REGULATION OF THE MUNICIPALITY OF MADIUN
NUMBER 9 OF 2025
ON
SMOKE-FREE AREAS

BY THE GRACE OF ALMIGHTY GOD

THE MAYOR OF MADIUN,

Having considered :

a. that based on the 1945 Constitution of the Republic of Indonesia, the State guarantees the right of every person to obtain a good and healthy environment;
b. that exposure to cigarette smoke may cause harm or danger to health, therefore it is necessary to undertake efforts to control the impact of smoking on public health;
c. that based on Article 151 paragraph (2) of Law Number 17 of 2023 on Health and Article 443 paragraph (1) of Government Regulation Number 28 of 2024 on Implementing Regulation of Law Number 17 of 2023 on Health, the Local Governments shall establish and implement Smoke-Free Areas within their territories through Regional Regulations;
d. that based on the considerations as referred to in paragraphs a, b, and c, it is necessary to enact a Regional Regulation on Smoke-Free Areas;

Having regard to :

1. Article 18 paragraph (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 16 of 1950 on Establishment of Large Cities Within the Provinces of East Java, Central Java, West Java and Within the Special Region of Jogjakarta (Official Gazette of the Republic of Indonesia Year 1950 Number 45) as amended by Law Number 13 of 1954 on Amendment to Laws Nos. 16 and 17 of 1950 (Former Republic of Indonesia) on Establishment of Large Cities and Small Cities in Java (State Gazette of the Republic of Indonesia Year 1954 Number 40, Supplement to the State Gazette of the Republic of Indonesia Number 551);
3. Law Number 12 of 2011 on the Making of Laws and Regulations (State Gazette of the Republic of Indonesia Year 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234) as repeatedly amended, and most recently

amended by Law Number 13 of 2022 on the Second Amendment to Law Number 12 of 2011 on the Making of Laws and Regulations (State Gazette of the Republic of Indonesia Year 2022 Number 143, Supplement to the State Gazette of the Republic of Indonesia Number 6801);

4. Law Number 23 of 2014 on Local Administration (State Gazette of the Republic of Indonesia Year 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as repeatedly amended, and most recently amended 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 Year 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856);
5. Law Number 17 of 2023 on Health (State Gazette of the Republic of Indonesia Year 2023 Number 105, Supplement to the State Gazette of the Republic of Indonesia Number 6887);
6. Government Regulation Number 49 of 1982 on Changes in the Boundaries of the Level II Municipality of Madiun (State Gazette of the Republic of Indonesia Year 1982 Number 76, Supplement to the State Gazette of the Republic of Indonesia Number 3244);
7. Government Regulation Number 12 of 2017 on Guidance and Supervision of the Implementation of Local Government Administration (State Gazette of the Republic of Indonesia Year 2017 Number 73, Supplement to the State Gazette of the Republic of Indonesia Number 6041);
8. Government Regulation Number 28 of 2024 on Implementing Regulation of Law Number 17 of 2023 on Health (State Gazette of the Republic of Indonesia Year 2024 Number 135, Supplement to the State Gazette of the Republic of Indonesia Number 6952);
9. Joint Regulation of the Minister of Health and the Minister of Home Affairs Number: 188/Menkes/PB/I/2011 and Number 7 of 2011 on Guidelines for the Implementation of Smoke-Free Areas (Official Gazette of the Republic of Indonesia Year 2011 Number 49);
10. Regulation of the Minister of Education and Culture Number 64 of 2015 on Smoke-Free Areas in School Environment (Official Gazette of the Republic of Indonesia Year 2015 Number 1982);
11. Regulation of the Minister of Home Affairs Number 80 of 2015 on the Making of Regional Legal Products (Official Gazette of the Republic of Indonesia Year 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 the Making of Regional Legal Products (Official Gazette of the Republic of Indonesia Year 2019 Number 157);

12. Regulation of the Municipality of Madiun Number 6 of 2017 on Guidelines for the Making of Regional Legal Products (Regional Gazette of the Municipality of Madiun Year 2017 Number 6/D, Supplement to the Regional Gazette of the Municipality of Madiun Number 40);

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

DECIDES:

To enact : REGIONAL REGULATION ON SMOKE-FREE AREAS.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Regional Regulation:

1. Region means the Municipality of Madiun.
2. Local Government means the Government of the Municipality of Madiun.
3. Mayor means the Mayor of Madiun.
4. Every Person means individuals including corporations.
5. Cigarette means a tobacco product intended to be burned and smoked and/or inhaled, including kretek cigarettes, white cigarettes, cigars, or other forms produced from nicotiana tabacum, nicotiana rustica, and other species or their synthetics, the smoke of which contains nicotine and tar, with or without additional substances.
6. Smoke-Free Area (*Kawasan Tanpa Rokok*), hereinafter abbreviated to the KTR, means any room or area designated as prohibited for smoking activities or for selling, producing, advertising both indoor and outdoor, and promoting tobacco products and electronic cigarettes.
7. Head or Person in Charge of Smoke-Free Area, hereinafter referred to as the Head or Person in Charge of KTR, means a person who by virtue of his or her position leads and/or is responsible for activities and/or businesses in an area designated as a smoke-free area.
8. Designated Smoking Area means a specific enclosed space allocated exclusively for smoking activities located within a smoke-free area.
9. Workplace means any enclosed or open space whether mobile or stationery, where workers carry out their jobs, or where workers are present for business purposes and which contains potential sources of hazards.
10. Educational Facility means a building designated for conducting activities related to learning, teaching, and education and/or training.
11. Health Service Facility means a tool and/or place to provide health services, encompassing promotive, preventive, curative, and rehabilitative efforts carried out

by the government, local governments, and/or the community.

12. Children's Play Area means an enclosed or open space used for children's activities.
13. Place of Worship means a building or enclosed space with specific characteristics designated for permanent religious worship by adherents of each religion, excluding family worship place.
14. Public Transportation means a mode of transport intended for public use, which may include land, water, or air vehicles, typically provided in exchange for compensation.

Article 2

The establishment of KTR aims to:

a. provide guidance for the Local Government in designating Smoke-Free Areas;
b. provide effective protection from the dangers of cigarette smoke;
c. provide clean and healthy space and environment for the community;
d. reduce the prevalence of smokers and prevent new smokers;
e. reduce morbidity and mortality caused by the impact of smoking;
f. increase public awareness and vigilance of the dangers of smoking and the benefits of living without smoking;
g. protect the health of individuals, families, communities, and the environment from the dangers of consumption and/or exposure to addictive substances in the form of tobacco products and electronic cigarettes that may cause adverse impacts on health, economy, and environment; and
h. encourage and mobilize the community to actively participate in efforts to control tobacco products and electronic cigarettes.

Article 3

The scope of this Regional Regulation includes:

a. designation of KTR;
b. prohibitions;
c. rights and obligations;
d. guidance and supervision;
e. public participation; and
f. awards.

CHAPTER II
DESIGNATION OF KTR

Article 4

The designation of KTR in the Region includes:

a. Health Service Facilities;
b. Educational Facilities;
c. Children's Play Areas;
d. Places of Worship;
e. Public Transportation;

f. Workplaces; and
g. public places and other places designated by the Mayor.

Article 5

The Health Service Facilities as referred to in Article 4 subparagraph a include:
a. Primary Health Service Facilities consisting of:
    1. community health centers (*puskesmas*);
    2. primary-level clinics; and
    3. independent practices of medical professionals or health professionals.
b. Advanced Health Service Facilities consisting of:
    1. hospitals;
    2. principal clinics;
    3. health centers; and
    4. independent practices of medical professionals or Health professionals.
c. Supporting Health Service Facilities consisting of:
    1. pharmacies;
    2. blood management units;
    3. health laboratories;
    4. stem cell and/or cell processing laboratories;
    5. biological material banks;
    6. optical facilities;
    7. institutions for securing medical devices and health facilities; and
    8. other supporting Health Service Facilities regulated in Mayor Regulations.

Article 6

The Educational Facilities as referred to in Article 4 subparagraph b include:
a. formal education facilities;
b. non-formal education facilities; and
c. other Educational Facilities regulated in Mayor Regulations.

Article 7

The Children's Play Areas as referred to in Article 4 subparagraph c include:
a. children's playgroups;
b. childcare centers;
c. child care facilities; and
d. other Children's Play Areas regulated in Mayor Regulations.

Article 8

Places of Worship as referred to in Article 4 subparagraph d include:
a. mosques/prayer rooms;
b. churches;
c. temples; and
d. other Places of Worship regulated in Mayor Regulations.

Article 9

The Public Transportation as referred to in Article 4 subparagraph e includes:

a. motor vehicles operating on routes;
b. motor vehicles not operating on routes; and
c. other Public Transportation regulated in Mayor Regulations.

Article 10

The Workplaces as referred to in Article 4 subparagraph f may consist of:

a. offices;
b. warehouses;
c. industries; and
d. other Workplaces in the form of enclosed or open space whether mobile or stationery.

Article 11

(1) The public places as referred to in Article 4 subparagraph g include:
    a. all enclosed places accessible to the public; and/or
    b. places that can be jointly utilized for community activities managed by:
        1. the Central Government;
        2. the Local Government;
        3. the private sectors; and/or
        4. the community.
(2) The other places as referred to in Article 4 subparagraph g are certain open places jointly utilized for community activities.
(3) Further provisions on the public places and other places as referred to in paragraphs (1) and (2) are regulated in a Mayor Regulation.

CHAPTER III
PROHIBITIONS

Article 12

(1) Every Person within KTR shall not:
    a. smoke;
    b. advertise;
    c. promote;
    d. provide sponsorship;
    e. produce or manufacture;
    f. sell; and/or
    g. purchase tobacco products.
(2) The prohibition on selling and purchasing as referred to in paragraph (1) subparagraphs f and g is exempted to public places that have a license to sell Cigarettes.
(3) The exemption as referred to in paragraph (2) is without clearly displaying the type and product of cigarettes, but indicated by a written sign stating “Cigarettes Available Here (*Disini Tersedia Rokok*)”.
(4) The prohibition on producing or manufacturing tobacco products as referred to in paragraph (1) subparagraph e

does not apply to places used for licensed tobacco product production activities in the KTR.

Article 13

The managers, organizers, Heads, or Persons in Charge of KTR as referred to in Article 4 subparagraphs a, b, c, d, and e shall not provide Designated Smoking Areas and must implement KTR free from cigarette smoke up to the outermost boundary.

CHAPTER IV
RIGHTS AND OBLIGATIONS

Article 14

(1) Every Person is entitled to clean air and to enjoy air free from Cigarette smoke.
(2) Every Person is entitled to accurate information and education concerning the dangers of Cigarette smoke to health.
(3) Every Person is entitled to obtain information concerning the KTR.

Article 15

Every Person shall comply with the provisions stipulated in places or areas declared as KTR.

Article 16

(1) The managers, organizers, or persons in charge of Workplaces and public places and other places designated by the Mayor as referred to in Article 4 subparagraphs f and g shall provide Designated Smoking Areas.
(2) The Designated Smoking Areas as referred to in paragraph (1) must meet the following requirements:
    a. be an open space or a room directly connected to outdoor air so that air can circulate properly;
    b. be separated from the main place/room and other rooms used for activities;
    c. be located far from entrances and exits; and
    d. be located far from places where people pass by.

CHAPTER V
GUIDANCE AND SUPERVISION

Article 17

(1) The Mayor is authorized to carry out guidance and supervision as an effort to realize KTR in the Region.
(2) The guidance as referred to in paragraph (1) includes:
    a. dissemination of information in the form of guidance, dissemination, counseling, education, and capacity building for the community to live a healthy lifestyle;
    b. motivating and fostering public participation to live healthily without Cigarette smoke;
    c. conducting monitoring and evaluation of KTR; and
    d. providing smoking cessation services.
(3) The supervision as referred to in paragraph (1) may include monitoring compliance with provisions regarding KTR.

(4) In order to the effectiveness of guidance and supervision, the Mayor establishes a task force for the guidance and supervision of KTR.
(5) Further provisions on the task force for guidance and supervision as referred to in paragraph (4) are stipulated in a Mayor Decree.

Article 18

(1) The Heads or Persons in Charge of KTR are responsible for:
   a. providing internal dissemination within the environment under their responsibility;
   b. preparing and installing signs/instructions/warnings prohibiting smoking, advertising, promoting, sponsoring, and/or purchasing Cigarettes at entrances and locations with sufficient lighting that are easily visible and legible;
   c. conducting internal supervision in places and/or locations under their responsibility; and
   d. giving reprimands and/or warnings to Any Person who violates the provisions of Articles 12, 13, 15, and 16.
(2) Further provisions on signs/instructions/warnings as referred to in paragraph (1) subparagraph b are regulated in a Mayor Regulation.

CHAPTER IV
PUBLIC PARTICIPATION

Article 19

(1) The public may participate in realizing KTR in the Region.
(2) The participation as referred to in paragraph (1) is carried out by individuals, groups, legal entities or business entities, and institutions or organizations organized by the community.
(3) The public participation as referred to in paragraph (1) may be carried out by:
   a. providing input and considerations regarding the determination of policies related to KTR;
   b. procuring and providing facilities and infrastructure needed to realize KTR;
   c. participating in providing guidance and counseling as well as disseminating information to the public;
   d. participating in creating KTR in their respective environments;
   e. reminding Any Person who violates the provisions of Articles 12 and 15; and
   f. reporting Any Person proven to violate the provisions of Articles 12, 13, 15, and 16 to the task force for guidance and supervision of KTR.
(4) Further provisions on the procedures for implementing public participation as referred to in paragraph (1) are regulated in a Mayor Regulation.

CHAPTER VII
AWARDS

Article 20

(1) Any person, community group, Head or Person in Charge of KTR who contributes to the implementation of this Regional Regulation is awarded by the Local Government.
(2) Further provisions on the procedures for granting awards are regulated in a Mayor Regulation.

CHAPTER VIII
ADMINISTRATIVE SANCTIONS

Article 21

(1) Any Person who violates the provisions of Articles 12, 13, 15, and 16 is subject to administrative sanctions in the form of:
    a. verbal reprimand;
    b. written reprimand;
    c. temporary suspension of activities;
    d. permanent termination of activities;
    e. temporary revocation of license;
    f. permanent revocation of license;
    g. administrative fines; and/or
    h. other administrative sanctions in accordance with the provisions of laws and regulations.
(2) Further provisions on the procedures for imposing administrative sanctions are regulated in Mayor Regulations.

CHAPTER IX
CLOSING PROVISIONS

Article 22

The implementing regulations of this Regional Regulation must be issued no later than three (3) months from the date this Regional Regulation is promulgated.

Article 23

Upon the entry into force of this Regional Regulation, Regulation of the Municipality of Madiun Number 21 of 2011 on Smoke-Free Areas and Restricted Smoking Areas (Regional Gazette of the Municipality of Madiun Year 2011 Number 8/E, Supplement to the Regional Gazette of the Municipality of Madiun Number 20), as amended by Regulation of the Municipality of Madiun Number 5 of 2018 on Amendment to Regional Regulation of the Municipality of Madiun Number 21 of 2011 on Smoke-Free Areas and Restricted Smoking Areas (Regional Gazette of the Municipality of Madiun Year 2018 Number 2/D), is hereby repealed and declared to be no longer in force.

Article 24

This Regional Regulation shall enter into force as of the date of its promulgation.

In order to make this Regional Regulation known to the public, it is hereby ordered that it be promulgated by its publication in the Regional Gazette of the Municipality of Madiun.

Enacted in Madiun
on 3 July 2025

MAYOR OF MADIUN,

signed

MAIDI

Promulgated in Madiun
on 3 July 2025

REGIONAL SECRETARY,

signed

SOEKO DWI HANDIARTO

REGIONAL GAZETTE OF THE MUNICIPALITY OF MADIUN YEAR 2025 NUMBER 7/D

Prepared and issued as an official translation

Jakarta, 24 July 2026
DIRECTOR GENERAL OF LEGISLATION
FOR THE MINISTER OF LAW OF THE REPUBLIC OF INDONESIA,

DIREKTUR JENDERAL PERATURAN PERUNDANG-UNDANGAN KEMENTERIAN HUKUM PENGAYOMAN

DHAHANA PUTRA

Official Translation Notice:
This English translation is provided for information and reference purposes only. In the event of any discrepancy, inconsistency, or ambiguity between the English version and the Indonesian version, the Indonesian version shall prevail.

ELUCIDATION
OF
REGULATION OF THE MUNICIPALITY OF MADIUN
NUMBER 9 OF 2025
ON
SMOKE-FREE AREAS

I. GENERAL

Cigarettes are one of the addictive substances which, when used, may cause health hazards to individuals and society, as Cigarettes contain approximately four thousand (4.000) chemical substances, including nicotine which is addictive and tar which is carcinogenic, both of which may cause various diseases such as cancer, heart disease, impotence, hypertension, emphysema, chronic bronchitis, and pregnancy disorders.

Health protection against Cigarettes needs to be carried out through the provision of information regarding the nicotine and tar content in each Cigarette, the inclusion of warnings on labels, regulation of Cigarette production and sales, advertising, and cigarette promotion. In addition, KTR needs to be established in Health Service Facilities, Educational Facilities, Children's Play Areas, Places of Worship, Public Transportation, Workplaces, public places, and other places designated by the Mayor.

As an effort to protect health against Cigarettes, the Municipality of Madiun has enacted Regional Regulation Number 21 of 2011 on Smoke-Free Areas and Restricted Smoking Areas, as amended by Regional Regulation Number 5 of 2018 on Amendment to Regional Regulation of the Municipality of Madiun Number 21 of 2011 on Smoke-Free Areas and Restricted Smoking Areas. Based on surveys conducted by community health centers (*puskesmas*) in various areas of the Region, it appears that the effectiveness of the implementation of this Regional Regulation has not yet achieved optimal results. Several factors such as lack of socialization, limited supervision, and low public awareness of the importance of KTR remain major challenges that need to be addressed.

Based on the provisions of Article 151 paragraph (2) of Law Number 17 of 2023 on Health and Article 443 paragraph (1) of Government Regulation Number 28 of 2024 on the Implementing Regulation of Law Number 17 of 2023 on Health, the Local Governments shall establish and implement Smoke-Free Areas. Meanwhile, Regional Regulation Number 21 of 2011 on Smoke-Free Areas and Restricted Smoking Areas, as amended by Regional Regulation Number 5 of 2018 on Amendment to Regional Regulation of the Municipality of Madiun Number 21 of 2011 on Smoke-Free Areas and Restricted Smoking Areas, still regulates Restricted Smoking Areas. Therefore, it is necessary to enact a new Regional Regulation on Smoke-Free Areas and repeal the previous Regional Regulation.

II. ARTICLE BY ARTICLE

Article 1

All provisions regulated in this Regional Regulation also apply to electronic Cigarettes or similar products, and for that purpose their status is equated with Cigarettes or tobacco products.

Article 2

Self-explanatory.

Article 3

Self-explanatory.

Article 4

Self-explanatory.

Article 5

Self-explanatory.

Article 6

Self-explanatory.

Article 7

Self-explanatory.

Article 8

Self-explanatory.

Article 9

Self-explanatory.

Article 10

Self-explanatory.

Article 11

Self-explanatory.

Article 12

Self-explanatory.

Article 13

The term “outermost boundary” means the outermost fence boundary or the outermost land boundary of the KTR.

Article 14

Self-explanatory.

Article 15

Self-explanatory.

Article 16

The managers, organizers, or persons in charge of Workplaces, public places, and other places designated in Mayor Regulation who provide smoking areas that do not comply with the provisions of this Regional Regulation are deemed to have committed a violation.

Article 17
Self-explanatory.

Article 18
Self-explanatory.

Article 19
Self-explanatory.

Article 20
Self-explanatory.

Article 21
Self-explanatory.

Article 22
Self-explanatory.

Article 23
Self-explanatory.

Article 24
Self-explanatory.

SUPPLEMENT TO THE REGIONAL GAZETTE OF THE MUNICIPALITY OF MADIUN NUMBER 140