

REGULATION OF THE MUNICIPALITY OF DENPASAR
NUMBER 8 OF 2023
ON
IMPLEMENTATION OF WASTE MANAGEMENT

BY THE BLESSINGS OF ALMIGHTY GOD

MAYOR OF DENPASAR,

Considering : a. that the paradigm in the context of Waste Management has shifted towards a comprehensive nature, starting from the phase before Waste is produced until the Waste is safely returned to the environmental media;
b. that waste has become a problem in Denpasar City, so its management needs to be carried out comprehensively and interactively from upstream to downstream to provide economic benefits, health for the community, and safety for the environment and can change community behaviour;
c. that Regional Regulation Number 3 of 2015 on Waste Management is no longer in accordance with the community needs and current legal developments, so it needs to be replaced;
d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to issue a Regional Regulation on Implementation of Waste Management;

Observing : 1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 1 of 1992 on Establishment of Level II Region Municipality of Denpasar (State Gazette of the Republic of Indonesia of 1992 Number 9, Supplement to the State Gazette of the Republic of Indonesia Number 3465);
3. Law Number 18 of 2008 on Waste Management (State Gazette of the Republic of Indonesia of 2008 Number 69, Supplement to the State Gazette of the Republic of Indonesia Number 4851);
4. Law Number 12 of 2011 on Establishment of Legislation Making (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234) as amended several times, last by Law Number 13 of 2022 on the Second Amendment to Law Number 12 of 2011 on Legislation Making (State Gazette of the Republic of Indonesia of 2022 Number 143, Supplement to the State Gazette of the Republic of Indonesia Number 6801);

5. 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 State Gazette of the Republic of Indonesia Number 6856);
6. Law Number 15 of 2023 on the Province of Bali (State Gazette of the Republic of Indonesia of 2023 Number 62, Supplement to the State Gazette of the Republic of Indonesia Number 6871);
7. Government Regulation Number 81 of 2012 on Household Waste and Household-Like Waste- Management (State Gazette of the Republic of Indonesia of 2012 Number 188, Supplement to the State Gazette of the Republic of Indonesia Number 5347);
8. Regulation of the Minister of the Environment Number 16 of 2011 on Guidelines for Content of Draft Regional Regulations on Household Waste and Household-Like Waste-Management (State Gazette of the Republic of Indonesia 2011 Number 933);
9. Regulation of the Minister of Home Affairs Number 80 of 2015 on Regional Legislation Making (State Gazette of the Republic of Indonesia of 2015 Number 2036) as amended by Regulation of the Minister of Home Affairs Number 120 of 2018 on Amendment to Regulation of the Minister of Home Affairs Number 80 of 2015 on Regional Legislation Making (State Gazette of the Republic of Indonesia 2018 Number 157);
10. Regulation of the Province of Bali Number 5 of 2011 on Waste Management (Bali Province Regional Gazette of 2011 Number 5, Supplement to the Regional Gazette of the Province of Bali Number 5);

With the Joint Approval of
THE REGIONAL HOUSE OF REPRESENTATIVES OF THE MUNICIPALITY OF
DENPASAR
AND
THE MAYOR OF DENPASAR,

HAS DECIDED:

To issue : REGIONAL REGULATION ON WASTE MANAGEMENT.

CHAPTER I GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means the Municipality of Denpasar.
2. Local Government means the Municipal Government of Denpasar.
3. Mayor means the Mayor of Denpasar.
4. Regional Apparatus means a Regional Apparatus within the Local Government.

5. Environment and Hygiene Office, hereinafter referred to as the Office, means the Environment and Hygiene Office of the Municipality of Denpasar.
6. Head of Environment and Hygiene Office, hereinafter referred to as the Head of Department, means the Head of the Environment and Hygiene Office of the Municipality of Denpasar.
7. Person means an individual, group of persons and/or legal entity.
8. Business Entity means an organization in the form of limited liability companies, *commanditaire vennootschap*, other companies, state-owned companies or local-owned companies, partnerships, associations, firms, cooperatives, foundations or similar organizations.
9. Desa Adat means a Balinese Adat Village as referred to in Regulation of the Province of Bali Number 4 of 2019 on Balinese Adat Village in Bali in the area of Region.
10. Waste means the remains of daily human activities and/or natural processes in solid form.
11. Specific Waste means Waste which, due to its nature, concentration, and/or volume, requires special management.
12. Waste Source means the origin of waste generation.
13. Waste Producer means any person and/or natural process that results in generating waste.
14. Manufacturer means a business actor who produces goods using packaging, distributes goods using packaging and coming from imports, or sells goods using containers that are unable or difficult to be decomposed by natural processes with permission from the Local Government.
15. Waste Operator means a person and/or business entity that carries out waste management activities.
16. Waste Management means a systematic, comprehensive and sustainable activity that includes reducing and handling waste.
17. Specific Waste Management means a systematic, comprehensive and sustainable activity that includes reduction and handling.
18. Hazardous and Toxic Materials (*Bahan Berbahaya dan Beracun*), hereinafter abbreviated as B3, mean substance, energy and/or other components which, due to their nature, concentration and/or amount, either directly or indirectly, can pollute and/or damage the environment, and/or endanger the environment, health, and the survival of humans and other living creatures.
19. Hazardous and Toxic Waste, hereinafter referred to as B3 Waste, means the remainder of a business and/or activity that contains B3.
20. Waste containing B3 means Waste originating from households and areas that contain B3.
21. Waste containing B3 Waste means Waste originating from households and areas containing B3 waste.
22. Final Waste Processing Site (*Tempat Pemrosesan Akhir*), hereinafter abbreviated as TPA, means a place to process and return waste to environmental media in a safe manner for humans and the environment.

23. Integrated Waste Processing Site (*Tempat Pengolahan Sampah Terpadu*), hereinafter abbreviated as TPST, means a place where waste collection, sorting, reuse, recycling, processing and final processing activities are carried out.
24. Temporary Waste Storage (*Tempat Penampungan Sementara*), hereinafter abbreviated as TPS, means a place before the waste is transported to a recycling, processing and/or integrated waste processing site.
25. Waste Processing Site with the 3R Principle (Reduce, Reuse, Recycle), hereinafter abbreviated as TPS 3R, means a place where collection, sorting, reuse and recycling activities are carried out on an area scale.
26. Temporary Waste Storage for Specific Waste for Hazardous and Toxic Material, hereinafter abbreviated as TPSSS-B3, means a temporary storage place for Waste containing B3 before being transported to licensed collectors, users, processors and final landfills for B3 Waste.
27. Waste Bank means a place for sorting and collecting waste that can be recycled and/or reused which has economic value.
28. Emergency Response System means a series of activities carried out in the context of control which includes preventing and dealing with accidents due to improper waste management.
29. Compensation means the provision of rewards to a Person who is negatively impacted by waste handling activities at TPST and/or TPA.
30. Incentive means an effort to provide monetary and/or non-monetary encouragement or attraction to every person or government and regional government to carry out activities to reduce waste, so that it has a positive impact on health, the environment and/or society.
31. Disincentive means the imposition of monetary and/or non-monetary burdens or threats on every person or government and regional government in order to reduce the production of waste that has a negative impact on health, the environment and/or community.

Article 2

The scope of this Regional Regulation includes:

- a. type and source of Waste;
- b. duties and authority of Local Government;
- c. rights and obligations;
- d. household Waste and household-like Waste management;
- e. Waste Management arising from mass activities;
- f. licensing;
- g. compensation, incentives and disincentives;
- h. cooperation and partnership;
- i. public participation;
- j. dispute resolution;
- k. information technology and systems;
- l. Emergency Response System;
- m. waste or cleaning service levies;
- n. guidance and supervision;
- o. prohibition;
- p. administrative sanctions;

- q. investigation provisions; and
- r. criminal provisions.

Article 3

The principles of implementing Waste Management include:

- a. responsibility;
- b. sustainability;
- c. harmony and balance;
- d. benefit;
- e. justice;
- f. awareness;
- g. togetherness;
- h. safety;
- i. security, and
- j. economic value.

Article 4

The implementation of Waste Management aims to improve public health and environmental quality, and turn Waste into a resource.

CHAPTER II

TYPES AND SOURCES OF WASTE

Article 5

- 1. Types of Waste include:
 - a. Household Waste;
 - b. household-like Waste; and
 - c. Specific Waste.
- 2. Household Waste as referred to in section (1) point a, comes from the remainder of daily activities in the household, excluding feces and Specific Waste.
- 3. Types of household-like Waste as referred to in section (1) point b, come from residual activities in residential areas, commercial areas, industrial areas, special areas, public facilities, social facilities and other facilities.
- 4. Specific Waste as referred to in section (1) point c includes:
 - a. Waste containing B3;
 - b. Waste containing B3 Waste;
 - c. Waste arising from disasters;
 - d. building demolition debris;
 - e. Waste that cannot be processed technologically; and/or
 - f. Waste that arises non-periodically.
- 5. Specific Waste as referred to in section (4) is managed in accordance with the provisions of Legislation.

CHAPTER III DUTIES AND AUTHORITY OF LOCAL GOVERNMENT

Part One Duties

Article 6

The Local Government has duties to ensure the implementation of good and environmentally sound Waste Management in accordance with the provisions of Legislation.

Part Two Authority Article 7

- (1) In the Implementation of Waste Management, the Local Government has the authority to:
 - a. establish Waste Management policies and strategies based on national and provincial policies;
 - b. carry out regional-scale Waste Management in accordance with the norms, standards, procedures and criteria established by the Government;
 - c. provide guidance and supervision of Waste Management performance carried out by other parties;
 - d. determine the location of TPS, TPS 3R, TPSSS-B3, TPST, and/or TPA;
 - e. carry out regular monitoring and evaluation every 6 (six) months for 20 (twenty) years of TPS, TPS 3R, TPSSS-B3, TPST, and/or TPA with an open disposal system that has been closed; and
 - f. prepare and implement a Waste Management Emergency Response System in accordance with authority.
- (2) Determining the location of TPS, TPS 3R, TPSSS-B3, TPST, and/or TPA as referred to in section (1) point d is part of the regional spatial planning in accordance with the provisions of Legislation.

CHAPTER IV RIGHTS AND OBLIGATIONS

Part One Rights

Article 8

Everyone has the rights to:

- a. obtain services in Waste Management in a good and environmentally sound manner from the local government, and/or other parties who are given responsibility for this;
- b. participate in the decision-making, implementation, and supervision process in the field of Waste Management;
- c. obtain correct, accurate, and timely information regarding the implementation of Waste Management;
- e. receive protection and compensation due to negative impacts from TPST and/or TPA activities; and

f. receive guidance to be able to carry out Waste Management in a good and environmentally sound manner.

Part Two
Obligation

Article 9

- (1) Everyone is obligated to reduce and handle Waste in an environmentally sound manner.
- (2) Waste reduction and handling as referred to in section (1) is carried out by:
 - a. using goods and/or packaging that can be recycled and easily decomposed by natural processes;
 - b. limit the Waste generation by not using single-use plastic;
 - c. using products that produce minimum Waste;
 - d. sorting Waste;
 - e. deposit Waste that is not easily decomposed by nature into the Waste Bank;
 - g. processing Waste that is easily decomposed by nature; and
 - h. preparing a trash can to accommodate residual Waste.
- (3) Local Government is obligated to reduce and handle Waste as referred to in section (1) by:
 - a. setting Waste reduction targets in stages over a certain period;
 - b. facilitating the application of environmentally friendly technology;
 - c. facilitating the application of environmentally friendly product labels;
 - d. facilitating Waste sorting, reuse and recycling activities; and
 - e. facilitating the marketing of recycled products.

Article 10

- (1) Managers of residential areas, commercial areas, public facilities, social facilities and other facilities are obligated to provide Waste sorting facilities.
- (2) Waste sorting facilities as referred to in section (1) consist of at least:
 - a. organic Waste can;
 - b. inorganic Waste can; and
 - c. Specific Waste can.

Article 11

Each Manufacturer must include labels or signs related to Waste reduction and handling on its packaging and/or products.

Article 12

Manufacturers are obligated to manage packaging Waste and/or Waste of goods they produce.

CHAPTER V
MANAGEMENT OF HOUSEHOLD WASTE AND HOUSEHOLD-LIKE WASTE

Part One
General

Article 13

Management of household waste and household-like Waste consists of:

- a. Waste reduction; and
- b. Waste handling.

Part Two
Waste Reduction

Article 14

- (1) Waste Reduction as referred to in Article 13 point a includes activities:
 - a. limiting the amount of Waste;
 - b. Waste recycling; and/or
 - c. Waste reuse.
- (2) The Local Government carries out the activities as referred to in section (1) as follows:
 - a. setting Waste reduction targets in stages over a certain period of time;
 - b. facilitating the application of environmentally friendly technology;
 - c. facilitating the application of environmentally friendly product labels;
 - d. facilitating reuse and recycling activities; and
 - e. facilitating the marketing of recycled products.
- (3) Business actors in carrying out activities as referred to in section (1) use production materials that generate minimum waste as possible, can be reused, can be recycled and/or are easily decomposed by natural processes.
- (4) The community carries out Waste reduction activities as referred to in section (1) by means of, among others:
 - a. using materials that can be reused, recycled and easily decomposed by natural processes;
 - b. limiting the amount of Waste;
 - c. not using single-use plastic;
 - d. using products that produce minimum Waste as possible;
 - e. sorting Waste;
 - f. conducting the handover of inorganic Waste to the Waste bank/TPS 3R/TPST and/or TPA;
 - g. processing organic Waste; and
 - h. conducting the handover of the residual Waste to the waste picker.
- (5) The implementation of Waste reduction as referred to in section (2) and section (3) is carried out based on the provisions of Legislation.

Part Three
Waste Handling

Paragraph 1
General

Article 15

- (1) Waste handling activities as referred to in Article 13 point b include:
 - a. sorting in the form of grouping and separating Waste according to the type, quantity and/or nature of Waste;
 - b. collection in the form of taking out and transferring Waste from Waste sources to TPS, TPS 3R, TPST and/or final processing place;
 - c. transportation in the form of carrying Waste from the source and/or from the temporary Waste storage site and/or 3R TPS to the TPST and/or final processing place;
 - d. processing in the form of changing the characteristics, composition and amount of Waste; and/or
 - e. final processing of Waste in the form of returning Waste and/or residue from previous processing to environmental media in a safe manner.
- (2) In addition to transportation as referred to in section (1) point c, transportation of Waste carried out independently by any Person can be carried out directly to the nearest TPST in the Region.

Paragraph 2
Sorting

Article 16

- (1) Waste sorting as referred to in Article 15 section (1) point a is carried out by:
 - a. any Person at the source;
 - b. management of residential areas, commercial areas, industrial areas, special areas, public facilities, social facilities and other facilities;
 - c. business actors in Waste Management activities; and
 - d. Local Government.
- (2) The sorting as referred to in section (1) is carried out through Waste grouping activities into at least 5 (five) types of Waste consisting of:
 - a. Waste containing B3 and/or B3 Waste;
 - b. Waste that is easily decomposed by natural processes;
 - c. Reusable Waste;
 - d. Recyclable Waste; and
 - e. Other Waste.

Article 17

- (1) Any Person is obligated to sort the Waste produced based on sources.
- (2) Managers of residential areas, housing areas, commercial areas, industrial areas, special areas, public facilities, social facilities and other facilities as referred to in Article

16 section (1) point b, in carrying out Waste sorting, are obligated to provide regional-scale Waste sorting facilities.

(3) Business actors in Waste Management activities as referred to in Article 16 section (1) point c provide Waste sorting facilities at the scale of their business premises.

(4) The Local Government as referred to in Article 16 section (1) point d provides Regional-scale Waste sorting facilities.

(5) Waste sorting as referred to in section (1) to section (4) must use facilities that meet the requirements:

- number of facilities according to the type of Waste grouping as referred to in Article 16 section (2);
- labelling or marking; and
- material, shape and colour of the container.

Paragraph 3
Collection

Article 18

(1) Waste collection as referred to in Article 15 section (1) point b is carried out by:

- management of residential areas, housing areas, commercial areas, industrial areas, special areas, public facilities, social facilities and other facilities;
- Urban/Rural Village Government;
- Business Entities; and
- Local Government.

(2) Managers of residential areas, housing areas, commercial areas, industrial areas, special areas, public facilities, social facilities and other facilities, Urban/Rural Village Government, Business Entities and Local Government in carrying out Waste collection as referred to in section (1) point a to point d are obligated to provide:

- TPS;
- TPS 3R;
- collection equipment for sorted Waste; and/or
- TPST.

(3) The provision of TPS, TPS 3R, and/or TPST as referred to in section (2) point a, point b, and point d may be provided independently or in collaboration with other parties.

Paragraph 4
Transportation

Article 19

(1) Waste transportation as referred to in Article 15 section (1) point c is carried out by:

- Local Government; and/or
- Waste Manager /self-management.

(2) Transportation of Waste by Waste Manager /self-management as referred to in section (1) point b is carried out after obtaining approval from the Mayor.

(3) Local Government and/or Waste Manager in transporting Waste as referred to in section (1):

- provide Waste transportation equipment including for segregated Waste that does not pollute the environment; and

- b. transport Waste from TPS and/or TPS 3R to TPST.
- (4) Self-managed transportation as referred to in section (1) point b can be carried out by:
 - a. Rural Village;
 - b. Urban Village;
 - c. Balinese Adat Village;
 - d. Banjar Adat;
 - e. Banjar Dinas;
 - f. Business Entities;
 - g. individual; and
 - h. community groups.
- (5) Waste Transportation as referred to in section (1) is scheduled on Monday, Wednesday, Thursday and Saturday for organic Waste.
- (6) Waste Transportation as referred to in section (1) is scheduled on Tuesday, Friday and Sunday for non-organic Waste.
- (7) Further provisions regarding the mechanism for Waste Transportation as referred to in section (1) and procedures for obtaining Mayor's approval as referred to in section (2) are regulated in the Mayor Regulation.

**Paragraph 5
Processing**

Article 20

- (1) Waste Processing as referred to in Article 15 section (1) point d includes activities:
 - a. compression;
 - b. composting;
 - c. material recycling; and/or
 - d. energy recycling.
- (2) Waste processing as referred to in section (1) is carried out by:
 - a. any Person at the source;
 - b. management of residential areas, housing areas, commercial areas, industrial areas, special areas, public facilities, social facilities and other facilities;
 - c. Waste Manager; and
 - d. Local Government.
- (3) Managers of residential areas, commercial areas, industrial areas, special areas, public facilities, social facilities and other facilities are obligated to provide area-scale Waste processing facilities in the form of TPS 3R.
- (4) The Local Government provides Waste processing facilities in residential areas in the form of:
 - b. TPS 3R;
 - c. TPS;
 - d. TPA; and/or
 - e. TPST.

Paragraph 6
Final Processing

Article 21

- (1) Final processing of Waste as referred to in Article 15 section (1) point e is carried out by the Local Government and/or Business Entity.
- (2) In carrying out the final Waste processing, the Local Government and/or Business Entity as referred to in section (1) provides a TPST.
- (3) Final processing of Waste as referred to in section (2) is carried out using:
 - a. controlled landfill method;
 - b. sanitary landfill method; and/or
 - c. environmentally friendly technology.
- (4) Provisions regarding the provision of TPST as referred to in section (2) are regulated in a Mayor Regulation.

Part Four

Temporary Shelters, Reduce, Reuse, Recycle Waste Processing
Sites and Integrated Waste Processing Sites

Article 22

- (1) Every manager of residential areas, residential areas, commercial areas, industrial areas, special areas, public facilities, social facilities, and other facilities, Rural Village/Urban Village Governments, Business Entities, and Local Governments in carrying out Waste Management is obligated to provide TPS, TPS 3R, and/or TPST.
- (2) TPS, TPS 3R, and/or TPST referred to in section (1) must meet the following requirements:
 - a. they obtain permission from the Mayor;
 - b. facilities are available to classify Waste into at least 3 (three) types of Waste;
 - c. location area and capacity are according to needs;
 - d. the location is easy to access;
 - e. they do not pollute the environment; and
 - f. they have a schedule for collecting and transporting Waste.
- (3) The provision of TPS, TPS 3R, and/or TPST as referred to in section (2) can be provided independently or in collaboration with other parties.
- (4) The provision of TPS, TPS 3R, and/or TPST as referred to in section (1) must be managed by environmentally-based Waste Management patterns and paying attention to good company management patterns.
- (5) TPS, TPS 3R provided by the Village Government and/or managed by Village-Owned Enterprises can be financed with the Village Budget and/or other legal sources of financing in accordance with the provisions of Legislation.

CHAPTER VI
MANAGEMENT OF WASTE ARISING FROM MASS ACTIVITIES

Article 23

- (1) Every person who produces Waste arising from mass activities is obligated to handle Waste.
- (2) Waste handling as referred to in section (1) is carried out through:
 - d. sorting;
 - e. collection;
 - f. transportation;
 - g. processing; and/or
 - h. final processing.

Article 24

- (1) Waste sorting arising from mass activities as referred to in Article 23 section (2) point a is grouped into:
 - a. Waste containing B3 and/or B3 waste;
 - b. Waste that is easily decomposed by natural processes;
 - c. Reusable Waste;
 - d. Recyclable Waste; and
 - e. Other Waste.
- (2) Waste sorting arising from mass activities is carried out at the mass activity location using containers according to the Waste group as referred to in section (1).

Article 25

- (1) Waste collection arising from mass activities as referred to in Article 23 section (2) point b is carried out at the activity location according to the type of Waste that is sorted.
- (2) In collecting Waste arising from mass activities as referred to in section (1), every person is obligated to provide Waste collection places.
- (3) Waste collection places as referred to in section (2) are required to:
 - a. have a design and construction capable of protecting Waste from rain and sunlight;
 - b. have lighting and ventilation;
 - c. have waterproof ground floor; and
 - d. conduct housekeeping activities.
- (3) Waste that has been collected at the Waste collection places as referred to in section (3) is required to be transported under the following conditions:
 - a. not later than 2 (two) days after the Waste is collected, for Waste that is easily decomposed by natural processes, reusable Waste, recyclable Waste and/or other Waste; and
 - b. not later than 2 (two) days since the Waste is collected or after mass activities are completed, for Waste containing B3 and/or B3 Waste.

Article 26

- (1) Waste transportation arising from mass activities as referred to in Article 23 section (2) point c is carried out from the collection places to:

- a. Specific Waste Management facilities provided by the Government or B3 Waste users and/or licensed B3 Waste processors, for groups of Waste containing B3 and/or B3 Waste; and
- b. TPS, TPS 3R or Waste Bank, for the group of Waste that is easily decomposed by natural processes, reusable Waste, recyclable Waste and/or other Waste.

(2) Users and/or processors of B3 Waste as referred to in section (1) point a are obligated to follow the provisions of the Legislation.

Article 27

- (1) Waste processing arising from mass activities as referred to in Article 23 section (2) point d is carried out in accordance with the type of Waste resulting from sorting as referred to in Article 24 section (1).
- (2) Waste processing arising from mass activities as referred to in section (1) is carried out to change the nature, composition and/or volume of Waste.
- (3) Waste processing arising from mass activities is carried out in accordance with the provisions of Legislation in the fields of:
 - a. household Waste and household-like Waste Management, for Waste arising from mass activities that does not contain B3 and/or B3 Waste; and
 - b. management of B3 Waste, for Waste arising from mass activities containing B3 and/or B3 Waste.

Article 28

- (1) Final processing of Waste arising from mass activities as referred to in Article 23 section (2) point e is carried out on Waste that cannot be utilized and/or processed.
- (2) Final processing of Waste arising from mass activities is carried out in accordance with the provisions of Legislation in the fields of:
 - a. household Waste and household-like Waste Management, for Waste arising from mass activities that does not contain B3 and/or B3 Waste; and
 - b. management of B3 Waste, for Waste arising from mass activities containing B3 and/or B3 Waste.

Article 29

- (1) Waste management arising from mass activities as referred to in Article 24 to Article 28 is required to be prepared in the form of a Waste Management plan from the preparation stage until the completion of the mass activity.
- (2) The Waste Management Plan as referred to in section (1) contains at least:
 - a. potential types and volume of Waste generation;
 - b. Waste Management facilities and infrastructure;
 - c. Waste sorting and collection places; and
 - d. the purpose of transporting Waste from the Waste collection point.
- (3) The Waste Management Plan as referred to in section (1) must obtain approval from the Office before mass activities are held.

CHAPTER VII PERMITTING

Part One Type of Permit

Article 30

- (1) Every person who will carry out Waste Management business activities is obligated to have a permit from the Mayor under his/her authority.
- (2) The permit as referred to in section (1) is granted based on an application in accordance with the provisions of the Legislation.

Article 31

- (1) The Waste Management operating permit as referred to in Article 30 is borne for Waste originating from regional sources.
- (2) Decisions regarding the granting of Waste Management permits must be announced to the public.
- (3) Announcement of the granting of permits is made through mass media, electronic media, social media, and/or other official announcement media belonging to the Local Government.

CHAPTER VIII COMPENSATION, INCENTIVES AND DISINCENTIVES

Part One General

Article 32

The Local Government can provide compensation, incentives and disincentives in implementing Waste Management.

Part Two Compensation

Article 33

- (1) The Local Government can provide compensation to Persons as a result of negative impacts caused by waste handling activities at TPST and/or TPA.
- (2) Compensation as referred to in section (1) is in the form of:
 - a. relocation;
 - b. environmental restoration;
 - c. health and medical costs; and/or
 - d. compensation in other forms.
- (3) Compensation as referred to in section (2) is given based on the Regional financial capacity.
- (4) Provisions regarding procedures for providing compensation as referred to in section (2) are regulated in the Mayor's Regulation.

Part Three
Incentives and Disincentives

Article 34

- (1) Incentives and Disincentives in Waste Management as referred to in Article 32 aim to:
 - a. improve Waste control to realize Waste management goals;
 - b. improve Waste Management performance in handling and reducing Waste; and
 - c. increasing partnerships with stakeholders in Waste processing.
- (2) The provision of incentives and disincentives as referred to in section (1) is adjusted to the regional financial capacity and local wisdom.

Article 35

- (1) The incentives as referred to in Article 34 section (1) are given to every Person and/or Business Entity and/or Waste Manager and/or producer who:
 - a. implement a Waste Management system that exceeds the standards set by the Regional Government;
 - b. processing organic Waste in areas, facilities and homes;
 - c. developing products, packaging and work processes that reduce Waste generation;
 - d. carry out efficient consumption of materials, products and packaging;
 - e. carry out Waste recycling;
 - f. reusing Waste; and/or
 - g. reduce the use of toxic materials.
- (2) The disincentive as referred to in Article 34 section (1) is given to every person who does not sort Waste in accordance with established standards and/or has the potential to have a negative impact on health and/or the environment.

Article 36

Incentives as referred to in Article 34 section (1) can be in the form of:

- a. awards;
- b. providing ease of licensing in Waste Management;
- c. reduction of Regional taxes and Regional levies within a certain period of time;
- d. Regional capital participation according to authority; and/or
- e. providing subsidies.

Article 37

Disincentives as referred to in Article 34 section (1) can be in the form of:

- a. termination of subsidies;
- b. increase in tax value; and/or
- c. increase in the value of Waste levies.

Article 38

- (1) Head of Environment and Hygiene Office proposes the provision of Incentives and Disincentives to the Mayor.
- (2) The proposal as referred to in section (1) is based on the results of the assessment carried out by the Assessment Team.
- (3) The Assessment Team as referred to in section (2) is determined by a Mayor's Decree.
- (4) Further provisions regarding procedures for providing incentives and disincentives are regulated in Mayor Regulations.

CHAPTER IX
COOPERATION AND PARTNERSHIP

Part One
Cooperation

Article 39

- (1) Regional Governments can collaborate between Regional Governments and third parties in carrying out Waste Management.
- (2) Cooperation as referred to in section (1) can be realized in the form of cooperation and/or creation of a joint Waste Management business.
- (3) The form of cooperation as referred to in section (2) can be in the form of:
 - a. provision or construction of TPST;
 - b. provision of TPST facilities and infrastructure;
 - c. transporting Waste from the source to TPS, TPS 3R, or TPST;
 - d. transporting Waste from TPS or TPS 3R to TPST;
 - e. Waste processing into other environmentally friendly products; and/or
 - f. collection of Waste containing B3 for residential areas.
- (4) All forms of financing charged to the Regional Government as a result of the cooperation as referred to in section (1) are budgeted in the Regional Revenue and Expenditure Budget.
- (5) The implementation of cooperation as referred to in section (2) is carried out based on the provisions of the Legislation.

Part Two
Partnership

Article 40

- (1) Regional Governments can partner with Waste Management Business Entities in implementing Waste Management.
- (2) The partnership as referred to in section (1) is outlined in the form of an agreement between the Regional Government and the Business Entity concerned.
- (3) The procedures for implementing the partnership as referred to in section (2) are carried out based on the provisions of the Legislation.

CHAPTER X
PARTICIPATION OF TRADITIONAL COMMUNITIES AND
VILLAGES

Article 41

- (1) Communities and/or Traditional Villages can participate in Waste Management organized by the Regional Government.
- (2) Participation as referred to in section (1) can be carried out through:
 - a. providing suggestions, considerations and suggestions to the Regional Government in Waste Management activities;
 - b. providing suggestions and opinions in the formulation of Waste Management policies;
 - c. providing suggestions and opinions in resolving Waste disputes;
 - d. providing reports on Waste Management violations to the Mayor through the Office; and/or
 - e. utilization of Village funds for education and training activities, campaigns and assistance by community groups to community members in Waste Management to change the behavior of community members.
- (3) In addition to the participation as referred to in section (2), Traditional Villages can participate by formulating Waste Management policies in the Traditional Village area in accordance with the authority based on the provisions of the Legislation.
- (4) The formulation of a Traditional Village-based Waste Management policy as referred to in section (3) can be carried out by making an Awig-awig and/or Perarem regarding Traditional Village-based Waste Management.
- (5) The implementation of community participation as referred to in section (2) to section (4) is carried out based on the provisions of the Legislation.

CHAPTER XI
DISPUTE RESOLUTION

Part One
General

Article 42

- (1) Disputes that can arise from Waste Management consist of:
 - a. disputes between Regional Government and Waste Management;
 - b. disputes between Waste Management and the community;
 - c. disputes between Waste Managers; and
 - d. disputes between communities.
- (2) Dispute resolution as referred to in section (1) can be done through out-of-court settlement or through court.
- (3) Dispute resolution as referred to in section (1) and section (2) is carried out in accordance with the provisions of the Legislation.

Part Two
Dispute Resolution Outside of Court

Article 43

- (1) Dispute resolution outside of court is carried out by mediation, negotiation, arbitration, or other choices of the disputing parties.
- (2) If an agreement cannot be reached in resolving a dispute outside of court as referred to in section (1), the parties to the dispute can submit it to court.

Part Three
Dispute Resolution in Court

Article 44

- (1) Settlement of waste disputes in court is carried out through lawsuits against the law.
- (2) The claim for unlawful acts as referred to in section (1) requires the plaintiff to prove the elements of fault, loss, and the causal relationship between the act and the losses incurred.
- (3) Claims in a lawsuit for unlawful acts as referred to in section (2) can take the form of compensation for losses and/or certain actions.

Part Four
Class Representative Lawsuit

Article 45

People who suffer losses due to unlawful acts in the field of Waste Management have the right to file a lawsuit through group representatives.

Part Five
Waste Organization's Right to Complaint

Article 46

- (1) Waste organizations have the right to file a lawsuit in the interests of Waste management that is safe for public health and the environment.
- (2) The right to file a lawsuit as referred to in section (1) is limited to demands for certain actions, except for real costs or expenses.
- (3) Waste organizations that have the right to file a lawsuit as referred to in section (1) must fulfill the following requirements:
 - a. in the form of a legal entity;
 - b. has a basic budget in the field of Waste Management; and
 - c. has carried out real activities for at least 1 (one) year in accordance with its basic budget.

CHAPTER XII
TECHNOLOGY AND INFORMATION SYSTEMS

Part One
Research, Development, Assessment and Application of
Technology

Article 47

- (1) In order to support Waste Management activities, Regional Governments can carry out research, development, study and application of environmentally friendly technology.
- (2) Research, development, study and application of environmentally friendly technology as referred to in section (1) can be carried out by involving:
 - a. college;
 - b. research, development, study and application institutions;
 - c. business or private entities;
 - d. non-governmental organizations operating in the field of Waste Management; and/or
 - e. public.
- (3) The Regional Government facilitates every person who develops and applies local specific technology for environmentally sound Waste management as referred to in section (1).

Part Two
Provision of Information Systems

Article 48

- (1) The Regional Government provides a Waste Management information system.
- (2) The Waste Management information system as referred to in section (1) is organized by Regional Apparatus in charge of communications and informatics affairs.
- (3) Waste Management Information as referred to in section (1) at least provides information regarding:
 - a. legal products related to Waste Management;
 - b. Waste Management policy and planning documents;
 - c. Waste management and Waste reduction performance reports;
 - d. Waste sources;
 - e. Waste generation;
 - f. Waste composition;
 - g. trash characteristics;
 - h. area management status;
 - i. facilities for managing household Waste and household-like Waste, Specific Waste;
 - j. list of Waste Management technologies that comply with Indonesian National Standards and/or other applicable standards;
 - k. Waste Management business actors who have obtained permission from the Regional Government; and

1. other information related to household Waste management and household-like Waste, as well as Specific Waste required for Waste management.
- (4) The information as referred to in section (3) must be accessible to Everyone.

CHAPTER XIII EMERGENCY RESPONSE SYSTEM

Article 49

- (1) Emergency situations in Waste Management as referred to in section (1) include:
 - a. disruption of the operational systems for collecting, transporting, processing and final processing of Waste;
 - b. unavailability of alternative Waste processing facilities and/or final processing sites;
 - c. the occurrence of accidents, pollution and/or damage to the environment and/or the emergence of negative impacts due to Waste Management; and
 - d. in the event that there are special conditions that cannot be handled with the normal Waste Management system.
- (2) In an emergency situation for Waste Management as referred to in section (1), the Regional Government is obliged to carry out:
 - a. implementation of operational handling of emergency situations in Waste Management; and
 - b. conveying information to the public regarding handling and overcoming emergency situations in Waste Management.
- (3) Further provisions regarding the Waste Management emergency response system as referred to in section (1) to section (3), are regulated in the Mayor's Regulation.

CHAPTER XIV RETRIBUTION FOR WASTE OR CLEANING SERVICES

Article 50

- (1) In carrying out Waste management, the Regional Government can collect levies from each person for the services provided.
- (2) Waste as referred to in section (1) consists of:
 - a. Household waste; and
 - b. household-like Waste.
- (3) The objects of retribution as referred to in section (1) include:
 - a. collection or collection of Waste from the source to a temporary disposal location;
 - b. transportation of Waste from its source and/or temporary disposal location to the Waste disposal/final disposal location; and
 - c. providing a location for final disposal or destruction of Waste.
- (4) Collection of levies as referred to in section (1) is carried out based on the provisions of the Legislation.

CHAPTER XV GUIDANCE AND SUPERVISION

Article 51

- (1) The Mayor provides guidance and supervision in Waste Management.
- (2) The Mayor carries out guidance and supervision as referred to in section (1) by the Head of Environment and Hygiene Office.
- (3) Guidance as referred to in section (1) is carried out through:
 - a. technical support;
 - b. technical guidance;
 - c. dissemination of Legislation and guidelines in the field of Waste Management; and/or
 - d. education and training in the field of Waste Management.

Article 52

- (1) Supervision as referred to in Article 51 section (1) can involve the participation of Traditional Villages and is carried out on the community and Waste Managers.
- (2) Supervision as referred to in section (1) is based on norms, standards, procedures and supervision criteria in accordance with the provisions of the Legislation.

CHAPTER XVI PROHIBITION

Article 53

Everyone is prohibited from:

- a. carrying out waste management activities that are not environmentally friendly;
- b. carrying out Waste transportation outside of the predetermined schedule as referred to in Article 19 section (5) and section (6); and/or
- c. Building Waste Management facilities without fulfilling the requirements as referred to in Article 22 section (2).

CHAPTER XVII ADMINISTRATIVE SANCTIONS

Article 54

- (1) Any person who violates the provisions as referred to in Article 9 section (1), Article 23 section (1), Article 30 section (1), and/or Article 53 subject to administrative sanctions.
- (2) Every management of residential areas, commercial areas, public facilities, social facilities and other facilities which violates the provisions as referred to in Article 10 section (1), Article 17 section (1), Article 18 section (2), and/or Article 22 section (1) subject to administrative sanctions.
- (3) Every business actor carrying out Waste Management activities who violates the provisions as referred to in Article 17 section (3) will be subject to administrative sanctions.

- (4) Any producer who violates the provisions as referred to in Article 11 and/or Article 12 will be subject to administrative sanctions.
- (5) Administrative sanctions as referred to in section (1), section (2), section (3), and section (4) are in the form of:
 - a. verbal warning;
 - b. written warning;
 - c. delay in Waste Management services;
 - d. temporary suspension of business activities;
 - e. recommendations for cancellation and/or revocation of business permits; and/or
 - f. administrative fines.
- (6) Further provisions regarding the procedures for imposing administrative sanctions as referred to in section (5) are regulated in the Mayor's Regulation.

CHAPTER XVIII PROVISIONS OF INVESTIGATION

Article 55

- (1) Certain civil servant officials within the Regional Government are given special authority as investigators to carry out investigations of criminal acts in the environmental sector, as referred to in the Law on Criminal Procedure Law.
- (2) Investigators as referred to in section (1) are certain civil servant officials within the Regional Government who are appointed by authorized officials in accordance with the provisions of the Legislation.
- (3) The investigator's authority as referred to in section (1) is to:
 - a. receive, seek, collect and examine information or reports relating to criminal acts so that the information or report becomes more complete and clearer;
 - b. research, search for and collect information about individuals or bodies regarding the truth of actions carried out in connection with criminal acts;
 - c. request information and evidence from individuals or entities in connection with criminal acts;
 - d. examine books, records and other documents relating to criminal acts;
 - e. carry out searches to obtain evidence of bookkeeping, recording and other documents, and confiscate such evidence;
 - f. request assistance from experts in carrying out criminal investigation duties;
 - g. order to stop and/or prohibiting someone from leaving the room or place while the inspection is in progress and checking the identity of the person, objects and/or documents being carried;
 - h. photograph someone related to a criminal act;
 - i. summon people to hear their statements and be examined as suspects or witnesses;
 - j. stop the investigation; and/or

- k. carry out other actions necessary for the smooth investigation of criminal acts in accordance with the provisions of Legislation.
- (4) The investigator as referred to in section (1) notifies the commencement of the investigation and conveys the results of the investigation to the public prosecutor through an investigator from the State Police of the Republic of Indonesia, in accordance with the provisions regulated in the Law on Criminal Procedure Law.

CHAPTER XIX CRIMINAL PROVISIONS

Article 56

- (1) Any person who violates the provisions as referred to in Article 9 section (1), Article 23 section (1), Article 30 section (1), and/or Article 53 is sentenced with imprisonment for a maximum of 6 (six) months or fine for a maximum of Rp50,000,000.00 (fifty million rupiah).
- (2) Every management of residential areas, commercial areas, public facilities, social facilities and other facilities which violates the provisions as referred to in Article 10 section (1), Article 17 section (1), Article 18 section (2), and/or Article 22 section (1) is sentenced with imprisonment for a maximum of 6 (six) months or fine for a maximum of Rp50,000,000.00 (fifty million rupiah).
- (3) Every business actor carrying out Waste Management activities who violates the provisions as referred to in Article 17 section (2) is sentenced with imprisonment for a maximum of 6 (six) months or a fine for a maximum of Rp. 50,000,000.00 (fifty million rupiah).
- (4) Any producer who violates the provisions as referred to in Article 11 and/or Article 12 is sentenced with imprisonment for a maximum of 6 (six) months or a fine for a maximum of Rp. 50,000,000.00 (fifty million rupiah).
- (5) The criminal acts as referred to in section (1), section (2), section (3), and section (4) are violations.

CHAPTER XX TRANSITIONAL PROVISIONS

Article 57

- (1) Waste Management Permits that have been issued before this Regional Regulation is promulgated, remain effective until the validity period of the permit expires.
- (2) Waste Management Cooperation that is implemented before this Regional Regulation is promulgated remains effective until the expiration date of the cooperation.

CHAPTER XXI CLOSING PROVISIONS

Article 58

At the time this Regional Regulation is promulgated, the Mayor Regulations:

1. Number 11 of 2016 on Procedures for Waste Management and Disposal in the Municipality of Denpasar (Regional Gazette of the Municipality of Denpasar of 2016 Number 11);
2. Number 76 of 2019 on Implementation of Waste Management Self-Management (Regional Gazette of the Municipality of 2019 Number 76); and
3. Number 45 of 2020 on Implementation of Reduce, Reuse and Recycle Activities through Waste Banks (Regional Gazette of the Municipality of Denpasar 2020 Number 45), remains effective as long as it does not conflict and has not been replaced based on the provisions of this Regional Regulation.

Article 59

At the time this Regional Regulation is promulgated, Regional Regulation Number 3 of 2015 on Waste Management (Regional Gazette of the Municipality of Denpasar of 2015 Number 5, Supplement to the Regional Gazette of the Municipality of Denpasar Number 3) is repealed and declared ineffective.

Article 60

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 Denpasar.

Issued in Denpasar
on 27 December 2023

MAYOR OF DENPASAR,

signed

I GUSTI NGURAH JAYA NEGARA

Promulgated in Denpasar
on 27 December 2023

REGIONAL SECRETARY OF DENPASAR CITY,

signed

IDA BAGUS ALIT WIRADANA

REGIONAL GAZETTE OF THE MUNICIPALITY OF DENPASAR OF 2023 NUMBER
8

Jakarta, 13 October 2025

Has been translated as an Official Translation
on behalf of the Minister of Law
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,



**ELUCIDATION OF
REGULATION OF THE MUNICIPALITY OF DENPASAR
NUMBER 8 OF 2023
ON
IMPLEMENTATION OF WASTE MANAGEMENT**

I. GENERAL

The large population in the Region with a high growth rate results in an increase in the volume of waste. In addition, people's consumption patterns contribute to creating increasingly diverse types of Waste, including dangerous packaging Waste and/or Waste that is not easily decomposed by nature. So far, most people still view Waste as useless waste, not as a resource that needs to be utilized.

The community in managing Waste still relies on the final approach, namely that waste is collected, transported and disposed of at the final waste processing site. In fact, large volumes of Waste piled up at final Waste processing locations have the potential to release methane gas (CH₄) which can increase greenhouse gas emissions and contribute to global warming. In order for a pile of rubbish to decompose through natural processes, it takes a long time and requires handling at a large cost. It is time for the Waste Management paradigm which relies on the final approach to be abandoned and replaced with a comprehensive Waste Management paradigm.

A comprehensive Waste Management paradigm views Waste as a resource that has economic value and can be used, for example, for energy, compost, fertilizer or as industrial raw materials. Waste Management is carried out with a comprehensive approach from upstream, from before a product is produced which has the potential to become Waste, to downstream, namely when the product has been used so that it becomes Waste, which is then returned to the environmental media safely. Waste management with this new paradigm is carried out by reducing and handling Waste.

With the promulgation of Law of the Republic of Indonesia Number 6 of 2023 on Enactment of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation to Become Law, it is necessary to make adjustments to Regulation of the Municipality of Denpasar Number 3 of 2015 on Implementation of Waste Management. Thus, it is considered necessary and very urgent to formulate more comprehensive regulation regarding Implementation of Waste Management in the Region.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear.

Article 3

The term "principle of responsibility" means that the Government and regional governments have the responsibility for Waste Management in realizing the community's right to a good and healthy living environment as mandated in Article 28 H section (1) of the 1945 Constitution of the Republic of Indonesia.

The term "sustainable principles" means that Waste Management is carried out using environmentally friendly methods and techniques so that it does not have a negative impact on public health and the environment, both in the present generation and in future generations.

The term "principle of balance and harmony" means that Waste Management by all stakeholders is carried out by taking into account the principles of environmental balance and harmony based on local wisdom values.

The term the "principle of benefits" means that Waste Management needs to use an approach that considers Waste as a resource that can be utilized to meet community needs.

The term the "principle of justice" means that in Waste Management, the Government and regional governments provide equal opportunities to the community and business world to play an active role in Waste Management.

The term "principle of awareness" means that in Waste Management, the Government and regional governments encourage every person to have the attitude, care and awareness to reduce and handle the Waste they produce. The term the "principle of togetherness" means that Waste Management is carried out by involving all stakeholders.

The term "principle of safety" means that Waste Management must guarantee human safety.

The term "security principle" means that Waste Management must guarantee and protect the community from various negative impacts.

The term "principle of economic value" means that Waste is a resource that has economic value that can be utilized to provide added value.

Article 4

Sufficiently clear

Article 5

Sufficiently clear

Article 6

Sufficiently clear

Article 7

Sufficiently clear

Article 8

Sufficiently clear

Article 9

Section (1)

Sufficiently clear.

Section (2)

a. Sufficiently clear.

- b. The term "Single use plastic" means any form of equipment/material made from or containing plastic, synthetic latex or polyethylene, thermoplastic synthetic polymeric and referred to for single use.
- c. Sufficiently clear.
- d. Sufficiently clear.
- e. Sufficiently clear.
- f. The term "Trash that is easily decomposed by nature" includes: food scraps, litter and other Waste that is easily decomposed by natural processes.
- g. 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

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Article 17

Sufficiently clear.

Article 18

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Article 19

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