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# Implementation of Nature Tourism Use Regulations in Order to Development of Tourism Governance in Bunaken National Park

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**Abstract:** Utilization of nature tourism in Bunaken National Park (BNP) with some uniqueness in it and has lasted a long time tend to uncontrolled activities because there are provisions of nature tourism use regulations that have not been fully implemented. This study aims to evaluate the implementation of nature tourism use regulations within development of tourism governance in BNP. Implementation of nature tourism use regulations by analyzing the contents of the text regulations to see the adequacy of the content, the implementation of the regulations by implementing and target groups, and the mechanism of stakeholder relations in the implementation of regulations. The research conducted at BNP from July to October 2014. The data was collected through observation, interviews, and literature studies. Data and information were then analyzed using content analysis and qualitative descriptive analysis. The results adequacy of the contents and functions, nature tourism use regulations namely nature tourism concession and the type and rates of non-tax revenues (use of environmental services nature tourism) met the requirements for regulating and controlling the behavior of stakeholders. But the implementation is not received a positive response from the implementing rules and target group. Mechanism of stakeholder relations in the implementation of nature tourism use regulations needs to be managed so that it does not lead to a sharper conflict but can create complementary and cooperative relations.

**Keywords:** Implementation, Regulation, Tourism Governance, Bunaken National Park

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## 1. Introduction

Management of protected areas that regulate the use of nature tourism is done in the form of the establishment of policies legislation. Regulations regarding the utilization of nature tourism namely nature tourism concession and the type and rates of non-taxes (use of environmental services nature tourism). The statutory regulation of nature tourism concession, namely Government Regulation No. 36 of 2010 (PP 36/2010)[1], and the type and rates of non-taxes (use of environmental services nature tourism), namely Government Regulation No. 12 of 2014 (PP 12/2014)[2]. Legislation on nature tourism is expected to become an instrument to regulate and control mechanisms stakeholder relations, both the government as executor and other parties as a target group, in

carrying out the common interest, namely the nature tourism use in the conservation area.

One of the conservation area with efforts to use nature tourism is the Bunaken National Park (BNP), in the province of North Sulawesi. As a conservation area which has a level of accessibility that is relatively close to the capital and supported the uniqueness of natural resources and ecosystems. BNP has great potential in the utilization of nature tourism. Utilization of nature tourism in the park with some uniqueness in it and has lasted a long time tend to uncontrolled activities because there are provisions of nature tourism use regulations that have not been fully implemented. Since the issuance of the previous PP 36/2010 before that PP 18/1994 [3], in the park there are not nature tourism concession permit granted. While at the field level is contrary to the situation has been the

presence of nature tourism development activities by private parties, which exploit natural resources TNB outstanding. Furthermore, the previous PP 12/2014 before that PP 59/1998 [4] also has not been fully implemented in the park. Although the natural of tourism activities in the area of the park with the private sector as the business has been running but the results of the business of providing nature tourism facilities can be collected yet because it has not referred to the appropriate regulation of natural tourism session. Similarly, with the admission of BNP that although has been implemented but not according to regulations referring.

This study is intended to answer questions such as the extent to which the implementation of nature tourism use regulations in BNP area by the implementing regulations and other parties as a target group and how the mechanisms of stakeholder relations in the implementation of nature tourism use regulations. This study aims to evaluate the implementation of nature tourism use regulations in order to development of tourism governance in BNP.

## 2. Literatur Review

Tourism activities that can be done in conservation areas such as national parks, is a nature tourism. Nature tourism is everything related to nature tourism, including the exploitation of objects and tourism as well as business related to nature tourism. The understanding of nature tourism in national park area is travel activities or part of these activities are carried out voluntarily and temporarily to enjoy the uniqueness and beauty of the natural phenomenon in the national park area [5].

The phenomenon of tourism in a conservation area as a system presents a conception of tourism development which can not be done alone and demanding togetherness direction and balance acts of stakeholders, which leads to governance. Governance is the implementation of the rules [6]. There is no single definition of governance accepted. This is reflected in Kooiman's [7] concept of governance as "the totality of theoretical conceptions of governing". In general, the conceptual framework of governance consists of two main approaches [8], ie law or rule-based approach and a rights-based approach or political economy. Law or rule-based approach relies on the role and function of the formal state institutions such as the presence of the formal state, a legal framework and formal rules, norms and normative values and the provision of public services. While the concept of a rights-based governance, more see the relationship between state and non-state actors, structures that encourage interaction between actors, the negotiations with the public authorities, and accountability mechanisms between actors. Governance [9] is the mechanism of resource management, which involves the economic and social influence of the government and non-government sector in a collective effort. The governance of tourism is a form of setting the relationship between tourism stakeholders with tourist resources, consumers, government, other parties who have interests in the same tourist resources. Interests of the tourist resources in

the form of utilization of nature tourism.

Policy is: what the governments do, why they do it, and what difference it makes or in a early version : anything a government chooses to do or not to do. In the definition states that; (1) The government is the main actor in the policy-making; (2) the policy is a choice to do or not do [10]. A more complete definition that policy as ...a set of interrelated decisions taken by a political actor or group of actors concerning the selection of goals and the means of achieving them within a specified situation where those decision should, in principle, be within the power of those actors to achieve. In this definition states that the policy is an interrelated decisions and goal-oriented [11] ..

Legislation is said to serve as an instrument of controlling behavior if it has all the legal power tiered hierarchy, as well as having adequate contents. The adequacy of the contents of the legislation are characterized by their clarity of purpose, the object of law, sanctions and providing clear authority for implementing [12]. There are four aspects that determine the success or failure of a policy / regulation that positively responded by implementing regulations and subject (target group), namely: the content of the regulations; level information (understanding) of the implementing rules and objectives; community support; and distribution of potential [13]. Regulation of nature tourism use in the context of tourism governance in this study is a decision made by the government in the form of laws and regulations that regulate the interests of the stakeholders in the use of nature tourism in protected areas, which became an instrument to regulate and control the behavior of stakeholders, including government as executor and other parties as a target group. The relationship between the stakeholders in the implementation of nature tourism use regulation is an attempt to describe the relationship between the stakeholders. A common way used by the matrix actor - linkage proposed ODA who also used other authors [14]. In this study the relationship described in descriptive. One popular method is to determine whether the relationship between each stakeholder is potential conflict, complementary, or cooperation [15].

## 3. Methodology

### 3.1. Location and Time

The research took place in the Bunaken National Park (BNP) as a case study. The study was conducted in July-October, 2014.

### 3.2. Data Collection

Implementation of nature tourism use regulation by analyzing the text content of legislation, especially the articles related to the utilization of nature tourism, the implementation of the regulations by implementing and target groups, and the mechanism of stakeholder relations in the implementation of regulations. So that the data collected consist of: 1) the content of the legislation utilization of nature tourism and 2) the implementation of the regulations by implementing and target

groups, and 3) the mechanism of the relationship between stakeholders. The collection of data related to the content of nature tourism use regulation through the study of documents and the implementation of regulations through interviews and field observations. Determination of informants conducted through purposive sampling method. selected with consideration of the relevant knowledge and experience in accordance with the focus of research. Informant consists of implementing the rules of BTNB and regulatory target group consists of the business tourism, communities and associations / groups that seek in tourism.

### 3.3. Study Design and Data Analysis

This is a qualitative study [16], through a process of exploration and description, by exploring the discovery based on potential or existing factual symptoms in research object and made systematic descriptions, factual and accurate to the facts, attributes and relationships between the studied phenomena and formulate various alternative solutions in accordance with aspects of the study. Legislation Data were analyzed by qualitative content analysis, the substance of the content of the legislation. Content analysis is a research technique to make explanations to consider the context of a communication content [17]. The context of the communication referred to in this research is the text content of certain articles related to the utilization of nature tourism. Fill in the text of the regulation further compared with the implementation in the field through interviews and observations. Qualitative analysis describes the data and information obtained in the form of a verbal description [18]. Data validation / test the validity of the results of the study, conducted by the triangulation technique, done in data collection while testing the credibility of the data, to check the validity of the data with a variety of interview data collection techniques, observation and documentation [19].

## 4. Results and Discussion

### 4.1. Adequacy of Contents Nature Tourism Use Regulation as an Instrument Control

Legislation is said to serve as an instrument of controlling the behavior if it has legal force tiered hierarchy, as well as having adequate contents. The adequacy of the contents of legislations are characterized by their clarity of purpose, the object of the law, sanctions and the provision of clear authority for implementing [12]. Hierarchy of legislation intended legislation lower must not conflict with legislation higher. Hierarchy of legislation in Indonesia is regulated in accordance with Law 12/2011.

Hierarchy of nature tourism use regulations of this research starts from the level of law, government regulations through forestry ministerial decrees. From the results of data collection and studies, rules and regulations regarding the use of nature tourism in protected areas has had a hierarchical order. The nature tourism use regulation, as the basic legislation is Law No. 5/1990 (UU 5/1990) and the rules of implementation of

Government Regulation No. 36/2010 (PP 36/2010) as well as more rules are added Regulation No. P.48/Menhut-II/2010 (P.48/2010) and P.4/Menhut-II/2012 (P.4/2012). The regulations concerning type and rates of non-tax revenues (use of environmental services nature tourism), as the basic legislation is Law No. 20/1997 (UU 20/1997) and the rules of implementation of Government Regulation No.12/2014 (PP 12/2014) and furthermore rule is Regulation No. P.37/Menhut-II/2014 (P.37/2014). The rule tiered legislation shows nature tourism use regulations is said to serve as an instrument for controlling behavior has legal force tiered hierarchy.

The adequacy of the contents of these regulations is presented as follows:

#### 1. Clarity of purpose.

In UU 5/1990 has stated that the conservation of natural resources and ecosystems aims to seek the realization of conservation of natural resources and ecosystem balance so that it can better support efforts to improve the welfare of society and the quality of human life (Article 3). While in UU 20/1997 formulation objectives are: a) to the independence of the nation in state funding and financing for development through the optimization of the resources tax state revenue and order administration of the tax state revenue and deposit tax state revenue to the State Treasury; b). more legal certainty and justice for the people to participate in the financing of development in accordance with the benefits enjoyed from activities that generate tax state revenue; c). Government policy support in order to enhance economic growth, equitable development and results as well as investments in all parts of Indonesia; d). Government officials supporting efforts to create a strong, clean and dignified, simplification of procedures and fulfillment of obligations, orderly increase in financial administration and the State budget, as well as increased surveillance (general explanation of UU 20/1997).

In PP 36/2010 contain formulations of nature tourism exploitation which aims to improve the utilization of uniqueness, distinctiveness, natural beauty and / or beauty of the type or types of wildlife diversity and / or plant species found in the area of wildlife, national parks, forest park, and natural park (Article 2). As for the PP 12/2014 on the revenue from the utilization of environmental services nature tourism is not specifically stated purpose.

In P.48/2010 and P.4/2012 and P.37/2014 is not stated purpose was specifically but the implementation of the provisions of the higher. P.48/2010 and P.4/2012 as the implementation of article 7, paragraph (4), article 20, article 22, article 24 paragraph (4), article 25 paragraph (5) and article 29; of PP 36/2010. P.37/2014 as the implementation of article 4 of PP 12/2014.

#### 2. Law Objects

In UU 5/1990 has stated that the conservation of natural resources and ecosystems conducted through the following activities: a). protection of life support systems; b). preservation of diversity of plants and animals and their ecosystems; and c). sustainable use of natural resources and ecosystems; and carried on conservation areas (national parks,

forest park and natural park) and natural spaces (parks and wildlife reserves). In this study concerns the activities of sustainable use of natural resources and ecosystems conducted in the national park area. While in UU 20/1997 declared non-tax revenues are all revenues that the central government does not come from tax revenue. Non-tax group include: a). revenues derived from government fund management; b). acceptance of the use of natural resources; c). acceptance of the results of the management of State assets are separated; d). revenues from service activities undertaken by the Government; e). acceptance based on court decisions and that comes from the imposition of an administrative fine; f). acceptance in the form of grants that are the government; g). Other revenues are regulated in the Act itself. In this study concerning the acceptance of the use of natural resources.

In the scope of PP 36/2010 contained this provision include the nature tourism concession, licensing nature tourism concession, obligations and rights of the holder of the permit nature tourism, and cooperation of nature tourism concession (Article 3). As for the PP 12/2014 already envisaged that the law on the type of object state income tax is not applicable to the Ministry of Forestry is 31 admission (Article 1). Aspects that were examined in this study involves the revenue from the use of environmental services natural tourism (Article 1 letter p).

In P.48/2010 and P.4/2012 legal object in the scope of this regulation include: a). nature tourism business; b). transfer of ownership of the license; c). nature tourism cooperation; d). monitoring, evaluation and guidance; and e). sanctions. In and P.37/2014 legal object in the scope of this regulation include: a). types of fees and charges; b). procedures for the imposition; c). procedures for depositing dues and levies results; d). reports and reporting formats and forms of ticket; and e). guidance and control.

### 3. Sanctions

In UU 5/1990 has stated that sanctions in the form of the criminal provisions set out in Chapter XII of article 40 paragraph (1), (2), (3), (4), and (5). Sanctions in the form of imprisonment and fines. The sanctions were imposed in violation of activities that do not fit the zoning designation. Conservation area as a national park is managed by a zoning system. The utilization of nature tourism such as the provision of business done on the natural utilization zone. Sanctions related to distinguish between deliberate crime and related offenses negligence. While in UU 20/1997 states that sanctions in the form of the criminal provisions set out in Chapter VI, chapter 20, 21, and 22. The sanctions in the form of imprisonment and fines. Sanctions are given because of negligence not reporting non-tax revenues owed, reports incorrect or incomplete, or because intention not to pay, no deposit or not reported non-tax revenues owed, reports incorrect and incomplete; causing loss of State.

In PP 36/2010 has been stated that the sanctions set forth in chapter VII of article 27, 28, and 29. The sanctions in the form of administrative sanctions and redress. Administrative sanctions are written warning, temporary suspension to revocation; subject to the holder business permit the provision

of nature tourism services (IUPJWA) and business permit the provision of nature tourism facilities (IUPSWA) who do not carry out its obligations as stipulated where compensation in article 21. Sanctions imposed compensation for holders IUPJWA and IUPSWA who do not carry out its obligations in the form of rehabilitation of damaged and / or because the activity causing damage to wildlife, national park, forest park or nature tourism park. In PP 12/2014 no mention of sanctions on non-compliance with the contents of the laws.

In P.48/2010 and P.4/2012 has stated that the sanctions set out in Chapter VII Article 49 - 54. Sanctions in the form of administrative sanctions, namely a written warning, temporary suspension to revocation. In addition there are also administrative sanctions, rehabilitation and compensation sanctions. Administrative sanctions imposed on license holders provision of nature tourism that does not perform its obligations as set out in Article 13. Penalties imposed rehabilitation and compensation for license holders whose operations cause damage to wildlife, national parks, forest park or nature tourism park. In P.37/2014 make no mention of sanctions on non-compliance with the contents of the laws.

### 4. Provision of clear authority for implementing

In UU 5/1990 has not given clear authority for the executive, simply stated in article 4 that the conservation of natural resources and ecosystems is the responsibility and obligation of the government and society. While in Law 20/1997 has provided authority for the executive, in Article 6 paragraph (1) in-state minister (Minister of Finance) can appoint government agencies to collect and or levy payable PNBPNBP. In paragraph 2, the designated government agencies must deposit the non-tax revenues received directly to the State Treasury.

In PP 36/2010 has given clear authority for implementing and clarified again with P.48/2010 and P.4/2012, for example regarding the procedure of IUPJWA. In IUPJWA application to the national park area proposed by the applicant (individual, corporation, cooperative) is equipped with the administrative requirements. IUPJWA petition submitted to the Head of Technical Implementation Unit (UPT), referred to the area manager, with a copy to the Head of Unit (SKPD) in charge of the affairs of the local tourism. Based on the intended application, no later than within ten working days from receipt of the request, Head of Unit to assess the requirements. Based on the results of the assessment if it does not comply with the requirements, Head of Unit within ten working days return the application to the applicant. If in accordance with the requirements, Head of Unit at the latest within ten working days publishes IUPJWA Dues Payment Order (SPP-IIUPJWA) to the applicant. SPP-IIUPJWA applicant must be paid not later than fourteen working days after receipt of the SPP-IIUPJWA. Based on the proof of payment of tuition-IIUPJWA, Head of Unit within no later than ten working days to publish IUPJWA.

As for the PP 12/2014 has also given clear authority for the executive. In article 2, for example regarding the use of environmental services nature tourism divided into rayon 1, 2, and 3; in this case the Minister of Forestry is authorized for the rayon division. The authority for the executive clarified by

P.37/2014, which gives details of the authority to the presence of officials IUPJWA and IUPSWA collector, treasurer and the Head Unit.

Study analyzes the content of this research leads directly to the provisions of the utilization of nature tourism in protected areas, so that from the number of rules as much as 7 regulations. Studies similar legislation that led to the focus of the research carried out by the number of 3-regulation [18] on the management of protected areas. Although there is also a wider study, with 162 documents related legislation production forest management [21]. The adequacy of the content of legislation that are characterized by their clarity of purpose, the object of the law, sanctions and the provision of clear authority for the executive is presented in Table 1.

Table 1 shows that the legislation relating to the use of nature in general have qualified adequacy of the contents as an instrument of control. Some contents adequacy requirement that does not possess any of these regulations can be met by legislation hierarchy is above or below it, such as sanctions that are not already in PP 12/2014 and P.37/2014, but has been subject to the provisions on it is UU 20/1997. Similarly, clarity of purpose that has not been set in PP 12/2014 and P.37/2014, has been subject to the provisions in UU 20/1997 and clarity of purpose that has not been set in P.48/2010 and P.4/2012 has been set in PP 36/2010 and UU 5/1990. Instead giving clear authority for the executive, who has not been regulated in UU 5/1990, has been regulated in the PP 36/2010 below and P.48/2010 and P.4/2012.

**Table 1.** The adequacy of the contents of the legislation utilization of nature tourism.

Adequacy of contents	UU 5	UU 20	PP 36	PP 12	P.48 & P.4	P.37
Clarity of purpose	V	V	V	-	-	-
Law object	V	V	V	V	V	V
Sanctions	V	V	V	-	V	-
Executive	-	V	V	V	V	V

#### 4.2. Implementation Regulation of Utilization of Nature Tourism

Since the issuance of the previous PP 36/2010 before that PP 18/1994, in BNP there are not IUPJWA and IUPSWA although the utilization of natural by a private party has taken place, even has existed since before his appointment as a national park in 1991. The utilization of nature tourism in the BNP has evolved through nature tourism concession such as cottages, diving services, hotels, rental homes, and restaurants. There are about 29 nature tourism businesses in the area and the number of visitors each year about 30,000 people. Tourism facility business location is at Bunaken Island mainland (Liang Beach and Pangalisang Beach) in the BNP area, and spread on the mainland coast of Sulawesi island as a BNP buffer zone [22].

Furthermore, the previous PP 12/2014 before that PP 59/1998 also has not been fully implemented in BNP. Although the nature tourism activities in the area of BNP with the private sector as entrepreneurs already running but the

results of operations and facilities providing services nature tourism can not be collected because it has not referred to in accordance with nature tourism concession. BNP entrance fees have been implemented but the magnitude of the value does not meet the terms and responsibilities are in the Bunaken National Park Management Board (DPTNB).

The rule of types and rates non-tax rates (use of environmental services nature tourism) need to know the extent of implementation. There are four aspects that determine the success or failure of a policy/regulation that positively responded by implementing regulations and subject (target group), namely: the content of the regulations; level information (understanding) of the implementing rules and target groups; community support; and distribution of potential [13]. Related content of the legislation has been discussed in the previous section so that in the following discussion regarding the following three aspects.

##### A. Executive

Implementing regulations regarding the utilization of nature tourism namely nature tourism concession and the type and rates of non-taxes (use of environmental services nature tourism) is a Balai Taman Nasional Bunaken (BTNB). BTNB is a Technical Implementation Unit (UPT) Ditjen PHKA which has the main task as UPT National Park is doing regard to the conservation of natural resources and ecosystems and management of national parks by the legislation in force. As one of its functions is the development and use of environmental services and nature tourism (P.03/Kemhut-II/2007).

The Office of BTNB since its existence in 1998 through 2014 have not implemented all the provisions of the appropriate of nature tourism concession PP 36/2010 or before PP 18/1994 and not implement all the provisions of the type and rates of non-taxes (use of environmental services nature tourism) in PP 12/2014 or before PP 59/1998. The provisions of PP 36/2010 which has not been implemented include: the nature tourism concession, nature tourism exploitation permits, obligations and rights of the holder of the permit nature tourism, and cooperation nature tourism concession. The provisions of PP 12/2014 which has not been implemented include the harvesting of environmental services nature tourism. Collection of admission BNP although has been held since 2001, but refers to the North Sulawesi Provincial number 14/2000 and 9/2002 number of entrance fees at the park and the responsible is BNP Management Board (DPTNB).

Against regulation of nature tourism concession and the type and rates of non-taxes (use of environmental services nature tourism), BTNB officers had a good understanding of the provisions of both the structural officials (Head of Section, Head of Sub Division of Administration and Head of Office) and officials field (police forestry and forest ecosystems controllers). A good understanding have not been realized in the implementation stage. Implementation of laws and regulations that are not effective due to government officials in the field does not carry out its duties and functions as it should [23].

The results showed that some of the causes of the following:

(1) The rule of law is inconsistent hierarchy discharge time. Chronologically, the existence of private businesses and nature tourism development activities in the BNP has been around since before the appointment of the area as a park in 1991. At that time the rules governing the exploitation of nature tourism and non-tax revenues have not been there. Once the rules are also not equipped with the implementing regulations or operational rules. For example concession regulations in PP 36/2010 natural previously arranged through PP 18/1994. Its implementing regulations in accordance Ministerial Decree 446/1996 and 447/1996 and operational rules according PHPA Decrees 147/1997.

(2) Aspiration local stakeholders who disagree with the management and enforcement of the provisions of BNP entry fee. Governor of North Sulawesi Province by letter number 522/07/2717 dated October 22, 1992 to apply for the delegation of authority to manage the BNP to the North Sulawesi province, considering the urgency of the problem that is detrimental to conservation efforts in BNP. Against the request of the Minister of Forestry answer by letter number 96/Menhut-VI/1993 dated January 19, 1993 which stated the BNP is still a central authority. Furthermore, there are aspirations of local stakeholders who disagree with the provisions of PNPB regulations, especially the entrance fee to the BNP area. Comparison between the provisions of legislation and aspirations of local stakeholders in the area of North Sulawesi as in Table 2.

**Table 2.** Comparison of the provisions of legislation and aspirations of local stakeholders.

Legislation (UU 20/1997, PP 59/1998)	Aspiration of local stakeholders
The authority entirely in navel	The authority and responsibility for management of the BNP
Large and levies uniform	Large and levies corresponding regional aspirations
The results of all the charges deposited into the central (state treasury)	Results are returned to the fund levy supporters directly BNP management and local incentives are in the form of balance of central and local

So at that time income from the BNP entrance fees to zero, while the potential of the number of tourists visiting big enough. Furthermore, through the process of consultation, discussion, discussion; with stakeholders and a study conducted by a team of BNP work in 2000; developed a system of user fees. BNP entrance fee system is then adjusted based according to local regulations 14/2000 that implementation in accordance North Sulawesi Governor Decree 49/2001 and local regulation 9/2012 that implementation in accordance North Sulawesi Governor Decree 142/2002. The amount of the charge as follows:

- Foreign visitors: Rp. 50.000,-/person/day or Rp. 150.000,-/person/year
- Visitors adult archipelago: Rp. 2.500,-/person/visit and student/school children : Rp 1.000,-/person/visit

All the proceeds of this levy remitted to Treasury and there is a division of the central government balance 5%, 5%

provincial, city and county governments respectively 2.5% and 80% for activities in DPTNB [24].

(3) The status of land ownership in the islands in the BNP area that has become private property and indigenous/"pasini". Policy formation of a national park begins with the claim area as state property right so that the government establish the locations of its formation are considered to meet the criteria in top down [25]. The absence of clear boundaries to the category of indigenous peoples has been narrowing and limiting the areas inhabited by indigenous peoples, as well as national interests has defeated the recognition of indigenous peoples [26]. In 2012 held inventory of land tenure on the Bunaken island. The results showed overall land ownership data in the Village Bunaken there are 28 certified property, land 248 indigenous/"pasini", 46 yet the determination of tax, and 2 right to life [27]. Certified private land ownership also includes land that is cultivated by the private sector for the development of nature tourism. Data show from 20 private sector business owners nature tourism development in Bunaken Island, as many as 75% have a certified business area and the remainder in the form of contract/lease [28]. Related to land ownership indigenous/"pasini" heritage, there are seven ethnic groups in the BNP, covering Sangir, Bugis, Bajo, Gorontalo, Ternate, Minahasa, and Bantik. Intercultural interaction is relatively high, and some accommodation made by a particular ethnic group, as a result of interaction with other ethnic groups [29]. The existence of indigenous peoples in the BNP are structurally already does not appear again, although in some places still use the term commonly used in some particular ethnic group, for example village chief commonly known as "Hukum Tua".

Above situation led to regulation of nature tourism concession and the type and rates of non-taxes (use of environmental services nature tourism) can not be effectively applied in time and officers in the field are also not exercise control and action against the existence of private businesses and nature tourism development activities in the BNP so impressed their omission of the violation. Implementing regulations do not prohibit or legal proceedings actors utilization activities that are not in accordance with the provisions. The same situation is also found [30] who conducted a study of implementation of wildlife utilization in Bantimurung BulusaraungNP; where one of the reasons for implementing a policy not provide information in the form of dissemination to the public.

#### B. Target Regulations

Target regulations include the businesses and communities affected by the passage of the provisions of PP 36/2010 and PP 12/2014. In this study target regulations comprised the activities of private agents who are members of the NSWA (North Sulawesi Watersport Association) and HPWLB (Local Tourism Association Business in Bunaken), the community joined in FMPTNB (Community Care BNP Forum), and agency coordination DPTNB (BNP Management Board) and DMOB (Bunaken Destination Management Organization). The results of the analysis are presented as follows:

*NSWA*

NSWA is an official forum for marine tourism operators to show common concern to agencies and government officials and to carry out large-scale public relations and education campaigns to benefit both marine tourism and the richness and diversity of marine ecosystems of North Sulawesi. NSWA formed in mid-1998, its main purpose is the promotion of North Sulawesi as a maritime tourism destination through the development of world-class standards of service and safety are high and in particular by promoting nautical sports activities more environmentally-friendly in the territory of the BNP, Lembeh Strait and the whole region of the province of North Sulawesi. NSWA trying to be environmentally responsible and solutions together socially acceptable that not only affect the marine tourism sector, but also those that generally affect the health of marine ecosystems of North Sulawesi are very valuable and thus also affect the local community who are also dependent for food and work [31]. NSWA private businesses in general have not really understand the existence regulation of nature tourism concession and the type and rates of non-taxes (use of environmental services nature tourism). NSWA members as much as 20 private entrepreneurs and mostly located along the mainland coast of the island of Sulawesi and only three members NSWA which located along the region. NSWA members who are in areas that have no nature tourism exploitation permit. The permit form a business license from the City of Manado and tenure for privately owned businesses (certified). NSWA member involvement in supporting the execution of the BNP entry fee system previously managed DPTNB be purchasing a ticket at the beginning before the arrival of the visitors (tourists), and will be sold at the time of visitors already in the BNP.

#### *HPWLB*

HPWLB is a set of local tourism operators in Bunaken. HPWLB formation of a concern existed between employers fellow natural in Bunaken are not addressed by the government. The Association was formed in 1999 but began to be styled correctly in 2001. HPWLB has a vision of the implementation of conducive atmosphere in business and the creation of a safe tourism climate orderly and smooth; where HPWLB both institutional and indirectly will have accessibility in decision-making, policies or regulations of tourism in Bunaken to be issued or enforced by any party. HPWLB members are all citizens Village Bunaken doing business in tourism, which transport business, accommodation, diving center, and bike-small alley/hawkers/beach tent. Village of Bunaken is located on the island of Bunaken and Siladen Island included in the BNP area [32].

Similarly NSWA members, general members HPWLB not really understand the existence regulation of nature tourism concession and the type and rates of non-taxes (use of environmental services nature tourism). All members HPWLB not have a business license nature tourism (IUPJWA and IUPSWA).

HPWLB member involvement in supporting the implementation of the system before the BNP entrance fees are managed DPTNB form, directing the visitors who use the services HPWLB to go to the ticket office entrance located at

Liang Beach, Bunaken Island before nature tourism activities. In addition it also allows officers DPTNB selling admission tickets to visit the business location HPWLB to sell admission.

#### *Community*

Communities in and around the BNP belonging role in Community Care BNP Forum (FMPTNB). FMPTNB which is a forum for communication among communities in 22 Village in the BNP area has a vision of a society in the creation of a national park that is prosperous, just and prosperous through the sustainable use of natural resources to grandchildren. The mission is to improve people's active participation in the management of the BNP and to improve the ability of communities to manage natural resources in a sustainable manner BNP. The existence FMPTNB formed in 2000 is a manifestation of support for better management of the BNP. This is illustrated in one purpose of FMPTNB, which creates communication and cooperation among citizens and between villages in strengthening ecosystem management of conservation areas based on a sense of belonging and love of the BNP area [33].

FMPTNB also became a member of the forum for coordination and communication DPTNB. In general the people who live in and around the BNP area and joined in FMPTNB not understand the provisions regulation of nature tourism concession and the type and rates of non-taxes (use of environmental services nature tourism). Although some board FMPTNB activities in DPTNB is enough to understand it, especially the regulation of the BNP entry fee. FMPTNB interested in a system that is managed by the BNP entrance fees DPTNB. The results of the balance of the BNP entry fee system, where 80% of the proceeds to be managed by DPTNB. From managed funds are allocated to activities DPTNB village conservation funds are handled by FMPTNB in its implementation. Village conservation fund is around 10 million rupiahs annually, depending on income from entrance fees. These funds are given to each village/urban/large settlements in the BNP (about 30 settlements) are used for conservation in rural development activities, such as the manufacture of environmental sanitation (sewer), water and so on.

#### *DPTNB*

DPTNB is a forum with the stakeholders who have the authority to directly or indirectly cooperate strengthen the management of the BNP so that it can provide benefits to continue. The birth DPTNB in 2001 initiated the process of consultation, debate, reconciliation, formulation and preparation of supporting policies for the management of the BNP. Principles in DPTNB: (1) support the functions of the institutions that already exist and develop in society, (2) support the management of existing funds, (3) open / transparent, (4) emphasizes the partnership and participation, (5) public liability (management and finance), (6) strengthen and accommodate the concerns and cooperation among stakeholders, (7) is flexible and dynamic, and (8) equality among stakeholders. DPTNB goal is: (1) maintaining the integrity of the park functions as a driver of development activities in North Sulawesi, (2) improve the lives of people in

the BNP area, (3) the establishment of a sense of ownership of stakeholders at local, national, and international against BNP preservation, and (4) the creation of a clear coordination in the management of BNP [24].

DPTNB as a forum for coordination and communication between stakeholders in the management of the BNP in general have understood the regulation of nature tourism concession and the type and rates of non-taxes (use of environmental services nature tourism), especially those related non-tax revenues (entry fee). DPTNB concerned in charge of the implementation of the BNP entrance fees in accordance with the implementation of local regulation 14/2000 according North Sulawesi Governor Decree 49/2001 and its implementation in accordance with local regulation 9/2012 North Sulawesi Governor Decree 142/2002. Operational activities DPTNB sourced from the balance 80% proceeds from the park entrance fees annually. Tourists who visit the park each year ranges from 40,000 people, which is divided among archipelago tourists ranging from 30,000 and 10,000 foreign tourists ranges.

*DMOB*

DMO is a program of the Ministry of tourism is tourism destination governance structured and synergistic functions include coordination, planning, implementation and control of destinations as an innovative organization and systemically through the use of networking, information and technology are guided in an integrated manner with the participation of the community, actors / associations, industry, academia and government that has the purpose, process and common

interests in order to improve the quality of management, the volume of tourist visits, length of stay and the amount of tourist expenditure and benefits for local communities. DMOB principles include: (1) strengthening the function of the institution / organization that already exist and the active role of the development of society, businesses, governments and universities in sustainable integrated management; and (2) to build integrity and synergy of tourism resource management among regions: the city of Manado, Minahasa regency, North Minahasa Regency and South Minahasa District. DMO entered in Bunaken destinations in 2011 received a positive response from the public, academics / NGOs, industry and governments in North Sulawesi [34].

DMOB perform activities such as technical assistance in the form of regional culinary products Bunaken, diversification of seaweed and fish, entrepreneurial training, workshops for artists and stakeholders. DMOB funding comes from the Ministry of tourism. DMOB not have a direct interest to the natural and type of tourism exploitation and non-tax rates (use of environmental services natural) TNB so that in general these institutions do not understand the regulation of nature tourism concession and the type and rates of non-taxes (use of environmental services nature tourism).

Study of implementation regulation of nature tourism concession and the type and rates of non-taxes (use of environmental services nature tourism) in the form of implementing response and regulatory objectives are presented in Table 3.

*Table 3. The response to the implementation of nature tourism use regulation.*

<b>Implementing regulations and targets</b>	<b>Understanding of Regulation</b>	<b>Explanation</b>
Implementers:BTN	Good	Function: development and use of environmental services and nature tourism
Target:NSWA HPWLB	lack of understanding lack of understanding	do not have IUPJWA and IUPSWA do not have IUPJWA and IUPSWA
FMPTNB	lack of understanding	Support the management of the BNP. Interests as executor in the village conservation fund DPTNB derived from entrance fees
DPTNB	quite understand, in particular on admission rates	Interests in charge entrance fees according local regulation, operational activities of the BNP entry fee
DMOB	lack of understanding	Indirect interests

From Table 3 shows the BTN as implementers have a good understanding, but have not been able to implement the rules of nature tourism utilization with various constraints. With these provisions have not been implemented so that the potential distribution of the content of the regulations set according to the given clear authority to the executive can not run. Lack of understanding about the target group nature tourism use regulation owned by NSWA, HPWLB, FMPTNB and DMOB. NSWA and HPWLB characterized by not own IUPSWA and IUPJWA as nature tourism businesses in the BNP area. FMPTNB although providing great support in the management of the BNP, but have an interest in the implementation of the BNP entrance fees in accordance local regulations. DPTNB have sufficient understanding, but has an interest as a responsible system entrance fee into the BNP corresponding local regulations. Research results in Table 3

states the nature tourism use regulation of nature tourism concession and the type and rates of non-taxes (use of environmental services nature tourism) are not managed to get a positive response from the implementing rules and regulations subject (target group) in its implementation

**C. Mechanisms Stakeholder Relations**

Identified three the relationship between the stakeholders involved in the implementation of nature tourism use regulations in order to development tourism governance in BNP, namely the potential for conflict, complementarity and cooperation. Relationships that may conflict can occur between the implementing regulations that BTN with the regulatory objectives are private businesses (NSWA and HPWLB) related regulatory nature tourism concession. Private agents NSWA and HPWLB members up to now have not had IUPJWA and IUPSWA, which means breaking the rules of

nature tourism concession. BTNB as the implementing regulation, can take action to NSWA and HPWLB. Potential conflicts can also occur between DPTNB and BTNB with related regulations type and rates of non-taxes (use of environmental services nature tourism) in particular the provisions on admission. BTNB is a regulation implementing PP 12/2014 and DPTNB who do the collection area of BNP entrance fees based on local regulations, namely local regulation 14/2000 and local regulation 9/2012. In the hierarchy, the position of local regulation is under the regulation of PP, so it does not allow the provision of the regulations that are contrary to the provisions of higher position regulation. Reception area of the BNP admission results are non-tax revenues, which in regulations made for the balance between the results of government (central, provincial, city and county) and DPTNB, while according to the overall results of non-tax revenues PP 12/2014 shall be promptly paid to the State Treasury (Article 6).

Complementary relationship occur between the implementing regulations (BTNB) and issuer tourism business license to the business tourism. The members NSWA and HPWLB which is located in the Manado City for this obtain a business license from the Manado City Government. BTNB has made contact with the Manado City Government. The result is an agreement to limit the development and licensing for cottages and diving center in the BNP area. No more construction of cottages and a diving center outside Bunaken Island (BNP area), whereas in the Bunaken Island is restricted to the areas which long ago had been development, before the existence of BNP. For businesses in BNP area that has exhausted its business license (from Manado City Government), then the next business license application /extension will permit through BTNB, and BTNB will apply the rules of nature tourism concession. While the business license that is outside the area of the park remain under the authority of the Manado City Government. Complementary relationships occur in this situation. To accommodate the implementation on the field, BTNB has proposed a revision of zoning in the form of their utilization zone Liang Beach and Pangalisang Beach, the site of natural tourist facilities on the Bunaken island. This location had been there since the first means of natural, even before the existence of BNP. Previous status of this location as a special zone land, which according to the nature tourism use regulation do not allow constructed nature tourism facilities. BTNB also has filed a document attestation tread design which is a division of nature tourism management space in the zone/block utilization and zones/block protection/jungle/nautical intended for public space and space business of providing services/facilities nature tourism. Currently the application is being processed on behalf of private businesses PT Bunaken Oasis Dive Resort is filed IUPSWA at Liang Beach, Bunaken Island for cottages services, restaurants and diving center.

Relations of cooperation undertaken by the implementing regulations (BTNB) with DPTNB as target type and rates of non-taxes (use of environmental services nature tourism), especially with regard to admission. BTNB has conducted a

series of intensive discussions with DPTNB, considering the application of these rules to bring the consequences of management changes and changes in the value of admission ticket to the BNP area. The results of these discussions have resulted in a draft cooperation agreement for a period of six months the park entry fee system. The cooperation agreement includes the types of charges, the division of duties, levies procedures, dissemination and implementation. New types of duties imposed on the BNP entrance fees for visitors, both domestic and foreign. Charges made jointly between BTNB and DPTNB with BNP tariff entry coupled between the provisions in PP 12/2014 and local regulation 9/2002. This provision came into effect from September 1, 2014. The amount of the BNP entrance fees as per the agreement of cooperation as follows:

- Foreign visitors: Rp. 200.000, - / person / day (Rp. 150.000, to the center and Rp. 50.000, - for BNPMB) or Rp. 300.000, - / person / year (Rp. 150.000, - to the center and Rp. 150.000, - for BNPMB)
- Visitors archipelago: Rp. 7,500 / person / day (Rp. 5.000, - to the center and Rp. 2.500, - for BNPMB)

## 5. Conclusions and Recommendations

### 5.1. Conclusions

The nature tourism use regulations need a process for the implementation. On the adequacy of the contents and functions of nature tourism use regulation of nature tourism concession and type and rates of non-taxes (use of environmental services nature tourism) met the requirements for regulating and controlling the behavior of stakeholders. But the implementation is not received a positive response from the implementing rules and regulations subject (target group). Mechanism of stakeholder relations in the implementation of legislation utilization of nature tourism provides potential relationship conflict, complementarity and cooperation. The relationship between stakeholders that happen to be managed so that it does not lead to a sharper conflict but can be reduced by making coordination among stakeholders. Good coordination can create complementary and cooperative relations. Complementary and cooperative relationship that already exists can make use of the implementation of nature tourism use regulation in the end can be implemented fully.

### 5.2. Recommendations

BTNB as the implementing rules and NSWA, HPWLB, FMPTNB, BNPMB, and DMOB as regulatory targets always focuses on the process of coordination between the executive and subject to regulation as well as with other parties associated with implementation of the nature tourism use regulation.

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