

**PRESIDENT OF REPUBLIC OF INDONESIA
PRESIDENTIAL REGULATION**

**NUMBER 83 OF 2005
CONCERNING
NATIONAL COORDINATING AGENCY FOR DISASTER MANAGEMENT**

**WITH THE MERCY OF THE ONE AND ONLY GOD,
THE PRESIDENT OF REPUBLIC OF INDONESIA,**

- Considering :
- a. that in terms of geography Indonesia is prone to natural and man-made disasters which have potential for inflicting casualties, displacement, loss of assets, and other forms of intangible losses;
 - b. that management of natural and man-made disasters and internally displaced person issues must be comprehensive and integrated during “pre-disaster”, “disaster-“ and “post-disaster” situations which cover preventive, preparedness, emergency response and recovery measures by focusing disaster management on emergency response, which require swift and accurate action;
 - c. that National Coordinating Agency for Disaster and IDP Management (BAKORNAS PBP) enacted through Presidential Decree No. 3 of 2001 as amended by Presidential Decree No. 111 of 2001 needs to be adjusted to reflect developments and needs requirement;
 - d. that in relation to point a, point b and point c there is a need for restructuring and the re-stipulation of duties, functions, membership and organizational structure of the National Coordinating Agency for Disaster and IDP Management with a Presidential Regulation;
- In view of :
- 1. Article 4, paragraph (1) of 1945 Constitution;
 - 2. Law No. 6 of 1974 concerning Basic Provisions for Social Welfare (State Gazette No. 53 of 1974, Supplement to State Gazette No. 3039);
 - 3. Law No. 20 of 1982 concerning Basic Provisions for State Defence and Security (State Gazette No. 51 of 1982, Supplement to State Gazette No. 3234) as amended by Law No. 1 of 1988 (State Gazette No. 3 of 1988, Supplement to State Gazette No. 3368);
 - 4. Law No. 4 of 1992 concerning Housing and Settlement (State Gazette No. 23 of 1992, Supplement to State Gazette No. 3469);
 - 5. Law No. 24 of 1992 concerning Spatial Use Management (State Gazette No. 115 of 1992, Supplement to State Gazette No. 3501);
 - 6. Law No. 22 of 2001 concerning Oil and Natural Gas (State Gazette No. 136 of 2001, Supplement to State Gazette No. 4152);
 - 7. Law No. 28 of 2002 concerning National Building Code (State Gazette No. 134 of 2002, Supplement to State Gazette No. 4247);
 - 8. Law No. 17 of 2003 concerning State Finances (State Gazette No. 47 of 2003);
 - 9. Law No. 7 of 2004 concerning Water Resources (State Gazette No. 32 of 2004, Supplement to State Gazette No. 4377);
 - 10. Law No. 32 of 2004 concerning Regional Authority (State Gazette No. 125 of 2004, Supplement to State Gazette No. 4437);
 - 11. Law No. 33 of 2004 concerning Fiscal Balance between Central Government and Regions (State Gazette No. 126 of 2004, Supplement to State Gazette No. 4438);
 - 12. Presidential Decree No. 187/M of 2004 as amended by Presidential Decree No. 8/M of 2005.

RESOLVED:

Enacted : **PRESIDENTIAL REGULATION CONCERNING NATIONAL COORDINATING AGENCY FOR DISASTER MANAGEMENT**

SECTION I**POSITION, DUTIES AND FUNCTIONS**

Article 1

The National Coordinating Agency for Disaster Management, hereinafter referred to as BAKORNAS PB, is a non-structural agency subordinate and directly accountable to President.

Article 2

BAKORNAS PB has the duty of assisting President in:

- a. coordinating comprehensive planning and implementation of disaster management and emergency response;
- b. implementing disaster management and emergency response during pre-disaster, disaster- and post-disaster situations which cover preventive, preparedness, emergency response and recovery measures.

Article 3

In implementing duties as described in Article 2, BAKORNAS PB has the following functions:

- a. preparing and stipulating national policy for disaster management and emergency response;
- b. coordinating cross-cutting and cross-functional activities and budgeting in implementing duties in areas of disaster management and emergency response;
- c. providing guidance and directions to disaster management and emergency response efforts;
- d. delivering support, assistance and services in areas of social affairs, health, facilities and infrastructure, information and communication, transportation and security and other support related to disaster issues and emergency response.

SECTION II**ORGANIZATION**

Article 4

Membership of BAKORNAS PB is as follows:

- a. Chairperson : Vice President of Republic of Indonesia
- b. Deputy : Coordinating Minister for People's Welfare
- c. Deputy II : Minister of Home Affairs
- d. Members :
 1. Minister of Finance
 2. Minister of Energy and Mineral Resources
 3. Minister of Transportation
 4. Minister of Public Works
 5. Minister of Health
 6. Minister of Social Affairs
 7. Minister for Communication and Information
 8. Commander Armed Forces
 9. Chief of the National Police
 10. Chairperson of Indonesian Red Cross
- e. Secretary : Executive Officer of BAKORNAS PB

Article 5

- (1) Duties of Deputy:
- a. Coordinating Minister for People's Welfare has the duty of assisting Chairperson in coordinating cross-cutting activities and international cooperation in the areas of disaster management and emergency response;
 - b. Minister of Home Affairs has the duty of assisting Chairperson in coordinating activities with provinces and districts/ municipalities in the areas of disaster management and emergency response.
- (2) Duties of Members:
- a. General Duty:
Assisting Chairperson in implementing disaster management and emergency response activities according to each respective field of service during pre-disaster, disaster- and post-disaster situations;
 - b. Specific Duties during disaster situation and emergency response:
 1. Minister of Finance to provide budget support to finance activities in disaster management and emergency response efforts.
 2. Minister of Energy and Mineral Resources to provide support and services by meeting needs for electricity and fuel.
 3. Minister of Transportation to provide support and services by delivering transportation facilities and ensuring readiness of supporting infrastructure, rescue and evacuation.
 4. Minister of Public Works to provide support and services by preparing shelters, providing clean water, sanitation and repair of infrastructure and facilities.
 5. Minister of Health to provide support and services in the form of medical workers, medicine supplies, other healthcare services and sanitation.
 6. Minister of Social Affairs to provide support and social services by providing foodstuff, clothing and other social needs.
 7. Minister for Communication and Information to provide support and services by ensuring smoothness of communication systems and information delivery.
 8. Commander Armed Forces to provide support by mobilizing personnel and equipment for disaster management and emergency response efforts.
 9. Chief of the National Police to provide support by pacifying and protecting the public.
 10. Chairperson of Indonesian Red Cross to provide support and services by mobilizing personnel and humanitarian assistance for first aid efforts to disaster victims.

SECTION III**EXECUTIVE BOARD OF BAKORNAS PB**

Article 6

- (1) An Executive Board is established to facilitate BAKORNAS PB in performing its duties and functions.
- (2) Executive Board has the duty of delivering technical and administrative assistance to BAKORNAS PB in implementing disaster management and emergency response.
- (3) Executive Board as described in paragraph (1) above is chaired by an Executive Officer, hereinafter referred to as Kalakhar (Kepala Pelaksana Harian), subordinate and accountable to Chairperson.
- (4) Kalakhar acts as BAKORNAS PB Secretary.

Article 7

In implementing the duties as described in Article 6, Executive Board performs the following functions:

- a. coordination of planning and implementation of prevention and preparedness, emergency response and recovery efforts;

- b. delivery of technical support in areas of prevention and preparedness;
- c. delivery of technical support in areas of disaster management and emergency response;
- d. delivery of technical support in area of recovery;
- e. development of and delivery of administrative support to BAKORNAS PB.

Article 8

Kalakhar is assisted by:

- a. Main Secretariat;
- b. Deputy for Prevention and Preparedness;
- c. Deputy for Emergency Response;
- d. Deputy for Recovery.

Article 9

- (1) The Main Secretariat has the duty of developing and delivering administrative support to BAKORNAS PB.
- (2) Deputy for Prevention and Preparedness has the duty of arranging coordination of planning and delivery of technical support in the areas of prevention and preparedness.
- (3) Deputy for Emergency Response has the duty of arranging coordination of planning and delivery of technical support in the areas of disaster management and emergency response.
- (4) Deputy for Recovery has the duty of arranging coordination of planning and delivery of technical support in the area of recovery.

Article 10

- (1) Main Secretariat comprises a maximum of 5 (five) Bureaus.
- (2) Each Deputy comprises a maximum of 4 (four) Directorates.
- (3) Each Bureau comprises a maximum of 4 (four) Divisions.
- (4) Each Directorate comprises a maximum of 4 (four) Sub-directorates.
- (5) Each Division comprises a maximum of 2 (two) Subdivisions.

SECTION IV

ECHELONS, APPOINTMENT AND DISMISSAL

Article 11

- (1) Kalakhar is structurally an Echelon I.a position.
- (2) Main Secretary is structurally an Echelon I.b position.
- (3) Deputy is structurally an Echelon I.b position.
- (4) Bureau Chief is structurally an Echelon II.a position.
- (5) Director is structurally an Echelon II.a position.
- (6) Division/ Sub-directorate Chief is structurally an Echelon III.a position.
- (7) Head of Subdivision is structurally an Echelon IV.a position.

Article 12

- (1) Kalakhar is appointed and dismissed by President upon recommendation of Chairperson;
- (2) Main Secretary and Deputy are appointed and dismissed by President upon recommendation of Kalakhar through Chairperson;
- (3) Director, Bureau Chief, Sub-directorate Chief, Division Chief and Head of Subdivision are appointed and dismissed by Kalakhar.

SECTION V

WORKING PROCEDURE

Article 13

To facilitate its duties, Chairperson may invite given Ministers or Officials or other pertinent elements to sit in a BAKORNAS PB meeting, and to engage them in disaster management and emergency response efforts.

Article 14

- (1) BAKORNAS PB is to hold regular coordination meetings at a minimum frequency of once (1) a year and or incidental coordination meetings, as needed;
- (2) Executive Board is to perform duties stipulated by BAKORNAS PB and to deliver periodic and or incidental reports to Chairperson.

Article 15

In terms of duty implementation, any element within the environment of BAKORNAS PB is to adhere to the principles of coordination, integration and synchronization, either in dealings within each respective institutions/ working units as well as with other institutions/ organizations.

SECTION VI

LOCAL DISASTER MANAGEMENT

Article 16

- (1) The following may be established for benefit of local disaster management and emergency response delivery:
 - a. Coordinating Body for Disaster Management, hereinafter referred to as SATKORLAK PB, at Provincial level which is chaired by Governor;
 - b. Implementing Body for Disaster Management hereinafter referred to as SATLAK PB, at District/ Municipal level which is chaired by District Head/ Mayor.
- (2) The establishment of SATKORLAK PB at Provincial level and SATLAK PB at District/ Municipal level refer to guidelines established by BAKORNAS PB.

Article 17

- (1) SATKORLAK PB has the duty of coordinating disaster management and emergency response efforts in its respective provincial area by using as guideline policies enacted by BAKORNAS PB;
- (2) SATLAK PB has the duty of implementing disaster management and emergency response activities in its respective district/ municipal area by using as guideline policies enacted by BAKORNAS PB.

SECTION VII

FINANCING AND ASSISTANCE

Article 18

- (1) Any financing to support BAKORNAS PB activities is to be charged to state budget (APBN).
- (2) Any financing to support SATKORLAK PB and SATLAK PB activities are to be charged to provincial and district/ municipal budgets.

Article 19

- (1) In implementing its duties and functions, BAKORNAS PB may accept assistance from other domestic and or overseas parties which originates from the government and or the public and is nonbinding.
- (2) Any assistance from the public for disaster management and emergency response may be delivered directly to disaster victims or internally displaced persons through coordination with Governor or District Head/ Mayor as SATKORLAK PB Chairperson or SATLAK PB Chairperson.
- (3) Any overseas assistance for disaster management and emergency response is to be coordinated by BAKORNAS PB.

SECTION VIII

OTHER PROVISIONS

Article 20

A Functional Position Group may be established within the environment of Executive Board according to prevailing statutory regulations.

Article 21

Echelon I.a officials reassigned as Main Secretary or Deputy will retain his/ her original level of Echelon I.a.

Article 22

SATKORLAK PB and SATLAK PB which are established by Gubernatorial or District Head/ Mayoral Decree will continue performing its disaster management and emergency response duties up until the establishment of SATKORLAK PB and SATLAK PB as described in Article 16 hereof.

Article 23

Specifics of and or amendments to duties, functions, organizational structure and working procedures of Executive Board are stipulated by Kalakhar after having obtained approval in writing from Minister responsible for administrative reforms.

SECTION IX

CLOSING PROVISIONS

- (1) With this Presidential Regulation taking effect, Presidential Decree No. 3 of 2001 as amended by Presidential Decree No. 111 of 2001 concerning National Coordinating Agency for Disaster Management is declared null and void.
- (2) Any implementing regulation of Presidential Decree No. 3 of 2001 as amended by Presidential Decree No. 111 of 2001 is declared to remain in effect so as long it is not contradictory to or replaced by new regulations set forth herein.

Article 24

This Presidential Regulation will take effect on the enactment date.

Enacted in: Jakarta
Dated: 2005

PRESIDENT OF REPUBLIC OF INDONESIA

Dr. H SUSILO BAMBANG YUDHOYONO

CONTENT OF PRESIDENTIAL REGULATION CONCERNING NATIONAL COORDINATING AGENCY FOR DISASTER MANAGEMENT

SECTION	CONTENT	CONSIDERATIONS / INPUTS
I	Position, duties and functions Agency is directly subordinate to President Duty is to assist the President in coordinating planning and implementation of disaster management and emergency response in an integrated manner	
II	Organization Chair: Vice President Deputy I: Coordinating Minister for People's Welfare (Menko Kesra): coordinating cross-cutting activities and international cooperation Deputy II: Minister of Home Affairs: coordinating activities with provinces and districts/ municipalities Members: Minister of Finance Minister of Energy and Mineral Resources Minister of Transportation Minister of Public Works Minister of Health Minister of Social Affairs Minister for Communication and Information Commander Armed Forces Chief of the National Police Chair of Indonesian Red Cross Secretary: Executive Officer of BAKORNAS PB (Role of Menko Kesra has been reassigned to Secretary)	Chair: Coordinating Minister Deputy: Minister Members: Pertinent ministers Non-departmental gov institutions There is an emergency response task force Chair: Coordinating Minister Deputy: Minister Members: a. Disaster Management Units at each Ministry and Non-departmental gov institution (e.g. Ministry of Health's Disaster Preparedness Brigade) b. Indonesian Red Cross c. NGOs Position of Secretary is held by an Echelon I Official of designated Coordinating Ministry
III	Executive Board of BAKORNAS PBP - Executive Board is established to facilitate BAKORNAS PBP - Executive Board delivers technical and administrative assistance in implementation of disaster management and emergency response - Executive Board is chaired by Executive Officer, referred to as Kalakhar	An Echelon I-level coordination meeting conveyed the following considerations: 1. There is a need to evaluate effectiveness of present Bakornas a. does its organization b. does its officials c. overlap with ministerial duties or not

	- Kalakhar acts as BAKORNAS PB Secretary	<p>2. Position of Bakornas Chair is advised to be held by a Coordinating Minister or Minister rather than VP</p> <p>3. Feels there is no need for Kalakhar</p> <p>4. Organization of disaster management coordination must be lean and able to act swiftly</p> <p>5. There is a need to clearly delimit Bakornas coordination from Coordinating Ministry and Ministry coordination</p> <p>6. Avoid fleeting interest</p>
IV	<p>Echelons, Appointment and Dismissal</p> <p>Kalakhar is an Echelon Ia official Main Secretary is an Echelon Ia official</p>	<p>Appointment of echelon officials does not disrupt existing structure</p> <p>Deputy carries rank of echelon Ia rather than Ib</p> <p>Position of Kalakhar is held by Bakornas Secretary Kalakhar is an Echelon I official</p> <p>Kalakhar has a Main Secretary</p> <p>Proposed organization has become even more unclear</p>
V	<p>Working Procedure</p> <p>Bakornas is to hold regular coordination meetings at least once a year</p> <p>Executive Board is to perform duties stipulated by Bakornas PBP</p>	
VI	<p>Local Disaster Management</p> <p>Coordinating Body for Disaster Management (Satkorlak)</p> <p>Implementing Body for Disaster Management (Satlak)</p>	<p>There is a need for systematic structuring of organization of local Disaster Task Forces</p>
VII	Financing and Assistance	
VIII	Other Provisions	
X	Closing Provisions	