

REGULATION ON BUILDING PERMITS

On 5 February 2016, a new Minister of Public Works and Public Housing Regulation on Building Permits (**IMB**) was issued ("**MOPWR 5/2016**"). MOPWR 5/2016 covers:

- a. the functions and classifications of buildings;
- b. the requirements for an IMB application;
- c. the IMB implementation procedure;
- d. the IMB fee;
- e. the documents required for an IMB;
- f. development.

Under MOPWR 5/2016 buildings are classified according to their:

- a. complexity level;
- b. permanency level;
- c. fire risk level;
- d. earthquake zone;
- e. location;
- f. height;
- g. ownership.

The administrative requirements for an IMB are: (i) data of the applicant; (ii) land data; and (iii) other documents and/or letters that are required. The technical requirements consist of: (i) general data on the building; and (ii) technical construction plan documents for the building. According to MOPWR 5/2016, IMBs for simple buildings, complex buildings, and special buildings are issued by the regency and/or municipality and/or Province for the DKI Jakarta area, while IMBs for 1 (one) story buildings are issued by the sub district.

The procedure for obtaining an IMB is divided into three stages: (i) the pre-application stage; (ii) the application process; and (iii) the issuance of the IMB.

In the pre-application stage, the applicant must submit the urban design plan to the local government and the local government will inform it of the requirements. In the application process, the administrative and technical requirements must be complied with. Lastly, if all of

the required documents have been submitted, the application will be assessed by the authority and it will issue a written approval. Once the written approval has been issued, the next step is the issuance of the IMB.

The timeframe for the issuance of an IMB under MOPWR 5/2016 is the following:

- a. three days, for simple, one story buildings;
- b. four days, for simple, two story buildings;
- c. seven days, for complex buildings;
- d. twelve days, for one to eight story complex buildings or special buildings to be used for the public interest;
- e. thirty days, for complex buildings of eight or more stories to be used for the public interest; and
- f. eighteen days, for the foundations of special buildings and complexes to be used for the public interest.

This regulation came into effect on 22 February 2016 and revoked Minister of Public Works Regulation Number 24/PRT/M/2007 on Technical Guideline of Building Permits.