

REGULATION OF THE MUNICIPALITY OF PALEMBANG
NUMBER 4 OF 2020
ON
TOURISM ORGANIZING

BY THE BLESSINGS OF ALMIGHTY GOD

MAYOR OF PALEMBANG,

Considering : a . that the natural wealth, ancient relics, historical heritages, art and culture as well as social tradition and some facilities in local community, as resources and basic capital for tourism development;

b . that in processing a resource and tourism development capital as an integral part of regional development, legal certainty is needed, clarity of duties and authority of the Municipal Government, right and obligation and business world in encouraging equal distribution of benefits and business opportunities for increasing the prosperity and welfare of society;

c . that based on considerations as referred to in point a and point b, it is necessary to issue a Regional Regulation on Tourism Organizing;

Observing : 1. Article 18 section (6) of the 1945 Constitution of the Republic of Indonesia;

2. Law Number 28 of 1959 on Establishment of Level II Region and *Kotapraja* in South Sumatera Province (State Gazette of the Republic of Indonesia

- of 1959 Number 73, Supplement to the State Gazette of the Republic of Indonesia Number 1821);
3. Law Number 10 of 2009 on Tourism (State Gazette of the Republic of Indonesia of 2009 Number 11, Supplement to the State Gazette of the Republic of Indonesia Number 4966);
 4. Law Number 23 of 2014 on Local Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as severally amended and last by Law Number 9 of 2015 on Second Amendment to Law Number 23 of 2014 on Local Government (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
 5. Regulation of the Minister of Tourism Number 1 of 2016 on Certification of Tourism Business (State Bulletin of the Republic of Indonesia of 2016 Number 437);
 6. Regulation of the Minister of Tourism Number 2 of 2016 on Requirement Procedure for Appointment and Termination of Policy Maker for Indonesian Tourism Promotion Agency (State Bulletin of the Republic of Indonesia of 2016 Number 530);
 7. Regulation of the Minister of Tourism Number 14 of 2016 on Tourism Destination Guidelines (State Bulletin of the Republic of Indonesia of 2016 Number 1303);
 8. Regulation of the Minister of Tourism Number 18 of 2016 on Tourism Business Registration (State Bulletin of the Republic of Indonesia of 2016 Number 1551);
 9. Regional Regulation Number 1 of 2003 on Entertainment Places Operational Management (Regional Gazette of the Municipality of Palembang of 2003 Number 4);

10. Regional Regulation Number 44 of 2002 on Peace and Discipline (Regional Gazette of the Municipality of Palembang Number 76 of 2002) as amended by Regional Regulation Number 13 of 2007 on Amendment to Regional Regulation of the Municipality of Palembang Number 44 of 2002 on Peace and Discipline (Regional Gazette of the Municipality of Palembang of 2007 Number 13);
11. Regional Regulation Number 29 of 2011 on Coach and Supervise of Massage Parlors, Beauty Salons, Barbershop (Regional Gazette of the Municipality of Palembang of 2011 Number 29);
12. Regional Regulation Number 6 of 2016 on Formation and Composition of the Local Apparatus of the Municipality of Palembang (Regional Gazette of the Municipality of Palembang of 2016 Number 6) as amended by Regional Regulation Number 9 of 2019 on Amendment to Regional Regulation of the Municipality of Palembang Number 6 of 2016 on Composing the Amendment of Local Apparatus of the Municipality of Palembang. (Regional Gazette of the Municipality of Palembang of 2019 Number 9);

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

HAS DECIDED:

To Issue : REGIONAL REGULATION ON TOURISM ORGANIZING.

CHAPTER 1
GENERAL PROVISIONS

Article 1

In this regional regulation:

1. Municipality means Municipality of Palembang.
2. Municipal Government means the Municipality of Government of Palembang.

3. Mayor means Mayor of Palembang.
4. Regional Apparatus Organization hereinafter referred to as (*Organisasi Perangkat Daerah*, OPD) means Regional Apparatus Organization of the Municipality of Palembang.
5. Tourism Department means Tourism Department of the Municipality of Palembang.
6. Head of Tourism Office hereinafter referred to as Head of Office means Head of Tourism Office of the Municipality of Palembang.
7. Investment and One-Stop Integrated Service Office hereinafter referred to as (*Dinas Penanaman Modal dan Pelayanan Terpadu Satu Pintu*, DPMPTSP) means Investment and Integrated One-Stop Service of the Municipality of Palembang.
8. Tour means traveling activities exercised by any person or a group of persons by visiting certain place; for recreation, personal development, or studying the uniqueness of attraction of the tour made within a period of temporary time.
9. Tourist means the person does a tour.
10. Tourism means various kinds of tour activities supported by various facilities and services provided by the community, entrepreneurs, Government and Regional Government.
11. Tourism activities mean the overall activities related to tourism and it is multidimensional and multidisciplinary, emerging as a manifestation of the need for everyone and the country as well as the interaction between tourists and the local community, fellow travelers, Government, Local Government, and employers.
12. Tourism Attraction means anything that have a unique, beauty, and value of the form of a diversity of wealth resources, culture, handmade that be a target and destination as tourists visit.
13. Tourism Destination hereinafter called tourism destination means geographic area in a or more administrative area that has a tourism attraction, public facilities, tourism facilities, accessibility, and related society and complement tourism realization.

14. Tourism Business means a business provides goods and/or services to fill the tourists organizer and tourists.
15. Tourism Entrepreneur means a person or a group of people do the tourism activity.
16. Tourism Industry means groups of tourism business in order to produce goods and/or services to fill the tourists in tourism organizer.
17. Online Single Submission hereinafter referred to OSS means an Electronically Integrated Licensing issued by the OSS Institution for and on behalf the Mayor.
18. Business Registration Number hereinafter referred to as (*Nomor Induk Berusaha*, NIB) means an identity of the businessman issued by OSS Institution after the businessmen do registration.
19. City Tourism Development Master Plan hereinafter referred to as (*Rencana Induk Pembangunan Kepariwisata Kota*, RIPPARKOT) means a city document tourism development planning for period of 15 to 25 years.
20. Tourism Strategic Areas means the area has the main function of tourism or has potential for tourism development having big influence in one or more aspects, such as economic inflasion, social and cultural growth, empowerment natural resources, environmental capacity as well defense and security.
21. Tourism Transport Business means a supply business transportation of people for needs and tourism activities.
22. Tourism Transport Business by Train means a business provision of railway facilities and equipment for meet tourism needs and activities.
23. Tourism Transportation Businesses on Rivers and Lakes means business of providing tourist transportation using ships carried on rivers and lakes for tourism needs and activities.
24. Domestic Tourism Sea Transport Business means a business provision of domestic sea transportation for needs and tourism activities, not public transportation, in Indonesian territorial waters in accordance with the provisions of legislation.

25. Restaurant Business means a business providing food and beverage equipped with appliances and equipments for the manufacturing process, storage and presentation, in a fixed place that does not move.
26. Cook Shop Business means a food supply business and beverage which are equipped with appliances and equipments for storage and serving processes, in a fixed place that does not move.
27. Bar/Beverage House Business means a supply business complete alcoholic and non-alcoholic beverages with appliances and equipments for the process manufacture, storage and/or presentation, in 1 (one) fixed place that does not move.
28. Cafe Business means a business providing snacks and soft drinks equipped with appliances and equipments for the manufacturing process, storage and/or presentation, in 1 (one) fixed place that does not move.
29. Catering Services Business means a business providing food and beverage equipped with appliances and equipments for the manufacturing process, storage and presentation, to be served at the location desired by orderer.
30. Food Sales Center Business means a business provision of premises and facilities for restaurants, cook shop and/or cafes equipped with tables and chair.
31. Accommodation Provision Business means a provision business lodging services for tourists who can equipped with other tourism services.
32. Hotel Business means a business providing supplies daily accommodation in the form of rooms in 1 (one) or more buildings, including inns, lodgings, guest house, which can be equipped with services food and drink services, entertainment activities and/or other facilities.
33. Camping Ground Business means a provision business accommodation in the open air using tents.
34. Villa Business means a business providing accommodation in the form of rental of the entire building for a certain times, including cottages, bungalows, guest houses, which

is used for tourism activities and can be equipped with entertainment facilities and other supporting facilities.

35. *Pondok Wisata* Business means a supply business accommodation in the form of a residential building that is occupied by the owner and partially used for leased by providing the opportunity to tourists to interact in the daily life of its owner, which is owned by the local community in the context of empowering the local economy.
36. Hotel Management Services Business means a business that includes operational maintenance, financial management, human resources, and marketing of a hotel.
37. Tourism Home Business means a management and/or business provision of daily accommodation in the form of buildings residential houses rented to tourists.
38. Motel Business means a business providing accommodation on a regular basis daily and/or at least 6 (six) hours in the form of rooms equipped with parking facilities and integrated with the building, equipped with foods and beverages, and is located along the main street with the aim of getting a profit.
39. Hostel means a form of accommodation offers room service with the cheaper rate than hotel, but room facilities intended can be shared with visitors or other guests, such as several beds in one room and only one bathroom in one room used interchangeably.
40. Homestay means a kind of accommodation where visitors or guests staying at the residence of local residents in the city they are traveling to.
41. Boarding House Business means a service business that offers a room or place to live in a certain number of payments for each certain period.
42. Glamorous Camping means camping with a concept luxury equipped with star hotel facilities.
43. Sports Recreation Center Business means a business that provide places and facilities for exercise for recreation and entertainment.

44. Arts Arena Business means a venue provision business and facilities for carrying out artistic activities or watching works of art and/or art performances.
45. Art Studio Business means a business providing premises, facilities and human resources for arts activities and the appearance of works of art to fulfill needs of tourists and tourism management.
46. Art Gallery Business means a business providing space and facilities to exhibit, appreciate, educate and promote works of art, craft and design as well artists to support tourism development taking into account the value of preserving arts and culture creativity.
47. Performing Arts Hall Business means a business provision of indoor or outdoor space which is equipped with facilities for work performance activities of arts.
48. Gaming Arena Business means a business that provides places and facilities to play with dexterity.
49. Night Entertainment Business means a business that provides places and facilities to relax and floor to music and lamp light with or without *pramuria*.
50. Night Club Business means a night entertainment business provide places and facilities to relax and/or on the floor accompanied by live music and lights, as well provide dance guides.
51. Discotheque Business means a night entertainment business provide places and facilities for relaxing and/or on the floor accompanied by recorded songs and/or music as well as lights.
52. Pub Business means a night entertainment business providing places and facilities for relaxing listen to live music.
53. Massage House Business means a business that provides massage places and facilities with masse uses trained, including traditional massage and/or reflexology with the aim of relaxation.

54. Recreation Park Business means a business that provides places and facilities for recreation with various kinds of attractions.
55. Theme Park Business means a business that provides places and facilities for recreation with 1 (one) or various themes and have unique characteristics awaken visitors' imagination and creativity and has an educational function.
56. Karaoke Business means a business that provides a place and singing facilities with or without a song guide.
57. Business Organizing Meetings, Incentive Travel, Conferences and Exhibitions mean services providing businesses for a meeting of a group of people, organizing travel for employees and business partners as rewards for achievements, as well as organizing exhibitions in the context of disseminating information and promotions goods and services on a national, regional, and international scales.
58. Rowing Tourism Business means a business that provides places, facilities, including guide services and activities rowing in territorial waters for recreational purposes.
59. Diving Tourism Business means a business providing various types of activities for diving under or in water surface using special equipment, including the provision of guiding services and equipment safety, for recreational purposes.
60. Fishing Tourism Business means a supply business places and facilities for fishing activities in the water area using special equipment and safety equipment including the provision of services guide, for recreational and entertainment purposes.
61. Surf Tourism Business means a business that provides packages, facilities and activities for surfing in the water area.
62. Water Sports Tourism Business means a supply business water sports means and facilities in the water area for recreational purposes.

63. Tourism Business Registration Certificate, hereinafter (*Tanda Daftar Usaha Pariwisata*, TDUP) means an official document given to tourism entrepreneurs to be able to organize tourism business.
64. Investment Office and One-stop Integrated Services office, abbreviated as (*Dinas Penanaman Modal dan Pelayanan Terpadu Satu Pintu*, DPMPTSP), means Investment Office and One-stop Integrated Services of the Municipality of Palembang.
65. Tourism Pentahelix means five (5) elements consisting Government, academics, associations, communities and media that synergizes in develop Indonesian tourism.
66. Media means electronic media, print media and everything channel types available as one of the components used in develop Indonesian tourism.
67. Physically damaging a tourist attraction means doing the act of changing of color, shape, eliminate certain species, pollute environment, move, take, destruct, or destroy tourist attraction that cause the reducing or the lost of uniqueness, beauty and the value of authenticity of an established tourist attraction set by the Municipal Government.

Article 2

The purpose of forming this regional regulation is as follows basic guidance, regulation, supervision and control organizing tourism which aims to:

- a. introduce, utilize, preserve and improving the quality of tourist objects and attractions;
- b. expand and equalize business opportunities and employment;
- c. increase national/regional income in order to increase people's welfare and prosperity; and
- d. encourage the utilization of local and national production.

Article 3

Tourism Organizing aims to:

- a. increase economic growth;
- b. improve people's welfare;
- c. preserve nature, environment and resources;
- d. advance culture;
- e. expand and equalize business opportunities and employment;
- f. foster a sense of love and pride for the homeland to increase friendship between regions and nation;
- g. raise the regional image;
- h. strengthen local wisdom;
- i. explore and develop economic potential, entrepreneurship, social, culture and communication technology through tourism activities;
- j. optimize the utilization of local, regional and national production; and
- k. realize the utilization of development results tourism in order to improve welfare and prosperity of society.

CHAPTER II

AUTHORITY OF THE MUNICIPAL GOVERNMENT

Article 4

- (1) Authority for organizing tourism in the region is on the Mayor.
- (2) Authority as referred to in section (1) includes:
 - a. prepare and establish a master plan tourism development;
 - b. determine tourism destinations;
 - c. determine tourism attractions;
 - d. carry out registration, recording and data collection tourism business registration;
 - e. organize the administration and management tourism;
 - f. facilitate and promote destinations tourism and tourism products;
 - g. facilitate the development of new tourism attractions;

- h. organize training and research tourism, socialization of regulations tourism and provide guidance tourism aware society;
 - i. carry out in-depth tourism research regional scope;
 - j. maintain, develop and conserve power tourism attractions in the area;
 - k. allocate tourism budget;
 - l. carry out internal tourism supervision regional scope; and
 - m. carry out related coaching and marketing creative economy in accordance with the sub-sectors that become regional potential.
- (3) The Mayor may delegate authority as referred to in section (2) to the Tourism Office.

Article 5

- (1) The Municipal Government guarantees the availability and dissemination of information to the public for tourism development interests.
- (2) The Municipal Government can develop and manage tourism information system according to the capabilities and conditions of the Municipality.

CHAPTER III TOURISM DEVELOPMENT

Article 6

- (1) Tourism development is carried out through the implementation of tourism development plan taking into account diversity carried out through the implementation of tourism development plan taking into account the region and the particularities of regional culture and nature, as well as human needs to travel.
- (2) Tourism development includes:
 - a. tourism destinations and industry;
 - b. tourism institutions;
 - c. promotion and marketing; and
 - d. creative economy.

Article 7

Destination development and tourism industry as referred to in Article 6 section (2) point a includes structure building (functions, hierarchies and relationships) tourism industry, development of tourism attractions and infrastructure development, provision of public facilities, as well as development of integrated tourism facilities and sustainable.

Article 8

Tourism institutional development as referred to in Article 6 section (2) point b includes good tourism cooperation relations with the government and private sector, regulation, human resource development, public resource potential and mechanisms operations in the tourism sector.

Article 9

Promotion and marketing development as referred to in Article 6 section (2) point c includes information tourism, product or service promotion, marketing strategy tourism and responsible marketing in building the City's image as a competitive tourism destination.

Article 10

Creative economic development as referred to in Article 6 section (2) point d covers the development of science and technology, arts and culture as well as entrepreneurship in the form of the existence of creative industries.

Article 11

- (1) RIPPARKOT includes vision and mission as well as target stages to be realized, policies and strategies for community empowerment, development of tourist attractions, tourism destination development, business development tourism, tourism marketing and organizing tourism in order to realize goals organizing tourism.
- (2) RIPPARKOT determines maximum limits and zoning of premises entertainment such as massage parlors, karaoke, nightclubs, discos, and spas, so that they do not spread throughout the sub-districts and urban villages.

- (3) RIPPARKOT as referred to in section (1) is regulated by Regional Regulations.

Article 12

The Municipal Government encourages domestic investment and foreign investment in the tourism sector accordingly with RIPPARKOT.

Article 13

Municipal Government together with related institutions tourism organizes research and tourism development to support tourism development.

CHAPTER IV STRATEGIC AREA

Article 14

- (1) Determination of tourism strategic areas is determined by Municipal Government by paying attention to aspects:
- a. potential natural and cultural tourism resources become a tourist attraction;
 - b. market potential;
 - c. strategic location that plays a role in maintaining national unity and territorial integrity;
 - d. protection for certain locations that have strategic role in maintaining function and carrying capacity environment;
 - e. strategic location that has a role in the business preservation and utilization of cultural assets;
 - f. community readiness and support; and
 - g. specificity of the region.
- (2) The strategic tourism area as referred to in section (1) is developed to participate in the framework of creating national unity and integrity, the integrity of the Unitary State of the Republic of Indonesia and improving the welfare of the community.

- (3) Certain areas planned for tourism activities which are outside strategic tourism areas as referred to in section (1), for the sake of tourism, can be carried out as long as they do not conflict with the public interest.

CHAPTER V TOURISM BUSINESS

Article 15

Tourism Business Sectors include:

- a. tourism attraction;
- b. tourism area;
- c. tourism transportation services;
- d. tourism travel services;
- e. food and beverage services;
- f. provision of accommodation;
- g. entertainment and recreational activities organizing;
- h. meetings, incentive trips, conferences, and exhibitions organizing;
- i. tourism information services;
- j. tourism consultant services;
- k. tour guide services;
- l. water/tirta tourism;
- m. spa; and
- n. other tourism businesses in accordance with the provisions of legislation that is the authority of the Municipal Government.

Article 16

- (1) The tourism attraction business sector as referred to in Article 15 point a, is a type of tourist attraction management which includes:
 - a. natural tourist attractions; and
 - b. artificial tourist attraction.
- (2) Tourist attraction businesses as referred to in section (1) is organized by a legal entity, non-legal entity or individual.

Article 17

- (1) Tourism area businesses as referred to in Article 15 point b are businesses whose activities are to develop and/or manage large areas to meet the tourism needs.
- (2) Tourism area businesses as referred to in section (1), include:
 - a. use of land that has been equipped with infrastructure as a place to perform tourism businesses events and other supporting facilities;
 - b. provision of buildings to support tourism activities within the tourism area; and
 - c. other tourism area businesses determined by the Mayor.
- (3) The tourism area business as referred to in section (2) is operated by a legal entity.

Article 18

- (1) Tourist transportation service businesses are special services that provide transportation for the tourism needs and activities, not public transportation.
- (2) The tourist transportation services business sector as referred to in Article 15 point c includes types of business;
 - a. tourism road transportation;
 - b. tourism train transportation;
 - c. tourism river and/or lake transportation;
 - d. tourism domestic sea transportation; and
 - e. tourism international sea transportation.
- (3) The tourism transportation service business as referred to in section (1) can be operated by a legal entity or individual.

Article 19

- (1) Tourism travel services business as referred to in Article 15 point d, includes:
 - a. travel bureau tourism implementation business;
 - b. travel agent tourism business; and
 - c. other tourism travel service businesses determined by the Mayor.

- (2) The tourism travel agency business as referred to in section (1) point a is a business providing travel planning services and/or tourism services and administration, including organizing pilgrimage.
- (3) The tourism travel agent business as referred to in section (1) point b is a means of booking service business, which includes ticket reservations and accommodation reservations as well as arranging travel documents.
- (4) The tourism travel agency business as referred to in section (2) is operated by an incorporated business entity law.
- (5) Tourism travel agent business as referred to in section (3) is organized by a legal entity, non-legal entity or individual.

Article 20

- (1) Food and beverage service businesses as referred to in Article 15 point e are food and beverage supply businesses equipped with equipment and supplies for the process of making, storing and/or serving them.
- (2) Food and beverage service businesses as referred to in section (1), include:
 - a. restaurant;
 - b. cook shop;
 - c. franchise restaurants;
 - d. bar;
 - e. cafe;
 - f. food and beverage sales center;
 - g. catering services; and
 - h. other food and beverage service businesses determined by the Mayor.
- (3) The restaurant as referred to in section (2) point a is a business providing food and drinks equipped with equipment and supplies for the manufacturing, storage and serving processes in 1 (one) place that does not move.
- (4) The cook shop as referred to in section (2) point b is a business providing food and drinks equipped with equipment and supplies for the storage and serving process in 1 (one) fixed place that does not move.

- (5) The bar as referred to in section (2) point d is a business providing alcoholic and non-alcoholic drinks equipped with equipment and supplies for the process of making, storing and/or serving them in 1 (one) fixed place that does not move.
- (6) The cafe as referred to in section (2) point e is a provision of snacks and soft drinks equipped with equipment and supplies for the process of making, storing and/or serving them in 1 (one) place that does not move.
- (7) Catering services as referred to in section (2) point g are businesses providing food and drinks equipped with equipment and supplies for the manufacturing, storage and serving process, to be served at the location desired by the customer.
- (8) A food and beverage sales center is a business providing space for restaurants, cook shop and/or cafe equipped with tables and chairs.
- (9) Food and beverage service businesses as referred to in section (1) are operated by legal entities, non-legal entities or individuals.
- (10) Food and beverage service businesses as referred to in section (2) may organize entertainment or arts performed by domestic and foreign artists after obtaining a recommendation from the Mayor in accordance with the provisions of Legislation.

Article 21

The Bar as referred in Article 20 section (2) point d, are required to include an announcement regarding the age limit for visitors that is easy to read/see by the public.

Article 22

- (1) The business of providing accommodation as referred to in Article 15 point f is a business that provides accommodation services for tourists which can be complemented by other tourism services.

- (2) The business of providing accommodation as referred to in section (1) includes:
 - a. hotel;
 - b. camping ground;
 - c. caravan stopover;
 - d. villa;
 - e. *pondok wisata*;
 - f. hostels;
 - g. homestays;
 - h. boarding houses with more than 10 (ten) rooms;
 - i. glamorous camping (glamping); and
 - j. other types of businesses determined by the Mayor.
- (3) The type of hotel business as referred to in section (2) point a, includes:
 - a. star hotels; and
 - b. non-star hotels.
- (4) The hotel as referred to in section (2) point a is the provision of daily accommodation in the form of rooms in 1 (one) building, which can be equipped with food and drink services, entertainment activities and other facilities.
- (5) The camping ground as referred to in section (2) point b is the provision of accommodation in the open nature using tents.
- (6) The caravan stopover as referred to in section 2 point e is the provision of a place for vehicles equipped with overnight accommodation facilities in the open nature.
- (7) The villa as referred to in section (2) point d is the provision of accommodation in the form of an entire single building which can be equipped with facilities, entertainment activities and other facilities.
- (8) The *Pondok wisata* as referred to in section (2) point e are accommodation in the form of residential buildings that are occupied by the owner and partially used for rental by providing opportunities for tourists to interact in the owner's daily life.

Article 23

The business of providing accommodation as referred to in Article 22 is carried out by legal entities, non-legal entities or individuals in accordance with the provisions of legislation.

Article 24

In an effort to increase tourism in the City, star hotels as referred to in Article 22 section (3) point a must provide:

- a. traditional arts performances;
- b. City tourism information; and
- c. providing hotel facilities that are characterized by local traditions and wisdom of the local community as well as supporting facilities for religious activities.

Article 25

- (1) The implementation of tourism businesses in hotels other than the facilities provided by the hotel in the form of restaurants, sports facilities, children's play areas and fitness centers attached to the hotel must have a separate TDUP from the Hotel TDUP.
- (2) Hotel facilities that are required to have a hotel TDUP as referred to in section (1) consist of:
 - a. discotheque;
 - b. pub;
 - c. bar;
 - d. karaoke;
 - e. spa;
 - f. sauna;
 - g. restaurant;
 - h. swimming pool; and
 - i. other types of activities or other entertainment determined by the Mayor.

Article 26

- (1) The business of organizing entertainment and recreation activities as referred to in Article 15 point g is a business activity which includes:

- a. arts arena;
 - b. gaming arena;
 - c. nightclub;
 - d. massage parlors;
 - e. recreational park;
 - f. karaoke;
 - g. impresario/promoter services; and
 - h. other entertainment and recreation activities as determined by the Mayor.
- (2) In carrying out business activities at tourist attraction objects for recreation and public entertainment, business operators must follow the operational time/hours provisions in accordance with the type of business.
- (3) In the event that recreational tourism activities and special public entertainment have a high risk, the organizer is obliged to provide insurance protection.
- (4) Further provisions regarding insurance protection requirements as referred to in section (1), are regulated by Mayor Regulations.
- (5) Types of arts arena businesses as referred to in section (1) point a include:
- a. art studio;
 - b. art gallery;
 - c. cinema hall;
 - d. performing arts hall; and
 - e. other types of arts arena businesses determined by the Mayor.
- (6) The type of game arena business as referred to in section (1) point b includes:
- a. children's and family play areas; and
 - b. other types of businesses from gaming arena businesses that do not contain elements of gambling.
- (7) Types of night entertainment businesses as referred to in section (1) point c include:
- a. nightclub;
 - b. discotheque; and
 - c. pub.

- (8) Types of massage parlor businesses as referred to in section (1) point d include:
 - a. massage parlors;
 - b. reflexology; and
 - c. steam bath.
- (9) Types of recreation park businesses as referred to in section (1) point e include:
 - a. recreational park;
 - b. theme parks; and
 - c. other types of businesses determined by the Mayor.
- (10) The type of impresariat/promoter services business as referred to in section (1) point h includes the type of impresariat/promoter services sub-business.

Article 27

- (1) Entertainment and recreation activities as referred to in Article 26 section (1) point c to point h, as well as section (5) are carried out by business entities that are legal entities.
- (2) Entertainment and recreation activities as referred to in Article 26 section (1) other than point c to point h, section (7), section (8), section (9), section (10) and section (11) can be organized by a legal entity or non-legal entity or individual in accordance with the provisions of Legislation.

Article 28

- (1) The type of night entertainment business as referred to in Article 26 section (1) point c must include an announcement regarding the age limit for visitors which can be read/seen by the general public.
- (2) The Mayor has the right to revoke the TDUP that has been issued, if there is a violation as referred to in section (1).

Article 29

- (1) The business of organizing meetings, incentive trips, conferences and exhibitions as referred to in Article 15 point h is a business that provides services for a meeting of a group of people, organizes trips for employees and

business partners as compensation for their achievements, and organizes exhibitions in order to disseminate information and promotion of goods and services on a national, regional and international scale.

- (2) The business of organizing meetings, incentive trips, conferences and exhibitions as referred to in section (1) is carried out by legal business entities.

Article 30

- (1) Tourism Information Services Business as referred to in Article 15 point i is a business that provides data, news, features, photos, videos and research results regarding tourism which are distributed in the form of printed and/or electronic materials.
- (2) The Tourism Information Services Business is organized by a business entity that is a legal entity, not a legal entity or an individual.

Article 31

- (1) The tourism consultant services business as referred to in Article 15 point j is a business that provides facilities and recommendations regarding feasibility studies, planning, business management, research and marketing in the tourism sector.
- (2) The tourism consultant services business as referred to in section (1) is organized by a legal entity.

Article 32

- (1) A tour guide service business as referred to in Article 15 point k is a business that provides and/or coordinates tour guide staff to meet the needs of tourists and/or the needs of tourist travel agencies.
- (2) Tour guide services are services provided by someone in the form of guidance, information and instructions regarding tourist attractions as well as assisting with everything needed by tourists in accordance with their professional ethics.

- (3) The tourist guide service business as referred to in section (1) is operated by a business entity that is a legal entity, not a legal entity or an individual.
- (4) The tour guide service business as referred to in section (1) must be registered and certified in accordance with the provisions of Legislation.

Article 33

- (1) The water tourism business as referred to in Article 15 point 1, is a business that organizes tourism and water sports, including the provision of facilities and infrastructure as well as other services which are managed commercially.
- (2) The water tourism business as referred to in section (1) is operated by a business entity that is a legal entity, not a legal entity or an individual.

Article 34

- (1) The business of spa as referred to in Article 15 point m is a treatment business that provides services using a combination of water therapy, aroma therapy, massage, spices, healthy food/drink services, and physical activity with the aim of balancing the body and soul by continues to pay attention to the traditions and culture of the Indonesian people.
- (2) The business of spa as referred to in section (1) is carried out based on business operational times in accordance with the provisions of this Regional Regulation.
- (3) The business of spa as referred to in section (1) is operated by a legal entity, non-legal entity or individual.

CHAPTER VI

TOURISM BUSINESS REGISTRATION

Part One

Tourism Business Registration Certificate

Article 35

- (1) Every business actor who carries out a tourism business is required to have a TDUP issued by the Mayor.

- (2) TDUP as referred to in section (1) is issued according to the type of tourism business.
- (3) The Mayor in issuing TDUP can delegate to the Head of OPD or OSS institution in accordance with the Legislation.
- (4) Business actors as referred to in section (1) register through the OSS system to obtain NIB in accordance with the provisions of legislation.
- (5) TDUP as referred to in section (2) must be owned by business actors who have obtained NIB.
- (6) Commercial or operational permits in the form of tourism business certificates must be owned by business actors who have get NIB and TDUP.
- (7) TDUP as referred to in section (3) contains at least:
 - a. tourism business registration number;
 - b. tourism business registration date;
 - c. name of entrepreneur;
 - d. name of business entity administrator for entrepreneurs in the form of a business entity;
 - e. business brands, if there are;
 - f. address for organizing tourism business activities;
 - g. the number of the deed of establishment of the business entity and its amendments, if there are, for entrepreneurs in the form of a business entity or the identity card number for individual entrepreneurs;
 - h. name and number of technical permit, as well as name and number of environmental documents owned by the entrepreneur;
 - i. name and signature of the official who issued the TDUP; and
 - j. TDUP issuance date.
- (8) Further provisions regarding TDUP as referred to in section (1) are regulated in Mayor Regulation.

Article 36

- (1) TDUP is valid as long as the company carries out tourism business activities.
- (2) TDUP as referred to in section (1) must be re-registered once every 1 (one) year.

- (3) If the business is still operating but not re-registered, a warning letter will be given by the DPMPTSP.
- (4) The grace period for late TDUP re-registration is given for one (1) month from the end of the TDUP validity period.
- (5) Further provisions regarding TDUP re-registration are regulated by Mayor Regulation.

Article 37

All steps of tourism business registration are carried out without charging fees from entrepreneurs in accordance with the provisions of Legislation.

Part Two

Requirements for Tourism Business Registration Certificate

Article 38

TDUP requirements include:

- a. administrative requirements;
- b. juridical requirements;
- c. technical requirements; and
- d. time requirements.

Article 39

- (1) The administrative requirements as referred to in Article 38 point a are the requirements necessary to fulfill the administrative aspects as a basis for submitting a TDUP application as outlined in the application form.
- (2) The application form as referred to in section (1) contains at least:
 - a. name of the person in charge of the business;
 - b. company's name;
 - c. company's address;
 - d. business fields;
 - e. type of business;
 - f. business location;
 - g. company telephone number;

- h. company representatives who can be contacted; and
- i. data and other information required by the provisions of legislation.

Article 40

- (1) Juridical requirements as referred to in Article 38 point b are requirements necessary to fulfill the legal aspects of a business.
- (2) The juridical requirements as referred to in section (1) at least include a copy of:
 - a. deed of incorporation;
 - b. manager's Identity Card;
 - c. recommendations according to the type of tourism business from the Tourism Association which is formed based on the provisions of legislation;
 - d. environmental feasibility documents;
 - e. building construction permits for tourism entrepreneurs who require physical buildings;
 - f. Regional Taxpayer Identification Number;
 - g. a statement of no objection from the community around the activity location who may be affected by the activity; and
 - h. other legal documents in accordance with the provisions of legislation.

Article 41

- (1) Technical requirements as referred to in Article 38 point c are requirements that support activities in the field.
- (2) The technical requirements as referred to in section (1) consist of:
 - a. type, nature and characteristics of tourism business operations; and
 - b. availability of other technical facilities and infrastructure in accordance with the provisions of legislation.
- (3) Further provisions regarding technical requirements as referred to in section (2), are regulated in Mayor Regulation.

Article 42

Every TDUP issuance process must provide certainty of processing time in accordance with the provisions of legislation.

Article 43

The provisions regarding procedures for applying for TDUP are regulated in Mayor Regulation.

Article 44

- (1) TDUP contains provisions that must be obeyed by every business actors.
- (2) TDUP as referred to in section (1) must be placed in a section that is easily seen by the public.

CHAPTER VII

ENTERTAINMENT OPERATIONAL TIME MANAGEMENT

Article 45

- (1) The operating time for entertainment place is set as follows:
 - a. Night Club:
 1. Normal day, open at 21.00 P.M to 01.00 A.M.
 2. Friday, Saturday and holiday open at 21.00 P.M to 02.00 A.M.
 - b. Bar and Executive Karaoke:
 1. Normal day, open at 14.00 P.M to 01.00 A.M.
 2. Friday, Saturday and holiday open at 14.00 P.M to 02.00 A.M.
 - c. Family Karaoke:
 1. Normal day, open at 10.00 A.M to 24.00 P.M.
 2. Friday, Saturday and holiday open at 10.00 A.M to 01.00 A.M
- (2) The operational time as referred to in section (1), can be changed in accordance with the terms and conditions regulated in Mayor Regulation.

CHAPTER VIII
CITY TOURISM PROMOTION AGENCY

Article 46

- (1) Government of Municipality can facilitate the establishment of City Tourism Promotion Agency.
- (2) City Tourism Promotion Agency as referred to in section (1) is private and independent institution.
- (3) City Tourism Promotion Agency in carrying out their activities are required to coordinate with Indonesian Tourism Promotion Agency and South Sumatera Province Regional Tourism Promotion Agency.
- (4) Establishment of a City Tourism Promotion Agency as referred to in section (1), is determined by Mayor Regulations.

Article 47

The organization structure of City Tourism Promotion Agency consists of 2 elements, they are the policy-makers element and the executive element.

Article 48

- (1) The Policy-makers element of City Tourism Promotion Agency as referred to in article 47 consists of 9 members:
 - a. the deputy of tourism associations 4 (four) members;
 - b. the deputy of professional associations 2 (two) members;
 - c. the deputy of aviation association 1 (one) member; and
 - d. experts/academics 2 (two) members.
- (2) The membership of policy-makers element of City Tourism Promotion Agency is determined by Mayor Decision for a maximum term of 4 years.
- (3) The policy-makers of City Tourism Promotion Agency is led by a chairman and deputy chairman who are assisted by a secretary selected from and by the members.
- (4) Further provisions concerning work procedures, requirements, and procedures for appointment and

discontinuance policy-makers element as referred to in section (1), section (2), and section (3) are determined by Mayor Regulations.

Article 49

The policy-makers element as referred to in Article 48, set up an executive element to run an operational task of City Tourism Promotion Agency.

Article 50

- (1) The executive element of City Tourism Promotion Agency is led by an executive director assisted by several directors as needed.
- (2) The executive element of City Tourism Promotion Agency is required to prepare work procedures and work plans.
- (3) The term of service of the executive element of City Tourism Promotion Agency is maximum of 3 years and can be reappointed for next another 1 term of service.
- (4) Further provisions concerning work procedures, requirements and procedures for appointment and discontinuance executive element as referred to in section (1), section (2) and section (3) are determined by City Tourism Promotion Agency Regulations.

Article 51

- (1) City Tourism Promotion Agency have duties:
 - a. increase the tourism image of the city;
 - b. increase foreign tourist visits and foreign exchange receipts;
 - c. increase domestic tourist visits and expenditures;
 - d. raise funding from sources other than the State Budget and Local Budget in accordance with the provisions of legislation; and
 - e. carry out research in the context of business development and tourism business.

- (2) City Tourism Promotion Agency have functions:
 - a. the coordinator of tourism promotion who carried out by the business world at the central and regional levels; and
 - b. Government and Municipal Government partners.

Article 52

- (1) The source of funding for City Tourism Promotion Agency derives from:
 - a. stakeholders; and
 - b. other legitimate and non-binding sources in accordance with the provisions of legislation.
- (2) The financial assistance sourced from the State Budget and Local Budget is in grant in accordance with the provisions of legislation.
- (3) The management of fund derives from non-State Budget, and Local Budget must be audited by a public accountant and announced to the public.

CHAPTER IX

TOURISM INDUSTRY COMBINATION

Article 53

- (1) To support the development of a competitive tourism business world, a Tourism Industry Combination forum can be formed.
- (2) Membership of the Tourism Industry Combination as referred to in section (1) consist of:
 - a. tourism entrepreneur;
 - b. tourism business association;
 - c. professional association; and
 - d. other associations directly related to tourism.
- (3) The Combined Tourism Industry as referred to in section (1) serves as Municipal Government cooperation and forum for communication and consultan for its members in the implementation and development of tourism.

- (4) The Tourism Industry Combination is independent and in carrying out its activities on a non-profit basis.
- (5) The Tourism Industry Combination carries out activities, among others:
 - a. convey aspirations and maintains harmony and interest of members in the context of their participation in the development of tourism sector;
 - b. increase relations and cooperation between tourism entrepreneur and tourism entrepreneur in other regions and foreign tourism entrepreneurs for the benefit of tourism development;
 - c. prevent unhealthy business competition in the tourism sector; and
 - d. organize a business information center and disseminate Government and/or Municipal Government policies in tourism sector.

Article 54

Further provisions regarding the form, membership, management structure and the Tourism Industry Combination activities as referred to in article 53 regulated in the statute and bylaws of the Tourism Industry Combination.

CHAPTER X

HUMAN RESOURCE TRAINING, STANDARDIZATION, CERTIFICATION

Part One

Human Resource Training

Article 55

- (1) Training in tourism sector is an effort to increase tourism resources with the purpose of improving the quality of services in accordance with the provisions of legislation.
- (2) Municipal Government organizes human resource training in accordance with the provisions of legislation.

Part Two
Standardization and Certification

Article 56

- (1) The workers in tourism sector have standard of competency.
- (2) The standard of competency as referred to in section (1) is carried out through competency certification.
- (3) Municipal Government can facilitate the implementation of competency certification as referred to in section (2).
- (4) Competency certification as referred to in section (2) performed by the licensed professional certification institution, based on the provisions of legislation.

Article 57

- (1) Product, service, and tourism business management have business standard.
- (2) Business standard as referred to in section (1) is performed through business certification.
- (3) Municipal Government can facilitate the implementation of business certification as referred to in section (2).
- (4) Business certification as referred to in section (2) is performed by authorized independent institution in accordance with the provisions of legislation.

Part Three
Tourism Employment

Article 58

- (1) Every tourism businessmen who employ workers must comply with the provisions of legislation in the field of employment.
- (2) The workers in tourism sector as referred to in section (1) must get certification from Certification Institution in accordance with the provisions of legislation.

CHAPTER XI
RIGHTS, OBLIGATION, AND PROHIBITION

Part One
Rights

Article 59

- (1) Municipal Government organizes and manages the tourism affairs as referred to in statutory regulations.
- (2) Municipal Government has the rights to get data and information about tourism business activities carried out by business institution and/or individual.

Article 60

- (1) Every people have rights:
 - a. to get chance to fill the tourism needs;
 - b. to do the tourism business;
 - c. to become the tourism workers; and/or
 - d. to play a role in tourism development process.
- (2) Every people and/or public in and around tourism destination should be included for:
 - a. become the tourism workers;
 - b. consignment; and/or
 - c. management.

Article 61

- (1) Every tourist has rights to get:
 - a. accurate information about tourist attraction;
 - b. tourism services according to the standard;
 - c. legal protection and security;
 - d. health services;
 - e. personal rights protection; and
 - f. insurance protection for high-risk tourism activities.
- (2) The tourist who has disabilities, children, and old people have rights to get special facilities according to necessity.
- (3) Every tourism industry associated services and achieving society, dedicating and giving contribution on tourism management can be given awards by Mayor.

- (4) Awards as referred to in section (3) held by Offices every 2 (two) years or in accordance with the decision of Offices.
- (5) Awards requirement as referred to in section (3) is regulated by Mayor Decision.

Article 62

Every businessmen of tourism have rights to:

- a. get same chance on dealing with tourism sectors;
- b. get same chance on doing tourism business;
- c. get legal protection on business; and
- d. get facilities from Municipal Government according to the provisions of legislation.

Part Two

Obligation

Article 63

Every tourism organizer is obligated to:

- a. secure and responsible for security, safety, order, and comfort of tourist;
- b. maintain cleanliness, beauty, and health of the activities location and increase environmental quality;
- c. secure to social relationship, culture, and economic that are harmonious and beneficial to public;
- d. prevent social impact that harm the public; and
- e. pay local taxes and local retribution and other obligation according to the provisions of legislation.

Article 64

Every persons have obligated to:

- a. protect and preserve tourist attractions;
- b. help create a safety, order, clean, polity, and keep sustainability of tourist destinations; and
- c. polite and keep sustainability of tourist destinations.

Article 65

- (1) Every tourist have obligated to:
 - a. protect and respect religious norms, customs, culture and values that live in public;
 - b. protect and preserve the environment;
 - c. participate in maintaning enviroment order and security; and
 - d. participate in prevent all forms of acts that violate morality and acitivites that unlawfull.
- (2) Every tourist who don't comply the requirements as referred to in section (1) will be given sanctions in the form of verbal warning with a notification regarding the things that must be filled.
- (3) If tourists have been given a warning as referred to in section (2), and are not heard, the tourists can be expelled from the tourist location.

Part Three

Prohibition

Article 66

- (1) Every people are prohibited from damaging part or all of the tourist attraction.
- (2) Every tourism businessmen are prohibited to open operational hours outside the regulated provisions from this Regional Regulation.
- (3) Entertainment businesses in the form of bars, night clubs, discos, and pubs are prohibited from accepting visitors under 18 (eighteen) years old and/or according to the provisions of legislation.
- (4) Entertainment businesses in the form of bars, night clubs, discos, karaoke, pubs, massage parlors, billyards, spas and cultural arts studios are prohibited to operating its business activities in Ramadhan month and religious holidays according to the provisions of legislation.

- (5) Entertainment businesses in the form of cinema, film screening can be adjusted to the time of religious activities and/or according to the provisions of legislation.
- (6) Every tourism organizer are prohibited to utilize its business activities for distribution/transtaction/utilization related to immoral activities, gamblings, narkotics, and other unlawfull.
- (7) The Mayor has the right to revoke the TDUP that has been issued, if there are violations and abuses as referred to in section (6) according to the provisions of legislation.

CHAPTER XII GUIDANCE AND SUPERVISION

Guidance

Article 67

- (1) Guidance and supervision of tourism implementation is carried out by Mayor or appointed officials.
- (2) Scope of guidance and supervision as referred to in section (1) includes:
 - a. improvement of facilities and infrastructure;
 - b. tourism business licensing;
 - c. organizer business technical;
 - d. improvement of workers abilities;
 - e. obligations and prohibitions in running a business;
 - f. awards for outstanding business and tourism worker;
 - and
 - g. tourism promotion.
- (3) In the implementation of guidance and supervision as referred to in section (1), the Mayor can form a Team to Guidance and Supervise tourism organizers.

CHAPTER XIII PARTICIPATION OF PUBLIC AND MEDIA

Article 68

- (1) The public have the right and same chances to play an active role as widely as possible in implementing tourism.

- (2) The media participates in the development of tourism development in disseminating information to the public.
- (3) The role of the media in developing tourism development remains guided by the provisions of legislation.
- (4) The media must contribute in supporting the process of accelerating tourism development.

CHAPTER XIV ADMINISTRATIVE SANCTIONS

Article 69

- (1) Every tourism businessmen who do not comply with the provisions as referred to in Article 21, Article 28, Article 29, Article 36 section (1), Article 66 section (3), section (4), section (5) and section (7) are given administrative sanctions.
- (2) The administrative sanctions as referred to in section (1) are:
 - a. written warning;
 - b. restrictions on business activities;
 - c. temporary suspension of business activities; or
 - d. revocation of TDUP.
- (3) Written warning as referred to in section (2) point a is given for tourism businessmen maximum 3 (three) times.
- (4) Restrictions on business activities sanction is given for businessmen who do not comply the warning as referred to in section (3).
- (5) Temporary suspension of business activities sanction is given for businessmen who do not comply as referred to in section (3) and section (4).
- (6) Revocation of TDUP sanction is given if the businessmen:
 - a. subject to sanction of permanent termination of business activities in accordance to the provisions of legislation; and/or
 - b. not carry out business activities continuously for 1 (one) year or more, or dissolve their business.

CHAPTER XV
INVESTIGATE PROVISION

Article 70

- (1) Investigation through this violation of local regulations is carried out by investigator as referred to in Criminal Code Procedure.
- (2) Apart that Investigator as referred to in section (1), Municipal Government Civil Servant Investigators are given the authority to carry out investigations into violations of this regional regulations according to the provisions of legislation.

CHAPTER XVI
CRIMINAL PROVISIONS

Article 71

- (1) Every people who violate the provisions as referred to in Article 66 section (1), is given a sanction according to the provisions of legislation.
- (2) Every people who due to negligence and against the law, physically damages or reduces the values of a tourist attraction as referred to in Article 66 section (1) is given a sanction according to the provisions of legislation.

CHAPTER XVII
TRANSITION PROVISIONS

Article 72

- (1) TDUP which is still valid and has tourism business before the enactment of this Regional Regulation, is declared effective until a new PDUP is issued as regulated in this Regional Regulation.
- (2) Businessmen who do not have TDUP must submit an application for tourism business registration and have TDUP a period of no later than 6 (six) months after this Regional Regulation comes into force.

- (3) When this Regional Regulation comes into force, then:
- a. Regulation of the Municipality of Palembang Number 14 of 2007 on Tourism Service Business Development (Regional Gazette of the Municipality of Palembang of 2007 number 14);
 - b. Regulation of the Municipality of Palembang Number 24 of 2007 on Retribution for Tourism Service Business Development (Regional Gazette of the Municipality of Palembang of 2007 number 24); and
 - c. The provisions of Article 11 point A, point C and point D of the Regional Regulation of the Municipality of Palembang Number 1 of 2003 on Operational Arrangements for Entertainment Venues as amended by Regional Regulation of the Municipality of Palembang Number 16 of 2004 on Revision to Regional Regulation of the Municipality of Palembang Number 1 of 2003 on Operational Arrangements for Entertainment Venues (Regional Gazette of the Municipality of Palembang of 2004 number 32), repealed and declared ineffective.

CHAPTER XVIII

CLOSING

Article 73

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 Palembang.

Issued in Palembang

On 10 August 2020

MAYOR OF PALEMBANG

signed

HARNOJOYO

Promulgated in Palembang

on 10 August 2020

SECRETARY OF MUNICIPALITY OF PALEMBANG

signed

RATU DEWA

REGIONAL GAZETTE OF THE MUNICIPALITY OF PALEMBANG OF 2020
NUMBER 4

Jakarta, 19 September 2024

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on behalf of Minister of Law and Human Rights
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION AD INTERIM,



ASEP N. MULYANA