

REGULATION OF THE PROVINCE OF WEST NUSA TENGGARA
NUMBER 2 OF 2016
ON
HALAL TOURISM

BY THE BLESSINGS OF ALMIGHTY GOD

THE GOVERNOR OF WEST NUSA TENGGARA,

Considering : a. that tourism is one of the economic development aspects that is able to accelerate local economic growth and people's welfare;

b. that stakeholders in tourism industry, either Government the Council of Indonesian Ulama, private or all walks of life, cooperate to develop Halal Tourism;

c. that West Nusa Tenggara is one of the tourism destinations in Indonesia, so any stakeholder in the tourism industry must prepare facilities and means of tourism which meet Halal Tourism;

d. that Halal Tourism is a concept which integrates sharia values to tourism activities by providing facilities and services which meet provision of sharia;

e. that based on considerations as referred to in point a, point b, point c, and point d, it is necessary to issue Provincial Regulation on Halal Tourism.

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

2. Law Number 64 of 1958 on Establishment of First-Level Regions of Bali, West Nusa Tenggara and East

3. Nusa Tenggara (State Gazette of the Republic of Indonesia of 1958 Number 115, Supplement to the State Gazette of the Republic of Indonesia Number 1694);
4. 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);
5. Law Number 23 of 2014 on Local Governance (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as frequently amended and last by Law Number 9 of 2015 on Second Amendment to Law Number 23 of 2014 on Local Governance (State Gazette of the Republic of Indonesia of 2015 Number 246, Supplement to the State Gazette of the Republic of Indonesia Number 5589);
6. Government Regulation Number 50 of 2011 on Master Plan of National Tourism Development (State Gazette of the Republic of Indonesia of 2011 Number 125, Supplement to the State Gazette of the Republic of Indonesia Number 5262);
7. Regulation of the Minister of Tourism and Creative Economy Number 2 of 2014 on Guidelines on Sharia Hotels (State Bulletin of the Republic of Indonesia of 2014 Number 74);
8. Regional Regulation Number 3 of 2008 on Regional Long-Term Development Plan 2005-2025 (Regional Gazette of the Province of West Nusa Tenggara of 2008 Number 32) as amended by Regional Regulation Number 1 of 2014 on Amendment to Regional Regulation Number 3 of 2008 on Regional Long-Term Development Plan of 2009-2029 (Regional Gazette of the Province of West Nusa Tenggara of 2014 Number 1);
9. Regional Regulation Number 4 of 2009 on Regional Medium-Term Development Plan of 2009-2013

(Regional Gazette of the Province of West Nusa Tenggara of 2009 Number 14);

10. Regional Regulation Number 7 of 2103 on Master Plan of Local Tourism Development (Regional Gazette of the Province of West Nusa Tenggara of 2013 Number 7);

HAS DECIDED TO:

Issue : REGIONAL REGULATION ON HALAL TOURISM.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Provincial Regulation:

1. Region means the Province of West Nusa Tenggara.
2. Local Government means Governor and the staffs as regional governance administrators.
3. Governor means the Governor of West Nusa Tenggara.
4. Department means the Department of Culture and Tourism of the Province of West Nusa Tenggara.
5. Regency/Municipal Government means the Local Government of Regencies/Municipalities in West Nusa Tenggara.
6. Dewan Syariah Nasional Majelis Ulama Indonesia, the National Sharia Board of the Indonesian Council of Ulama, hereinafter referred to as DSN-MUI means a part of institutional structure of the Indonesian Council of Ulama as the Certification Institution in Sharia Tourism Business.
7. Halal Tourism Management means any person and/or entity that provide accommodation, food and beverage, travel agency, SPA in halal destinations.
8. Forum Kepariwisata Daerah, the Local Tourism Forum, hereinafter referred to as FKD means a participating Forum of each related stakeholders, either cross-sector, cross-actor, or inter-regional in order to boost tourism development in integrated, synergy, and

sustainable manners.

9. Badan Promosi Pariwisata Daerah, the Local Tourism Promotion Agency, hereinafter referred as BPPD means a private (nongovernmental) entity that promotes tourism destination in West Nusa Tenggara area independently.
10. Perhimpunan Hotel dan Restoran Indonesia, the Association of the Indonesian Hotels and Restaurants, hereinafter referred to as PHRI means a nonprofit association of hotel and restaurant owners as well as professionals who focus on their activities to develop and grow vital sectors of tourism industry in West Nusa Tenggara.
11. Association of The Indonesian Tours and Travel Agencies hereinafter referred to as ASITA of West Nusa Tenggara means an organization that accommodates tours and travels business also tours and travel agents in Indonesia and which have branch offices in each province.
12. Himpunan Pramuwisata Indonesia, the Association of the Indonesian Tour Guides, hereinafter referred to as HPI means an organization that associates Indonesian tour guides of West Nusa Tenggara.
13. Tour means any journey done by a person or a group of persons by visiting certain places for leisure purpose, personal development, or learning tour destination uniqueness temporarily.
14. Tourism means several tour activities and is supported by various facilities as well as services provided by public, entrepreneurs, Government, and Local Government.
15. Tourism destination hereinafter referred to as tourism destination means any geographical territory located in one or more administrative regions that have tour attraction, public facilities, tourism facilities, accessibility, as well as public that are related and connected to support tourism.
16. Halal Tourism means any tour activity which tourism

destination and industry provide product, services, and tourism management that meet sharia standards.

17. Accommodation means any star and non-star hotel.
18. Certificate means any written fatwa granted by DSN-MUI for hotel business that meets assessment of Sharia Hotel Business criteria.
19. Tour and Travel Agency Business means any tour and travel bureau business as well as tour and travel agent business including pre-arranged travel services business and/or tourism services as well as religious travel.
20. Food and Beverage Business means any food and beverage providing business equipped with tools and equipments to process the food and beverage such as restaurants, café, catering services, and bar.
21. Accommodation business means any business that provides lodging services which may be completed by other tourism services such as; hotel, villa, cottage, campsite, caravan stop-over, and other accommodations for tourism purpose.
22. Tour guide business means any business providing and/or coordinating tour guides to meet the needs of tourists and/or tour and travel agencies.
23. Salus Per Aquam Business hereinafter referred to as SPA Business means any treatment business which services are through combined method of water therapy, aroma therapy, massage, medicine spices, healthy food and beverage services, and physical activity to balance soul and body with still considering tradition and culture of Indonesia.
24. Tour Attraction means any tour objects either places or activities in a tourism destination and be an attraction of the destination.

Article 2

The intention of regulating Halal Tourism in this Provincial Regulation is to provide safety and convenience for tourists in enjoying the safe, halal tour and also to facilitate the tourists

and tourism management.

Article 3

The objective of regulating Halal Tourism is to be guidelines for the tourism management in providing Halal Tourism services to the tourists.

Article 4

Halal Tourism implementation is based on the principles of:

- a. transparency;
- b. accountability;
- c. justice; and
- d. participation.

CHAPTER II

SCOPE

Article 5

The scopes of the Halal Tourism regulating in this Provincial Regulation are:

- a. destination;
- b. marketing and promotion;
- c. industry;
- d. institution;
- e. fostering and supervision; and
- f. financing.

CHAPTER III

HALAL TOURISM DESTINATION

Part One

Facilities

Article 6

- (1) Halal Tourism Destination includes attraction of natural and cultural tours.
- (2) Halal Tourism Destination Management must provide

public facilities to support the convenience of halal tourism activities.

- (3) Public facilities as referred to in section (2) are:
 - a. place and equipments of worship for Muslim tourists; and
 - b. ablution facilities that meet sharia standards;

Part Two

Public Empowerment and Participation

Article 7

- (1) Public empowerment through halal tourism includes to:
 - a. strengthen public awareness;
 - b. improve public capacity and participation in business management; and
 - c. increase public income.
- (2) Public awareness strengthening as referred to in section (1) point a is conducted by disseminating halal tourism implementation.
- (3) Public capacity and participation improvement as referred to in section (1) point b includes to:
 - a. develop public understanding, in halal tourism management;
 - b. increase public motivation and capability in halal tourism management; and
 - c. involve public in drafting policies related to halal tourism.
- (4) Public income increase as referred to in section (1) point c includes to:
 - a. create business opportunity in halal tourism activity; or
 - b. give incentive.

Part Three
Halal Tourism Investment Development

Article 8

- (1) Policies of halal tourism investment development includes to:
 - a. give investment incentive in accordance with the laws and regulations;
 - b. develop ease investment; and
 - c. increase promotion.
- (2) Investment incentive increase as referred to in section (1) point a, includes to:
 - a. increase tax provision gradually for foreign investment in halal tourism sector; and
 - b. increase tax service for foreign investment in halal tourism sector.
- (3) Ease investment development of halal tourism as referred to in point b, includes to:
 - a. develop investment debureaucratization in tourism; and
 - b. develop deregulation of regulations that hinder licensing.
- (4) Promotion increase of investment in halal tourism as referred to in section (1) point c, includes to:
 - a. provide information about investment opportunity in tourism area;
 - b. increase promotion of investment in tourism both domestically and internationally; and
 - c. increase promotion synergy between tourism investment and other related sectors.

CHAPTER IV

HALAL TOURISM MARKETING AND PROMOTION

Article 9

- (1) The Provincial and Regency/Municipal Government implement marketing and promotion of halal tourism.

- (2) The strategy of marketing and promoting Halal Tourism as referred to in section (1) may be conducted by:
 - a. mapping and analyzing market opportunity and initiating marketing to potential market;
 - b. promoting and improving the Regional image as halal tourism destination;
 - c. developing the Regional tourism image as safe, convenient and competitive halal tourism destination;
 - d. improving marketing role of media in marketing and promoting halal tourism; and
 - e. developing integrated, synergic, and sustainable partnership in marketing.

Article 10

The marketing and promotion of halal tourism as referred to in Article 9 may involve BPPD, DSN-MUI, ASITA, FKD and HPI.

CHAPTER V TOURISM INDUSTRY

Part One

Conventional Tourism Industry

Article 11

- (1) Conventional tourism industry is a tour business providing tourism services and products that do not apply to sharia principles.
- (2) Conventional tourism industry as referred to in section (1) must provide:
 - a. Qibla direction in hotel rooms;
 - b. information regarding the nearest mosques;
 - c. place of worship for muslim tourists and employees;
 - d. information regarding halal/non-halal products;
 - e. separated ablution facilities for men and women;
 - f. supporting facilities for prayer; and

- g. separated urinoir for men and women that ease them to take ablution.

Part Two
Halal Tourism Industry

Paragraph 1
General

Article 12

Halal Tourism Industry is a tour business providing tourism services and products that apply to sharia principles as determined by DSN-MUI.

Article 13

- (1) Halal Tourism Industry as referred to in Article 12 consists of:
 - a. accomodation;
 - b. travel agencies;
 - c. restaurants; and
 - d. SPA;
- (2) Halal tourism industry management follows the provisions determined by DSN-MUI.

Paragraph 2
Accommodation

Article 14

- (1) Halal Tourism must have accommodation based on sharia standards.
- (2) Sharia standards as referred to in section (1) are effective after halal certificate from DSN-MUI is granted.
- (3) Sharia standards as referred to in section (1) includes the aspects of:
 - a. products;
 - b. services; and
 - c. management.

- (4) In the event that sharia standards as referred to in section (2) have not been fulfilled yet, the accommodation at least meets the following standards of having:
 - a. appropriate ablution facilities;
 - b. facilities for worship;
 - c. halal food and beverage;
 - d. safe, convenient, and conducive facilities and situation for family and business; and
 - e. clean sanitation and environment.

Paragraph 3

Food and Beverage Suppliers

Article 15

- (1) Food and beverage suppliers in Halal Tourism include restaurant, bar, café, and catering.
- (2) Certified food and beverage suppliers are obligated to guarantee halal condition of food/beverage, from the raw ingredients to the serving process which is proved by halal certificate.
- (3) In the event that the halal certificate has not been granted yet, every food and beverage suppliers must label the food and beverage with clear written halal/non-halal in every kind of food and beverage; and keep the environment healthy and clean.
- (4) Halal food and beverage as referred to in section (2) is based on the standards determined by DSN-MUI.

Paragraph 3

Halal SPA, Sauna and Massage House

Article 16

Every businessman of halal SPA, Sauna and Massage House provides:

- a. separated care facilities for men and women;
- b. mind therapy and physical therapy which do not lead to sharia violation;

- c. male therapist for men and women therapist for women;
and
- d. proper facilities for prayer.

Article 17

- (1) Every Businessman of halal SPA, Sauna and Massage House is obligated to use products with the official halal logo.
- (2) The official halal logo as referred to in section (1) such as:
 - a. spices;
 - b. scrubs;
 - c. masks;
 - d. aroma therapy; and
 - e. materials for facial, hair, hand and nail care.

Paragraph 5

Halal Tour and Travel Agency

Article 18

Every Halal Tour and Travel Agency is obligated to:

- a. understand Halal Tourism destination management;
- b. provide information about Halal Tourism package and the code of conduct to the halal tourism destination; and
- c. produce the tour and travel package that meets the Halal Tourism criteria based on the Standard Operational Procedure (SOP) referring to the provisions of DSN-MUI.

Article 19

Every tour guide of halal Travel Agency must:

- a. understand and be able to implement the values of sharia when running the business;
- b. have good personalities, good communication, good manner, honesty, and responsibility;
- c. have performance in fashion that meets the Islamic values and ethics; and
- d. implement the Islamic values during the tour.

CHAPTER VI
INSTITUTION

Article 20

- (1) The institutions involved in Halal Tourism are:
 - a. Local Government institutions; and
 - b. non-government institutions.
- (2) Local Government institutions as referred to in section (1) point a include Local Government Work Unit that is related to tourism coordinated by the Department.
- (3) Non-Government institutions as referred to in section (1) point b include organizations related to tourism activities such as; DSN, MUI, BPPD, ASITA, PHRI, FKD, and HPI.

Article 21

Development of halal tourism institutions must be conducted through:

- a. coordinating related departments and regencies/municipalities;
- b. optimizing the role of non-government institutions at province level; and
- c. optimizing halal tourism business partnership between provincial government, private entities, and public.

CHAPTER VII
FOSTERING, SUPERVISION AND REPORTING

Part One
Fostering

Article 22

- (1) Local Government fosters the implementation of halal tourism.
- (2) Fostering as referred to in section (1) is conducted by the Department.

Article 23

- (1) Fostering as referred to in Article 22 section (1) must involve DSN-MUI.
- (2) In addition to provisions as referred to in section (1), fostering may involve BPPD, PHRI, ASITA, FKD, and HPI.
- (3) Fostering as referred to in section (1) is conducted through:
 - a. dissemination;
 - b. stimulation; and
 - c. guidance and training.

Part Two

Supervision

Article 24

- (1) The Local Government supervises halal tourism management.
- (2) Supervision as referred to in section (1) is conducted by the Department and may involve DSN-MUI, PHRI, ASITA, HPI FKD, and BPPD.
- (3) The supervision as referred to in section (2) is conducted through:
 - a. monitoring; and
 - b. evaluation.

Part Three

Reporting

Article 25

- (1) The result of fostering and supervision as referred to in Article 23 and Article 24 are reported to the Governor.
- (2) The report as referred to in section (1) is submitted 1 (one) time in 1 (one) year and eventually based on the necessity.

CHAPTER VIII
ADMINISTRATIVE SANCTIONS

Article 26

- (1) Every management violating the provisions as referred to in Article 11 section (2), Article 17 section (1), and Article 18 will get administrative sanction.
- (2) Administrative Sanctions as referred to in section (1) may be in the form of:
 - a. verbal warning;
 - b. written warning;
 - c. temporary business ceasing;
 - d. permanent business ceasing;
 - e. temporary revocation of license;
 - f. license revocation; and/or
 - g. administrative fine;
- (3) The procedure for administrative sanction as referred to in section (2) will be further regulated in Governor Regulation.

CHAPTER IX
FINANCING

The financing of halal tourism management by the Local Government is sourced from:

- a. Local Budget; and/or
- b. other legal and non-binding resources.

CHAPTER X
CLOSING PROVISIONS

Article 28

- (1) All the provisions regulating halal tourism that are effective before the promulgation of this Provincial Regulation, remains in effect insofar not contrary to this Provincial Regulation.
- (2) At the time when this Provincial Regulation comes into force, Governor Regulation Number 51 of 2015 on Halal

Tourism (Regional Bulletin of the Province of West Nusa Tenggara of 2015 Number 51) is repealed and declared ineffective.

Article 29

The Governor Regulation as the implementing regulation of this Provincial Regulation must be issued not later than 6 (six) months after the promulgation of this Provincial Regulation.

Article 30

This Provincial Regulation comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Provincial Regulation by its placement in the Regional Gazette of the Province of West Nusa Tenggara.

Issued in Mataram
on 21 June 2016

GOVERNOR OF WEST NUSA TENGGARA

Signed

H.M. ZAINUL MAJDI

Promulgated in Mataram
on 21 June 2016

LOCAL SECRETARY
OF THE PROVINCE OF WEST NUSA TENGGARA

Signed

H. ROSIADY HUSAENIE SAYUTI

REGIONAL GAZETTE OF THE PROVINCE OF WEST NUSA TENGGARA OF
2016 NUMBER 125

Jakarta, 15 December 2016

Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,



WIDODO EKATJAHJANA

ELUCIDATION
OF
REGULATION OF THE PROVINCE OF WEST NUSA TENGGARA
NUMBER 2 OF 2016
ON
HALAL TOURISM

I. GENERAL

Tourism development is one of the economic development sectors that are able to improve economic growth in region in order to fasten local economic growth and people's welfare.

Tourism development is based on 4 (four) basis such as: destination, marketing (promotion), tourism industry and institutional. Those four tourism development basis will be basic principles in implementing development in tourism.

One of subsectors that recently becomes attention in tourism development is Halal Tourism. Halal Tourism is a new "icon" of tourism development that must be developed and needs attention, since it is hoped to invite and attract tourists, either domestic or foreign tourists.

Tourism development in several countries such as: New Zealand, Malaysia, Singapore, and Korea, makes halal tourism one of selling objects to attract tourists visiting their countries beside conventional tourism that has already existed.

West Nusa Tenggara as one of the regions that has tourism potential also develops halal tour to attract foreign tourists from Middle East and Asia. Indonesian tourism is in great joy since The World Halal Travel Summit/Exhibition 2015 (WHTS15) in Abu Dhabi, Uni Emirate Arab (UEA) has announced that Indonesia, Lombok to be exact, has become one of the best halal tour destinations, by winning awards of

World's Best Halal Tourism Destination and World's Best Halal Honeymoon Destination.

Starting from that point, the Local Government of the Province of West Nusa Tenggara must take action to develop Halal Tourism by establishing regulations as the guidance and legal implementation.

II. ARTICLE BY ARTICLE

Article 1

Sufficiently clear.

Article 2

Sufficiently clear.

Article 3

Sufficiently clear.

Article 4

Point a

The term “transparency” means transparent process of local government and tourism management in implementing halal tourism.

Point b

The term “accountability” means the principle that applies to every policy in halal tourism implementation must be accountable.

Point c

The term “justice principle” means

Point d

The term “participation” means public participation in halal tourism implementation.

Article 5

Sufficiently clear.

Article 6

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Point a

Sufficiently clear.

Point b

Ablution facilities that meet sharia standards such as:
restroom, ablution facilities, and bathroom.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Sufficiently clear.

Article 12

Sufficiently clear.

Article 13

Sufficiently clear.

Article 14

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Sufficiently clear.

Article 17

Sufficiently clear.

Article 18

Sufficiently clear.

Article 19

Sufficiently clear.

Article 20

Sufficiently clear.

Article 21

Sufficiently clear.

Article 22

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Article 23

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Article 24

Sufficiently clear.

Article 25

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Sufficiently clear.

Article 28

Sufficiently clear.

Article 29

Sufficiently clear.

Article 30

Sufficiently clear.

SUPPLEMENT TO THE REGIONAL GAZETTE OF THE PROVINCE OF WEST
NUSA TENGGARA NUMBER 125