

REGULATION OF THE MUNICIPALITY OF TANGERANG  
NUMBER 2 OF 2022  
ON  
WASTE MANAGEMENT

BY THE BLESSINGS OF ALMIGHTY GOD

MAYOR OF TANGERANG,

- Considering:
- a. that the Local Government is responsible for ensuring the availability of a healthy environment and being able to carry out a good Waste management process so that it is able to create a safe, comfortable, healthy, productive and sustainable space;
  - b. that the volume and type of Waste is increasing day by day and the Waste collection system in general is still mixed or there is no separation between organic and inorganic Waste starting from the source so that it has the potential to cause Waste problems in the region and have an impact on public health and the environment if not managed properly;
  - c. that in accordance with Law Number 18 of 2008 on Waste Management and Law Number 23 of 2014 on Local Governments, the Local Governments have the authority to handle regional Waste and make policies as the basis for its implementation;
  - d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to issue a Regional Regulations on Waste Management;
- Observing :
1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;
  2. Law Number 2 of 1993 on Establishment of Level II Regional Municipality of Tangerang (State Gazette of the Republic of Indonesia Number 18 of 1993, Supplement to the State Gazette of the Republic of Indonesia Number 3518);
  3. Law Number 18 of 2008 on Waste Management (State Gazette of the Republic of Indonesia Number 69 of 2008, Supplement to the State Gazette of the Republic of Indonesia Number 4851);
  4. Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia Number 244 of 2014,

- Supplement to the State Gazette of the Republic of Indonesia Number 5587), as amended several times last by Law Number 9 of 2015 on the Second Amendment to Law Number 23 of 2014 on Local Governments (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
5. Government Regulation Number 81 of 2012 on Management of Household Waste and Household-Like Waste (State Gazette of the Republic of Indonesia of 2012 Number 188, Supplement to the State Gazette of the Republic of Indonesia Number 5347);
  6. Government Regulation Number 27 of 2020 on Specific Waste Management (State Gazette of the Republic of Indonesia of 2020 Number 141, Supplement to the State Gazette of the Republic of Indonesia Number 6522);
  7. Presidential Regulation Number 97 of 2017 on National Policies and Strategies for Household Waste and Household-Like Waste Management (State Gazette of the Republic of Indonesia of 2017 Number 223);
  8. Presidential Regulation Number 35 of 2018 on Acceleration of Development of Waste Processing Plants into Electrical Energy Based on Environmentally Friendly Technology (State Gazette of the Republic of Indonesia of 2018 Number 61);
  9. Regulation of the Minister of Environment Number 16 of 2011 on Guidelines for Material Contents of Draft Regional Regulation on Household Waste and Household-Like Waste Management (State Bulletin of the Republic of Indonesia of 2011 Number 933);
  10. Regulation of the Minister of Environment Number 13 of 2012 on Guidelines for the Implementation of Reduce, Reuse, and Recycle through Waste Banks (State Bulletin of the Republic of Indonesia of 2012 Number 804);
  11. Regulation of the Minister of Environment and Forestry Number P.75/Menlhk/Setjen/Kum.1/10/2019 on Roadmap for Waste Reduction by Producers (State Bulletin of the Republic of Indonesia of 2019 Number 1545);

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

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 Tangerang.
2. Local Government means the Regional Head and Regional Apparatus as an administering element of local

- government who leads the implementation of Government Affairs which is the authority of the autonomous Region.
3. Mayor means the Mayor of Tangerang.
  4. Municipal Regional Apparatus is an assisting element of the Mayor and the DPRD in the implementation of government affairs that are the authority of the Regions.
  5. Office means a Regional Apparatus in charge of government affairs in the field of Worship.
  6. Head of Office means the Head of the Regional Apparatus in charge of government affairs in the field of Agriculture.
  7. Producer means any business actor who produces goods that use packaging, distributes goods by packaging and from imports, or sells goods by containers that cannot or are difficult to decompose by natural processes that have a permit from the Government of the Municipality of Tangerang.
  8. Waste means the remains of daily human activities and/or natural processes in solid form.
  9. Specific Waste means Waste which, due to its nature, concentration, and/or volume, requires special management.
  10. Household waste means waste generated from daily activities in households, primarily consisting of organic waste, excluding feces and specific waste.
  11. Household-Like Waste means waste which does not originate from households but comes from commercial areas, industrial areas, special areas, social facilities, public facilities, and/or other facilities.
  12. Waste Source means the origin of waste generation
  13. 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.
  14. Waste Producer means Any Person and/or natural process that results in generating waste.
  15. Waste Management means a systematic, comprehensive and sustainable activity that includes reducing and handling waste.
  16. Specific Waste Management means a systematic, comprehensive and sustainable activity that includes reduction and handling.
  17. Temporary Shelter of Waste (*Tempat Penampungan Sementara*) hereinafter, abbreviated as TPS means a place where waste is temporarily stored before being transported to a recycling, processing, and/or integrated waste processing site.
  18. 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.

19. Waste Processing Site with the 3R Principle (Reduce, Reuse, Recycle), hereinafter abbreviated as TPS 3R, means a place where collection, sorting, reuse
20. Integrated Waste Processing Site (Tempat Pengolahan Sampah Terpadu), hereinafter, abbreviated as TPST, means a place where collection, sorting, reuse, recycling, processing and final processing activities are carried out.
21. Final Processing Site (Tempat Pengolahan Akhir), hereinafter abbreviated as TPA, means a place to process and return waste to the environment in a manner that is safe for humans and the environment.
22. Waste Bank means a place for sorting and collecting recyclable and/or reusable waste that has economic value.
23. Intermediate transfer station means a place of transferring from small means of transportation to larger means of transportation and being necessary for regencies/municipalities that have a TPA of more than 25 km away which can be equipped with Waste processing facilities.
24. Compensation means the provision of rewards to a person who is negatively impacted by waste handling activities at final processing site of Waste.
25. Person means an individual, group of persons, and/or legal entity.
26. 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.
27. 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
28. Waste Manager means a person and/or business entity that carries out Waste management activities.

## Article 2

The scope of the Regional Regulation includes:

- a. Regional policies and strategies for the management of household Waste and household-like Waste;
- b. the duties and authority of the Local Government;
- c. Waste Management;
- d. licensing;
- e. management agencies;
- f. incentives and disincentives;
- g. compensation;
- h. cooperation and partnership;
- i. community participation;
- j. dispute resolution;
- k. technology and information system;
- l. Emergency Response system;
- m. Specific Waste Management; and
- n. Guidance and supervision.

CHAPTER II  
REGIONAL POLICIES AND STRATEGIES FOR WASTE  
MANAGEMENT

Article 3

- (1) The Local Government prepares and establishes policies and strategies in Waste Management.
- (2) Policies and strategies in Waste Management as referred to in section (1) contain at least:
  - a. the Local Government is obligated to prepare a Master Plan document and Waste Management Feasibility Study;
  - b. direction of Waste Reduction and Handling Policy; and
  - c. Waste reduction and handling programs.
- (3) The Master Plan Document as referred to in section (2) point a contains:
  - a. restriction of Waste amount;
  - b. Waste recycling;
  - c. Waste reuse;
  - d. Waste sorting;
  - e. Waste collection;
  - f. Waste transportation;
  - g. Waste processing;
  - h. final processing of Waste; and
  - i. funding.
- (4) The program as referred to in section (1) point b contains:
  - a. the target of reducing Waste amount and the priority of the type of Waste gradually; and
  - b. Waste handling targets for each specific period of time.
- (5) Further provisions regarding Waste Management policies and strategies are regulated by a Mayor Regulation.

CHAPTER III  
DUTIES AND AUTHORITY OF LOCAL GOVERNMENT

Part One  
Assignment

Article 4

- (1) The Local Government is in charge of ensuring the implementation of proper and eco-friendly Waste management.
- (2) The duties of the Local Government as referred to in section (1) consist of:
  - a. developing and increasing public awareness in Waste Management;
  - b. conducting research, development of technology reduction, and Waste handling;
  - c. facilitating, developing, and implementing efforts to reduce, handle, and utilize Waste;
  - d. carrying out Waste management and facilitating the provision of Waste Management infrastructure and facilities;
  - e. encouraging and facilitating the development of the benefits of Waste processing products;

- f. facilitating the application of locally specific technologies that are developing in local communities to reduce and manage Waste; and
- g. coordinating among government agencies, the community, and the enterprises so that there is integration in Waste Management; and
- h. collecting Waste containing B3 for residential areas in Specific Waste Management facilities.

Part Two  
Local Government Authority

Article 5

- (1) In organizing Waste Management, the Local Government is authorized to:
  - a. establish Waste management policies and strategies based on national and provincial policies;
  - b. organize city-scale Waste Management in accordance with norms, standards, procedures, and criteria set by the Government;
  - c. conduct guidance and supervision of the performance of Waste Management carried out by other parties;
  - d. determine the location of TPS, TPS 3R, Intermediate Transfer Station, Compost House or Organic Waste Processing House, Recycling House, Center Waste Bank, TPSSS B3, TPST, and/or TPA;
  - e. conduct periodic monitoring and evaluation every 6 (six) months for 20 (twenty) years on TPA with open disposal systems that have been closed; and
  - f. develop and implement an emergency response system for Waste Management; and
  - g. supervise the performance of Specific Waste Management carried out by business entities.
- (2) The designation of the location of TPS, TPS 3R, Intermediate Transfer Station, Compost House or Organic Waste Processing House, Recycling House, Center Waste Bank, TPSSS B3, TPST, and/or TPA as referred to in section (1) point d is part of the spatial plan of the Regional area in accordance with the provisions of legislation.

CHAPTER IV  
WASTE MANAGEMENT

Part One  
General

Article 6

- (1) Waste managed under this Regional Regulation consists of:
  - a. Household Waste;
  - b. Household-Like Waste; and
  - c. Specific Waste
- (2) Household Waste as referred to in section (1) point a comes from daily activities in the household, excluding feces and specific Waste.
- (3) Household-Like Waste as referred to in section (1) point b comes from commercial areas, industrial areas, special

- areas, social facilities, public facilities, and/or other facilities.
- (4) Specific Waste as referred to in section (1) c includes:
    - a. Household Waste and/or Household-Like Waste that contains hazardous and toxic materials;
    - b. Household Waste and/or Waste-Like Household Waste that contains hazardous and toxic materials of Waste;
    - c. Waste arising from disasters;
    - d. debris of building demolition;
    - e. Waste that cannot be processed technologically; and/or
    - f. Waste that arises periodically.
  - (5) Specific Waste Management as referred to in section (4) point a and point b is carried out in accordance with the provisions of legislation.

Part Two  
Waste Management

Article 7

- (1) Waste Management consists of:
  - a. Waste reduction; and
  - b. Waste handling.
- (2) Any person is obligated to reduce Waste and handle Waste.

Paragraph 1  
Waste Reduction

Article 8

- (1) Waste Reduction as referred to in Article 7 point a covers the following activities:
  - a. restriction of Waste amount;
  - b. Waste recycling; and/or
  - c. Waste reuse.
- (2) Waste reduction as referred to in section (1) is carried out by:
  - a. using reusable materials, recyclable materials, and/or materials that are easily decomposed by natural processes; and/or
  - b. collecting and returning Waste from products and/or packaging that have been used.
- (3) Waste recycling as referred to in section (1) point b can be carried out by simple composting activities, and/or Biodigester, and/or bioconversion of BSF flies and/or other appropriate technologies.
- (4) Waste reuse as referred to in section (1) point c can be carried out, among others, by Waste Donation, Waste Bank, and/or TPS3R activities.

Article 9

In reducing Waste as referred to in Article 8, the Local Government is obligated to:

- a. set a target for reducing Waste gradually over a certain period;

- b. facilitate the application of environmentally friendly technology;
- c. facilitate reuse and recycling activities; and
- d. facilitate the marketing of recycled products.

#### Article 10

The community in carrying out Waste reduction activities as referred to in Article 8 uses materials that can be reused, recycled, and/or easily decomposed by natural processes.

#### Article 11

Producers are obligated to restrict the Waste amount by:

- a. preparing plans and/or programs to limit the amount of Waste as part of its business and/or activities; and/or
- b. produce products using packaging that is easily decomposed by natural processes and that generates Waste as little as possible.

#### Article 12

- (1) Producers are obligated to recycle Waste by:
  - a. developing a Waste recycling program as part of its business and/or activities;
  - b. using raw materials of recyclable production; and/or
  - c. recalling Waste from products and product packaging for recycling.
- (2) In recycling Waste as referred to in section (1), the producer may appoint other parties.
- (3) The other parties, in carrying out recalculation as referred to in section (2), are obligated to have a business and/or activity license.
- (4) In the event of recycling Waste to produce food packaging, the implementation of recycling is required to follow the provisions of legislation in the field of drug and food supervision.

#### Article 13

Producers are obligated to reuse Waste by:

- a. preparing plans and/or programs for the reuse of Waste as part of its business and/or activities in accordance with Waste Management policies and strategies;
- b. using raw materials of reusable production; and/or
- c. recalling Waste from products and product packaging for reuse.

#### Paragraph 2 Waste Handling

#### Article 14

Waste Handling as referred to in Article 7 point b includes the following activities:

- a. sorting;
- b. collection;
- c. transportation;
- d. processing; and
- e. final processing of Waste.

Article 15

- (1) Waste Sorting as referred to in Article 14 point a is carried out by:
  - a. Any Person at its source;
  - b. managers of residential areas, commercial areas, industrial estates, special areas, public facilities, social facilities, and other facilities; and
  - c. Local Government.
- (2) Sorting as referred to in section (1) is carried out through the activity of grouping Waste into at least 5 (five) types of Waste consisting of:
  - a. Waste containing hazardous and toxic materials, and hazardous and toxic materials of Waste;
  - b. Easily decomposable Waste;
  - c. Reusable Waste;
  - d. Recyclable Waste; and e. other Waste.

Article 16

- (1) Managers of residential areas, residential areas, commercial areas, industrial estates, special areas, public facilities, social facilities, and other facilities in conducting Waste sorting are obligated to provide regional-scale Waste sorting facilities.
- (2) The Local Government provides a means of sorting city-scale Waste.
- (3) Waste Sorting as referred to in section (1) and section (2) must use means that meet the requirements:
  - a. the number of facilities according to the type of Waste grouping as referred to in Article 15 section (2);
  - b. labeled or marked; and
  - c. the material, shape, and color of the container.

Article 17

- (1) Waste collection as referred to in Article 14 point b is carried out by:
  - a. managers of residential areas, residential areas, commercial areas, industrial areas, special areas, public facilities, social facilities, and other facilities; and
  - b. Local Government.
- (2) The managers of residential areas, housing areas, commercial areas, industrial areas, special areas, public facilities, social facilities, and other facilities in collecting Waste are obligated to provide:
  - a. TPS;
  - b. TPS 3R; and/or
  - c. TPSSSB3 and/or
  - d. collection equipment for sorted Waste.
- (3) TPS and/or TPS 3R as referred to in section (2) and section (3) must meet the following requirements:
  - a. there are facilities to group Waste into at least 3 (three) types of Waste;
  - b. location area and capacity are as needed;
  - c. the location is easily accessed;
  - d. they do not pollute the environment; and
  - e. they have a collection and transportation schedule.

Article 18

- (1) Waste transportation as referred to in Article 14 point c is carried out by:
  - a. Local Government; and/or
  - b. Waste Manager.
- (2) The Local Government and/or Waste Manager in transporting Waste as referred to in section (1):
  - a. provide Waste transportation equipment, including for sorted Waste that does not pollute the environment; and
  - b. transport Waste from TPS and/or TPS 3R to TPA or TPST.
- (3) In the transportation of Waste, the Local Government may provide intermediate transfer stations.

Article 19

- (1) Waste Processing as referred to in Article 14 point d covers activities:
  - a. compaction;
  - 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 its source;
  - b. managers of residential areas, residential 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, residential areas, commercial areas, industrial estates, special areas, public facilities, social facilities, and other facilities are obligated to provide area-scale Waste processing facilities in the form of TPS 3R and/or TPSSSB3.

Article 20

- (1) Waste Management is obligated to provide area-scale Waste processing facilities in the form of 3R and/or TPSSSB3 TPS.
- (2) The area manager and Waste manager in providing TPSSSB3 are obligated to submit an application for registration of TPSSSB3 to the Mayor.
- (3) TPSSSB3 managers who have obtained a registration number are obligated to report the recording of B3-Containing Waste periodically every 3 (three) months to the Mayor through the Regional Apparatus that handles B3 and B3 Waste.
- (4) The Local Government provides processing facilities of Waste in residential areas in the form of:
  - a. TPS 3R;
  - b. intermediate transfer stations;
  - c. TPSSSB3;
  - d. TPA; and/or
  - e. TPST.

Article 21

- (1) The final processing of Waste as referred to in Article 14 point e is carried out by using:
  - a. controlled landfill method;
  - b. sanitary landfill method; and/or
  - c. environmentally friendly technology.
- (2) The final processing of Waste as referred to in section (1) may be carried out by the Local Government and/or Business Entities.

Article 22

- (1) In carrying out the final processing of Waste, the Local Government and/or Business Entity as required in Article 21 section (2) are obligated to provide and operate the TPA.
- (2) In providing TPA as referred to in section (1) Local Government and/or Business Entities:
  - a. conduct location selection in accordance with the provincial spatial plan and/or the urban spatial plan;
  - b. prepare cost and technology analysis; and
  - c. prepare a technical design.
- (3) The location of TPA as referred to in section (2) point a, at least meets the aspects:
  - a. geology;
  - b. hydrogeology;
  - c. the slope of the zone;
  - d. distance from the airport;
  - e. distance from settlements;
  - f. not located in a protected area or nature reserve; and/or
  - g. not a flood area for a repeat period of 25 (twenty-five) years.
- (4) TPA provided by the Local Government and/or Business Entities as referred to in section (2) must be equipped with:
  - a. basic facilities;
  - b. environmental protection facilities;
  - c. operating facilities; and
  - d. supporting facilities.

Article 23

- (1) The activity of providing processing facilities and final processing of Waste is carried out through the following stages:
  - a. planning;
  - b. development; and
  - c. operation and maintenance.
- (2) Development as referred to in section (1) point b includes the following activities:
  - a. construction;
  - b. supervision; and
  - c. trials.

Article 24

- (1) In carrying out the activities of transporting, processing, and final processing of Waste, the Local Government may:
  - a. form a Waste management agencies;

- b. partner with business entities or communities; and/or
  - c. cooperate with other regency/municipal governments.
- (2) Partnership and cooperation as referred to in section (1) point b and point c are carried out in accordance with the provisions of legislation.

#### Article 25

Waste that cannot be processed through activities as referred to in Article 19 section (1) is stored in the TPA.

#### Article 26

- (1) Any Person who is in charge of transporting, processing, and final processing of Waste is obligated to have a certificate of competence.
- (2) Further provisions regarding competency certificates as referred to in section (1) are regulated by a Mayor Regulation.

### CHAPTER V LICENSING

#### Part One Types of Permits

#### Article 27

- (1) Any Person who will carry out a Waste Management business and/or activity is obligated to have a Permit from the Mayor or Designated Official.
- (2) Business licenses and/or Waste Management activities as referred to in section (1) consist of:
  - a. Business licenses and/or Waste reduction activities; and/or
  - b. Business license and/or Waste handling activities.
- (3) Business licenses and/or Waste reduction activities as referred to in section (2) point a include:
  - a. business license and/or recycling activities of Waste; and
  - b. business license and/or reuse activities of Waste.
- (4) Business licenses and/or Waste handling activities as referred to in section (2) point b include:
  - a. business licenses and/or sorting activities;
  - b. business licenses and/or collection and/or shelter activities;
  - c. business license and/or transportation activities;
  - d. business license and/or processing activities; and/or
  - e. business license and/or final processing activities of Waste.

#### Article 28

- (1) Business licenses and/or Waste handling activities as referred to in Article 27 are intended for Waste sourced from the Region.
- (2) Business licenses and/or Waste handling activities as referred to in section (1) are granted with regard to the capacity and carrying capacity of the environment.

- (3) Any Person who has a business license and/or Waste handling activities as referred to in section (1) is obligated to make a monthly report and submit it to the relevant Agency periodically every 3 (three) months.
- (4) Any Person who has a business license and/or Waste Management as referred to in Article 27 section (2) is obligated to comply with the provisions as granted license.

Article 29

- (1) Any Person who violates the provisions of Article 27 section (1), Article 28 section (3) and section (4) is subject to administrative sanctions.
- (2) Administrative sanctions as referred to in section (1) may be in the form of:
  - a. government coercion;
  - b. coercive fine; and/or
  - c. revocation of license.
- (3) Further provisions regarding the application of administrative sanctions as referred to in section (1) and section (2) are regulated by a Mayor Regulation.

Article 30

- (1) The Mayor may delegate the authority to issue business licenses and/or Waste Management activities as referred to in Article 27 to the Head of the Regional Apparatus in charge of licensing matters.
- (2) Waste Management business licenses and/or activities as referred to in section (1) may be granted after a technical recommendation from the Head of the Service.

Part Two

Requirements and Procedures for Obtaining a License

Article 31

- (1) To obtain a business license and/or Waste Management activity, every applicant must submit an application to the Mayor.
- (2) Further provisions regarding the requirements and procedures for obtaining a license as referred to in section (1) are regulated by a Mayor Regulation.

Part Three

License Validity Period

Article 32

- (1) The Business license and/or Waste Handling activity as referred to in Article 31 section (1) are valid as long as the Waste Management business activity is running.
- (2) The business license and/or Waste handling activity as referred to in section (1) expire if:
  - a. the validity period has expired;
  - b. Business Entity holding Waste Management license is dissolved; and/or
  - c. License is revoked.

Part Four  
License Changes

Article 33

- (1) Changes to the Waste Management License is required to be made if any:
  - a. transfer of ownership or management of the company;
  - b. change of company name;
  - c. change in the form and/or status of the company;
  - d. change of company address; and
  - e. change in the company's core business activities.
- (2) The request for change as referred to in section (1) is submitted to the Regional Apparatus in charge of affairs in the field of licensing not later than 30 (thirty) calendar days after the determination of the change by the company.
- (3) Further provisions regarding the requirements and procedures for changing the Waste Management permit as referred to in section (1) and section (2) are regulated in a Mayor Regulation.

Part Five  
License Announcement

Article 34

- (1) The decision on the granting of a Waste Management license as referred to in Article 32 and Article 33 must be announced to the public.
- (2) Further provisions regarding the announcement of the granting of Waste Management permits as referred to in section (1) are regulated by a Mayor Regulation.

CHAPTER VI  
INCENTIVES AND DISINCENTIVES

Article 35

- (1) In Waste Management, the Local Government provides:
  - a. Incentive; and
  - b. Disincentives.
- (2) Incentives and disincentives in Waste Management as referred to in section (1) are intended to:
  - a. improve Waste control to realize the goals of Waste Management;
  - b. improve the performance of Waste Management in handling and reducing Waste; and
  - c. increase partnerships with stakeholders in Waste management.
- (3) The provision of incentives and disincentives as referred to in section (1) is adjusted to the financial capacity of the Regional and local wisdom.

Article 36

- (1) Incentives as referred to in Article 35 section (1) point a are given to Any 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 Local Government;

- b. process organic Waste in areas, facilities, and houses;
  - c. develop products, packaging, and work processes that reduce Waste amount;
  - d. make efficient consumption of materials, products and packaging;
  - e. recycle Waste;
  - f. reuse Waste; and/or
  - g. reduce the use of toxic substances.
- (2) Disincentives as referred to in Article 35 section (1) b are given to Any Person who does not sort Waste in accordance with the set standards and/or has the potential to have a negative impact on health and/or the environment.

#### Article 37

Incentives as referred to in Article 35 section (1) point a can be in the form of:

- a. awarding;
- b. provision of ease of licensing in Waste management;
- c. reduction of local taxes and local levies within a certain period;
- d. regional equity participation; and/or
- e. provision of subsidies.

#### Article 38

Disincentives as referred to in Article 35 section (1) point b can be:

- a. termination of subsidies; and/or
- b. fines in the form of money/goods/services; and/or
- c. social work.

#### Article 39

- (1) The Head of the Service proposes to provide incentives and disincentives to the Mayor.
- (2) The proposal as referred to in section (1) is based on the results of the assessment conducted by the Assessment Team.
- (3) The Assessment Team as referred to in section (2) is determined by the Mayor Decision.
- (4) Further provisions regarding the procedures for providing incentives and disincentives are regulated in a Mayor Regulation.

### CHAPTER VII COMPENSATION

#### Article 40

- (1) The Local Government independently or jointly may provide compensation as a result of the negative impact caused by the final processing of Waste.
- (2) The negative impact caused by the final processing activities of Waste as referred to in section (1) is caused by:
  - a. water pollution;
  - b. air pollution;
  - c. soil pollution;
  - d. landslides;
  - e. fire;

- f. explosion of methane gas; and/or
  - g. other things that have a negative impact.
- (3) The form of compensation as referred to in section (1) is in the form of:
- a. relocation of residents;
  - b. environmental restoration;
  - c. health and medical expenses;
  - d. provision of sanitation and health facilities; and/or
  - e. compensation in other forms.

Article 41

- (1) Compensation as referred to in Article 40 section (1) must be budgeted in the local budget.
- (2) Further provisions regarding the procedure for providing compensation by the Local Government as referred to in section (1) are regulated by a Mayor Regulation.

CHAPTER VIII  
COOPERATION AND PARTNERSHIPS

Part One  
Cooperation Among Local Governments

Article 42

- (1) Local governments can cooperate among local governments in carrying out Waste Management.
- (2) The form of cooperation as referred to in section (1) may be in the form of:
  - a. providing or constructing TPA;
  - b. TPA means and infrastructure;
  - c. transportation of Waste from TPS or TPST to TPA;
  - d. TPA management; and/or
  - e. Waste processing into other environmentally friendly products.
- (3) Guidelines for cooperation and business forms between local governments as referred to in section (1) are in accordance with the provisions of legislation.

Part Two  
Partnership

Article 43

- (1) The Local Government may partner with business entities in the implementation of Waste Management.
- (2) Form of partnership as referred to in section (1) may be:
  - a. the provision or construction of TPS or TPST or TPS 3R or TPSSSB3 or TPA, as well as supporting means and infrastructure;
  - b. transportation of Waste from TPS or TPST or TPS 3R or TPSSSB3 to TPA;
  - c. TPA management; and/or
  - d. management of other processed products.
- (3) Partnership as referred to in section (1) is contained in the form of an agreement between the Local Government and business entities.

- (4) The cost of Waste Management services carried out in partnership as referred to in section (1) to section (3) is determined in the Local Budget.
- (5) The implementation of the partnership as referred to in section (1) to section (3) is carried out in accordance with the provisions of legislation.

CHAPTER IX  
COMMUNITY PARTICIPATION

Article 44

- (1) The community participates in Waste Management organized by the Local Government.
- (2) Participation as referred to in section (1) may be done through:
  - a. providing proposals, considerations, and/or suggestions to the Government and/or local governments in Waste Management activities;
  - b. providing suggestions and opinions in the formulation of Waste Management policies and strategies;
  - c. the implementation of Waste handling activities carried out independently and/or in partnership with the Local Government; and/or
  - d. provision of education and training, campaigns, and assistance by community groups to community members in Waste management to change the behavior of community members.

CHAPTER X  
DISPUTE RESOLUTION

Part One  
General

Article 45

- (1) Disputes that may arise from Waste management consist of:
  - a. disputes between local governments and Waste managers; and
  - b. disputes between Waste managers and the community.
- (2) Dispute resolution as referred to in section (1) may be done through settlement out of court or in court.
- (3) Dispute resolution as referred to in section (1) and section (2) is carried out in accordance with the provisions of legislation.

Part Two  
Group Representative Lawsuit

Article 46

The community harmed by illegal acts in the field of Waste Management has the right to file a lawsuit through group representatives.

Part Three  
Right to Lawsuit Waste Organization

Article 47

- (1) The Waste Organization has the right to file a lawsuit for the sake of safe Waste management for public health and the environment.
- (2) The right to file a lawsuit as referred to in section (1) is limited to the demand to take 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 meet the requirements:
  - a. in the form of a legal entity;
  - b. having articles of association in the field of Waste Management; and
  - c. having carried out real activities for at least 1 (one) year in accordance with its articles of association.

CHAPTER XI  
INFORMATION TECHNOLOGY AND SYSTEMS

Part One  
Research, Development, Study, and Application of Technology

Article 48

- (1) In order to support Waste Management activities, Local Government may conduct research, development, study, and application of environmentally friendly technology.
- (2) Research, development, assessment, and application of technology as referred to in section (1) may be carried out by including:
  - a. higher education institutions;
  - b. research, development, assessment and application institutions;
  - c. business or private entities; and/or
  - d. non-governmental organizations engaged in the field of Waste Management.
- (3) The Local Government is obligated to facilitate Any person who develops and implements locally specific technology for environmental Waste Management as referred to in section (1).

Part Two  
Provision of Information Systems

Article 49

- (1) The Local Government provides a Waste Management information system.
- (2) The Waste Management Information System as referred to in section (1) is organized by the Regional Apparatus in charge of communication 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. performance reports on Waste handling and Waste reduction;
  - d. Waste Source;
  - e. Waste amount;
  - f. composition of Waste;
  - g. characteristics of Waste;
  - h. the status of the management of the area;
  - i. Management facilities Household Waste and Waste Household-Like Waste, Specific Waste;
  - j. list of Waste Management technology in accordance with Indonesian National Standards and/or other applicable standards;
  - k. Waste Management business actors who have obtained a license from the Local Government; and
  - l. other information related to Household Waste and Household-Like Waste Management, as well as specific Waste needed in the context of Waste Management.
- (4) The information as referred to in section (2) must be accessible to Any Person.

## CHAPTER XII EMERGENCY RESPONSE SYSTEM

### Article 50

- (1) The emergency response system is a series of activities carried out in the context of control which includes the prevention and management of accidents due to improper Waste management.
- (2) Emergency situations in Waste Management as referred to in section (1) include:
  - a. disruption of the operation system for the collection, transportation, processing and final processing of Waste;
  - b. the unavailability of alternative Waste processing facilities and/or final processing sites;
  - c. the occurrence of accidents, pollution and/or environmental damage and/or the occurrence of negative impacts due to Waste Management; and
  - d. in the event that there are special conditions that cannot be overcome with a normal Waste Management system.
- (3) In the emergency situation of Waste Management as referred to in section (1), the Local Government is obligated to carry out:
  - a. operational implementation of handling emergency situations in Waste Management; and
  - b. information delivery to the public about handling and overcoming emergency situations in Waste Management.
- (4) Further provisions regarding the emergency response system for Waste Management as referred to in section (1) to section (3) are regulated by are a Mayor Regulation.

CHAPTER XIII  
GUIDANCE AND SUPERVISION

Article 51

The Mayor can provide guidance to the community in Waste management through:

- a. technical assistance;
- 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) The Mayor supervises the following:
  - a. implementation of Household Waste and Household-Like Waste Management carried out by the Waste Manager; and
  - b. performance of Specific Waste Management carried out by the Business Entity.
- (2) Supervision as referred to in section (1) is based on norms, standards, procedures, and supervision criteria regulated by the Government.

CHAPTER XIV  
PROHIBITION

Article 53

Any Person is prohibited from:

- a. disposing of Waste not in a predetermined and provided place;
- b. handling Waste by open disposal at the final processing site; and/or
- c. burning Waste that is not in accordance with the technical requirements of Waste management.

CHAPTER XV  
INVESTIGATION PROVISIONS

Article 54

- (1) In addition to the National Police Investigators of the State Police of the Republic of Indonesia, certain Civil Servant Officers who are given special authority by law may conduct investigations in accordance with legislation.
- (2) The Civil Servant Investigator Officers as referred to in section (1) are authorized to:
  - a. receive a report or complaint from a person about a criminal act;
  - b. take the first action at the scene and conduct an examination;
  - c. order a suspect to stop and check the suspect's identity card;
  - d. confiscate objects and/or letters;
  - e. take fingerprints and take pictures of suspects;
  - f. summon persons to be heard and examined as witnesses or suspects;

- g. bring in experts in relation to the examination of the case;
  - h. hold a termination of the investigation after receiving instructions from the investigator that there is not enough evidence or the incident does not constitute a criminal offense and then through the National Police investigator notifies the Public Prosecutor, the suspect or his/her family; and/or
  - i. take other actions necessary for the investigation of criminal acts in this field according to the law that can be held accountable.
- (3) The investigators as referred to in section (1) notify the commencement of the investigation and submit the results of the investigation to the public prosecutor through the National Police Investigator Officers of the Republic of Indonesia in accordance with the Criminal Procedure Code.

## CHAPTER XVI CRIMINAL PROVISIONS

### Article 55

- (1) Any Person who violates the provisions as referred to in Article 53 is sentenced with imprisonment for a maximum of 6 (six) months and a fine up to Rp50,000,000.00 (fifty million rupiah).
- (2) Criminal acts as referred to in section (1) are violations.

## CHAPTER XVII TRANSITIONAL PROVISIONS

### Article 56

- (1) Managers of residential areas, commercial areas, industrial estates, public facilities, social facilities and other facilities that do not have Waste sorting facilities at the time this Regional Regulation is promulgated, are obligated to build and provide Waste sorting facilities for a maximum of 1 (one) year since this Regional Regulation is promulgated.
- (2) Any Person who has a business license and/or Waste Management activity from the Mayor or an appointed official before this Regional Regulation is promulgated, then the license remains valid and is considered valid, provided that if the validity period has expired, they must apply for a new Permit in accordance with the provisions of this Regional Regulation.

## CHAPTER XVIII CLOSING PROVISIONS

### Article 57

At the time of this Regional Regulation comes into force:

- a. Regulation of the Municipality of Tangerang Number 3 of 2009 on Waste Management (Regional Gazette of the Municipality of Tangerang Number 3 of 2009); and
- b. Regulation of the Municipality of Tangerang Number 1 of 2014 on License of of Household Waste and Household-Like

Waste Mangement (Regional Gazette of the Municipality of Tangerang of 2014 Number 1);  
are repealed and declared ineffective.

Article 58

The implementing regulations of this Regional Regulation must be issued not later than 1 (one) year since this Regional Regulation is promulgated.

Article 59

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 Tangerang.

Issued in Tangerang  
on 21 January 2022

MAYOR OF TANGERANG,

signed

ARIEF R. WISMANSYAH

Promulgated in Tangerang  
on 21 January 2022

REGIONAL SECRETARY OF  
THE MUNICIPALITY OF TANGERANG,

signed

HERMAN SUWARMAN

REGIONAL GAZETTE OF THE MUNICIPALITY OF TANGERANG OF 2022  
NUMBER 2

Jakarta, 22 January 2026  
Has been translated as an Official Translation  
on behalf of Minister of Law  
of the Republic of Indonesia  
DIRECTOR GENERAL OF LEGISLATION,



DHAHANA PUTRA

ELUCIDATION OF  
REGULATION OF THE MUNICIPALITY OF TANGERANG  
NUMBER 2 OF 2022  
ON  
WASTE MANAGEMENT

I. GENERAL

Waste management in the Municipality of Tangerang is carried out by the Environment Agency of the Municipality of Tangerang as mandated by Law Number 18 of 2008 on Waste Management that Waste management in the Region is an obligation of the Local Government. In addition, in Article 6 of Law Number 18 of 2008 mandates that the Central and Local Governments have the duty to:

- a. grow, develop and increase public awareness in waste management;
- b. facilitate, develop, and implement efforts to reduce, handle and utilize waste;
- c. carry out waste management and facilitate the provision of waste management means and facilities,
- d. encourage and facilitate the development of the benefits of waste processing products.

Based on the duties and obligations mentioned above, the Government of the Municipality of Tangerang Municipal has established various policies related to Waste through regional regulations and Mayor regulations. The Municipality of Tangerang already has a legal basis in Waste management which is stated in the Regulation of the Municipality of Tangerang Number 3 of 2009 on Waste Management. In addition, in supporting Waste management in the Municipality of Tangerang, the Government of the Municipality of Tangerang Municipal issued Regulation of the Mayor of Tangerang Number 13 of 2009 on Waste Handling and Regulation of the Mayor of Tangerang Number 99 of 2018 on Policies and Strategies of the Municipality Tangerang in Management of Household Waste and Household-Like Waste.

If viewed from the substance, the time of promulgation and the development of the city as well as the prevailing legislation, that the regulations related to Waste have not implemented Law Number 18 of 2008 on Waste Management which mandates that the implementation of Waste management requires legal certainty, clarity of responsibility and authority of the local government as well as the role of the community and the enterprises, so that it can run proportionately, effectively and efficiently.

The mandate of Law Number 18 of 2008 has not been implemented into the regulation on waste in the Municipality of Tangerang due to several factors, including because Regulation of the Municipality of Tangerang Number 3 of 2009 on Waste Management was issued before the implementing regulation of Law Number 18 of 2008 on Waste Management was made. In addition, the content of Regulation of the Municipality of Tangerang Number 3 of 2009 on Waste Management does not reflect the content of a regional regulation that regulates Waste management as stipulated in the Regulation of the Minister of Environment Number 16 of 2011 on Guidelines for Material Contents of Draft

Regional Regulation on Management of Household Waste and Household-Like Waste. If you observe the contents of Regional Regulation Number 3 of 2009 on Waste Management, it does not accommodate the content of financing and compensation.

In addition, these regulations have not reflected the policies of the Government of the Municipality of Tangerang in implementing integrated and comprehensive Waste management in Municipality of Tangerang, resulting in the implementation of Waste management policies in Tangerang City not being optimal. The above matters are the basis for the need to form a more comprehensive Regulation of the Municipality of Tangerang on Waste Management and implement the higher legislation so that the legislation governing Waste management in the Municipality of Tangerang has strong legal force. The preparation of the draft regional regulation of the Municipality of Tangerang on Waste management is a solution to the Waste problem in the Municipality Tangerang from a policy aspect. In addition, in the context of implementing a comprehensive and integrated Waste management policy in the Municipality of Tangerang based on environmental principles so that it can provide health benefits for the community and the environment as well as economic benefits for the Government of the Municipality of Tangerang.

## II. ARTICLE BY ARTICLE

### Article 1

Sufficiently clear.

### Article 2

Sufficiently clear.

### Article 3

Sufficiently clear.

### Article 4

Sufficiently clear.

### Article 5

Sufficiently clear.

### Article 6

Sufficiently clear.

### Article 7

Sufficiently clear.

### Article 8

Sufficiently clear.

### Article 9

Sufficiently clear.

### Article 10

Sufficiently clear.

### Article 11

Sufficiently clear.

### Article 12

Sufficiently clear.

Article 13  
Sufficiently clear.

Article 14  
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Article 15  
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Article 16  
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Article 17  
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Article 18  
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Article 19  
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Article 24  
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Article 25  
Sufficiently clear.

Article 26  
Sufficiently clear.

Article 27  
Sufficiently clear.

Article 28  
Sufficiently clear.

Article 29  
Section (1)  
Sufficiently clear.  
Section (2)  
Point a

Government coercion is a legal action taken by local governments to restore the quality of the environment to its original state with

the burden of costs borne by Waste managers who do not comply with the provisions of legislation.

Point b

Coercive fine is money that must be paid in a certain amount by Waste managers who violate the provisions in legislation as a substitute for the implementation of coercive government sanction.

Point c

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 30

Sufficiently clear.

Article 31

Sufficiently clear.

Article 32

Sufficiently clear.

Article 33

Sufficiently clear.

Article 34

Sufficiently clear.

Article 35

Sufficiently clear.

Article 36

Sufficiently clear.

Article 37

Sufficiently clear.

Article 38

Sufficiently clear.

Article 39

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Article 40

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Article 41

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Article 42

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Article 43

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Article 44

Sufficiently clear.

Article 45  
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Article 46  
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Article 47  
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Article 48  
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Article 49  
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Article 50  
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Article 51  
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Article 52  
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Article 56  
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Article 57  
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Article 58  
Sufficiently clear.

Article 59  
Sufficiently clear.