

Implementation of Law No.10 of 2009 on Tourism in Tourism Development Activities in East Nusa Tenggara Province

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Abstract—Development The tourism sector must be supported by a rule that is able to create justice, fairness, efficiency, legal certainty and calm which are the legal principles in a country. The formulation of the problem in this research is how the implementation of law number 10 of 2009 concerning tourism in Nekamese District. The purpose of this study is to find out the implementation of law number 10 of 2009 concerning tourism in Nekamese District, to know the factors that are obstacles in the implementation of law number 10 of 2009 concerning tourism in Nekamese District. This research uses descriptive analysis method where the data are in qualitative form. Researchers will identify and collect data relating to the application of Law No. 10 of 2009 concerning Tourism, conducting socialization activities to provide an understanding of the Tourism Act and provide policy information and regulations relating to tourism activities. Furthermore, drawing conclusions and evaluating the application of the Tourism Act. The purpose of this research is to find out how much the role of the law in supporting tourism activities in Oben village, Nekamese sub-district. Then draw conclusions and evaluate the implementation of the Tourism Law.

Keywords—implementation, tourism

I. INTRODUCTION

Implementation of Laws is the application or adherence of an Institution to regulations that have been established by DPR members with the approval.

Law No. 10 of 2009 concerning Tourism which states that tourism is an integral part of national development carried out in a systematic, planned, integrated, sustainable and responsible manner while still providing protection for religious and cultural values that live in society, sustainability and environmental quality and national interest. Tourism development is the responsibility of the regional central government in Law No. 10/2009 Article 11 explains that the government, in this case the central government, together with related institutions in the tourism sector, conducts tourism research and development to support tourism development.

Related to tourism management, it is related to a number of management principles which basically emphasize the values of the preservation of the natural environment, community and social values that enable tourists to enjoy tourism activities that are beneficial for the welfare of the local community. The management of tourism involves various parties, such as local governments, the private sector (tourism business actors) and the community who are expected to participate. These benefits are usually obtained from foreign currency exchange rate revenues, government revenues, and stimulation of regional development, job creation, increasing and equalization people's income which in turn will increase socio-economic growth in a region.

Law Number 10 of 2009 concerning Tourism, tourism development is carried out based on the principles of benefit, kinship, fairness and equality, balance, independence, sustainability, participatory, sustainable, democratic, equality and unity. Furthermore, tourism development based on this principle is realized through the implementation of a tourism development plan with 1. Compilation of Laws and Regulations of the Republic of Indonesia year 2013, article 2 of Law Number 10 of 2009 concerning Tourism. 2. Pay attention to diversity, uniqueness and uniqueness of culture and nature, as well as human needs for tourism. East Nusa Tenggara Province does not yet have a Regional Tourism Development Master Plan (RIPPARDA) for East Nusa Tenggara, so that tourism development in NTT has not been developed and developed in a planned, integrated, integrated and sustainable manner.

The incomplete regulatory framework and implementing regulations for the tourism law have resulted in an ineffective implementation of tourism efforts at both the central and regional levels. Even though the tourism law in general has accommodated and become the tourism administration system in Indonesia, there are still various urgent needs for studies and socialization of the law [1]. Law of the Republic of Indonesia Number 10 of 2009 concerning tourism, outlines that tourism development needs to be increased in order to expand

employment and business opportunities, increase foreign exchange earnings and introducing the cultural nature of the Indonesian people [2].

Nekamese District is one of the sub-districts in Kupang Regency. There are 11 villages, which have tourism potential. However, in implementing tourism development in a region, it must pay attention to Law no. 10 of 2009. Based on the background description above, the author would like to further deepen the study of the application of tourism activities based on Law No. 10 of 2009 in Nekamese District. There are 11 villages, which have tourism potential. However, in implementing tourism development in a region, it must pay attention to Law no. 10 of 2009. Based on the background description above, the author would like to further deepen the study of the application of tourism activities based on Law No. 10 of 2009 in Nekamese District. With the title: Implementation of Law No. 10 of 2009 on Tourism in Tourism Development activities in NTT Province. A case studies in Kupang Regency, Nekamese District.

A. Formulation of the Problem

The formulation of the problem in this study based on the above background is how the implementation of Law No. 10 of 2009 on Tourism in tourism activities in NTT Province. A case studies in Kupang Regency, Nekamese District?

B. Research Purposes

The aim of this research is:

- Knowing the implementation of Law no. 10 of 2009 concerning Tourism in East Nusa Tenggara
- Knowing the factors that become obstacles in the implementation of Law no. 10 of 2009 concerning Tourism in East Nusa Tenggara.

C. Benefits of Research

1) *Theoretical benefits:* The results of this study are expected to be able to contribute to the repertoire of tourism science, especially those related to the tourism business.

2) *Practical benefits:*

- For the government, as input in making policies regarding various matters related to community-based tourism development.
- This research is expected to provide a scientific contribution in the field of tourism development, as well as a reference if research will be carried out again.
- Researchers hope that this research can add references and as a study of the realization of tourism activities according to Law No.10 of 2009

II. GENERAL REVIEW

A. Implementation

Implementation is one of the stages in the public policy process. Usually implementation is carried out after a policy has been formulated with clear objectives. For example, from a law appears a number of Government Regulations, Presidential Decrees, and Regional Regulations, preparing resources to drive implementation including facilities and infrastructure, financial resources, and of course who is responsible for implementing these policies, and how to deliver policies in a concrete manner to the public [3].

B. Implementation theory

There are several theories in implementation that will be described as follows: Implementation Model by George C Edward II This implementation model is a policy with a top-down perspective as developed by George C Edward III, in his view that policy implementation is influenced by four variables, namely: Communication, Resources, Disposition, and bureaucracy structure.

C. Tourism

Basically the word tourism comes from the word tourism to become tourism; things like this have become a habit to give a broader meaning, for a word or its plural meaning. So tourism is things related to tourism which in English is called "tourism". The term "tourism" includes people traveling away from their homes and companies that serve them by surfing or making travel easier or making them more enjoyable. Thus the definition of tourism based on the tourism Act contains the following elements:

1) *Tourism activities those are multidimensional and multidisciplinary;*

2) *The needs of every person and country;*

3) *There is interaction of tourists with local communities, fellow tourists, government, local governments and entrepreneurs. With regard to the tourism elements contained in Law No. 10 of 2009 concerning Tourism, not only discusses tourism or tourism but also discusses various dimensions and disciplines as well as the interests and parties involved in tourism. Quoting Leiper's opinion in Ismayanti's paper, there are 3 (three) main elements that make tourism activities possible, namely:*

a) *Tourists as actors in tourism activities by obtaining the advantage of an experience to enjoy anticipate and remind people of times in life;*

b) *Geographical elements consisting of the area of origin of tourism, namely the place where tourists are located and carry out their daily activities, the transit area as a temporary stop for tourists, although not all tourists take advantage of this area and the tourist destination area which is often said to be the sharp end of tourism because it is It is*

this area that the impact of tourism is felt so that it requires proper planning and management strategies;

c) The tourism industry that provides services, attractions and tourist facilities in the form of business units in tourism and is spread across the three graphic areas previously mentioned.

D. Law No. 10. Year 2009

The legal basis of tourism which can be seen from the devices, principles, provisions, institutions and mechanisms, national and international, which are used as a basis for regulating trade in tourism services, such as the UNWTO agreement on the principles in the Global Code of Ethics for Tourism (GCET) which has been incorporated into in the principles of tourism administration in the provisions of Article 5 of Law No. 10 of 2009. Law no. 10 of 2009 affirms the principle that tourism in Indonesia must uphold human rights (Article 5 letter b of Law No.10 of 2009) and the right to have the opportunity to meet tourism needs is the right of every person as affirmed in Article 19 paragraph 1 letter (a) Law No. 10 of 2009. Reflections on this recognition can be seen at the constitutional level as a manifestation of government legal politics, the reflection of this recognition can be seen in article 28 H paragraph 4 of the 1945 Constitution of the Republic of Indonesia concerning recognition and guarantee of individual property rights from arbitrary expropriation by Whoever The legal basis for tourism can also be seen from government policies regarding tourism such as;

- Presidential Regulation of the Republic of Indonesia Number 2 of 2007 concerning Ratification of the Asean Tourism Agreement (ASEAN Tourism Agreement)
- Presidential Regulation of the Republic of Indonesia Number 64 of 2014 concerning Cross-Sector Strategic Coordination in the Implementation of Tourism
- Government Regulation Number 50 of 2011 concerning the 2010-2015 National Tourism Development Master Plan
- Regulation of the Minister of Culture and Tourism Number: Km.67 /Um.001/Mkp/2004 concerning General Guidelines for Tourism Development in Small Islands.

III. METHODS

A. Research Types and Approaches

This study uses a qualitative approach which aims to make a systematic, factual and accurate description of the facts and characteristics of a particular population or object and is purposive sampling, which is a technique that determines respondents with certain considerations so that the data obtained later can be more representative. Bogdan and Taylor define a qualitative approach as a research procedure that produces descriptive data in the form of written or spoken words from the people or observed behavior. They define a

qualitative approach as a research procedure that produces descriptive data in the form of written words or writings from people or observed behavior. This research is a descriptive research. Descriptive research is research that is used as an exploration and clarification of a phenomenon or social reality. This phenomenon can be in the form of form, characteristic activity, change, relationship, similarity and difference between one phenomenon and another.

B. Research Location

The research location is the place where the research is carried out so that the researcher can find out how the real situation is about what is being studied. The location of this research was conducted in Oben Village, Bismarak Village, Tunfeu and Oemasi Village, Nekamese District.

C. Determination of Informants

The informants in this study were: Head of Oben Village, Bismarak Village, Tunfeu and Oemasi Village, Community and Youth Leaders from Each Village.

D. Data Source

In determining the informants in this study are people who are considered to have key information (key informants) needed at the research location. Based on existing data needs, the authors determine who will be the key informants in this study, namely the Head of the Kupang Regency Tourism Office, Village Heads, Village Administrators and Communities of Nekamese District. Furthermore, in retrieval of information, researchers use in-depth interviews, in which the implementation is freer than structured interviews. The purpose of this type of interview is to find problems more openly, where the interview is asked for their opinions and ideas. In conducting interviews, researchers use the help of interview guidelines to facilitate and focus the questions to be raised. Researchers also use recording tools to facilitate data processing.

E. Data Collection Technique

Data collection techniques in qualitative research are most independent of all data collection techniques are: interviews (interviews), observation or direct observation and documentation.

IV. RESULTS AND DISCUSSION

A. General Description

The people in the Nekamese District are mostly cultured by the Dawan tribe or often called Atoin Metto and still maintain the Dawan language well, while the traditional language in the form of traditional speeches which is full of values and philosophical meanings of the Atoin Meto tribe has faded slightly due to the changes and developments of the times. Traditional language is often used only at marriage ceremonies, while at death ceremonies it is rarely used or even no longer

exists. The low level of community education causes a lack of knowledge of the importance of tourism development in Nekamese District. Low human resources are due to the very low level of education so that it is difficult to understand tourism and how to develop tourism in Nekamese District.

B. Analysis of Research Results

In implementing communication, it is very much used so that the policies that are implemented can run well. Every decision or regulation must also be conveyed properly, accurately and consistently. Tourism activities in Nekamese District are under the auspices of the Kupang Regency and Nekamese District Tourism Offices. Communication between the Agency and the Community must be considered. Communities who will regulate and manage tourist attractions and services that provides directions. So that communication must be considered.

There is no public awareness of the importance of tourism. Public awareness is one of the supporting factors in tourism development, but the lack of public awareness in Nekamese District is an inhibiting factor in tourism development. Community participation is needed to assist and support development activities in the Nekamese District. Human resources are also an obstacle in developing tourism in Nekamese District because the education of the village community is very low so that there is a lack of awareness of the importance of tourism and the community is not yet aware of the business opportunities generated from tourism development.

The involvement of the local government in managing tourist attractions in Nekamese District is very much needed but there is still a lack of active role and cooperation from the Regional Government. In developing tourism, the local government should take part in its management and development. The bureaucratic structure in implementing the policy of Law no. 10 of 2009 concerning Tourism has not been going well. This is due to the absence of an S.O.P which specifically regulates the implementation of this Law policy. It is because there is no S.O.P which specifically regulates that impact on not optimal implementation of related law policies.

V. CONCLUSION AND SUGGESTION

A. Conclusion

Based on the descriptions of the research results and the discussion described in the previous chapter, in writing this report conclusion can be drawn regarding the implementation

of Law No. 10 of 2009 concerning Tourism in Nekamese District as follows:

- Communication is not good enough between the local government, village government and the community. This is due to the absence of direct socialization to the public and only through mass media. This results in only a part of the public who are aware of the policies of Law No.10 of 2009 concerning Tourism and have an impact on the lack of public participation in the implementation of this Law policy.
- Resources in the implementation of Law No. 10 of 2009 concerning Tourism is still lacking, especially in the Tourism Sector. Lack of human resources and supporting facilities in implementing this Law policy will have a direct impact on not optimal implementation / implementation of related Law policies.
- The structure of the bureaucracy in the implementation of Law no. 10 of 2009 concerning Tourism has not been going well. This is due to the absence of an S.O.P which specifically regulates the implementation of this Law policy. It is because there is no S.O.P which specifically regulates that impact on not optimal implementation of related law policies.
- Factors that hindered the implementation of Law no. 10 of 2009 concerning Tourism, among others: a) There is no direct communication in the form of socialization to the community. b) The facilities are not sufficient and good. c) The absence of a special S.O.P in the law.

B. Suggestions

Based on the results of research that has been carried out by researchers, researchers provide suggestions for direct communication to tourist businesses and the public to socialize Law No. 10 of 2009 concerning Tourism. Completing facilities and making a special S.O.P made related to the implementation of tourism policies both law No. 10 of 2009.

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