

REGULATION OF PRESIDENT OF REPUBLIC OF INDONESIA

NUMBER 8 OF 2008

CONCERNING

NATIONAL DISASTER MANAGEMENT AGENCY

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**PRESIDENT OF
REPUBLIC OF INDONESIA**

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NATIONAL DISASTER MANAGEMENT AGENCY

BY GRACE OF ONE AND ONLY GOD

PRESIDENT OF REPUBLIC OF INDONESIA,

Considering : that to implement provision of Art. 17 of Law Number 24 of 2007 concerning Disaster Management, it is seen as necessary to enact Regulation of President concerning National Disaster Management Agency;

In view of : 1. Art. 4 para. (1) of Constitution of 1945 of Republic of Indonesia;
2. Law Number 24 of 2007 concerning Disaster Management (State Gazette of Republic of Indonesia Number 66 of 2007, Supplement to State Gazette of Republic of Indonesia Number 4723);

RESOLVED:

Enacted : **REGULATION OF PRESIDENT CONCERNING NATIONAL
DISASTER MANAGEMENT AGENCY**

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**SECTION I
POSITIONS, DUTIES, AND FUNCTIONS**

Article 1

- (1) National Disaster Management Agency (*Badan Nasional Penanggulangan Bencana*) which henceforth in this Regulation of President is called BNPB is Non-Departmental Government Agency as meant in Law Number 24 of 2007 concerning Disaster Management.
- (2) BNPB is subordinate and directly accountable to President.
- (3) BNPB is led by Head.

Article 2

BNPB has the duty to:

- a. provide guidance and direction in relation to disaster management efforts which include disaster prevention, emergency response handling, rehabilitation and reconstruction in just and equitable manner;
- b. enact disaster management operations standardization and needs based on regulations of law;
- c. communicate information on disaster management activities to the public;
- d. report disaster management operations to the President once a month during normal condition and at any time during disaster emergency condition;
- e. utilize and account for national and international donations/ assistance;
- f. account for utilization of budgets sourced from State Budget;

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- g. implement other obligations in accordance with regulations of law; and
- h. formulate guidance on the establishment of Regional Disaster Management Agency (BPBD).

Article 3

In implementing duties as meant in Art. 2, BNPB undertakes functions of:

- a. formulation and enactment of disaster management and IDP management policies by acting rapidly and appropriately as well as effectively and efficiently; and
- b. coordination of implementation of disaster management activities in a planned, integrated and comprehensive manner.

Article 4

In implementing its duties and functions BNPB is coordinated by the Coordinating Minister for Social Welfare.

**SECTION II
ORGANIZATION**

First Part

Organizational Structure of BNPB

Article 5

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BNPB consists of:

- a. Head;
- b. Disaster Management Steering Element; and
- c. Disaster Management Implementing Element.

Second Part

Head

Article 6

Head has duty of leading BNPB in performing BNPB duties and functions.

Third Part

Disaster Management Steering Element

Clause 1

Positions, Duties and Functions

Article 7

Disaster Management Steering Element is subordinate and accountable to Head of BNPB.

Article 8

Disaster Management Steering Element has duty of providing input and advice to Head of BNPB in disaster management.

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Article 9

Disaster Management Steering Element operates functions of:

- a. formulation of national disaster management policy concepts;
- b. monitoring; and
- c. evaluation in disaster management operations.

Clause 2

Membership

Article 10

Disaster Management Steering Element consists of Chair, which is occupied by Head of BNPB, and 19 (nineteen) Members.

Article 11

- (1) Members of Disaster Management Steering Element consist of:
 - a. 10 (ten) Government Echelon I Officials or officials of same level, who are nominated by Leadership of Government Institution; and
 - b. 9 (nine) members from professional community.
- (2) Government Officials as meant in para. (1) letter a represent:
 - a. Coordinating Ministry for Social Welfare;

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- b. Ministry of Home Affairs;
 - c. Ministry of Social Affairs;
 - d. Ministry of Public Works;
 - e. Ministry of Health;
 - f. Ministry of Finance;
 - g. Ministry of Transportation;
 - h. Ministry of Energy and Mineral Resources;
 - i. National Police of Republic of Indonesia;
 - j. National Army of Republic of Indonesia.
- (3) Disaster Management Steering Element from professional community as meant in para.
(1) letter b, comes from experts/ professionals and/ or community figures.

Fourth Part

Disaster Management Implementing Element

Clause 1

Positions, Duties, and Functions

Article 12

Disaster Management Implementing Element is subordinate and accountable to Head of BNPB.

Article 13

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Disaster Management Implementing Element has duty of implementing disaster management in an integrated manner which encompasses pre-disaster, emergency response, and post-disaster phases.

Article 14

Disaster Management Implementing Element undertakes functions of:

- a. disaster management operations coordination;
- b. disaster management operations command; and
- c. implementer in disaster management operations.

Clause 2

Organizational Structure

Article 15

Organizational Structure of Disaster Management Implementing Element consists of:

- a. Executive Secretariat;
- b. Deputy for Prevention and Preparedness;
- c. Deputy for Emergency Management;
- d. Deputy for Rehabilitation and Reconstruction;
- e. Deputy for Logistics and Equipmen;
- f. Principal Inspectorate;
- g. Centre; and

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h. Technical Implementing Unit.

**Clause 3
Executive Secretariat**

Article 16

- (1) Executive Secretariat is subordinate and accountable to Head of BNPB.
- (2) Executive Secretariat is led by Executive Secretary.

Article 17

Executive Secretariat has duty of coordinating planning, fostering and controlling programmes, administration, resources and cooperation

Article 18

In implementing duties as meant in Art. 17, Executive Secretariat undertakes functions of:

- a. internal coordination, synchronization, and integration BNPB;
- b. coordination, planning, and formulation of technical policies of BNPB;
- c. fostering and servicing administration for administrative affairs, legal affairs, and regulations of law, organization, management, human resources affairs, financial affairs, encoding affairs, supplies, and BNPB housekeeping affairs;
- d. fostering and implementation of public relations and protocol within BNPB;

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- e. facilitation of implementation of duties and functions of Disaster Management Steering Element;
- f. coordination in the formulation of BNPB reporting.

Clause 4

Deputy for Prevention and Preparedness

Article 19

- (1) Deputy for Prevention and Preparedness is subordinate and accountable to Head of BNPB.
- (2) Deputy for Prevention and Preparedness is led by Deputy.

Article 20

Deputy for Prevention and Preparedness has duty of coordinating and implementing general policies on disaster management at pre-disaster phase as well as community empowerment.

Article 21

In implementing duties as meant in Art. 20, Deputy for Prevention and Preparedness undertakes functions of:

- a. formulation of general policies on disaster management during pre-disaster phase as well as community empowerment;

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- b. coordination and implementation of general policies on disaster management during pre-disaster phase as well as community empowerment;
- c. implementation of working relationships in disaster management during pre-disaster phase as well as community empowerment;
- d. monitoring, evaluation, and reporting analysis concerning implementation of general policies on disaster management during pre-disaster phase as well as community empowerment.

Clause 5

Deputy for Emergency Management

Article 22

- (1) Deputy for Emergency Management is subordinate and accountable to Head of BNPB.
- (2) Deputy for Emergency Management is led by Deputy.

Article 23

Deputy for Emergency Management has duty of coordinating and implementing general policies on disaster management during emergency response phase.

Article 24

In implementing duties as meant in Art. 23, Deputy for Emergency Management undertakes functions of:

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- a. formulation of general policies on disaster management during emergency response phase and IDP management;
- b. coordination and implementation of general policies on disaster management during emergency response phase and IDP management;
- c. command of disaster management implementation during emergency response phase;
- d. implementation of working relationship in disaster management during emergency response phase and IDP management;
- e. monitoring, evaluation, and reporting analysis concerning implementation of general policies on disaster management during emergency response phase and IDP management.

Clause 6

Deputy for Rehabilitation and Reconstruction

Article 25

- (1) Deputy for Rehabilitation and Reconstruction is subordinate and accountable to Head of BNPB.
- (2) Deputy for Rehabilitation and Reconstruction is led by Deputy.

Article 26

Deputy for Rehabilitation and Reconstruction has duty of coordinating and implementing general policies on disaster management during post-disaster phase.

Article 27

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In implementing duties as meant in Art. 26, Deputy for Rehabilitation and Reconstruction
Sundertakes functions of:

- a. formulation of general policies on disaster management during post-disaster phase;
- b. coordination and implementation of general policies on disaster management during post-disaster phase;
- c. implementation of working relationship in disaster management during post-disaster phase;
- d. monitoring, evaluation, and reporting analysis concerning implementation of general policies on disaster management during post-disaster.

Clause 7

Deputy for Logistics and Equipment

Article 28

- (1) Deputy for Logistics and Equipment is subordinate and accountable to Head of BNPB.
- (2) Deputy for Logistics and Equipment is led by Deputy.

Article 29

Deputy for Logistics and Equipment has duty of implementing logistics and equipment coordination and support in disaster management operations.

Article 30

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In implementing duties as meant in Art. 29, Deputy for Logistics and Equipment undertakes functions of:

- a. formulation of policies on logistics and equipment in disaster management operations;
- b. implementation of logistics and equipment planning in disaster management operations;
- c. monitoring, evaluation, reporting implementation of policies on logistics and equipment in disaster management operations.

Clause 8

Principal Inspectorat

Article 31

- (1) Principal Inspectorate is subordinate and accountable to Head of BNPB.
- (2) Principal Inspectorate is led by Principal Inspector.

Article 32

Principal Inspectorate has duty of implementing functional supervision in relation to implementation of duties and functions within BNPB.

Article 33

In implementing duties as meant in Art. 32, Principal Inspectorate undertakes functions of:

- a. preparation of formulation of policies on functional supervision within BNPB;

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- b. implementation of supervision of performance, finances, and supervision for specific purposes upon instruction of Head of BNPB;
- c. implementation of administrative affairs of Principal Inspectorate;
- d. formulation of report on supervision results.

Clause 9

Centre

Article 34

- (1) Within Disaster Management Implementing Element, 2 (two) Centres can be established as duties and functions support element to Disaster Management Implementing Element.
- (2) The Centre is led by Centre Chief who is subordinate and accountable to Head of BNPB.

Article 35

Formation of Centre as meant in Art. 34 is enacted by Head of BNPB after obtaining written approval from the Minister responsible for efficient utilization of state apparatus.

Clause 10

Technical Implementing Unit

Article 36

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- (1) To implement technical operational duties and/ or specific technical supporting duties, Technical Implementing Unit may be formed.
- (2) Technical Implementing Unit is led by Head of Technical Implementing Unit.

Article 37

Formation of Technical Implementing Unit as meant in Art. 36 is enacted by Head of BNPB after obtaining written approval from the Minister responsible for efficient utilization of state

apparatus. **Clause 11**

Miscellaneous

Article 38

- (1) Executive Secretariat consists of at most 4 (four) Bureaus, with each Bureau consisting of at most 4 (four) Sections, and each Section consisting of 2 (two) Subsections.
- (2) Each Deputy consists of at most 4 (four) Directorates, with each Directorate consisting of at most 3 (three) Sub-directorates, and each Sub-directorate consisting of 2 (two) Sections.
- (3) Principal Inspectorate consists of at most 3 (three) Inspectorates, with each Inspectorate consisting of 1 (one) Administration Section, and Auditor Functional Post Group.
- (4) Centre consists of at most 3 (three) Sections and 1 (one) Administration Subsection, with each Section consisting of 2 (two) Subsections.

Article 39

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Within BNPB, specific functional post can be created in accordance with the need of which implementation is performed in accordance with provisions of regulations of law.

**SECTION III
WORKING PROCEDURES**

Article 40

Head of BNPB controls implementation of duties and functions of Disaster Management Steering Element and Disaster Management Implementing Element.

Article 41

(1) Disaster Management Steering Element carries out regular member sessions and/ or impromptu sessions in accordance with the need as stipulated by Head of BNPB who functions as Chair of Disaster Management Steering Element.

(2) Disaster Management Steering Element may invite both central and regional government institutions, business institutions, international organizations and/ or other parties as deemed necessary to attend session of members of Disaster Management Steering

Element Article 42

All elements within BNPB, in implementing their duties, must apply principles of coordination, integration, and synchronization, both within BNPB itself and in relations among both central and regional government institutions.

Article 43

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Any leadership of organizational unit of Disaster Management Implementing Element must implement internal control system in each respective unit which allows for cross-check mechanism.

Article 44

Any leadership of organizational unit of Disaster Management Implementing Element is responsible for leading and coordinating each respective subordinate and providing guidance and direction for implementation of duties of subordinate.

Article 45

Any leadership of organizational unit of Disaster Management Implementing Element must follow and obey directions and is accountable to respective superior and responsible for timely regular delivery of reports.

Article 46

In implementing duties, any leadership of organizational unit of Disaster Management Implementing Element must foster and supervise subordinate organizational unit.

Article 47

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Coordination function of Disaster Management Implementing Element is implemented through coordination with both central and regional government institutions, business institutions, international organizations and/ or other parties as deemed necessary at pre-disaster and post-disaster phases.

Article 48

- (1) Command function of Disaster Management Implementing Element is implemented through mobilization of human resources, equipment, and logistics from relevant portfolio agency, Indonesian Armed Forces and National Police of Republic of Indonesia as well as other steps required in the framework of emergency disaster management.
- (2) Implementation of provisions as meant in para. (1) is performed in accordance with provisions of regulations of law.

Article 49

Implementation function of Disaster Management Implementing Element is performed in coordinated and integrated manner with both central and regional government institutions, Indonesian Armed Forces and National Police of Republic of Indonesia by taking into account policies on disaster management operations and provisions of regulations of law.

Article 50

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Further provisions regarding working procedures of BNPB is regulated by Head of BNPB.

**SECTION IV
APPOINTMENT AND DISMISSAL**

First Part

Appointment and Dismissal of Head

Article 51

Head of BNPB is appointed and dismissed by President.

Article 52

Head of BNPB is provided with financial and administration authority at Ministerial level.

Second Part

Appointment and Dismissal of Members of Disaster Management Steering Element

Article 53

Members of Disaster Management Steering Element are appointed and dismissed by President.

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Article 54

- (1) Members of Disaster Management Steering Element from Government element are proposed by leadership of government institution as meant in Art. 11 para. (2) to Head of BNPB.
- (2) Head of BNPB nominates prospective Members as meant in para. (1) to President for appointment as Members of Disaster Management Steering Element.

Article 55

- (1) Members of Disaster Management Steering Element from professional community are nominated by Head of BNPB to President as many as 18 (eighteen) prospective members of Disaster Management Steering Element.
- (2) Prospective members as meant in para. (1) are submitted to House of People's Representatives of Republic of Indonesia for fit-and-proper testing in accordance with provisions of regulations of law.

Article 56

9 (nine) prospective Members who are endorsed by House of People's Representatives of Republic of Indonesia based on fit-and-proper test results are appointed and designated by President as Members of Disaster Management Steering Element.

Article 57

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Members of Disaster Management Steering Element as meant in Art. 56 are appointed for 5 (five)-year term.

Article 58

Selection mechanism and criteria for Members of Disaster Management Steering Element from professional community are further regulated with Regulation of Head of BNPB.

Third Part

Echelon, Appointment, and Dismissal of Disaster Management Implementing Element

Article 59

- (1) Executive Secretary, Deputy, and Principal Inspectorate are structural posts at echelon I a level.
- (2) Bureau Chief, Director, Inspector, and Centre Chief are structural posts at echelon II.a level.
- (3) Head of Technical Implementing Unit within BNPB is structural posts with maximum level of echelon II.b.
- (4) Head of Sub-directorate, Head of Division, and Head of Thematic Unit are structural posts at echelon III.a level.
- (5) Section Head, Sub-Division Head, and Head of Sub-Thematic Unit are structural posts at echelon IV.a level.

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Article 60

- (1) Executive Secretary, Deputy, and Principal Inspector are appointed and dismissed by President upon proposal of Head of BNPB.
- (2) Echelon II officials and lower are appointed and dismissed by Head of BNPB.

Article 61

Position within Disaster Management Implementing Element constitutes civil function which is filled by Civil Servant who is professional and expert in accordance with provisions of regulations of law.

SECTION V

FUNDING

Article 62

Funding to support BNPB activities is imposed on State Budget and/ or other budget sources which are legitimate and non-binding.

SECTION VI

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MISCELLANEOUS PROVISIONS

Article 63

- (1) To implement disaster management duties in both Province and District/ City regions, Regional Disaster Management Agency (*Badan Penanggulangan Bencana Daerah*) is established, henceforth called BPBD, which is enacted through Local Government Regulation.
- (2) Formation of BPBD as meant in para. (1) is undertaken through coordination with BNPB.
- (3) BNPB convenes coordination meeting with BPBD at least 2 (two) times in 1 (one) year.

Article 64

Further details regarding duties, functions, organizational structures, and working procedures of BNPB are stipulated by Head of BNPB after obtaining written approval from the Minister responsible for efficient utilization of state apparatus.

SECTION VII

TEMPORARY PROVISIONS

Article 65

At time this Regulation of President comes into effect:

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- a. Disaster management duty is implemented by National Coordinating Agency for Disaster Management until organizational structuring of BNPB is completed based on this Presidential Regulation;
- b. National Coordinating Agency for Disaster Management within not more than 6 (six) months after the enactment of this Presidential Regulation delivers all archives and documents relating to implementation of disaster management field and duty to BNPB;
- c. Civil Servant within the Executive Board of National Coordinating Agency for Disaster Management becomes Civil Servant of BNPB with condition that at latest within 6 (six) months they can opt for fixed status as BNPB Civil Servant or to return to their parent portfolio agency;
- d. Head of BNPB and Head of State Civil Service Body regulate administrative settlement of transfer of Civil Servant from Executive Board of National Coordinating Agency for Disaster Management to BNPB as meant in letter c;
- e. Management and utilization of all state assets which are managed and utilized by Executive Board of National Coordinating Agency for Disaster Management for implementation of disaster management duty at the latest within 6 (six) months are transferred to BNPB after obtaining approval from the Minister responsible for finance.

Article 66

At the time this Presidential Regulation comes into effect, cost of implementation of BNPB duties and functions is covered by the budget of Executive Board of National Coordinating Agency for Disaster Management until BNPB has its own budget in accordance with provisions of regulations of law.

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Article 67

- (1) Implementing regulations of Presidential Regulation Number 83 of 2005 concerning National Coordinating Agency for Disaster Management as amended by Presidential Regulation Number 3 of 2007 remain in effect so as long no changes and/ or replacements have been made (thereto) based on this Prewsidential Regulation.
- (2) At the time this Presidential Regulation comes into effect, all existing posts along with officials holding posts withinof the Executive Board of National Coordinating Agency for Disaster Management continue to implement their duties and functions until re-regulated based on this Presidential Regulation.

**SECTION VIII
CLOSING PROVISIONS**

Article 68

With this Presidential Regulation in effect, Presidential Regulation Number 83 of 2005 concerning National Coordinating Agencyfor Disaster Management as amended by President Regulation Number 3 of 2007 is revoked and declared null and void.

Article 69

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at the time this Presidential Regulation comes into effect, all regulations relating to disaster management are declared to remain effective so as long (they are) not in contravention or no new implementing regulations have been issued based on this Presidential Regulation.

Article 70

This Presidential Regulation comes into effect on the date of enactment.

Enacted in : Jakarta

on date of : 26 January 2008

PRESIDENT OF REPUBLIC OF INDONESIA,

sign.

DR. H. SUSILO BAMBANG YUDHOYONO

Copy in accordance with original

Deputy Secretary of Cabinet for

Legal Affairs,

sign.

Dr. M. Iman Santoso