



GOVERNMENT REGULATIONS

THE CRITERIA AND CERTIFICATION OF GREENBUILDINGS

(Regulation of the State Minister for the Environment No. 08/2010

dated January 19, 2010)

THE STATE MINISTER FOR THE ENVIRONMENT,

Considering :

- a. that pursuant to Article 63 paragraph (1) letter b of Law No. 32/2009 on the Protection and Management of the Environment, to protect and manage the environment the Government has the authority to set norms, standards, procedures and criteria;
- b. that the Government needs to encourage and facilitate the initiatives of stakeholders in making an effort to mitigate and adapt to climate change by managing greenbuildings;
- c. that based on the considerations in letters a and b, it is necessary to stipulate a Regulation of the State Minister for the Environment on the Criteria and Certification of Greenbuildings;

In view of :

1. Law No.28/2002 (*BN No. 6908 pages 25A-30A*) on Buildings (Statute Book of 2002 No. 134, Supplement to Statute Book No. 4247);
2. Law No. 18/2008 (*BN NO. 7729 pages 11A-27A and so on*) on Garbage Management (Statute Book of 2008 No. 69, Supplement to Statute Book No. 4851);
3. Law No. 32/2009 (*BN No. 7933 pages 11A-27A and so on*) on the Protection and Management

of the Environment (Statute Book of 2009 No. 140, Supplement to Statute Book No. 5059);

4. Presidential Instruction No. 2/2008 on Energy and Water Retrenchment;
5. Decree of the Public Works Minister No. 10/2000 on Technical Provisions on the Safeguarding of Buildings and the Environment against the Danger of Fires;

DECIDES :

To stipulate :

REGULATION OF THE STATE MINISTER FOR THE ENVIRONMENT ON THE CRITERIA AND CERTIFICATION OF GREENBUILDINGS.

CHAPTER I

GENERAL PROVISIONS

Article 1

Referred to in this Ministerial Regulation

as :

1. Greenbuilding is a building applying environmental principles in its design, construction, operation and management and significant aspects of handling the impact of climate change.
2. Environmental principle is a principle which gives priority and pays attention to the elements of environmental conservation.
3. Water resource conservation is an effort to maintain the existence and sustainability of the

condition, nature and function of water resources to ensure that it will always be available in adequate quantity and quality to meet the need of creatures, at present and in the future.

4. **Micro climate is a zone in the local atmosphere whose climate is different from that of its environs.**
5. **Ozone-depleting substance is a chemical compound that has the potential to react with ozone molecule in the stratosphere layer.**
6. **Re-use is an effort to re-use waste and/or trash without physical, chemical or biological treatment.**
7. **Building operator is a building owner or user constituting an individual, a group of individuals, or a corporate body as a lawful building owner or a proxy to use and/or manage the building or parts of the building according to the specified function.**
8. **Minister is the minister responsible for government affairs in the protection and management of the environment.**

Article 2

This ministerial regulation is aimed at encouraging building operators to construct and/or manage buildings by applying environmental principles and significant aspects in handling the impact of climate change.

Article 3

The scope of this ministerial regulation covers:

- a. **criteria of greenbuildings;**
- b. **certification of greenbuildings; and**
- c. **registration of greenbuilding certification institutes.**

CHAPTER II

CRITERIA OF GREENBUILDINGS

Article 4

Buildings can be categorized as greenbuildings if they meet criteria including :

- a. **using greenbuilding materials covering :**
 1. **building materials with eco-lable certificates;**
 2. **local building materials.**
- b. **having facilities and infrastructures for water resource conservation, found inside the buildings, including :**
 1. **having a quantifiable water use system;**
 2. **using water resources by observing water resource conservation efforts;**
 3. **having a rainfall use system.**
- c. **having energy conservation and diversification facilities and infrastructures, including :**
 1. **using alternative renewable energy sources with low greenhouse gas emissions;**
 2. **using an artificial lighting and air conditioning system with low energy.**
- d. **using materials other than ozone-depleting substances in the buildings including :**
 1. **using reffigerant other than ozone-depleting substance for air conditioning;**
 2. **equipping the buildings with fire extinguishers using materials other than ozone-depleting substance.**
- e. **having domestic waste water processing facilities and infrastructures in the buildings including :**

1. equipping the buildings with a domestic waste water processing system in the buildings functioning as business sites and having special functions;
 2. equipping the buildings with a domestic waste water re-use system in the buildings functioning as business sites and having special functions.
- f. having trash sorting facilities;
- g. observing the health of occupants including :
1. providing a clean air circulation system;
 2. making a maximum use of sun ray.
- h. having sustainable site management facilities and infrastructures including :
1. equipping the buildings with green open space as park and bio conservation, rain water catchment and parking lot;
 2. considering the variables of micro climate and climate change;
 3. having a building management plan according to spatial layout;
 4. managing the buildings according to a plan; and/or
- i. having facilities and infrastructures to anticipate disasters including :
1. having an early warning system for disasters and climate change-related disasters such as floods, typhoon, hurricane, landslide and sea water surface rise;
 2. using building materials resistant to extreme climate or weather including high rain intensity, drought and rising temperature.

CHAPTER III

CERTIFICATION OF GREENBUILDINGS

Article 5

- (1) Any building operator can apply for a certificate of greenbuilding.

- (2) The certificate of greenbuilding as referred to in paragraph (1) shall be issued after certification is conducted by greenbuilding certification institute.
- (3) The certification of greenbuilding as referred to in paragraph (1) covers the following activities;
- a. assessment; and
 - b. issuance of certificate.
- (4) The certificate of greenbuilding as referred to in paragraph (1) shall be valid for 2 (two) years and can be extended.

Article 6

- (1) The certification institute as referred to in Article 5 paragraph (3) shall meet the requirements:
- a. legal entity;
 - b. having a quality management system, including that to control the use of certificate;
 - c. having a competent appraiser in the field of greenbuildings;
 - d. having or using a conformity assessment system; and
 - e. having the mechanism of handling complaints as contained in Attachment which is an integral part of this ministerial regulation.
- (2) The conformity assessment as referred to in paragraph (1) letter d shall be drawn up based on the criteria as referred to in Article 4 and shall secure approval from the Minister.
- (3) The certification institutes as referred to in Article 5 paragraph (2) shall :
- a. provide data base for buildings that have certificates of greenbuildings;

b. provide.....

- b. provide public information on the certification of greenbuildings; and
- c. evaluate buildings that have certificates of greenbuildings at least once every year.

Article 7

The assessment as referred to in Article 5 paragraph (3) letter a shall be based on :

- a. criteria of greenbuildings as referred to in Article 4; and
- b. requirements of conformity assessment set by certification institutes.

Article 8

- (1) Certification institutes can propose greenbuilding conformity assessment systems to the Minister.
- (2) Greenbuilding conformity assessment systems can be developed based on the elements of their respective criteria.
- (3) Certification systems can be developed for one or several elements of criteria using appropriate assessment systems.
- (4) The alteration and/or addition of greenbuilding assessment systems as referred to in paragraph (1) up to paragraph (3) shall secure approval from the Minister.

CHAPTER IV

REGISTRATION OF GREENBUILDING CERTIFICATION INSTITUTES

Article 9

- (1) Greenbuilding certification institutes that have met the requirements as referred to in Article 5 paragraph (2) shall register with the State Ministry of the Environment.

- (2) The State Ministry of the Environment shall issue registration cards to the certification institutes as referred to in paragraph (1).

- (3) The State Ministry of the Environment shall provide public information on certification institutes registered and/or having their registration cards frozen/revoked.

- (4) The public information as referred to in paragraph (4) shall cover:

- a. number and date of registration;
- b. identities of greenbuilding certification institutes, including branch offices;
- c. scope of certification;
- d. responsible operators; and
- e. list of appraisers.

CHAPTER V

DEVELOPMENT AND CONTROL

Article 10

The Minister shall develop greenbuilding certification institutes by :

- a. providing information on the criteria and elements of the criteria of greenbuildings;
- b. giving packages of basic information for the development and control of certification institutes; and/or
- c. improving the capacity of greenbuilding certification institutes.

Article 11

- (1) The Minister shall control greenbuilding certification institutes by :

- a. monitoring and evaluating certification at least once every year;

b. following up on the handling of complaints filed by certification institutes.

(2) The handling as referred to in paragraph (1) letter b shall follow the mechanism of handling complaints as referred to in Article 6 paragraph (1) letter e.

Article 12

(1) In managing greenbuildings, the Minister has the authority to :

a. freeze the registration of greenbuilding certification institutes failing to meet the requirements as referred to in Article (6) paragraph (1);

b. revoke the registration of greenbuilding certification institutes that has been frozen if they remain unable to meet the requirements as referred to in Article (6) paragraph (1).

(2) In the state of having their registration frozen and revoked as referred to in paragraph (1) greenbuilding certification institutes are banned from conducting certification as referred to in Article 5.

(3) The Minister shall inform the public of the status of the registration of greenbuilding certification institutes being frozen and/or revoked.

CHAPTER VI

EXPENSES

Article 13

(1) All expenses arising from the certification as

referred to in Article 5 shall be borne by applicants for certificates.

(2) All expenses arising from the registration as referred to in Article 9 shall be borne by applicants for registration.

(3) All expenses arising from the development and control as referred to in Article 10 and Article 11 shall be borne by the State Budget.

CHAPTER VII

TRANSITIONAL PROVISIONS

Article 14

The certificates of greenbuildings issued before this Ministerial Regulation is put into force shall adjust to this Ministerial Regulation no later than 1 (one) year after the stipulation date of this Ministerial Regulation.

CHAPTER VIII

CONCLUSION

Article 15

This Regulation shall come into force as from the date of stipulation.

Stipulated in Jakarta

on January 19, 2010

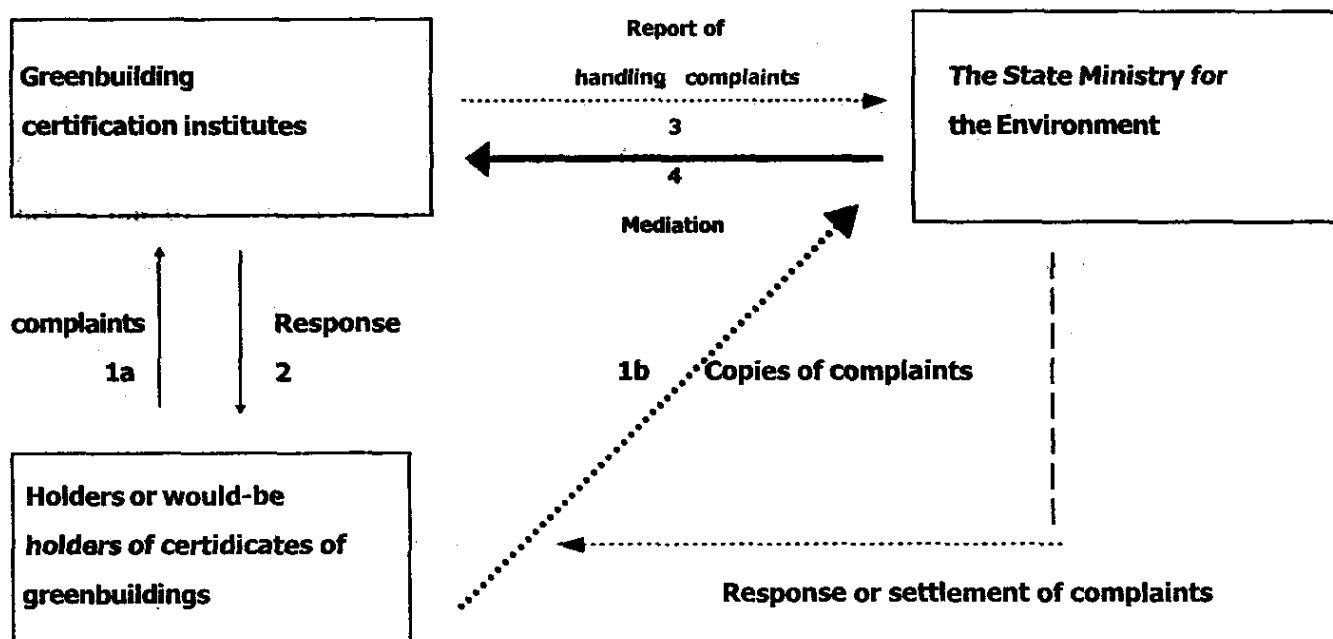
THE STATE MINISTER OF THE ENVIRONMENT,

sgd.

PROF. DR. IR. GUSTI MUHAMMAD HATTA, MS

ATTACHMENT

COMPLAINTS HANDLING MECHANISM



Notes :

1. Complaints

- a. Holders or would-be holders of certificates of greenbuildings can file complaints to greenbuilding certification institutes with regard to greenbuilding standards.
- b. Holders or would-be holders of certificates of greenbuildings send copies of their complaints to the State Ministry for the Environment.

2. Greenbuilding certification institutes respond to complaints and settle the complaints.

3. Certification institutes report the handling of complaints to the State Ministry for the Environment.

4. The State Ministry for the Environment, if considered necessary, can mediate the handling of complaints and take measures.

5. The State Ministry for the Environment, if considered necessary and those filing complaints are not satisfied at the settlement of complaints by certification institutes, can respond to and settle the complaints directly to those filing the complaints.

THE STATE MINISTER FOR THE ENVIRONMENT,

sgd.

PROF. DR. IR. GUSTI MUHAMMAD HATTA, MS

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