

Tourism Regulation Management in Increasing the Real Income of Sampang District

Yudi Widagdo Harimurti¹, Andre Maulana², Indra Bayu Nugroho³

¹ Faculty of Law, Universitas Trunojoyo Madura, Indonesia. E-mail: yudi.harimurti@trunojoyo.ac.id

² School of Law, Kampala International University, Kampala, Uganda. E-mail:

16011110236@student.trunojoyo.ac.id

³ Faculty of Law, Edo State University, Uzairue, Edo State, Nigeria, E-mail:

220111100269@student.trunojoyo.ac.id

*Author Correspondence email: yudi.harimurti@trunojoyo.ac.id

Abstract

While Sampang Regency has many potential tourist attractions that could be developed to increase Real Regional Income (RRI), tourism in Sampang Regency has not been empowered optimally. These complex problem variables can be effectively addressed if special regulations are established as a legal framework for tourism in the area. Therefore, it is important to examine various problems and obstacles to tourism development in Sampang Regency to identify solutions and formulate them into regulations. This study employs a normative legal research methodology, focusing on laws and rules pertaining to regional tourism development. This study aims to examine the issues surrounding the tourism growth, particularly in relation to the regulations of Sampang Regency. The findings indicate that Sampang Regency currently lacks regional laws that explicitly serve as the legal framework for the travel and tourism industry. In addition, a clear long-term plan for the empowerment of Sampang Regency's tourism industry must be developed.

Keywords: Local tourism, local regulation, local government, Sampang District

1. Introduction

Indonesia is a country that adheres to the principle of decentralisation¹. Therefore, the Indonesian constitution grants significant authority to regions, both provinces and districts, to manage various aspects. Local government can manage, administer, and independently handle governmental affairs for citizens in each district, based on the autonomic principle and delegated duty. This affirms that local government is an autonomous government in Indonesia.² Basically, local autonomy is a form of decentralization. Decentralisation is the central government's grant of authority to autonomous regional governments. According to Philipus M. Hadjon, decentralisation means that responsibility for managing and administering governmental affairs lies not only with the central government³ but also the local government. Thus, the central government grants rights and duties to each district's local governments.

The local government is the administrative body within the region, and the local legislative body is referred to as the representative council, according to the 2014 Local Government Law. The principle of the unitary state of the Republic of Indonesia, as stated in the 1945 Constitution, is grounded in the principle of autonomy within the governmental system. In local governance, the regional head and house representatives serve as organisers, holding equal authority to develop local government in accordance with district-level policies and regulations. Article 13, paragraph (3) of Law Number 10 of 2009 concerning tourism essentially affirms that the district or city authority determines strategic tourism zones within their jurisdiction. Additionally, this article emphasises that district or city governments have significant potential to enhance tourism in their communities. Based on this, districts or municipal governments must play an active part in enhancing and developing a region's tourism potential.

The facts, however, demonstrate that the Sampang district government has not seriously developed its tourism potential, as indicated by the lack of specific tourism rules and inadequate tourism infrastructure. This is reflected in Sampang Regency's real regional income, which only reached 62.8% of the target. Discussion on the hierarchy of local regulation (hereinafter referred to as local regulation) shows that they are the lowest level of regulation⁴. Local regulations are not only instruments for implementing decentralised facilities in applying autonomy strategies, but also serve an important role in achieving decentralisation at the district level.⁵ The 1945 State Constitution, Chapter 18, Paragraph 6, states: "Local governments have the right to establish local regulations and other rules to carry out autonomy and other duties." Regarding laws on regional development, according to Mochtar Kusumat

¹Yudi Widagdo Harimurti, *Kelembagaan Negara Dalam Praktek Ketatanegaraan Indonesia*, (Malang: PT. Cita Instans Selaras, 2019) 256.

²Ni'matul Huda, *Hukum Tata Negara Indonesia*, (Jakarta: Rajawali Pers, 2014) 329.

³Helmy Boemiya, *Desentralisasi Asimetris Dalam Pemerintahan Daerah*, (Malang: Peradaban Nuswantara, 2018), 14.

⁴Abidin Z, Prananta AW and Rini HP, 'Strategy of Sustainable Entrepreneurship Development as an Effort to Create a Tourism-Based Economy in Coastal Communities on Kera Nepa Beach, Sampang Regency' (2024) 10 (Special Issue) Jurnal Penelitian Pendidikan IPA 521–533.

⁵Reny Rawasita, *Menilai Tanggung Jawab Sosial Peraturan Daerah*, (Jakarta: Pusat Studi Hukum dan Kebijakan Indonesia, 2009) 60.

Madja, law is an instrument that functions as a guideline, with changes occurring regularly.⁶ The development of law serves as a rule and foundation for growth conducted by the government to achieve public economic welfare. In improving national or local development, both central and local governments continue efforts to develop a tourism resort as one of the economic drivers⁷. In this case, the role of regional organiser, which consists of the Head of District and the House of Representatives, is to manage and develop tourism resorts through a policy or rules so that regional real income can be achieved.

Tourism is a travel activity supported by available facilities and services provided by the government, entrepreneurs, and the public. Based on Law No. 10 of 2009 about tourism (hereinafter referred to as the Tourism Law), Article 8, Section (1) states that tourism development is conducted based on the main national, provincial, and district/city tourism plans.⁸ One aspect of developing tourism resorts is their potential to contribute to local development by increasing local independence and welfare. Tourism resorts can be a source of local economic growth and can increase regional real income. Tourism is a chronological process in improving the economy of the local areas that possess natural and human resources to achieve community welfare.⁹ RRI reflects the financial condition of each district. In general, local management relies on local retribution and tax. RRI from local retribution should be utilised to develop natural resources into tourism resorts. The source of RRI includes local tax, local retribution, income from local assets, and other local revenues, which consist of transfer income and other legal income.¹⁰

In the case of Sampang District, which has considerable potential as a tourism resort, both natural and man-made attractions can be developed and managed. Based on data from the Sampang Regency Tourism Office released in 2023, the total number of tourist visits in Sampang Regency was 225,707 domestic tourists and 30 foreign tourists. As previously stated, this represents a significant potential if developed optimally to generate local revenue¹¹. Tourism resorts in Sampang District hold substantial potential to serve as key icons for increasing Sampang's RRI. The local government has three main responsibilities in tourism development. The first is as a facilitator, responsible for providing facilities that support tourism growth, such as waste management systems and infrastructure. The second is as a dynamicator,

⁶Mochtar Kusumaatmadja, *Konsep-Konsep Hukum Dalam Pembangunan: Kumpulan Karya Tulisan Mochtar Kusumaatmadja*. (ED), Otje, Salman, Eddy Damian, (Bandung: PT Alumni, 2006) 19.

⁷ Aliyyuddin MH, Pratiwi AD, Nugroho LD and Melati SR, 'Dissemination of the Role of Local Government in Providing Legal Protection to MSMEs in the Tourism Sector, Lon Malang Beach, Sokobanah District, Sampang Madura Regency' (2022) 2 (12) *Jurnal Pengabdian dan Pemberdayaan Masyarakat Indonesia* 456–462.

⁸Benni Olan Hutapea, "Strategi Pemerintah Daerah Dalam Pengembangan Kawasan Wisata Muara Kabupaten Tanupali Tahun 2015", *Jurnal Pemerintahan*, Vol. 4, Number 1, Februari 2014, Pekanbaru, 2.

⁹Abdul Manan, *Peranan Hukum Dalam Pembangunan Ekonomi*, (Jakarta: Prenada Media Group, 2014) 56.

¹⁰Lihat Pasal 285 ayat (1) Undang-Undang Republik Indonesia Nomor 23 Tahun 2014 tentang Pemerintahan Daerah.

¹¹ Siregar M, Lestari RA, Nasir M, Tualeka BA, Fernandes F and Arifin M, 'Pengembangan Destinasi Pariwisata di Kabupaten Sampang' (2024) 5 *Jurnal Ilmu Sosial dan Ilmu Politik Malikussaleh (JSPM)* 83, 90.

referring to the local government's responsibility to sustain tourism by encouraging active community participation.¹²

Sampang District has several beautiful natural tourism resorts: Camplong Beach, Lon Malang Beach, Nepa Ape Forest, Gili Mandangin, Toroan Waterfall, and Lebar Cave. According to a statement of the youth, sport, culture, and tourism agency (hereinafter referred to as YSCT), which serves as the main authority for tourism destinations and the tourism industry, the government has difficulty collecting retributions from tourism resorts in Sampang due to the absence of regulations governing tourism in the district." The Government of Sampang District must establish regulations for developing and managing tourism resorts, as these resorts have not yet been optimised as contributors to RRI. The development of tourism resorts is a matter of public policy; therefore, a legal framework outlining the main development plan and management of local tourism resorts is essential to increase local economic growth in Sampang District."¹³ Since policy must be implemented consistently and continuously at the regulatory level, including tourism policies that require greater attention from the Sampang Regency government, the novelty of this research lies in its analysis of the management of tourism regulations in Sampang Regency, a topic that has not been previously studied.

2. Method

The research method used in this paper is the normative legal research method, also known as the doctrinal legal research method, involving an in-depth analysis of legal material sources related to the research topic. Normative research is conducted by investigating special rules or regulations in the form of written law.¹⁴ This research is connected to reviews relevant to the identified problems. This research employs two approaches: the statutory approach and the conceptual approach. To obtain scientific findings from the legal material analysed, the statutory approach is applied to examine related regulations, requiring an understanding of the hierarchy and principles of regulation.¹⁵ The conceptual approach is used to obtain scientific clarification and justification based on legal concepts derived from doctrines and experts' opinions.¹⁶

3. Analysis or Discussion

3.1. Conceptual Analysis of Tourism Regulation in Sampang District

The growth of tourism in a region is greatly influenced by tourism regulations. The existence of laws addressing tourism-related issues also serves as a benchmark for regional commitment to the industry's development. Therefore, it is crucial to create specific tourist-related regulations to boost a region's tourism potential, which will

¹² Veronika S and Wildan MA, 'Peran Pemerintah terhadap Pengembangan Eksistensi Pariwisata di Madura Berbasis Halal Tourism' (2023) 12 Jurnal Intelektualita: Keislaman, Sosial dan Sains 278.

¹³ Alfisah Nurhayati, STAIN Pamekasan, "Revisting Pariwisata Madura", dikutip dari <http://ejournal.stainpamekasan.ac.id/index.php/karsa/article/view/89.pdf>, <download 06 Februari 2020>.

¹⁴ Zainuddin Ali, *Metode Penelitian Hukum*, (Jakarta : Sinar Grafika, 2014), 25.

¹⁵ Peter Mahmud Marzuki, *Penelitian Hukum*, (Jakarta: Prenamedia Group, 2016), 137.

¹⁶ *Ibid*, hlm. 180.

subsequently contribute to the growth of real regional income (RRI)¹⁷. Despite having substantial potential for tourism development, Sampang Regency still lacks adequate laws governing tourism to address related issues. In fact, previous studies have emphasised the importance of regional regulations, specifically in the tourism sector, as a key factor that can drive significant development in the tourism sector itself.

The significance of regional regulations in the development of tourism lies in their ability to regulate all aspects of tourism. For instance, establishing a location as a special tourism area requires streamlining all matters related to the construction of local infrastructure and facilities. Additionally, regional tourism regulations can serve as a tool to manage the tourism economy, preventing a small number of groups from engaging in practical monopoly activities, while ensuring economic benefits are distributed equally among all community members. The presence of tourism legislation allows local governments to classify tourism attractions from highest to lowest potential, allowing them to prioritise funding distribution and empowerment efforts. This approach makes the tourism industry more methodical and targeted. Sampang Regency is not the only place experiencing the issue of insufficient tourism regulations that hinder or stagnate the sector; Sumenep Regency faces a similar issue, where the lack of regulations complicates the management of Aeng Tong-Tong Village as a tourist destination. The same situation occurs in Banyuwangi Regency, where the lack of district-level tourism regulation has created a legal gap, as the industry relies solely on the East Java provincial tourism regulations, which do not address technical issues.¹⁸

According to this explanation, the district or city administration must still develop technical regulations for the tourism industry, even though the East Java provincial government already has specific laws managing it. This is because higher-level regulations tend to have more generic structures. Furthermore, district-level tourism regulations are designed to guide industry growth. In other words, regional laws act both as a technical regulator and as development guides for the tourism industry.

3.2. Legal Framework for Immediate Regulation of Tourism

As previously stated, Indonesia's legal system is essentially hierarchical, from the central to the regional level. The higher the regulation, the more abstract the matters

¹⁷ Mukhlis M, Winata AYS and Zahid A, 'Regional Regulation Problems in the Field of Salt Industry Development: Perspective of Farmers in Sampang Regency' (2024) 6 (1) Trunojoyo Law Review 78–95.

¹⁸ Retnosari A, Salman R and Syaif HRA, 'Penggunaan Regulatory Impact Analysis: Studi Penyusunan Peraturan Daerah Jawa Timur Tentang Desa Wisata' (2024) 8 Halu Oleo Law Review 29, 31–32.

it governs; conversely, the lower the regulation, the more technical its nature¹⁹. On this basis, regulations both at the central and regional levels hold equally important roles in regulating a problem: central-level regulations provide legitimacy, while the lowest-level regional regulations serve as the basis or technical guideline. Furthermore, the legitimacy of higher regulations must form the foundation for the creation of lower-level regulations²⁰. Therefore, all regulations at different levels must incorporate legal considerations to determine how higher regulations govern or order the regulation of a particular issue.

Law Number 10 of 2009 addressing tourism was formed based on the clear legitimacy provided by central-level regulations. This law reflects the central government's recognition of the significant potential of Indonesia's tourist industry. Naturally, the standards outlined in the Tourism Law are more abstract, although they may include some technical issues. However, because each region has unique requirements, the underlying rules must accommodate these differences. The nature of a regulation, addressing issues and providing solutions, is closely tied to this principle. In addition, the needs of the local community and region must be considered in drafting a regulation²¹. The author's point here is that relying solely on regulations issued by the central or provincial government is insufficient to increase regional tourism potential. Regional regulations at the district or city level are necessary, given that each district has different tourism potential, which leads to different problems.

In reality, the absence of regional regulations leads to stagnation in regional potential that requires normative regulation. The lack of such regulations can also indicate the government's limited commitment to addressing issues or raising the market value of regional potential. Real Regional Income is a significant indicator of a region's overall quality, as research shows a direct correlation between increases in Real Regional Income and improvements in the Human Development Index. This underscores the urgency of increasing regional original revenue through the reformulation of policies in potential industries.²² Regional regulations on tourism in Sampang Regency must be established immediately, with the primary objective

¹⁹ Wibowo M, 'Menakar Konstitusionalitas Sebuah Kebijakan Hukum Terbuka dalam Pengujian Undang-Undang' (2015) 12 Jurnal Konstitusi 196, 198.

²⁰ Effendi T and Windari R, 'Illegal Levies as a Negative Element Contributing to the Decrease of the Tourism Potential on Madura' (2022) 3 (1) International Journal of Business, Economics, and Social Development 45–52.

²¹ Tholib A and Suswanto B, 'Implementation Strategy Training and Mentoring on Destination Management for Coastal Communities in Bira Tengah Village, Sokobanah District, Sampang Regency' (2023) 50 Technium Social Sciences Journal 211.

²² Williantara GF and Budiasih IGAN, 'Pengaruh Pendapatan Asli Daerah, Dana Alokasi Umum, Dana Alokasi Khusus, dan Dana Bagi Hasil pada Indeks Pembangunan Manusia' (2016) 16 E-Jurnal Akuntansi Universitas Udayana 2044, 2052.

of increasing Regional Original Income through increased tourism capacity. These regulations must accommodate fundamental aspects, such as the development of tourism-related facilities and infrastructure, rules governing community use of the tourism economy, and empowerment of local communities to use tourism areas for economic improvement. They must also address measures, including penalties for illegal levies in tourist areas, penalties for merchants who deliberately impose unreasonable price increases, and sanctions for the destruction of tourist attraction facilities, and so on.

3.3. Tourism Management and the Increasing RRI Factors

Tourism is a travel activity facilitated by entrepreneurs, local government, and the public. As stipulated in Article 1, Section 10 of the Tourism Regulation, a strategic tourism resort is an area functioning as a tourism destination or possessing potential for tourism development, which has an important influence on aspects such as economic growth, social and cultural development, natural resources, environmental sustainability, and defense and security systems.²³ Tourism plays an important role in accelerating economic growth in areas with potential tourism destinations, which must be well-organised. Chapter III, Article 5 of the Tourism regulation states the principles of tourism, emphasising natural conservation, environmental protection, and the provision of benefits for public welfare derived from the tourism activity²⁴. Based on data released by the Ministry of Finance in 2025, the Sampang Regency Government had a regional original income of 420.25 billion rupiah, with the largest component derived from the regional original income coming from regional levies amounting to 340.30 billion rupiah.²⁵ From the above data, it can be concluded that a significant amount of Sampang's original regional income comes from stagnant or unproductive sectors. This will seriously hinder regional development if reliance on non-productive sectors continues.

The development of tourism is regulated in Tourism Regulation Article 1 section (3), which states that tourism is an integral part of national development, conducted systematically, according to fixed plans, integrated, continuous, and responsible manner, while also protecting religion, culture, sustainability, and the quality of the living environment. Sampang District is one of the underdeveloped districts, located in the eastern part of Java Island, specifically on Madura Island, East Java Province, Indonesia. Administratively, Sampang District is located near the equator with a tropical climate (rainy and dry seasons). It consists of fourteen subdistricts, 6 wards (smaller than subdistricts), and 180 villages.

²³Article 1 Paragraph (10) Undang-Undang Nomor 10 Tahun 2009 about tourism

²⁴Fitrianto AR, Halim A and McMichael H, 'Empowering a Local Economy in Indonesia through Tourism and Good Practice' (2024) *Humanities, Arts and Social Sciences Studies* 158–172.

²⁵ Sampang Regency Budget Realization Data, acces Sampang Regency

<https://djpk.kemenkeu.go.id/portal/data/apbd?periode=3&tahun=2025&provinsi=13&pemda=23>

From several tourism spots, some have contributed to RRI. There are only two tourism destinations in Sampang District that increase the RRI: Camplong and Long Malang Beach. Camplong Beach generates income from parking fees and hotels. The organiser of Camplong Beach includes the local government, citizens, and private institutions²⁶. The second is Lon Malang Beach, which generates income from RRI and parking retribution. Regarding Camplong Beach, there is an agreement with one of the investors. The agreement includes income and management arrangements for Camplong Beach, which cannot maximise its contribution to the RRI. This may occur because there is no law regulation in Tourism, and so far, the local government maintains a cooperation agreement related to Camplong Beach. Tourism in Sampang District, based on the local regulation No. 6 of 2011 concerning service retribution, in Article (1) section (12) states that a parking lot is an area specifically provided, owned, and managed by the local government. The third tourism destination is the Kera Nepa (Nepa Ape) Tourism Forest, which generates income from parking retribution. Meanwhile, the government regulation aimed at developing tourism is GR No. 50 of 2011 concerning the National Tourism Development Master Plan for 2011-2025 (hereafter referred to as GR MPD of National Tourism). That GR serves as a guideline for local governments, including those in Malang, to ensure legal certainty in tourism development. It also aims to promote the growth of Indonesian tourism so that it can compete with tourism sectors in other countries.

The GR MPD of national Tourism is stated in article 2 section (6), which specifies: a) improving the quality and quantity of tourism destinations; b) promoting tourism destinations through effective marketing; c) developing the tourism industry; and d) establishing tourism institutions and management systems capable of synergising with tourism destination development.²⁷ The Government of East Java Province followed up on GR MPD of National Tourism by publishing local regulation No. 6 of 2017 concerning the Tourism Development Plan in East Java Province for 2017-2032.

Cities in East Java Province, such as Malang, for example, have developed local regulation No. 11 of 2010 on Tourism management. Consequently, tourism in Malang City continues to improve alongside tourism governance. Similarly, Surabaya City has enacted local regulation No. 23 of 2012 on tourism. This demonstrates the synergy in tourism governance between the central government, provincial government, and local governments to improve economic growth through tourism. Sampang District, however, has not yet established legal arrangements in the form of local regulation on tourism. This is crucial for

²⁶ McMichael H, 'Update on Indonesia's East Java Province: Still a Case of "Balanced Development"?' (2022) 7 (1) *OECONOMICUS Journal of Economics* 54–59.

²⁷ Article 2 Paragraph (6) Peraturan Pemerintah Nomor 50 Tahun 2011 regarding the National Tourism Development Master Plan 2010-2025.

increasing RRI; therefore, a legal arrangement under the authority of Sampang District must be enacted as soon as possible to increase the RRI of Sampang District. The development of the tourism industry in Sampang District has not been maximized. There are many constraints in tourism destinations, one of which is the limited human resources in both the community and the local government. As a result, Sampang District has not yet been able to increase RRI²⁸. Tourism is designed as an economic system that can address economic problems in the territory. The management and development of tourism destinations in Sampang District aim to promote economic growth and equitable distribution to achieve the welfare of the Sampang community. Specifically, it can benefit the community in various aspects, such as: a) human resources; b) micro business; c) related transportation sectors; and d) responsibility in utilisation of natural and cultural resources.

The legal basis for regulation in the form of local regulation is stipulated in the Law Number 12 of 2011 on the Formation of Legislative Regulation (hereafter referred to as the Law on the Formation of Legislative Regulation). This means that a legislative regulation is recognized and has binding legal force as long as it is consistent with higher-level laws and is established under the appropriate authority²⁹. In essence, the formation of local legal provisions on tourism management in Sampang District contains a regulation on budget plans, development plans, and the main development plan for tourism in Sampang. With such regulation made by the local government, it is expected that all tourism development programs can run effectively, and the improvement of RRI from tourism in Sampang can be measured. Local tourism is a local government authority as regulated in the local constitution. Tourism is an optimal authority, although there is a tourism ministry. The 1945 constitution of the Republic of Indonesia has established a pattern of authority distribution in which the central government no longer holds a monopoly on governmental power. This is reflected in the transfer of certain powers from the central government to local autonomy to the greatest extent possible.

In the follow up to the division authority between the central and local government, the authority of central government is: religion, which concerns national religious affairs; foreign affairs, which involve the state's relations with other countries; defence, which covers military defence across the country; security, which pertains to national security and policing; national monetary and fiscal matters, which relate to state finance; and justice, which concerns judicial institutions. Tourism regulation at the local government level requires provision to manage facilities as part of the

²⁸ Muzakir and Suparman SY, 'Unveiling Indonesia's Poverty Dynamics: Analyzing the Structural Impact of the Tourism Sector on Poverty Depth and Severity' (2024) 8 (5) Journal of Infrastructure, Policy and Development 3799.

²⁹ Putri YA, 'Analysis of the Base Sector of Sumenep and Sampang Regency in 2016–2020' (2023) 5 (1) Jurnal Pajak dan Keuangan Negara (PKN).

main plan for local tourism development. Local tourism regulation is a tangible implementation of the principle of local autonomy. In Sampang, the institutions responsible for tourism destination policy are the district head and the House of Representatives (HOR). The Regent (Bupati) is the official who administers local government and formulates tourism work plans. The agency in charge of the tourism sector, YSCTA, has the function and duty to regulate tourism. The HOR, as a local institution, functions as the legislator (local regulation maker with the local head official), as stated in Article 150 and Article 151 of the local constitution. The function of regulation formation is conducted by: communicating with the local head (regent), agreeing or disagreeing with the proposed local regulations of the province/district/city; proposing drafts of local regulations for the province/district/city; and composing a regulation formation program with the governor, regent, or mayor.

The legislative function of the HOR in making local rules, in agreement with the local head (regent), serves as a facility to address public interests. The formation of the main tourism development policy aims to develop tourism destinations for regional interests, increase RRI, and stimulate the local economy. The HOR of Sampang issues local regulations to manage tourism destinations, exercising its legislative function to publish policies as local regulations for improving and guiding the community in managing its own region. The regent is the regional leader and the government organizer who oversees the implementation of regional affairs based on the right of autonomous authority. As a regional leader within the government's planning structure, the regent must be able to develop the area as an autonomous region to the fullest extent possible, in accordance with the 1945 Indonesian Constitution. Due to the policy of regional autonomy, the regent and the HOR work in synchrony to ensure the public receives quality services. The Sampang regent must prioritise tourism destination development plans, as is being conducted in other regions that are advancing their tourism sector rapidly. As the leader of Sampang District, the regent must prepare local regulations on tourism to increase RRI.

The Sampang regent and HOR have enacted Local Regulation No. 7 of 2016 on the formation and regional and regional device structure. The regional office responsible for tourism affairs is YSCT Sampang, which consists of:

Position

- YSCT is the government organizer responsible for youth, sports, culture, and Tourism.
- YSCT is led by a head official who is accountable to the Sampang Regent through the regional secretary.

Functions of YSCT

- a. Formulating policies on youth, sports, culture, and tourism;
- b. Implementing policies on youth, sports, culture, and tourism;
- c. Conducting evaluations and preparing reports on youth, sports, culture, and tourism;
- d. Managing administrative functions of YSCT;
- e. Carrying out other functions assigned by the regent related to its duties and responsibilities.

The main duty of YSCT is to help the regent in managing governmental affairs related to YSCT.

However, YSCT has not operated optimally in increasing RRI from the tourism sector, including in tourism management. This is due to the absence of local regulations governing tourism destinations by the local government. Without such regulations, no programs can be implemented effectively.

3.4. Supporting Factors and Obstacles in Increasing RRI from the Tourism Sector

Local government, in a juridical sense, refers to the administration of governmental affairs by the local government and the HOR, based on the principles of regional autonomy and delegated tasks. Local government authorities are obligated to manage the regional budget effectively, efficiently, transparently, and accountably. Tourism is one of the economic assets currently experiencing growth, including in the Sampang District. Therefore, a local development policy for tourism destinations is necessary to ensure their proper management and development, to increase RRI. Sampang has three tourism destinations with the potential to increase RRI. The first is Camplong Beach, which generates RRI from parking fees and hotel services. Its management involves the local government, local community, and private business. The second is Lon Malang Beach, which contributes to RRI through parking fees. The third is the Nepa Ape Forest, which also generates revenue from parking fees. These data were obtained from YSCT Sampang.

Sampang's tourism destinations have not contributed optimally to RRI due to infrastructural limitations, a shortage of human resources, and the absence of regulations or a master plan aligned with the Tourism Law. The local government of Sampang District has not conducted any research into the potential development of tourism as a means to increase RRI and support regional autonomy in generating local income. As a comparison, Badung District in Bali has successfully developed its tourism destination. In addition, the Badung District government has conducted

research on tourism destinations and established tourism regulations.³⁰ However, Sampang District faces obstacles in managing tourism destinations due to several factors affecting the increase of RRI in the tourism sector. The supporting and hindering factors are as follows:

- A. Supporting factors for tourism destinations to increase RRI in Sampang District: The availability of various tourism resorts in Sampang, such as: camplong Beach, Lon Malang Beach, the forest of Nepa Apes, Toroan waterfall, Masegit Hill, Wide cave (goa lebar), Magrove Sreseh, and also Nepa Dam, Klampis Dam, and Gili Mandajun Island. Cultural tourism sites include Ratu Ibu Site, Pababaran Trunojoyo Site, and the grave and well of Tujuh Panji Laras, Government regulation aimed at developing tourism, Camplong beach, which has hotel facilities, The East Java Government's regulation on development planning until 2025, Easy access to tourism destinations, most of which are located along main roads, Initial efforts in maintaining tourism destinations have already begun, Low incidence of crime in tourism destinations, and Adequate facilities at tourism destinations that provide entertainment for tourists.

With these supporting factors in the tourism sector, the government needs to establish a management framework to develop the main tourism plans so they can be effectively implemented by the local government. In addition, this will contribute to economic growth and an increase in RRI.

- B. Obstacles to the development of tourism destination in increasing RRI in Sampang District: Most tourism destinations lack adequate facilities, The quality and quantity of human resources are insufficient, Entrepreneurs' interest in the tourism and community sectors remain low, Inadequate infrastrucutur, Competition from other regions that are more proactive in developing tourism destinations, Local community culture does not support the growth of tourism destinations, Limited qualified human resources in Sampang District government institution capable of mastering planning, development, financial management, and implementation, and Existing constitutional regulations are not well-integrated, which slows the achievement of local goals.³¹

In tourism development, the legal role is a crucial component. Local regulations, designed and approved by the local government, serve to regulate and manage regional government affairs and guide policies in regional development. These regulations are an expression of regional autonomy, enabling the local government to independently manage its area. The process of drafting local regulations generally

³⁰Laporan Penelitian Naskah Akademik Rancangan Peraturan Daerah Kabupaten Badung Tentang Rencana Induk Pembangunan Kepariwisata Daerah Tahun 2015-2030.

³¹Strategic Plan (**RENSTRA**), Sampang District, 2013-2018, 33

begins with planning, followed by formulation, discussion, approval, enactment, and dissemination. Local regulation is established based on the regulation of higher constitutions and also based on higher-level legal provisions, and in response to legal gaps in the region, such as those found in the tourism sector of Sampang District. The Law on the Formation of Legislation and the Local Government Law set out several principles for local regulations, which include: The House of Representative issues local regulation after prior discussion with the head of district to reach a mutual agreement, Local regulations are established to organize autonomous functions, assist in delegated tasks, and provide further clarification of constitutional provisions, taking into account the specific characteristics of each region, Local regulations are approved by the head of regional government with the agreement of the House of Representatives, Local regulation may include provisions for penalties, such as legal enforcement costs, imprisonment for up to six months, or fines of up to 50 million rupiahs, Local regulation must not conflict with public interest or constitutional provisions, Local regulations are issued in the form of an official gazette, while regulations of the local leaders are issued as local bulletins, and Regulation or decision of local leader is approved to apply local regulation.³²

Regarding local regulation as the main framework for tourism development in Sampang District, the local government institution will establish and design tourism destinations to promote and increase RRI in Sampang District. From the identified obstacles, it is evident that many tourism destinations lack specific regulations. In the era of globalisation, both the central and local governments must continue developing tourism destinations. The central government has approved a tourism constitution, while the local government has formulated plans and designs for local tourism destinations to improve natural and human resources, thereby increasing RRI. In this case, the government institution in Sampang District requires a framework for tourism management to increase RRI, enabling the local government to manage local finances effectively. Based on the explanation above, the House of Representatives, the Regent, and YSCT need to establish regulations governing development related to the main tourism plan of Sampang District. One such regulatory instrument is the local regulation, which serves as a local rule implementing regional autonomy and reflects the effectiveness of local government administration.

4. Conclusion

Sampang Regency possesses significant tourism potential that should be optimally utilized to increase local revenue. However, the lack of tourism regulations in Sampang Regency has hindered proper sectoral development. The absence of such regulations leaves tourism development without a clear direction. This stagnation

³² Sirajuddin, *Hukum Administrasi Pemerintahan Daerah*, (Malang: Setara Press, 2016) 186.

results in the loss of potential income, even though, if managed effectively, tourism could become a leading contributor to regional revenue. Therefore, it is essential to establish specific regulations at the Sampang regency level in the form of regional regulations to govern tourism development. These regulations would serve as guidelines for determining the direction of tourism development and can further be translated into a strategic plan for tourism development.