

REGULATION OF THE MUNICIPALITY OF TANGERANG
NUMBER 7 OF 2021
ON
PRESERVATION OF INTANGIBLE CULTURAL HERITAGE

BY THE BLESSINGS OF ALMIGHTY GOD

THE MAYOR OF TANGERANG,

- Considering :
- a. that the Municipality of Tangerang has a cultural entity in the form of religious values, philosophical values, aesthetic values, historical values, and diverse cultural values that describe the distinctiveness of the Municipality of Tangerang so that it must be preserved in order to be beneficial for the interests of the public in a sustainable manner;
 - b. that the existence of Intangible Cultural Heritage in the area of the Municipality of Tangerang, is a cultural property that contains important local cultural wisdom values as a basis for personality development, identity formation, and a stronghold of socio-cultural resilience of the community of the Municipality of Tangerang, so that efforts to maintain its sustainability are the joint responsibility of all parties;
 - c. that based on the considerations as referred to in point a and point b it is necessary to issue a Regional Regulation on Preservation of Intangible Cultural Heritage;

- Observing:
1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
 2. Law Number 2 of 1993 on Establishment of Level II Regional Municipality of Tangerang (State Gazette of the Republic of Indonesia of 1993 Number 18, Supplement to the State Gazette of the Republic of Indonesia Number 3518);
 3. Law Number 23 of 2000 on Establishment of Banten Province (State Gazette of the Republic of Indonesia of 2000 Number 182, Supplement to the State Gazette of the Republic of Indonesia Number 4001);

4. Law Number 10 of 2009 on Tourism Activities (State Gazette of the Republic of Indonesia of 2009 Number 11, Supplement to the State Gazette of the Republic of Indonesia Number 4966);
5. Law Number 11 of 2010 on 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);
6. 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 last amended several times by Law Number 9 of 2015 on 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);
7. Law Number 5 of 2017 on Promotion of Culture (State Gazette of the Republic of Indonesia of 2017 Number 104, Supplement to the State Gazette of the Republic of Indonesia Number 6055);
8. Regulation of the Province of Banten Number 9 of 2005 on Master Plan for Tourism Development of the Province of Banten (Regional Gazette of the Provincial Government of Banten of 2018 Number 3, Supplement to the Regional Gazette of the Provincial Government of Banten Number 3);
9. Regional Regulation Number 3 of 2018 on Management and Preservation of Cultural Heritage (Regional Gazette of the Municipality of Tangerang of 2018 Number 3, Supplement to the Regional Gazette of the Municipality of Tangerang Number 3);

CHAPTER I GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means the Municipality of Tangerang.
2. Local Government means the Mayor and Regional Apparatus as the administering elements of the Local Governments of the Municipality of Tangerang.
3. Mayor means the Mayor of Tangerang.
4. Culture means everything related to the creation, taste, charities and works of community.
5. Indonesian Intangible Cultural Heritage means all the various results of practices, embodiment, expression of knowledge and skills, related to the cultural sphere, which are passed down from generation to generation

continuously through preservation and/or re-creation and are cultural results in the form of intangible culture after going through the process of determining Intangible Culture.

6. Preservation means a dynamic effort to maintain the existence of Cultural Heritage and its value by protecting, developing, and utilizing it.
7. Ownership means the strongest and fullest right to Cultural Heritage while taking into account social functions and the obligation to preserve it.
8. Tenure means the granting of authority from the owner to the Government, Local Government, or any person to manage Cultural Heritage while taking into account social functions and obligations to preserve it.
9. Maintenance means an effort to maintain and care for the physical condition of Cultural Heritage to remain sustainable.
10. Protection means efforts to prevent and overcome damage, destruction, or destruction by means of Rescue, Security, Zoning, and Maintenance and Restoration of Cultural Heritage.
11. Rescue means an effort to prevent and/or overcome Cultural Heritage from destruction, destruction, or destruction.
12. Security means an effort to maintain and prevent Cultural Heritage from threats and/or disturbances.
13. Development means the enhancement of the potential value, information, and promotion of Cultural Heritage and its utilization through Research, Revitalization, and Adaptation in a sustainable manner and not contrary to the objectives of Preservation.
14. Revitalization means a Development activity aimed at re-growing the important values of Intangible Cultural Heritage by adjusting the function of new spaces that do not conflict with the principles of Preservation and cultural values of the community.
15. Utilization means an effort to utilize Cultural Heritage for the greatest benefit of the welfare of the people while maintaining its sustainability.
16. Compensation means monetary and/or non-monetary compensation from the Government or Local Government.
17. Incentive means support in the form of advocacy, assistance, or other forms of non-funding to encourage the Preservation of Cultural Heritage from the Government or Local Government.
18. Certification means the process of granting certificates to cultural actors and observers of intangible culture in the Municipality of Tangerang.

19. Every Person means an individual, group of people, community organization, and/or corporated or incorporated business entity.

Article 2

- (1) This Regional Regulation is intended to regulate the preservation of intangible culture of the Municipality of Tangerang.
- (2) Regulating Preservation as referred to in section (1) aims to:
- a. secure cultural property assets that have important value in the Region;
 - b. increase socio-cultural resilience based on local wisdom;
 - c. secure the components of the chain of continuity of past and present cultures and contributing to the determination of the direction of their development in the future; and
 - d. utilize cultural heritage for religious, social, economic, tourism, educational, scientific, and/or cultural interests.

CHAPTER II

DUTIES, AUTHORITY, RIGHTS AND OBLIGATIONS

Part One

Duties and Authority

Article 3

- (1) The Local Government, in accordance with its level, has duties to
- a. realize, grow, develop, and increase awareness and responsibility of the rights and obligations of the community in the management of the preservation of intangible cultural heritage;
 - b. develop and implement policies that ensure the protection and utilization of intangible cultural heritage;
 - c. conduct research and development of intangible cultural heritage;
 - d. provide intangible cultural heritage information;
 - e. organize the promotion of intangible cultural heritage;
 - f. facilitate everyone in carrying out the utilization and promotion of intangible cultural heritage tourism;
 - g. supervise, monitor, and evaluate the preservation of intangible cultural heritage; and
 - h. allocate funds for the preservation of intangible cultural heritage.
- (2) The Local Government has the authority to:

- a. receive and register intangible cultural heritage;
- b. collect data on intangible cultural heritage;
- c. organize cooperation in the preservation of intangible cultural heritage;
- d. give awards to everyone who has carried out the preservation of intangible cultural heritage; and
- e. establish ethics for the preservation of intangible cultural heritage.

Part Two
Rights and Obligations

Article 4

- (1) Every person who owns and/or controls intangible cultural heritage has the rights to:
 - a. obtain information on the preservation of cultural heritage;
 - b. utilize cultural heritage;
 - c. obtain an award from the Local Government; and/or
 - d. obtain facilitation of Local Government.
- (2) Every person who owns and/or controls intangible cultural heritage is obligated to:
 - a. preserve intangible cultural heritage;
 - b. maintain and secure intangible cultural heritage; and
 - c. save intangible cultural heritage.
- (3) Every person who finds intangible cultural heritage in the form of a location suspected of intangible cultural heritage is obligated to report to the Regional Apparatus in charge of cultural affairs.

CHAPTER III
PRESERVATION OF INTANGIBLE CULTURAL HERITAGE

Part One
General

Article 5

- (1) Everyone who owns and/or controls intangible cultural heritage must follow the direction of the preservation policy.
- (2) The direction of preservation policy as referred to in section (1) contains matters that must be considered in the preservation of intangible cultural heritage.

Article 6

The preservation of intangible cultural heritage considers:

- a. form;
- b. the nature and condition of intangible cultural heritage objects;

- c. utilization;
- d. carrying capacity;
- e. capacity; and
- f. strengthening importance and identity.

Article 7

- (1) Intangible cultural heritage is determined based on the following criteria of:
 - a. having a high importance value; and
 - b. strengthening the image of the region.
- (2) High importance values as referred to in section (1) point a, include:
 - a. having a distinctive style or style; and/or
 - b. having benefits for science, education, religion, and/or culture.

Article 8

- (1) The form of intangible cultural heritage of the Region consists of:
 - a. oral tradition;
 - b. manuscripts;
 - c. custom;
 - d. rites;
 - e. traditional knowledge;
 - f. traditional technology;
 - g. art;
 - h. language;
 - i. folk games; and
 - j. traditional sports.
- (2) Further provisions regarding the form of intangible cultural heritage are regulated by a Mayor Regulation.

Part Two

Protection, Development and Utilization

Article 9

The preservation of intangible cultural heritage includes:

- a. Protection;
- b. Development; and
- c. Utilization.

Paragraph 1

Protection

Article 10

- (1) Everyone is obligated to protect intangible cultural heritage.
- (2) Protection as referred to in section (1) is carried out by:
 - a. inventory;

- b. security;
- c. maintenance;
- d. rescue and
- e. publications.

Article 11

The inventory as referred to in Article 10 section (2) point a includes:

- a. recording and documentation;
- b. determination; and
- c. data update.

Article 12

The security as referred to in Article 10 section (2) point b is carried out by:

- a. updating data in the Integrated Cultural Data Collection System continuously;
- b. passing on the Object of Cultural Promotion to the next generation; and
- c. fighting for the Object of Cultural Promotion as world cultural heritage.

Article 13

The maintenance as referred to in Article 10 section (2) point c is carried out by:

- a. maintaining the noble value and wisdom of the Object of Cultural Promotion;
- b. using the Object of Cultural Promotion in everyday life;
- c. maintaining the diversity of Cultural Promotion Objects;
- d. reviving and maintaining the Cultural ecosystem for each Object of Cultural Promotion; and
- e. passing on the Object of Cultural Promotion to the next generation.

Article 14

The rescue as referred to in Article 10 section (2) point d is carried out by:

- a. revitalization;
- b. repatriation; and/or
- c. restoration.

Article 15

The publication as referred to in Article 10 section (2) point e is carried out for the dissemination of information to the public either domestically or abroad using various forms of media.

Article 16

Further provisions regarding procedures for the protection of

intangible cultural heritage as referred to in Article 10 up to Article 15 are regulated by a Mayor Regulation.

Paragraph 2
Development

Article 17

- (1) Everyone can carry out the development of intangible cultural heritage.
- (2) Development as referred to in section (1) may be directed to spur economic development for the improvement of public welfare as well as for the maintenance of intangible cultural heritage.
- (3) The development of intangible cultural heritage is carried out by:
 - a. dissemination;
 - b. assessment; and
 - c. diversity enrichment.

Article 18

Further provisions regarding development procedures as referred to in Article 17 are regulated by a Mayor Regulation.

Paragraph 2
Utilization

Article 19

The utilization of intangible cultural heritage is carried out to:

- a. increase cultural resilience; and
- b. improve public welfare;

Article 20

The utilization to increase cultural resilience as referred to in Article 19 point a is carried out through:

- a. internalization of cultural values;
- b. innovation;
- c. increased adaptation to change;
- d. cross-cultural communication; and
- e. intercultural collaboration.

Article 21

- (1) The utilization to improve community welfare as referred to in Article 19 point b can be carried out through the processing of intangible cultural heritage into products.
- (2) The processing as referred to in section (1) is carried out while maintaining the noble value and wisdom of intangible cultural heritage.

Article 22

- (1) The Local Government can facilitate the utilization of intangible cultural heritage.
- (2) The facilitation as referred to in section (1) is in the form of utilization permits, expert support, financial support, and/or training.

Article 23

- (1) The Local Government can cooperate with various parties in the utilization of intangible cultural heritage.
- (2) The cooperation as referred to in section (1) is carried out with a cooperation agreement in accordance with the provisions of legislation.

Article 24

- (1) The promotion of intangible cultural heritage must provide benefits for the preservation of cultural heritage and the life of people.
- (2) The promotion as referred to in section (1) must:
 - a. include the surrounding environment as a second or complementary purpose;
 - b. place intangible cultural heritage as an axis and creating other objects and attractions around the main object as bars;
 - c. be directed to create special interest tourism; and
 - d. be able to place tourists to participate in the process of preserving intangible cultural heritage.
- (3) Promotional materials as referred to in section (1) must be based on clear, complete, and accurate information sourced from the results of the study.

Article 25

- (1) Promotion may be done by:
 - a. Local Government; and
 - b. community.
- (2) Promotion organized by the Local Government is carried out by the regional apparatus in charge of cultural affairs.
- (3) Promotion may be carried out by the community consisting of:
 - a. individuals; and/or
 - b. cultural groups/organizations.

Article 26

Further provisions regarding utilization procedures as referred to in Article 19 to Article 25 are regulated by a Mayor Regulation.

Article 27

- (1) The Local Government coordinates the preservation of

intangible cultural heritage among all parties in order to create a unified preservation of intangible cultural heritage.

- (2) Coordination as referred to in section (1) is carried out in the following cases:
 - a. designation of intangible cultural heritage; and
 - b. preparation of guidelines for the preservation of intangible cultural heritage.

CHAPTER IV REPORTING AND RECORDING

Article 28

- (1) Everyone who knows the intangible cultural heritage has the right to report to the regional apparatus in charge of cultural affairs.
- (2) In the event that everyone does not know that the culture owned and/or possessed by them is intangible cultural heritage, the regional apparatus in charge of cultural affairs is obligated to notify to report.
- (3) The report as referred to in section (1) is in:
 - a. the oral form, which will then be made minutes of reporting; or
 - b. the written form, which will then be made a reporting receipt.
- (4) The contents of the report as referred to in section (3) contain at least:
 - a. location;
 - b. criteria of information;
 - c. conditions; and
 - d. identity of the informant.

Article 29

- (1) The regional apparatus in charge of cultural affairs clarifies and verifies the report.
- (2) The results of clarification and verification of the report as referred to in section (1) are notified to the reporter, owner and/or possessor.

Article 30

- (1) The local government facilitates the registration process of intangible cultural heritage that has been recorded in the List of Intangible Cultural Heritage.
- (2) The list of intangible cultural heritage as referred to in section (1) is determined by a Mayor Decision.
- (3) The decision of the Mayor as referred to in section (2) is as a basis for submitting the designation of intangible cultural heritage to the Minister.

CHAPTER V EXPERT TEAM

Article 31

- (1) The Local Government in carrying out conservation can be assisted by a team of experts.
- (2) Further provisions regarding the duties, membership, and qualifications of the expert team as referred to in section (1) are regulated by a Mayor Regulation.

CHAPTER VI AWARDING

Article 32

- (1) Any person who owns and/or controls intangible cultural heritage voluntarily conserves consistently and sustainably and fulfills the rules of preservation of intangible cultural heritage may receive an award from the Local Government.
- (2) The award of intangible cultural heritage as referred to in section (1) in the form of incentives and compensation.
- (3) The recipient of the intangible cultural heritage award must comply with the provisions stipulated by the Local Government as stated in the rights and obligations of the award recipient.
- (4) The local government, in accordance with its authority, may revoke and reclaim the award received by any person.
- (5) Provisions regarding criteria, procedures, procedures for assessment and determination, provision of incentives and compensation and revocation of awards are further regulated by a Mayor Regulation.

CHAPTER VII PUBLIC PARTICIPATION

Article 33

- (1) The public can participate in the preservation of intangible cultural heritage.
- (2) The public participation in the preservation of intangible cultural heritage as referred to in section (1) includes:
 - a. assisting efforts to protect, develop and utilize intangible cultural heritage;
 - b. providing legal and non-binding financial assistance for the preservation of intangible cultural heritage;
 - c. carrying out temporary security of intangible cultural heritage in emergencies and certain conditions;
 - d. conducting advocacy, publication and dissemination of efforts to preserve intangible cultural heritage with the Local Government;

- e. reporting the findings of objects suspected of intangible cultural heritage to the regional apparatus in charge of cultural affairs;
- f. registering objects suspected of intangible cultural heritage; and
- g. supervising the preservation of intangible cultural heritage.

Article 34

The public participation in the preservation of intangible cultural heritage includes:

- a. contributing ideas in preparing the Master Plan for the Preservation of Intangible Cultural Heritage;
- b. supervising the implementation of the preservation of intangible cultural heritage;
- c. reporting the implementation of the preservation of intangible cultural heritage that is not in accordance with the preservation document to the regional apparatus in charge of cultural affairs;
- d. promoting intangible cultural heritage;
- e. conducting socialization and publication of efforts to preserve intangible cultural heritage; and
- f. being part of the element of the management body of the intangible cultural heritage area together with the Local Government.

CHAPTER VIII CLOSING PROVISIONS

Article 35

This Regional Regulation comes into force on the date of its promulgation.

In order that every person know hereof, it is ordered to promulgate this Regional Regulation by its placement in the Regional Gazette of the Municipality of Tangerang.

Issued in Tangerang
on 16 August 2021

MAYOR OF TANGERANG,

signed

ARIEF R. WISMANSYAH

Promulgated in Tangerang
on 16 August 2021
REGIONAL SECRETARY
OF THE MUNICIPALITY OF TANGERANG,

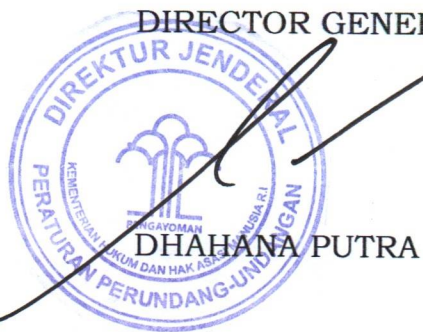
signed

HERMAN SUWARMAN

REGIONAL GAZETTE OF THE MUNICIPALITY OF TANGERANG OF 2021
NUMBER 7

Jakarta, 4 December 2024
Has been translated as an Official Translation
on behalf of Minister of Law
of the Republic of Indonesia

DIRECTOR GENERAL FOR LEGISLATION,



ELUCIDATION
OF
REGULATION OF THE MUNICIPALITY OF TANGERANG
NUMBER 7 OF 2021
ON
PRESERVATION OF INTANGIBLE CULTURAL HERITAGE

I. GENERAL

The Municipality of Tangerang has a distinctive entity resulting from cultural acculturation of various ethnicities. Local identity in the form of religious values, spiritual values, philosophical values, aesthetic values, historical values, and distinctive cultural values must be preserved as well as can be used as resources that are beneficial to the municipality of the Municipality of Tangerang. The strategic location of the Municipality of Tangerang which borders the capital city of Indonesia, Special Capital Region adds strategic value in terms of economy and culture.

The existence of intangible cultural heritage in the city area is a cultural property that contains important local cultural wisdom values as a basis for personality development, identity formation, and a stronghold of socio-cultural resilience of the community. Therefore, conservation efforts are a joint responsibility of all parties synergistically for the benefit of the wider community.

The current empirical conditions, cultural peculiarities in the Municipality of Tangerang have not been utilized properly. The contribution of the cultural sector to the community's economy is still not optimal. The determinant factor is that cultural peculiarities have not been considered important in the city's economy, which is still highly dependent on the industrial sector. In fact, if the preservation of the unique intangible cultural heritage of the Municipality of Tangerang is carried out, the cultural sector can become an important sector in the city's economy.

One of the sides to encourage the preservation of the intangible cultural heritage of the Municipality of Tangerang is structural improvement with legislation that is in accordance with local needs as the foundation. Until now, there has been no legislation that regulates the intangible cultural heritage of the Municipality of Tangerang. Therefore this Local Regulation places the importance..

The scope of regulation in this Regional Regulation covers intangible cultural heritage. This is considered to have surrounded the diversity of typical

local-culture of the community of the Municipality of Tangerang.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear

Article 3

Sufficiently clear

Article 4

Sufficiently clear

Article 5

Sufficiently clear

Article 6

Sufficiently clear

Article 7

Sufficiently clear

Article 8

Sufficiently clear

Article 9

Sufficiently clear

Article 10

Sufficiently clear

Article 11

Sufficiently clear

Article 12

Sufficiently clear

Article 13

Sufficiently clear

Article 14

Sufficiently clear

Article 15

Sufficiently clear

Article 16
Sufficiently clear

Article 17
Sufficiently clear

Article 18
Sufficiently clear

Article 19
Sufficiently clear

Article 20
Point a
Internalization of cultural values is an activity implements values about culture that has benefits as cultural development, screening and improvement;
Point b
Innovation is an idea, thought, motorcycle taxi, and practice that are based on and accepted as something new by someone or certain groups to be applied or even adopted;
Point c
Increased adaptation to change is an improved way in which organisms cope with environmental stresses surrounding to survive;
Point d
Cross-cultural communication is interpersonal interaction and interpersonal communication carried out by several people who have different backgrounds and cultures;
Point e
Intercultural collaboration is a form of cooperation, interaction compromise of several elements related to either individuals, institutions and or parties directly and indirectly involved directly who receives consequences and benefits.

Article 21
Sufficiently clear

Article 22
Sufficiently clear

Article 23
Sufficiently clear

Article 24
Sufficiently clear

Article 25
Sufficiently clear

Article 26
Sufficiently clear

Article 27
Sufficiently clear

Article 28
Sufficiently clear

Article 29
Sufficiently clear

Article 30
Sufficiently clear

Article 31
Sufficiently clear

Article 32
Sufficiently clear

Article 33
Sufficiently clear.

Article 34
Sufficiently clear

Article 35
Sufficiently clear

SUPPLEMENT TO THE REGIONAL GAZETTE OF THE MUNICIPALITY OF
TANGERANG NUMBER 7