

## **AMDAL Commissions, Guidelines for Membership and Working Procedures (MOE Decree No. 13, 1994)**

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**DECREE CONCERNING  
GUIDELINES FOR  
MEMBERSHIP AND WORKING PROCEDURES  
FOR AMDAL COMMISSIONS  
Minister of State for the Environment  
Decree Number Kep-13/Menh/3/1994  
THE MINISTER OF STATE FOR THE ENVIRONMENT**

**Considering:**

that, in order to implement [Government Regulation Number 51 of 1993](#) regarding Environmental Impacts Assessment, it is deemed necessary to stipulate a Decree of the Minister of State for the Environment Regarding Guidelines for Membership and Working Procedures for AMDAL Commissions.

**In View of:**

1. Law Numbers 5 of 1974 regarding Principles of Regional Administration (State Gazette No. 38, 1975, Supplement to State Gazette No. 3037);
2. Law No. 4 of 1982 regarding Basic Provisions for the Management of the Living Environment (State Gazette No. 12, 1982, Supplement to State Gazette No. 3215);
3. [Government Regulation No. 51 of 1993](#) regarding Environmental Impact Assessment (State Gazette No. 84, 1993, Supplement to State Gazette No. 3538);
4. Decree of the President of the Republic of Indonesia No. 23 of 1990 regarding the Environmental Impact Management Agency;
5. Decree of the President of the Republic of Indonesia No. 44 of 1993 regarding Position, Basic Tasks, Function, Organizational Structure and Administration of Ministers of State;
6. Decree of the President of the Republic of Indonesia No. 96/M of 1993 regarding the Establishment of Development Cabinet VI.

**HAS DECIDED TO STIPULATE:  
A Decree of the Minister of State for the Environment  
Concerning  
Guidelines for Membership and Working Procedures  
for AMDAL Commissions**

**First**

The AMDAL Commission as referred to herein shall refer to the Central AMDAL Commissions and the Regional AMDAL Commissions as provided for in [Government Regulation Number 51 of 1993](#) regarding Environmental Impact Assessment.

**Second**

The membership of the Central AMDAL Commission shall be as follows:

- a. A Chairman, also serving as permanent member; for a ministry this position shall be occupied by an official of Echelon I appointed by the relevant Minister, and for a non-departmental government

agency by the Head of the non-departmental government agency;

- b. A Secretary, also serving as permanent member; for a ministry this position shall be functionally occupied by the Head of the Planning Bureau or an echelon II officer supervising environmental affairs in the relevant ministry, and for a non-departmental government agency functionally by the head of its planning unit;
- c. Members comprising:
  1. Permanent members, namely:
    - a. for a ministry: representative(s) of the planning unit of every directorate-general and/or environmental management unit; for a non-departmental government agency: representative(s) of the environmental management unit;
    - b. a representative appointed by the Minister of Home Affairs accompanied by a member of the Regional Commission where the proposed business or activity is to be located;
    - c. a representative appointed by the Minister of State for the Environment;
    - d. a representative appointed by the Head of the Environmental Impact Management Agency;
    - e. a representative appointed by the Chairman of the Investment Coordination Board;
    - f. a representative appointed by the Head of the National Land Agency;
  2. Non-permanent members, comprising:
    - a. representative(s) of the planning unit and/or environmental management unit of the relevant ministry or non-departmental government agency or other relevant non-departmental government institutions;
    - b. representative(s) of the community affected by the impacts;
    - c. expert(s)/specialist(s) on the impacts of the business of activity in question;
    - d. representative(s) of non-governmental organization(s);
    - e. other members as deemed necessary at the discretion of the Minister or Head of non-departmental government agencies having jurisdiction over the business or activity in question.

### **Third**

The membership of the Regional AMDAL Commission shall be composed as follows:

- a. a Chairman, also serving as permanent member, with this position to be occupied by the Head of the Provincial Development Planning Board or a ranking official appointed by the Governor;
- b. a Secretary, also serving as a permanent member, with this position to be held by the Head of the provincial Environmental Control Bureau;
- c. Members comprising:
  1. Permanent members, namely:
    - a. representative(s) of the Provincial Development Planning Board;
    - b. representative(s) of the provincial Environmental Control Bureau;
    - c. representative(s) of the regional office of the Environmental Impact Management Agency;
    - d. representative(s) of the Provincial Investment Coordination Board;

- e. representative(s) of the provincial office of the National Land Agency;
- f. representative(s) of the Environmental Study Centre(s) of institution(s) of higher learning in the relevant province;

2. Non-permanent members, comprising:

- a. Heads of Regional Offices in the province whose jurisdiction covers the proposed business or activity of the proponent;
- b. representative(s) of the regional office of the Environmental Impact Management Agency;
- c. the Head of the Development Planning Board in the Relevant District;
- d. representative(s) of relevant provincial government offices;
- e. representative(s) of the community affected by the impacts;
- f. expert(s)/specialist(s) on the impacts of the business or activity in question;
- g. representative(s) of non-governmental organization(s);
- h. other members as deemed necessary at the discretion of the Governor.

#### **Fourth**

1. The working procedures for a Central AMDAL Commission shall be set by the relevant Minister or Head of the non-departmental government agency, giving due attention to the following:

- a. the decision of an AMDAL Commission shall be based on balanced consideration of technology, economics, and environmental aspects, with the environment comprising both physical and non-physical features including socio-cultural aspects;
- b. before the AMDAL Commission undertakes its evaluation, the proponent shall first submit the Environmental Impact Assessment reports in writing and shall present the same to an AMDAL Commission meeting;
- c. the AMDAL Commission meeting shall listen to suggestions and opinions of the representative(s) of the community(s) affected by the impacts of the business or activity in question, taking these into account in making its decision;
- d. if deemed necessary, the commission may carry out field investigation(s)/check(s) and/or consult with any party deemed necessary.

2. The working procedures for a Regional AMDAL Commission shall be set by the relevant Governor, giving due attention to the matters described in paragraph 1, items a. through d.

3. Central AMDAL Commissions and Regional AMDAL Commissions shall be respectively assisted by Technical Teams, comprising graduates of the Environmental Impact Assessment Evaluator's Course organized by the Environmental Study Centres in cooperation with the Environmental Impact Management Agency, or those having equivalent skills;

#### **Fifth**

If a proposed business or activity falling under the jurisdiction of a Minister or Head of a non-departmental government agency shall cause significant impacts on more than one province, in evaluating the Environmental Impact Assessment for the said business or activity the Central AMDAL Commission shall consult the Governors of the relevant provinces.

#### **Sixth**

If a proposed business or activity falling under the jurisdiction of a Provincial Governor shall cause significant impacts in more than one province, in evaluating the Environmental Impact Assessment for the

said business or activity Regional AMDAL Commission shall consult the Governors of the relevant provinces.

### **Seventh**

This Decree shall take effect as of the date of promulgation, and if any error is found in the future, a revision shall be made accordingly.

Promulgated in Jakarta on 19 March 1994  
The Minister of State for the Environment  
(signed) Sarwono Kusumaatmadja

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*Acknowledgement:* Text from "Himpunan Peraturan Tentang Pengendalian Dampak Lingkungan, Seri II", published by BAPEDAL (1996).

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