

PRESIDENTIAL DECREE
NUMBER 34, YEAR 2003
CONCERNING
THE NATIONAL LAND AFFAIRS POLICY

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

- Considering :
- a. that all Indonesian territory is an integrated unit of the state of all Indonesian people, unifying as Indonesia nation, in the framework of the Unitary State of the Republic of Indonesia;
 - b. that in the framework of implementing Stipulation of the People's Consultative Assembly No. IX/MPR/2001 concerning agrarian reforms and natural resources management, it is necessary to realize a whole and integrated concept, policy and system of national land affairs;
 - c. that in relation thereto, it is deemed necessary to stipulate a presidential decree concerning the national land affairs policy;
- In view of :
1. Article 4 paragraph (1) of the Constitution of 1945 as already amended by the Fourth Amendment to the Constitution of 1945;
 2. Stipulation of the People's Consultative Assembly No. IX/MPR/2001 concerning agrarian reforms and natural resource management;
 3. Law No. 5/1960 concerning agrarian-principle basic regulation (State Gazette of 1960 No. 104, Additional State Gazette No. 2043);
 4. Law No. 22/1999 concerning regional administration (State Gazette of 1999 No. 60, Additional State Gazette No. 3839);
 5. Presidential Decree No. 103/2001 concerning the status, task, function, authority, organization structure and working arrangement of non-ministerial government institutions as already amended several times and the latest by Presidential Decree No. 30/2003.

H A S D E C I D E D :

To stipulate : PRESIDENTIAL DECREE CONCERNING THE NATIONAL LAND AFFAIRS
POLICY

Article 1

In the framework of realizing a whole and integrated concept, policy and system of national land affairs as well as implementing Stipulation of the People's Consultative Assembly No. IX/MPR/2001 concerning agrarian reforms and natural resource management, the National Land Agency shall undertake the accelerating steps:

- a. the formulation of a bill on improvement of law No. 5/ 1960 concerning agrarian-principle basic regulation and bill on land titles as well as other land affairs legislation.
- b. the building of land information and management system covering:
 - 1) formulation of data base of land belonging to the state/government/regional governments throughout Indonesia;
 - 2) preparation for application of textual and spatial data in serving registration of land and formulation of data base of land controlling and ownership, connected by e-government, e-commerce and e-payment;
 - 3) cadastral mapping in the framework of making out inventories and registration of control, ownership, use and utilization of land by using satellite image technology and information technology to support policies on the implementation of land reform and issuance of land titles;
 - 4) the building and development of management of use and utilization of land through geographic information system by prioritizing the stipulation of irrigated rice-field zones, in the framework of maintaining national food security.

Article 2

- (1) Part of the authority of the central government in the land affairs shall be implemented by regency/city governments.
- (2) The authority as meant in paragraph (1) shall be:
 - a. issuance of location permit;
 - b. provision of land for development interests;
 - c. settlement of dispute over illegally occupied land;
 - d. settlement of compensation and insurance for land used for the development;
 - e. stipulation of subjects and objects of land re-distribution, as well as compensation for the maximum excess of land and absentee land;

- f. stipulation and settlement of disputes over communal land;
 - g. utilization and settlement of dispute over vacant land;
 - h. issuance of land clearing permit;
 - i. planning of the use of regency/city land.
- (3) The authority as meant in paragraph (2) which is inter-regency/city in a province shall be executed by the relevant provincial government.

Article 3

- (1) In the framework of executing the authority as meant in Article 2, the National Land Agency shall formulate norms and/or standardize mechanisms of procedures, quality of products and qualifications of human resources needed.
- (2) The formulation of norms and/or standardization of mechanisms of procedures, quality of products and qualifications of human resources shall be settled not later than 3 (three) months after the date of stipulation of this presidential decree.

Article 4

The National Land Agency shall complete the implementation of the provisions as meant in Article 1 not later than August 1, 2004.

Article 5

With the enforcement of this presidential decree, the provision in Article 114 paragraph (6) of Presidential Decree No. 103/2001 concerning the status, tasks, function, authority, organizational structures and working arrangements of non-ministerial government institutions as already amended several times and the-latest by Presidential Decree No. 30/2003 shall be declared null and void.

For public cognizance, this presidential decree shall be promulgated by placing it in State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
On May 31, 2003
THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Signed

MEGAWATI SOEKARNOPUTRI