establish ethics for the Preservation of Tangible Cultural Heritage;
- b. coordinate the Preservation of Tangible Cultural Heritage in the Region;
- c. collect Tangible Cultural Heritage data;
- d. determine the ranking of Tangible Cultural Heritage;
- e. determine and revoke Tangible Cultural Heritage status;
- f. create regulations for Tangible Cultural Heritage Management;
- g. organize cooperation on Preservation of Tangible Cultural Heritage;
- h. report cases of legal violations;
- i. manage Tangible Cultural Heritage Areas;
- j. establish and disband technical implementing units in the fields of Preservation, Research and museums;
- k. develop human resources policies in the field of antiquities;
- l. give awards to Every Person who has carried out the Preservation of Tangible Cultural Heritage;
- m. move and/or store Tangible Cultural Heritage for Security purposes;
- n. group the Tangible Cultural Heritage based on its importance into Regional rankings;
- o. establish the boundaries of the Sites and areas; and
- p. cease the process of space utilization or development processes that can cause damage, loss or destruction of the Tangible Cultural Heritage, either in whole or in part.

Article 7

- (1) The Local Government facilitates the Management of Tangible Cultural Heritage Areas.
- (2) The Management of Tangible Cultural Heritage Areas as referred to in section (1) does not conflict with the community interests regarding Tangible Cultural Heritage and social life.
- (3) The Management of Tangible Cultural Heritage Areas as referred to in section (1) is carried out by a management body formed by the Local Government and/or the customary law community.
- (4) The management body as referred to in section (3) may consist of the following elements:
  - a. Local Government;
  - b. business sector; and
  - c. public.
- (5) Further provisions regarding the procedures for Management of Tangible Cultural Heritage Areas in the Region are regulated by the Mayor Regulation.

CHAPTER III  
TANGIBLE CULTURAL HERITAGE CRITERIA

Part One  
Objects, Buildings and Structures

Article 8

Objects, buildings or structures can be proposed as Tangible Cultural Heritage Objects, Tangible Cultural Heritage Buildings or Tangible Cultural Heritage Structures if they meet the following criteria:

- a. aged 50 (fifty) years or more;
- b. represents the shortest style period of 50 (fifty) years;
- c. has special significance for history, science, education, religion, and/or culture; and
- d. has cultural value for strengthening the nation's personality.

Article 9

Tangible Cultural Heritage Objects may be:

- a. in the form of natural objects and/or man-made objects that are utilized by humans, as well as biota remains that can be linked to human activities and/or can be linked to human history;
- b. movable or immovable; and
- c. a unit or group.

Article 10

Tangible Cultural Heritage Buildings may be:

- a. single or multiple elements; and/or
- b. free standing or blending with natural formations.

Article 11

Tangible Cultural Heritage Structures may be:

- a. single or multiple elements; and/or
- b. partially or completely integrated with natural formations.

Part Two  
Sites and Areas

Article 12

A location can be designated as a Tangible Cultural Heritage Site if:

- a. has Tangible Cultural Heritage Objects, Tangible Cultural Heritage Buildings, and/or Tangible Cultural Heritage Structures; and
- b. stores information about human activities in the past.

Article 13

A geographical space unit can be designated as a Tangible Cultural Heritage Area if:

- a. has 2 (two) or more Tangible Cultural Heritage Sites which are located close to each other;
- b. in the form of a cultural landscape formed by humans that is at least 50 (fifty) years old;
- c. has a pattern that shows the function of space in the past and is at least 50 (fifty) years old;
- d. shows the influence of past humans on large-scale space utilization processes;
- e. shows evidence of the formation of cultural landscapes; and

- f. has submerged layers of soil containing evidence of human activity or fossil deposits.

#### Article 14

Objects, buildings, structures, locations or geographical space units which, based on research, have special meaning for the Indonesian people or nation, but do not fulfil the criteria for Tangible Cultural Heritage as referred to in Article 8 to Article 13, may be proposed as Tangible Cultural Heritage.

### CHAPTER IV DETERMINATION OF TANGIBLE CULTURAL HERITAGE

#### Part One General

#### Article 15

- (1) The Local Government carries out the Determination of Tangible Cultural Heritage in the Region.
- (2) The Determination of Tangible Cultural Heritage in the Region as referred to in section (1) is carried out through the following stages:
  - a. Registration;
  - b. Assessment;
  - c. Determination;
  - d. Recording;
  - e. Ranking;
  - f. removal;
  - g. transfer of ownership rights; and
  - h. control.

#### Part Two Registration

#### Article 16

The Local Government through the Office coordinates and cooperates with related parties and the community in carrying out the Registration.

#### Article 17

- (1) Any Person who owns and/or controls objects, buildings, structures and locations suspected of being Tangible Cultural Heritage is required to register them to the Local Government.
- (2) Any Person as referred to in section (1) may grant power of attorney to another party to carry out registration.
- (3) The Local Government carries out the Registration of Tangible Cultural Heritage objects, buildings or Structures controlled by the Local Government or whose owners are unknown in accordance with its level of authority.
- (4) The Tangible Cultural Heritage Registration Services as referred to in section (1) are free of charge.
- (5) The Registration results as referred to in section (1), section (2) and section (3) must be accompanied by a description and documentation.

#### Article 18

- (1) Any Person who knows that an object, building or structure that he owns and/or controls is a Tangible Cultural Heritage but fails to carry out the Registration as

referred to in Article 17, will be subject to administrative sanctions in the form of:

- a. verbal warning;
  - b. written warning; and/or
  - c. administrative fines;
- (2) The imposition of administrative sanctions as referred to in section (1) is carried out by the Mayor through the Office and is implemented in stages.
  - (3) Further provisions regarding the procedures for imposing administrative sanctions as referred to in section (2) are regulated by the Mayor Regulation.

#### Article 19

- (1) In order to implement the Registration of Tangible Cultural Heritage Objects, Buildings, Structures, Sites and Areas as referred to in Article 17 section (2), the Local Government carries out data collection.
- (2) The data collection by the Local Government as referred to in section (1) includes:
  - a. ODCB name;
  - b. ODCB location;
  - c. registrant's identity;
  - d. ODCB Ownership history; and
  - e. ODCB brief description.
- (3) The implementation of data collection as referred to in section (2) is carried out by a team formed by the Office.

#### Article 20

- (1) Every Person can participate in the Registration of ODCB.
- (2) The participation as referred to in section (1) includes:
  - a. providing motivation or encouragement to the owner and/or the person in control of the ODCB to do the Registration;
  - b. providing information and/or assisting in recording ODCB;
  - c. assisting the data collection process; and/or
  - d. supervising the Registration process.

#### Article 21

- (1) In order to do the Registration of Tangible Cultural Heritage as referred to in Article 17, the Local Government through the Office forms a Regional Tangible Cultural Heritage Registration team.
- (2) The Regional Tangible Cultural Heritage Registration team as referred to in section (1) has the following duties:
  - a. receives, checks the completeness of the Registration requirements;
  - b. performs description, classification, verification and documentation;
  - c. files the results of data processing; and
  - d. prepares a report on the results of the Registration.
- (3) In the Tangible Cultural Heritage Registration, the Regional Tangible Cultural Heritage Registration team may request assistance from:
  - a. Tangible Cultural Heritage Preservation center;
  - b. archaeological center;
  - c. directorate in charge of Tangible Cultural Heritage in the Ministry of Education and Culture; and/or
  - d. other sources that can understand the object to be verified.

- (4) The structure and composition of the Regional Tangible Cultural Heritage Registration team as referred to in section (1) is determined by the Office.

Part Three  
Assessment

Article 22

- (1) The Local Government carries out an Assessment on the results of the Registration of objects, buildings or structures suspected of being Tangible Cultural Heritage.
- (2) The Assessment as referred to in section (1) aims to identify and classify objects, buildings, structures, locations and geographical space units proposed to be designated as Tangible Cultural Heritage.

Article 23

- (1) In order to implement the Assessment as referred to in Article 22, the Local Government will form a Tangible Cultural Heritage Expert Team.
- (2) The Tangible Cultural Heritage Expert Team as referred to in section (1) consists of the following elements:
  - a. experts in the fields of ecology, culture or art, archaeology, architecture, Regional architecture, or landscape architecture, history, anthropology;
  - b. the Office; and/or
  - c. public figure.
- (3) The Tangible Cultural Heritage Expert Team as referred to in section (2) consists of at least 5 (five) people, consisting of a chairperson, a secretary and members.
- (4) The Tangible Cultural Heritage Expert Team as referred to in section (1) has the following requirements:
  - a. at least has a bachelor's degree;
  - b. has knowledge and experience in the field of Tangible Cultural Heritage; and
  - c. has a certificate as a Tangible Cultural Heritage expert.
- (5) The Tangible Cultural Heritage Expert Team has a work period of 3 (three) years and its work period can be extended.
- (6) The formation of the Tangible Cultural Heritage Expert Team as referred to in section (1) is determined by a Mayor Decision.

Article 24

- (1) The Tangible Cultural Heritage Expert Team as referred to in Article 23 has the following duties:
  - a. carries out an Assessment of the registered ODCB;
  - b. classifies the types of ODCB;
  - c. recommends the determination of Tangible Cultural Heritage status;
  - d. recommends Tangible Cultural Heritage rankings; and
  - e. recommends the Removal of Tangible Cultural Heritage.
- (2) In carrying out the duties as referred to in section (1), the team of experts has the authority to:
  - a. request information from the Local Government, Any Person, or the community who registers the Registration object;

- b. propose file improvements to the Tangible Cultural Heritage Registration Team;
- c. recommend Registration objects to be designated as Tangible Cultural Heritage under legislation on Tangible Cultural Heritage to the Mayor;
- d. recommend the re-registration of Tangible Cultural Heritage that has been lost and removed from the National Register then found; and/ or
- e. recommend immediate preventive and mitigating measures against possible damage to the Mayor.

#### Article 25

- (1) The Tangible Cultural Heritage Expert Team conveys the results of the team's assessment to the Mayor.
- (2) The results of the assessment as referred to in section (1) are:
  - a. recommendation for Determination ODCB status to become a Tangible Cultural Heritage; and
  - b. Tangible Cultural Heritage Ranking recommendations.
- (3) The recommendations as referred to in section (2) are given to the Mayor for the Determination of the status of Tangible Cultural Heritage and the Determination of the ranking of Tangible Cultural Heritage in accordance with his or her authority.

#### Article 26

During the Assessment process by the Tangible Cultural Heritage Expert Team, objects, buildings, structures or locations that are the result of discoveries or that have been registered in the National Register of Tangible Cultural Heritage are protected and treated as Tangible Cultural Heritage.

#### Part Four Determination

#### Article 27

- (1) The Mayor determines objects, buildings, structures, locations and/or geographical space units as Tangible Cultural Heritage.
- (2) The Determination as referred to in section (1) is carried out based on the recommendation of the Tangible Cultural Heritage Expert Team which states that the registered objects, buildings, structures, locations and/or geographical space units are worthy of being Tangible Cultural Heritage.
- (3) The Determination of the status of Tangible Cultural Heritage as referred to in section (1) is carried out by the Mayor no later than 30 (thirty) days after receiving the recommendation of the Tangible Cultural Heritage Expert Team.
- (4) The status of objects, buildings, structures, locations and/or geographical space units as Tangible Cultural Heritage as referred to in section (1) is determined by the decision of the Mayor.
- (5) In addition to the Determination as referred to in section (4), the Mayor issues a certificate of Tangible Cultural Heritage status and a certificate of Tangible Cultural Heritage Ownership to the legitimate owner.

Article 28

- (1) The Local Government submits the results of the Determination to the Provincial Government and then forwards it to the Government.
- (2) The Local Government compiles a list of Tangible Cultural Heritage that has been designated in the Regional Tangible Cultural Heritage list.

Article 29

- (1) The determination as referred to in Article 27 may be reviewed periodically every 5 (five) years.
- (2) The Tangible Cultural Heritage review as referred to in section (1) is carried out by a Tangible Cultural Heritage Expert Team.
- (3) The results of the review as referred to in section (2) be the basis for recommendations by the Tangible Cultural Heritage Expert Team to confirm the letter of Determination or revoke the letter of Determination.
- (4) The Tangible Cultural Heritage Expert Team submits the results of the recommendations as referred to in section (3) to the Office.

Part Five  
Recording

Article 30

- (1) Objects, buildings, structures, locations and geographical spatial units that have been designated as Tangible Cultural Heritage must be recorded in the National Register of Tangible Cultural Heritage.
- (2) The Local Government is responsible for Management National Register of Tangible Cultural Heritage in the Region.
- (3) The Local Government makes active efforts to record and disseminate information about Tangible Cultural Heritage while paying attention to data security and confidentiality in accordance with the provisions of legislation.

Article 31

After being registered in the National Register of Tangible Cultural Heritage, the owner of the Tangible Cultural Heritage has the right to obtain legal guarantees in the form of:

- a. Tangible Cultural Heritage status certificate; and
- b. certificate of Ownership based on valid evidence.

Article 32

- (1) The Local Government provides a mark on objects, buildings, structures, Sites or areas that have been designated as Tangible Cultural Heritage.
- (2) Any Person or entity that owns or controls an object, building or Tangible Cultural Heritage Structure is obligated to install a sign on the object as referred to in section (1) that is easily visible to the public.
- (3) Further provisions regarding signs of objects, buildings or Tangible Cultural Heritage Structures as referred to in section (1) are regulated by a Mayor Regulation.

Part Six  
Ranking

Article 33

- (1) The Local Government carries out Tangible Cultural Heritage Ranking based on Regional interests and recommendations from the Tangible Cultural Heritage Expert Team.
- (2) Tangible Cultural Heritage can be designated as Regional Tangible Cultural Heritage if it meets the following requirements:
  - a. as a Tangible Cultural Heritage that is prioritized for preservation in the Regional area;
  - b. represents a distinctive style period;
  - c. the level of threat is high;
  - d. the types are few; and/or
  - e. limited quantity.
- (3) The ranking as referred to in section (1) is determined by the Mayor 's decision.

Article 34

- (1) The Regional Tangible Cultural Heritage Ranking as referred to in Article 33 may be revoked if the Tangible Cultural Heritage is:
  - a. destroyed;
  - b. losing its original form and shape;
  - c. losing most of its elements; or
  - d. no longer meeting the requirements as referred to in Article 33 section (2).
- (2) The revocation as referred to in section (1) is determined by a decision of the Mayor after obtaining a recommendation from the Tangible Cultural Heritage Expert Team.

Part Seven  
Removal

Article 35

Tangible Cultural Heritage that has been recorded in the National Register can be proposed for Removal by the Mayor in accordance with the provisions of Legislation.

Article 36

- (1) The Removal of Tangible Cultural Heritage as referred to in Article 35 is done if the Tangible Cultural Heritage is:
  - a. destroyed;
  - b. lost and in the period of 6 (six) year cannot be found;
  - c. undergoing changes in form and style so that it loses its authenticity; or
  - d. later day known that its status is not a Tangible Cultural Heritage.
- (2) The Removal of Tangible Cultural Heritage as referred to in section (1) is done by not removing the data in the Registration List and its accompanied documents.
- (3) In the event that the lost Tangible Cultural Heritage as referred to in section (1) point b is found, the Tangible Cultural Heritage is required to be re-recorded to the Registration List of Tangible Cultural Heritage.
- (4) The re-registration as referred to in section (3) is carried out by submitting a re-registration by the Mayor or Any

Person who owns and/or controls the Tangible Cultural Heritage which is carried out in accordance with the provisions of Registration as referred to in Article 16 to Article 20.

Article 37

Further provisions regarding the mechanisms, procedures and technical formats for the Determination of Tangible Cultural Heritage, as referred to in Article 27 to Article 29 are regulated by a Mayor Regulation.

Part Eight  
Transfer of Ownership

Article 38

Tangible Cultural Heritage that has been recorded in the national register and is owned by Any Person can have its ownership transferred.

Article 39

- (1) The Transfer of Ownership of Tangible Cultural Heritage as referred to in Article 38 may be granted to:
  - a. central government;
  - b. Local Government;
  - c. customary law communities; or
  - d. Any Person.
- (2) The Transfer of Ownership of Tangible Cultural Heritage as referred to in section (1) can be done by inheritance, donation, exchange, gift, sale, compensation, and/or court decision or ruling.
- (3) The Transfer of Ownership of Tangible Cultural Heritage as referred to in section (2) is carried out in accordance with the provisions of legislation.

Article 40

- (1) The Transfer of Ownership of Tangible Cultural Heritage as referred to in Article 39 is carried out by submitting a permit application to the Mayor in accordance with his or her authority, except for Transfer of Ownership of Tangible Cultural Heritage through a Court Decision or ruling.
- (2) Applications for permits as referred to in section (1) must be accompanied by a certificate of Tangible Cultural Heritage status and a certificate of Tangible Cultural Heritage Ownership.
- (3) The Mayor issues a Transfer of Ownership permit after obtaining a recommendation from the Office.
- (4) The Transfer of Ownership as referred to in section (2) is followed up with a letter of change in the Ownership status of the Tangible Cultural Heritage and a change in the owner's name in the Tangible Cultural Heritage registration.
- (5) Further provisions regarding the Transfer procedures Ownership of Tangible Cultural Heritage is regulated by a Mayor Regulation.

CHAPTER V  
OWNERSHIP, CONTROL, DISCOVERY AND SEARCH

Part One  
Ownership and Control

Article 41

- (1) Every Person may own and/or control Tangible Cultural Heritage Objects, Tangible Cultural Heritage Buildings, Tangible Cultural Heritage Structures, and/or Tangible Cultural Heritage Sites while still paying attention to their social function as long as they do not conflict with the Legislation.
- (2) Every person may own and/or control the Tangible Cultural Heritage if the number and type of Tangible Cultural Heritage Objects, Tangible Cultural Heritage Buildings, Tangible Cultural Heritage Structures, and/or Tangible Cultural Heritage Sites meet the needs of the state.
- (3) The Ownership as referred to in section (1) may be obtained through inheritance, grant, exchange, gift, purchase, and/or a court decision or ruling that has permanent legal force, except for those controlled by the State in accordance with the provisions of legislation.
- (4) Owners of Tangible Cultural Heritage Objects, Tangible Cultural Heritage Buildings, Tangible Cultural Heritage Structures, and/or Tangible Cultural Heritage Sites who do not have heirs or do not hand them over to other people based on a will, grant, or gift after the owner dies, their Ownership will be taken over by the state in accordance with the provisions of legislation.

Article 42

Tangible Cultural Heritage Areas are only owned and/or controlled by the State, except for those that have been traditionally owned by customary law communities.

Article 43

Foreign citizens and/or foreign legal entities cannot own and/or control the Tangible Cultural Heritage, except for foreign citizens and/or foreign legal entities who live and reside in Indonesia.

Article 44

Tangible Cultural Heritage whose ownership is unknown is controlled by the State in accordance with the provisions of legislation.

Article 45

- (1) Any Person who owns and/or controls the Tangible Cultural Heritage within a maximum of 30 (thirty) days from the time it is discovered that the Tangible Cultural Heritage he or she owns and/or controls is damaged, lost or destroyed is obligated to report it to the Office and the National Police of the Republic of Indonesia which has jurisdiction in the Region.
- (2) If Any Person does not report the damage to the Regional Tangible Cultural Heritage after more than the period as referred to in section (1), its management may be taken over by the Local Government.

Part Two  
Discovery and Search

Article 46

- (1) Any Person who finds an object suspected to be a Tangible Cultural Heritage Object, a building suspected to be a Tangible Cultural Heritage Building, a structure suspected to be a Tangible Cultural Heritage Structure, and/or a location suspected to be a Tangible Cultural Heritage Site is required to report it to the Office and the National Police of the Republic of Indonesia that oversees the work area in the Region no later than 30 (thirty) days from the time it is found.
- (2) Based on the report as referred to in section (1), the Office coordinates with the authorized agencies in the cultural sector to conduct an assessment of the findings.
- (3) The findings as referred to in section (1) which are not reported by the discoverer may be taken over by the Local Government.
- (4) In the event that the findings have been designated as Tangible Cultural Heritage as referred to on section (1) are very rare in their type, unique design, and not many in Region, then they are under the Local Government supervision with further provisions are regulated by a Mayor Regulations.
- (5) In the event that the findings have been designated as Tangible Cultural Heritage as referred to on section (1) are not very rare in their type, the design is not unique, and the amount have fulfilled the Regional needs, then it can be owned by discoverer.

Article 47

- (1) Any Person who carries out a search for Tangible Cultural Heritage or what is suspected to be Tangible Cultural Heritage by digging, diving and/or lifting on land and/or in water which is the authority of the Region, is obligated to obtain a permit from the Local Government.
- (2) Further provisions regarding the granting of permits as referred to in section (1) are regulated by a Mayor Regulation.

CHAPTER VI  
PRESERVATION OF TANGIBLE CULTURAL HERITAGE

Part One  
General

Article 48

- (1) Preservation of Tangible Cultural Heritage is carried out based on the results of a feasibility study that can be accounted for academically, technically and administratively.
- (2) Tangible Cultural Heritage Preservation activities must be carried out or coordinated by Preservation Experts while paying attention to Preservation ethics.
- (3) The procedures for the Preservation of Tangible Cultural Heritage must take into account the possibility of returning the site to its original condition prior to the Preservation activity.
- (4) Preservation of Tangible Cultural Heritage must be

supported by documentation activities before carrying out activities that may cause changes to its authenticity.

Article 49

The Preservation of Tangible Cultural Heritage aims at:

- a. maintaining the authenticity of Tangible Cultural Heritage which contains historical, scientific and cultural values;
- b. protecting and maintaining the Tangible Cultural Heritage objects, buildings, Sites and Areas from damage caused by human actions or natural processes;
- c. utilizing the Tangible Cultural Heritage objects, buildings, structures, Sites and Areas as cultural assets to be managed as well as possible for the benefit of education, science, history, culture, religion and Regional identity;
- d. increasing the public and owner awareness of the importance of Preservation, Protection and Maintenance of Tangible Cultural Heritage; and
- e. providing encouragement and support to the community to participate in efforts to the Preservation, Protection, Maintenance and Utilization of the potential of Tangible Cultural Heritage objects, buildings, Sites and Areas for historical, knowledge, cultural, social and economic interests.

Article 50

Every Person has the right to receive technical support and/or expertise from the Local Government for efforts to preserve the Tangible Cultural Heritage that they own and/or control.

Article 51

Every Person is prohibited from preventing, obstructing, or to thwarting on purpose the effort on the Preservation of Tangible Cultural Heritage.

Part Two  
Protection

Article 52

- (1) Every Person can play a role in the Protection of Tangible Cultural Heritage.
- (2) The Protection of Tangible Cultural Heritage as referred to in section (1) consists of:
  - a. Rescue;
  - b. Security;
  - c. Zoning;
  - d. Maintenance; and
  - e. Restoration of Tangible Cultural Heritage.

Article 53

- (1) The Rescue of Tangible Cultural Heritage as referred to in Article 52 section (2) point a is carried out to:
  - a. prevent damage due to human and/or natural factors that result in changes to the authenticity and values that accompany it; and
  - b. prevent the transfer and shift of ownership and/or control of Tangible Cultural Heritage which is contrary to the provisions of legislation.
- (2) The Rescue as referred to in section (1) point a is carried out in emergency and ordinary circumstances.

- (3) In the context of Rescue, Tangible Cultural Heritage that is at risk of damage, destruction or vanishing can be moved to another safe place.
- (4) The transfer of Tangible Cultural Heritage as referred to in section (3) is carried out in a manner that guarantees its integrity and safety under the coordination of the Preservation Experts.
- (5) The Local Government or Any Person carrying out the Rescue is obligated to protect and care for Tangible Cultural Heritage from theft, weathering or new damage.

#### Article 54

- (1) In an emergency or situation that requires rescue action, every person has the right to rescue the Tangible Cultural Heritage that they own or control.
- (2) Every Person immediately after carrying out the Rescue of Tangible Cultural Heritage as referred to in section (1), is obligated to report to the Office.

#### Article 55

- (1) The Security as referred to in Article 52 section (2) point b is carried out to protect and prevent Tangible Cultural Heritage from being lost, damaged, destroyed or vanished.
- (2) The Security of Tangible Cultural Heritage as referred to in section (1) can be carried out by:
  - a. providing protection;
  - b. storing; and/or
  - c. putting in a place that is protected from natural and human interference.
- (3) The Security of Tangible Cultural Heritage as referred to in section (1) must take into account its Utilization for social, educational, scientific, religious, cultural and/or tourism purposes.

#### Article 56

- (1) The Security of Tangible Cultural Heritage as referred to in Article 55 is the obligation of the owner and/or the person in control.
- (2) The Security of Tangible Cultural Heritage may be carried out by a caretaker appointed by the Mayor and/or special police.
- (3) The community may play a role in the Security of Tangible Cultural Heritage.

#### Article 57

Every Person is prohibited from:

- a. damaging the Tangible Cultural Heritage, either in whole or in part, from the unit, group, and/or from its original location;
- b. stealing the Tangible Cultural Heritage, either in whole or in part, from a unit, group, and/or from its original location;
- c. moving the Regional Tangible Cultural Heritage, either in whole or in part, except with the permission of the Mayor in accordance with his/her authority; and/or
- d. separating Regional Tangible Cultural Heritage, either in whole or in part, except with the permission of the Mayor in accordance with his/her authority.

Article 58

- (1) The Tangible Cultural Heritage, whether in whole or in part, may only be taken outside the territory of Indonesia for the purposes of Research, cultural promotion and/or exhibition.
- (2) Every Person is prohibited from taking the Tangible Cultural Heritage as referred to in section (1), except with the permission of the Mayor in accordance with his/her authority.
- (3) Further provisions regarding the procedures for granting permits to take the Tangible Cultural Heritage out of the Region as referred to in section (2) are regulated by a Mayor Regulation.

Article 59

- (1) The Protection of Tangible Cultural Heritage through Zoning as referred to in Article 52 section (2) point c is carried out by determining the boundaries of its area and Utilization of space through a Zoning system based on the results of the study.
- (2) Determination of the boundaries of the area and Utilization of space through the Zoning system in accordance with the area of the Tangible Cultural Heritage Site or Tangible Cultural Heritage Area in the Region is determined by the Mayor through a Mayor Decision.
- (3) Utilization of zones in Tangible Cultural Heritage may be done for educational, appreciative, recreational and/or religious purposes.
- (4) The Zoning system as referred to in section (1) consists of:
  - a. core zone;
  - b. buffer zone;
  - c. Development zone, and/or
  - d. supporting zone.
- (5) The area, layout and function of the zone is determined based on the results of the study by prioritizing opportunities to improve people's welfare.

Article 60

- (1) The Maintenance as referred to in Article 52 section (2) point d is carried out by caring for the Tangible Cultural Heritage to prevent and overcome damage due to natural influences and/or human actions.
- (2) The Maintenance of Tangible Cultural Heritage as referred to in section (1) may be carried out at the original location or elsewhere, after previously fully documented.
- (3) The care as referred to in section (1) is carried out by:
  - a. cleaning;
  - b. preservation; and
  - c. repair on damage with notice authenticity form, layout, style, materials and/or technology of the Tangible Cultural Heritage.
- (4) The Maintenance of Tangible Cultural Heritage as referred to in section (3) originating from water must be carried out from the lifting process to the storage location using specific procedures.
- (5) The Local Government may appoint or place caretakers to care for the Tangible Cultural Heritage.
- (6) The appointment of a caretaker as referred to in section (5) is determined by a Mayor Decision with reference to the provisions of legislation.

Article 61

- (1) Every Person is obligated to maintain the Tangible Cultural Heritage that he/she owns and/or controls.
- (2) The Tangible Cultural Heritage that is not maintained or not looked after or neglected by the owner and/or the person in control can have its Management taken over by the Local Government.

Article 62

- (1) The Restoration as referred to in Article 52 section (2) point e is carried out on the damaged Tangible Cultural Heritage Building and Tangible Cultural Heritage Structures in order to return its physical condition by fixing, strengthening, and/or preserving it through reconstruction, consolidation, rehabilitation, and restoration works.
- (2) The Restoration of Tangible Cultural Heritage as referred to in section (1) is carried out based on technical review and studies of Restoration.
- (3) The Restoration of Tangible Cultural Heritage as referred to in section (1) must consider:
  - a. the authenticity of materials, shape, layout, style and/or workmanship technology;
  - b. the original condition with the smallest possible change level;
  - c. non-destructive techniques, methods and materials used; and
  - d. competence of people in the field of Restoration.
- (4) The Restoration is carried out by taking into account the possible adjustments in the future while still considering public safety and the safety of Tangible Cultural Heritage.
- (5) The Restoration that is potential to cause negative impact against the social environment and physical environment must be preceded by an analysis on the environmental impact in accordance with the provisions of legislation.
- (6) The Restoration of the Regional Tangible Cultural Heritage Buildings and Tangible Cultural Heritage Structures is required to obtain permit from the Mayor.
- (7) Further provisions regarding the procedures and requirements for the permit of Restoration of Tangible Cultural Heritage Buildings and Tangible Cultural Heritage Structures are regulated by a Mayor Regulation.

Part Three  
Development

Article 63

- (1) The Development of Regional Tangible Cultural Heritage is carried out through:
  - a. Research;
  - b. Revitalization; and/or
  - c. Adaptation.
- (2) The Development of Regional Tangible Cultural Heritage as referred to in section (1) is carried out by considering the principles of utility, security, maintenance, authenticity and the values inherent therein.
- (3) Every Person may carry out the Regional Tangible Cultural Heritage Development after obtaining:
  - a. Local Government permit; and
  - b. permission from the owner and/or person in control of the Regional Tangible Cultural Heritage.

- (4) The Development of Regional Tangible Cultural Heritage as referred to in section (1) and section (2) may be directed to spur economic growth, the results of which are used for the Maintenance of Regional Tangible Cultural Heritage and improving the people's welfare.
- (5) Every Regional Tangible Cultural Heritage Development activity must be accompanied by documentation.

Article 64

- (1) The Research as referred to in Article 63 section (1) point a is carried out on every Tangible Cultural Heritage Development plan to collect information and reveal, deepen and explain cultural values.
- (2) The Research as referred to in section (1) is carried out on Tangible Cultural Heritage through:
  - a. Basic research for the Development of science; and
  - b. Applied research for technological Development or practical purposes that are of an applied nature.
- (3) The Research as referred to in section (1) may be conducted as part of an environmental impact analysis or as a stand-alone study.
- (4) The process and results of Tangible Cultural Heritage Research as referred to in section (2) are carried out for the purpose of increasing information and promotion of Tangible Cultural Heritage.
- (5) The Local Government or Research organizer informs and publishes the Research results to the public.

Article 65

- (1) The Revitalization as referred to in Article 63 section (1) point b is carried out by considering the spatial planning, layout, social function and/or its original cultural landscape based on studies.
- (2) The Revitalization as referred to in section (1) is carried out by rearranging the function of space, cultural values, and strengthening information about Tangible Cultural Heritage.
- (3) The Revitalization of Tangible Cultural Heritage as referred to in section (1) must provide benefits to improve the quality of life of the community and maintain local cultural characteristics.

Article 66

Every Person is prohibited from changing the function of the space of a Regional Tangible Cultural Heritage Site and/or Tangible Cultural Heritage Area, either in whole or in part, except with the permission of the Mayor in accordance with his/her authority.

Article 67

- (1) The Adaptation as referred to in Article 63 section (1) point c may be carried out on Tangible Cultural Heritage Buildings or Tangible Cultural Heritage Structures to meet current needs while maintaining:
  - a. the original characteristics and/or facade of Tangible Cultural Heritage Buildings or Tangible Cultural Heritage Structures; and/or
  - b. the original characteristics of the cultural landscape and/or land surface of the Tangible Cultural Heritage Site or Tangible Cultural Heritage Area before the Adaptation is carried out.

- (2) The Adaptation as referred to in section (1) is carried out by:
  - a. maintaining the values inherent in Tangible Cultural Heritage;
  - b. adding facilities as needed;
  - c. changing the spatial arrangement in a limited way; and/or
  - d. maintaining the architectural style, original construction, and aesthetic harmony of the surrounding environment.
- (3) The Adaptation as referred to in section (1) and section (2) is carried out in accordance with the provisions of legislation.

Part Four  
Utilization

Article 68

- (1) The Local Government and Every Person may utilize Regional Tangible Cultural Heritage for religious, social, educational, scientific, technological, cultural and tourism interests.
- (2) The Local Government facilitates the Utilization and promotion of Regional Tangible Cultural Heritage carried out by Every Person.
- (3) The facilitation as referred to in section (2) includes:
  - a. Utilization permit;
  - b. Preservation Expert support;
  - c. financial support; and/or
  - d. training.
- (4) The promotion as referred to in section (2) is carried out to strengthen cultural identity and improve the quality of life and income of the community.

Article 69

The Utilization that can cause damage must be preceded by a study, Research and/or analysis of the environmental impact.

Article 70

- (1) Regional Tangible Cultural Heritage which when discovered no longer functions as before can be used for certain purposes.
- (2) The Utilization of Regional Tangible Cultural Heritage as referred to in section (1) is carried out with permission from the Local Government in accordance with the level of the Regional Tangible Cultural Heritage and/or the customary law community that owns and/or controls it.

Article 71

- (1) The Utilization of discovery locations that have been designated as Regional Tangible Cultural Heritage Sites must consider the spatial function and its Protection.
- (2) The Local Government may stop the Utilization or revoke the Utilization permit for Regional Tangible Cultural Heritage if the owner and/or person in control is proven to have destroyed or caused damage to the Regional Tangible Cultural Heritage.
- (3) The Regional Tangible Cultural Heritage that is no longer utilized must be returned to its original condition.

- (4) The cost of returning the property to its original condition is charged to those who utilize the Regional Tangible Cultural Heritage.

Article 72

- (1) The Utilization by means of Duplication of Tangible Cultural Heritage Objects recorded as Regional level may only be carried out with the permission of the Mayor.
- (2) The Utilization by means of Duplication of Tangible Cultural Heritage Objects owned and/or controlled by Any Person or controlled by the Local Government is carried out in accordance with the provisions of legislation.
- (3) Further provisions regarding permits for the Utilization of Tangible Cultural Heritage Objects at the Regional level are regulated by a Mayor Regulation.

Article 73

The Utilization of collections in the form of Tangible Cultural Heritage in museums is carried out for the Development of education, science, culture, social and/or tourism.

Article 74

Every Person is prohibited from:

- a. documenting Tangible Cultural Heritage in whole or in part for commercial purposes without the permission of the owner and/or the person in control.
- b. utilizing Regional Tangible Cultural Heritage, either in whole or in part, by means of Duplication, except with the permission of the Mayor according to its level.

CHAPTER VII

INCENTIVES AND COMPENSATION

Article 75

- (1) Incentives may be given by the Local Government to Any Person and/or customary law community that owns and/or controls the Tangible Cultural Heritage that has carried out Tangible Cultural Heritage Protection.
- (2) The provision of Incentives as referred to in section (1) must be accompanied by a recommendation from the Office.

Article 76

- (1) The Incentives as referred to in Article 75 may be in the form of:
  - a. reduction of land and building tax;
  - b. facilitation of Preservation experts;
  - c. facilitation of advocacy;
  - d. facilitation of technical assistance includes facilitation of studies or feasibility studies;
  - e. facilitation of assistance for facilities and infrastructure; and/or
  - f. granting of awards.
- (2) The Incentives as referred to in section (1) may be submitted by the owner and/or person in control of the Tangible Cultural Heritage who has carried out the Protection, to the Local Government with the following conditions:
  - a. does not yet have technical personnel;
  - b. does not yet have a Preservation Expert;

- c. does not yet have facilities and infrastructure; and/or
- d. Tangible Cultural Heritage is in a state of emergency.

Article 77

- (1) The Compensation may be provided by the Local Government to:
  - a. Any Person and/or customary law community who finds ODCB whose findings are designated as Tangible Cultural Heritage;
  - b. owners and/or persons in control of Tangible Cultural Heritage who have carried out Tangible Cultural Heritage Protection.
- (2) The provision of Compensation as referred to in section (1) is provided with the following conditions:
  - a. owners and/or discoverers who voluntarily carry out Tangible Cultural Heritage Preservation consistently and sustainably;
  - b. Preservation carried out on Tangible Cultural Heritage in accordance with Preservation principles; and
  - c. willing to comply with the provisions set by the Local Government as stated in the rights and obligations of the recipient.
- (3) The Compensation as referred to in section (1) may be in the form of:
  - a. cup;
  - b. Certificate of Merit;
  - c. emergency Rescue cost subsidy;
  - d. Restoration fund subsidy; and/or
  - e. Maintenance fund subsidy.
- (4) The provision of Compensation as referred to in section (1) must be accompanied by a recommendation from the Office.
- (5) The provision of Compensation as referred to in section (1) is carried out in accordance with the provisions of legislation.

Article 78

Further provisions regarding procedures, requirements and the mechanism for providing incentives and compensation as referred to in Article 75, Article 76, and Article 77 are regulated by a Mayor Regulation.

CHAPTER VIII  
GUIDANCE AND SUPERVISION

Article 79

- (1) The Local Government provides guidance on the implementation of Tangible Cultural Heritage in the Region through:
  - a. dissemination, studies, technical guidance, assistance or technical support regarding the implementation of Tangible Cultural Heritage in the Region,
  - b. education and training of civil servants and the community;
  - c. Utilization and promotion of Tangible Cultural Heritage Area;
  - d. Utilization of science and technology in the Preservation of Tangible Cultural Heritage;

- e. dissemination of information regarding the Preservation of Tangible Cultural Heritage;
  - f. dissemination of literacy regarding Regional Tangible Cultural Heritage to the people;
  - g. formation of community groups aware of Tangible Cultural Heritage; and/or
  - h. instilling a caring behaviour towards Tangible Cultural Heritage to students in the Region.
- (2) The guidance of the management of Tangible Cultural Heritage in the Region as referred to in section (1) is carried out by the Office in collaboration with customary institutions and/or stakeholders in the Region.

#### Article 80

- (1) The supervision of the implementation of Tangible Cultural Heritage in the Region is carried out by the Local Government.
- (2) The supervision by the Local Government as referred to in section (1) is carried out functionally and structurally.
- (3) In order to carry out supervision as referred to in section (1), the Local Government through the Office:
- a. accommodates public complaints relating to the Preservation of Tangible Cultural Heritage;
  - b. monitors the Tangible Cultural Heritage in the Region regularly; and
  - c. carries out the evaluation of programs and activities management of Tangible Cultural Heritage in the Region.
- (4) In the context of carrying out the supervision of the Preservation of Tangible Cultural Heritage, the Mayor may impose administrative sanctions on the heads of Local Government Agencies who do not make efforts to preserve the Tangible Cultural Heritage under their control.
- (5) The administrative sanctions as referred to in section (4) are:
- a. verbal warning;
  - b. written warning; and/or
  - c. other personnel sanctions.

### CHAPTER IX PUBLIC PARTICIPATION

#### Article 81

- (1) Every Person and/or community plays a role in the Preservation of Tangible Cultural Heritage by:
- a. monitoring the Tangible Cultural Heritage Preservation efforts;
  - b. preventing and reporting the violations against the Preservation of Tangible Cultural Heritage;
  - c. requesting information from relevant agencies or parties;
  - d. providing input on Tangible Cultural Heritage Preservation efforts; and/or
  - e. filing a class action lawsuit or lawsuit by a non-governmental organization against unlawful acts related to Tangible Cultural Heritage.
- (2) Every Person and/or community is obligated to maintain the sustainability of Tangible Cultural Heritage buildings and/or environments and to prevent and overcome damage to Tangible Cultural Heritage buildings and/or environments.

- (3) Every Person and/or community that owns, controls and/or utilizes a Tangible Cultural Heritage building and/or environment is obligated to maintain the sustainability and prevent damage to the Tangible Cultural Heritage building and/or environment.

## CHAPTER X FUNDING

### Article 82

- (1) Funding for the Preservation of Regional Tangible Cultural Heritage is a shared responsibility between the Local Government and the community.
- (2) The funding as referred to in section (1) comes from:
  - a. Local budget;
  - b. Utilization results of Regional Tangible Cultural Heritage; and/or
  - c. other legitimate and non-binding sources in accordance with the provisions of legislation.
- (3) The Local Government allocates a budget for the Protection, Development, Utilization and Compensation of Regional Tangible Cultural Heritage by paying attention to the proportional principle in accordance with the provisions of legislation.
- (4) The Local Government provides reserve funds for the Rescue of Tangible Cultural Heritage in emergencies and discoveries that have been designated as Tangible Cultural Heritage.

## CHAPTER XI INVESTIGATIVE PROVISIONS

### Article 83

- (1) Civil Servant Investigators are civil servant officials whose scope of duties and responsibilities are in the field of Tangible Cultural Heritage Preservation who are given special authority to conduct investigations as referred to in the Law on Criminal Procedure on the Tangible Cultural Heritage criminal acts.
- (2) The investigators as referred to in section (1) have the authority to:
  - a. receive a report or complaint from a person regarding a criminal act against Tangible Cultural Heritage;
  - b. take the first action at the crime scene;
  - c. order a suspect to stop and check the suspect's identification;
  - d. conduct searches and confiscation;
  - e. conduct inspections and confiscation on evidence of criminal acts of Tangible Cultural Heritage;
  - f. take fingerprints and photograph of a person;
  - g. summon and examine suspects and/or witnesses;
  - h. bring in an expert required in connection with the case examination;
  - i. make and sign the minutes; and
  - j. terminate the investigation if there is insufficient evidence of a criminal act in the field of Tangible Cultural Heritage.
- (3) The investigators as referred to in section (1) in carrying out their duties are under the coordination and supervision of investigators from the Indonesian National Police.

CHAPTER XII  
CRIMINAL PROVISIONS

Article 84

Any person who intentionally prevents, obstructs, or thwarts efforts to preserve Tangible Cultural Heritage as referred to in Article 51 is subject to imprisonment for a maximum of 5 (five) years and/or a fine for a minimum of Rp10,000,000.00 (ten million rupiah) and a maximum of Rp500,000,000.00 (five hundred million rupiah) in accordance with the provisions of legislation.

Article 85

- (1) Any person who intentionally damages a Tangible Cultural Heritage, either in whole or in part from the unit, group, and/or its original location as referred to in Article 57 point a is subject to imprisonment for a minimum of 1 (one) year and a maximum of 15 (fifteen) years and/or a fine for a minimum of Rp500,000,000.00 (five hundred million rupiah) and a maximum of Rp5,000,000,000.00 (five billion rupiah) in accordance with the provisions of legislation.
- (2) Any person who steals a Tangible Cultural Heritage, either in whole or in part, from a unit, group, and/or its original location as referred to in Article 57 point b is subject to imprisonment for a maximum of 10 (ten) years and/or a fine for a minimum of Rp250,000,000.00 (two hundred and fifty million rupiah) and a maximum of Rp2,500,000,000.00 (two billion five hundred million rupiah) in accordance with the provisions of legislation.
- (3) Any person who moves a Regional Tangible Cultural Heritage, either in whole or in part, except with the permission of the Mayor in accordance with his/her authority as referred to in Article 57 point c is subject to imprisonment for a minimum of 3 (three) months and a maximum of 2 (two) years and/or a fine for a minimum of Rp100,000,000.00 (one hundred million rupiah) and a maximum of Rp1,000,000,000.00 (one billion rupiah) in accordance with the provisions of legislation.
- (4) Any person who separates a Regional Tangible Cultural Heritage, either in whole or in part, except with the permission of the Mayor in accordance with his/her authority as referred to in Article 57 point d is subject to imprisonment for a maximum of 10 (ten) years and/or a fine for a minimum of Rp100,000,000.00 (one hundred million rupiah) and a maximum of Rp2,500,000,000.00 (two billion five hundred million rupiah) in accordance with the provisions of legislation.

Article 86

Any person who takes a Tangible Cultural Heritage, either in whole or in part, out of the territory of the Republic of Indonesia for the purposes of research, cultural promotion, and/or exhibition without the Mayor's permission as referred to in Article 58 is subject to imprisonment for a maximum of 5 (five) years and/or a fine for a minimum of Rp1,000,000.00 (one million rupiah) and a maximum of Rp100,000,000.00 (one hundred million rupiah) in accordance with the provisions of legislation.

Article 87

Any person who changes the function of a Regional Tangible Cultural Heritage Site and/or Tangible Cultural Heritage Area, either in whole or in part, except with the permission of the Mayor in accordance with his/her authority as referred to in Article 66 is subject to imprisonment for a maximum of 5 (five) years and/or a fine for a minimum of Rp100,000,000.00 (one hundred million rupiah) and a maximum of Rp1,000,000,000.00 (one billion rupiah) in accordance with the provisions of legislation.

Article 88

- (1) Any person who documents a Tangible Cultural Heritage in whole or in part for commercial purposes without the permission of its owner and/or person in control as referred to in Article 74 point a is subject to imprisonment for a maximum of 5 (five) years and/or a fine for a maximum of Rp500,000,000.00 (five hundred million rupiah) in accordance with the provisions of legislation.
- (2) Any person who intentionally exploits a Regional Tangible Cultural Heritage, either in whole or in part, by means of Duplication, except with the permission of the Mayor as referred to in Article 74 point b is subject to imprisonment for a maximum of 5 (five) years and/or a fine for a maximum of Rp500,000,000.00 (five hundred million rupiah) in accordance with the provisions of legislation.

CHAPTER XIII  
TRANSITIONAL PROVISIONS

Article 89

- (1) Any person or entity that owns, controls or finds an object suspected of being a Regional Tangible Cultural Heritage Object, a building suspected of being a Regional Tangible Cultural Heritage Building, a structure suspected of being a Regional Tangible Cultural Heritage Structure, and/or a location suspected of being a Regional Tangible Cultural Heritage Site is obligated to register the object, building, structure or location not later than 2 (two) years from the time this Regional Regulation comes into force.
- (2) Determination of Tangible Cultural Heritage in the Region that has been carried out before this Regional Regulation is stipulated remains valid until determined further based on the recommendations of the Tangible Cultural Heritage Expert Team.

CHAPTER XIV  
CLOSING PROVISIONS

Article 90

At the time this regional regulation comes into force, the Mayor Regulation Number 2 of 2012 on Management of Tangible Cultural Heritage and Historical Relics in the Municipality of Bukittinggi (Regional Gazette of the Municipality of Bukittinggi of 2012 Number 2), is declared remain in effect as long as it does not conflict with the provisions in this Regional Regulation.

Article 91

Implementing regulations of this Regional Regulation must be stipulated not later than 1 (one) year after the promulgation of this Regional Regulation.

Article 92

This 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 Municipality of Bukittinggi.

Issued in Bukittinggi  
on 20 November 2023

MAYOR OF BUKITTINGGI,

signed

ERMAN SAFAR

Promulgated in Bukittinggi  
on 20 November 2023

REGIONAL SECRETARY  
OF THE MUNICIPALITY OF BUKITTINGGI,

signed

MARTIAS WANTO

REGIONAL GAZETTE OF THE MUNICIPALITY OF BUKITTINGGI OF 2023  
NUMBER 6

Jakarta, 13 February 2026  
Has been translated as an Official Translation  
on behalf of the Minister of Law  
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,



DWIYATI PUTRA

ELUCIDATION  
OF  
REGULATION OF THE MUNICIPALITY OF BUKITTINGGI  
NUMBER 6 OF 2023  
ON  
TANGIBLE CULTURAL HERITAGE

I. GENERAL

Culture is the result of human work and evidence of existence in ancient times in order to maintain their lives. Human culture is formed because of activities that are carried out in a patterned manner and become habits that are preserved by their followers because they are seen as the best method to support survival. One of the cultural heritages that deserves extra attention is a concrete cultural heritage called tangible cultural heritage. Indonesia is one of the nations in the world that has Tangible Cultural Heritage Objects with such high cultural values.

In Law Number 5 of 1992 on Tangible Cultural Heritage, the authority for the preservation and Protection of tangible cultural heritage is centralized. Whereas in Law Number 10 of 2011 on Tangible Cultural Heritage, it is decentralized, namely that the Local Government is given great authority in the preservation of tangible cultural heritage, while the central government only acts as a facilitator, dynamic, and coordinator. Article 32 section (1) of the 1945 Constitution of the Republic of Indonesia states that "The state promotes Indonesian national culture in the midst of world civilization by guaranteeing the freedom of society to maintain and develop its cultural values."

The Municipality of Bukittinggi is one of the areas that stores various archaeological remains that are strong from the Dutch Colonial era. The Government of the Municipality of Bukittinggi has many tangible cultural heritages so that their existence needs to be protected, managed, and preserved considering the importance of the existence of tangible cultural heritage as one of the factors strengthening the nation's identity.

Therefore, this regional regulation on Tangible Cultural Heritage regulates the duties and authorities of the Local Government, criteria for Tangible Cultural Heritage, Determination of Tangible Cultural Heritage, Ownership, Control, discovery and search, Preservation of Tangible Cultural Heritage, guidance and supervision, public participation.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear

Article 2

Sufficiently clear

Article 3

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Article 4  
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Article 5  
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Article 6  
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Article 7  
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Article 8  
Sufficiently clear

Article 9  
point a  
The term “biota remains” means the remaining parts of the flora and fauna associated with an area.  
point b  
Sufficiently clear  
point c  
Sufficiently clear

Article 10  
Sufficiently clear

Article 11  
Sufficiently clear

Article 12  
Sufficiently clear

Article 13  
point a  
Sufficiently clear.  
point b  
The term “cultural landscape” means a natural landscape formed by humans that reflects the use of sites or areas in the past.  
point c  
Sufficiently clear.  
point d  
Sufficiently clear.  
point e  
Sufficiently clear.  
point f  
Sufficiently clear.

Article 14  
The term “special meaning for the people” means having important value for a particular cultural society.  
The term "special meaning for the nation" means having an important value for the Indonesian state and people which is a symbol of unity, pride of national identity, or which is an extraordinary event on a national or world scale.

Article 15  
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Article 16  
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Article 39  
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Article 40  
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Article 41  
Section (1)  
The term "social function" means that in principle the Tangible Cultural Heritage Objects, Tangible Cultural Heritage Buildings, Tangible Cultural Heritage Structures, and/or Tangible Cultural Heritage Sites owned by a person are utilized not only for personal interests, but also for public interests, for example for the interests of science, technology, education, tourism, religion, history, and culture.

Section (2)  
The term "meet the needs of the state" means if the state already has Tangible Cultural Heritage Objects, Tangible Cultural Heritage Buildings, or Tangible Cultural Heritage Structures, the number and types of which are stored nationally in Government and/or Local Government museums and on sites where it was found.

Section (3)  
Sufficiently clear.

Section (4)  
Sufficiently clear.

Article 42  
The term "customary law communities" means a group of people who live in a certain geographical area who have group feelings (in-group feeling), customary government institutions, customary assets/objects, and customary legal norms.

Article 43  
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Article 44  
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Article 90  
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Article 91  
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Article 92  
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