



Published by
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Availability of information and standard operating procedures affects the implementation of cigarette billboard regulation in Jember, East Java, Indonesia

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ABSTRACT

Background and purpose: Jember District has adopted a tobacco control policy, Jember Regent Regulation No. 27 Year 2013 that includes provision on regulating tobacco advertisement. This study aims to evaluate the policy implementation based on the availability of information and standard operational procedures (SOPs).

Methods: This was a qualitative case study which was conducted in Jember District in 2020. Eleven informants were interviewed, consisted of policy actors, billboard building owner, tobacco factory, and student group for tobacco control. Data were collected through in-depth interview, observation, documentation, and triangulation. The data was then analysed thematically.

Results: Information related to the policy was well comprehended by the implementers, but not by the community. The information is usually conveyed in conjunction with the coordination process between agencies, which is during field assessment. The observation for monitoring and evaluation in 2020 showed that there were tobacco billboards placed around the health facilities and government agencies, and one of them did not include the "18+" information. The SOP for this policy is the same as the standards for billboard installation permits in general. The barriers to this policy implementation were in regard to clarity of the main duties and functions of each implementer, especially when there was a violation, since it yet been outlined in the current SOP.

Conclusion: Implementation of the regulation yet optimal from the availability of information and SOPs aspects. Policy dissemination as well as improvement on the SOP is needed to improve coordination process, monitoring, and evaluation.

Keywords: Tobacco control, policy implementation, SOPs, advertisement

INTRODUCTION

The number of smokers in the world is increasing every year. In 2016, 1 out of 5 people or approximately 20% of the world's population were smokers.¹ Cigarettes kill more than 8 million people each year, 7 million of whom died because of direct cigarette consumption and another 1.2 million died from second-hand smoke.² It is essential for the government to control tobacco consumption, due to the high burden from tobacco use on both health and economy.

Despite the Indonesian government yet to ratify the World Health Organization Framework Convention on Tobacco Control (WHO-FCTC), several tobacco control policies were adopted to protect the people from the detrimental effect of tobacco consumption. The policies were formulated from the central government level to the regional level. Until now, there have been more than two third of the 514 cities in Indonesia have adopted smoke free bylaw.³ Here are some cities that have implemented smoke free bylaw: Tangerang City, Pontianak City, Palembang City, and Surabaya City. Some cities have also adopted prohibition of outdoor tobacco advertisement and point of sales (PoS) advertisement and cigarette display.

Studies showed that exposure to cigarette advertisement encourages adolescents to smoke.⁴ The adoption of tobacco advertising regulation showed reduced availability of advertisement although violations were remaining. A study comparing advertisement in Surabaya and Banyuwangi found that the number and density of outdoor tobacco advertisements (OTAs) in Surabaya, where there was no policy for controlling OTAs, were greater than those in Banyuwangi, where OTAs were partially banned. Regardless of the existence of a ban, OTAs were 2.6-3.4 times denser in areas closer to facilities used by children and adolescents than further apart.⁵

Jember District in East Java Province which is also known as the "Tobacco City" has adopted a tobacco control policy, Jember Regent Regulation Number 27 Year 2013 concerning the amendments to the Jember Regent Regulation Number 42 Year 2011 concerning Procedures for Billboard Instalation. This policy regulated the tobacco billboards product must comply with the provisions, including did not explicitly state the product name is cigarettes; do not suggest that smoking provides health benefits; do not display children, adolescents, and/or pregnant women in the form of pictures and/or text; and not placed around health service/facilities, children's playground, workplaces (government agencies), places of worship, schools, and around the Jember Town Square, as well as the Jember District Government Office.⁶

Even though the policy has been adopted since 2013, many violations were observed related to the placement of tobacco billboards in the restricted areas. Our preliminary observation showed similarly, we found tobacco product billboards placed in prohibited areas, namely around the Jember Town Square and schools. The implementation of Jember Regent Regulation Number 27 Year 2013 has not been evaluated, which should be necessary to provide information of the implementation and its barriers. For this study, we applied Edward III's Theory of Policy Implementation (1980) to examine the policy implementation in terms of the availability of information and standard operating procedures (SOPs).

METHODS

This is a qualitative research with a case study design conducted from October 2019 to October 2020 in Jember District. A total of 11 informants were selected using a purposive technique, in which the selection was based on the consideration that the informants knew and were involved (directly or indirectly) in the

implementation of the Jember regulation concerning tobacco advertising. They were including officials and staffs from The Investment Board One Stop-Service (*Dinas Penanaman Modal dan Pelayanan Terpadu Satu Pintu/DPMPTSP*), Regional Revenue Office (*Badan Pendapatan Daerah/Bapenda*), Local Policy Enforcers or Local civil police (*Satuan Polisi Pamong Praja/Satpol PP*), the billboard building owner, Gagak Hitam Cigarette Factory, and KOPDAR Student Study Group. The informants' characteristics are presented in Table 1.

Table 1. Informants' Characteristics

Informant's code	Age (years)	Sex	Position/Institution
Key Informant (KI)	58	Male	Head of DPMPTSP
Main Informant 1 (MI 1)	40	Male	Head of the Licensing Section of DPMPTSP
Main Informant 2 (MI 2)	26	Male	Licensing Section Staff of DPMPTSP
Main Informant 3 (MI 3)	40	Female	Head of Regional Revenue Management of Bapenda
Main Informant 4 (MI 4)	52	Male	Head of Sub Division of Hotel, Restaurant, Entertainment and Parking Tax Management of Bapenda
Main Informant 5 (MI 5)	45	Male	Regional Revenue Management Staff of Bapenda
Main Informant 6 (MI 6)	46	Male	Head of Regional Law Product Enforcement of Satpol PP
Additional Informant 1 (AI 1)	36	Male	Head of Regional Law Product Enforcement of Satpol PP
Additional Informant 2 (AI 2)	29	Male	Head of Human and Resource Development for the Gagak Hitam Cigarette Factory
Additional Informant 3 (AI 3)	47	Male	Head of Marketing for the Gagak Hitam Cigarette Factory
Additional Informant 4 (AI 4)	45	Male	Advisor of KOPDAR Student Study Group

Data collection techniques were in-depth interviews using interview guidelines, observation using checklist sheets, and photo documentation. Data sources consisted of primary and secondary data. Primary data obtained by conducting in-depth interviews to gather information related to the availability of information and SOPs for the policy implementation. Secondary data obtained from research journals, online articles, documents owned by DPMPTSP, Bapenda, and Satpol PP, such as SOPs, as well as other kinds of references that support and in line with the research topic, such as policy or regulation on tobacco control. The data were then analyzed with three stages of data analysis, including data reduction, data presentation in a narrative form, and conclusions or verification.

The study was approved by the Faculty of Medicine, University of Jember Ethics Committee.

RESULT AND DISCUSSION

The Availability of Information

There are basically two aspects of information in relation to the policy implementation, technical information about how to carry out a policy and the data regarding implementers' compliance toward the government regulations.⁷ Implementers should have clear understanding on relevant information related to the policy, such as the policy direction, aims, and objectives to achieve effectiveness in the implementation process.⁸

Information related to the policy such as the policy objectives, billboard licensing mechanisms, and the

policy actors must be known not only by the implementers, but also the policy targets, in this case including cigarette factories, the billboard building owners, and the public. This information must be conveyed clearly and thoroughly to prevent misunderstanding between implementers and the policy targets.

Prior to 2017, the authority for cigarette billboard licensing services was held by the Bapenda of Jember as the leading sector. Then after the establishment of DPMPTSP of Jember in 2017, the authority was taken over. The DPMPTSP is responsible for issuing a license/permit assisted by the local bureaucracies (*Organisasi Perangkat Daerah/OPD*) to provide recommendations following their respective authorities. The local bureaucracies are Regional Revenue Office, Public Works – Human Settlements Office (*Dinas Perumahan Rakyat Kawasan Permukiman dan Cipta Karya*), Spatial Planning and Development Office (*UPT Bina Marga*), Transportation and Traffic Department (*Dinas Perhubungan*), and Satpol PP.

Information related to the policy implementation disseminated by the Bapenda to the staff of DPMPTSP through training and providing relevant information or documents, such as regulations in line with the cigarette billboard policy. In addition, information delivery was also carried out informally when the implementers conduct a field inspection during the installation of a new billboard

“The experienced local bureaucracies were asked to assist us first, give our employees training.” (MI 2)

“The data from Bapenda is given to DPMPTSP, along with the regulations ... we put some experienced service officers there for a few months (in DPMPTSP) until they’re able to do it themselves.” (MI 5)

The delivery methods of information sharing by DPMPTSP to the local bureaucracies and the policy targets were outlined under the Minister of Home Affairs Regulation Number 138 of 2017 on the Implementation of DPMPTSP. The dissemination methods to the community were to be carried out through electronic media, mass media, print media, and/or through meetings.⁹

According to one of the informants from the Satpol PP, they were unaware of any information dissemination of the policy implementation mechanism, especially by the prior leading sector, the Bapenda. Thus, Satpol PP learned about the policy by themselves to understand and comprehend the policy. This method was not considered as effective as the Satpol PP could not understand the limitations of its main duties in this cigarette billboard policy, in line with the result of in-depth interviews as follows:

“Yes, we just read the regulation. But whether the leading sector or other local bureaucracies do some disseminations, I don’t really understand ... Of course, if we only read, there will be a lack of manifestation in the field. Like that. The lack, in this case, means that we also want to know our (Satpol PP) priorities according to DPMPTSP as a license issuer. And we will adjust there.” (MI 6)

Information about the cigarette billboard implementation mechanisms was conveyed to the policy targets, such as cigarette factories and billboard building owners. The information dissemination to the policy targets was conveyed during the field survey of the cigarette billboard that they submitted, through customer service at the DPMPTSP, through social media such as WhatsApp, and through circular letters. The implementers also delivered the information using social media like WhatsApp, they created a group chat consisting of the policy targets, they shared information such as when there are new regulations about the cigarette billboard.

“Bapenda did dissemination, it was not formally. It was implicitly like when we do field surveys ...” (MI 1)

“We usually do online dissemination, for when there’s a new regulation, there’s tax rise. We have their (the applicant) phone number, so we created a group chat.” (MI 2)

“(The information delivery) directly from the customer service in the front. DPMPTSP has already disseminated the requirements (for cigarette billboards) from the beginning. Which location is allowed for the

cigarette billboards to be installed on. There's a regulation about it. They provided information through letters.” (AI 1)

According to the results of in-depth interview with the policy target, the information was delivered clearly, however, one of the delivery methods which was through letters was not effective as the information will only be known by the parties working in the advertising sector like billboard and have not yet reached the public. The policy target hoped that the information related to the policy to be posted on the information board at DPMPSTP's office so that it can be easily accessed by the visitors or the public.

“In my opinion, it is 50% effective. The information should be posted on the information board there (in DPMPSTP). If (the information delivery) only conveyed through letters, only the ones who have applied for a permit will know, right? It's a problem for the ones who have never applied for a permit.” (AI 1)

To obtain the optimum implementation result, public policy must be disseminated in order to increase public knowledge and participation. All information related to the policy must be conveyed and understood clearly and consistently thus the implementers know their responsibility.⁷ Policy dissemination needs to be conducted in order to increase knowledge and participation from all parties in the public service implementation.¹⁰ In order to get the best policy implementation, the government must be innovative and be able to use the following three approaches: budget allocation, regulatory adjustments, and policy dissemination.¹¹ However, according to the result of triangulation, cigarette billboard policy in Jember was not widely disseminated to all levels of the community so that the public knowledge and participation in this policy remains low.

“I don't know about the (cigarette billboard) regulation. First, it is indeed that the regulation should be disseminated to all levels of society. Whether through social media, by the government offices, at any educational place. So far there is no regulation about it (the policy dissemination), so maybe not many people know (about the policy), including me, I don't know anything related to this regulation. So to what extent is the policy content, I can not criticize it yet.” (AI 4)

The delivery of the information about cigarette billboard policy in Jember has not been conveyed clearly and thoroughly. If the information was conveyed properly to the implementers, policy targets, and the community, the potential for violations could be minimized. The observation results done by the researcher showed that there were still some cigarette billboards that against the policy, such as around health facilities and government agencies, for example in the police station, One-stop Administration Service Office (*Sistem Administrasi Manunggal Satu Atap/Samsat*), and military command headquarters.

One of the billboard violate the regulation by not providing the “18+” information. It has been outlined in Jember Regent Regulation Number 27 of 2013 article 11(2) which stated that one of the requirements for cigarette billboards is to “include the marking or writing “18+” in tobacco product advertisements”. The observation result complemented the informants' statements.

“To answer the question of how many police offices have the Gagak Hitam neon box installed, since 2016 until now there are approximately 35 police offices. All around Jember, not only the police offices but also the PM's office. What is PM? The M stands for Military if I'm not mistaken. Yesterday we just installed our neon box there. Also, at the Military District Commander (Komando Distrik Militer/Kodim). Then at the government offices as well.” (AI 2)

“For the neon box, we collaborated with the police and Kodim. There are also (the neon box) in mosques, restaurants, but not as many. We installed the neon box majority in the police offices, like the Sub-District Police Office (Kepolisian Sektor/Polsek) and the County Police Office (Kepolisian Resort/Polres). Around Jember, our neon boxes are located in several sub-districts, like Patrang, Panti, Kencong, Rembang, Arjasa.” (AI 3)

Cigarette billboard installation by a cigarette factory at the government agencies was against the Jember Regent Regulation Number 27 of 2013. This fact reflects that the information delivery was ineffective. These violations did not get a warning or dismantling from the implementers. This indicated that the Jember government did not give serious attention to the tobacco control issue and include this issue as a priority agenda.

Unclear information was the reason for the violations against the Jember Regent Regulation Number 27 of 2013 especially related to clauses regarding the inappropriate placement locations and the absence of “18+” information in the billboard’s contents. This policy regulated the tobacco billboards product must comply with the provisions, some of which were not placed around health service/facilities, children’s playground, workplaces (government agencies), places of worship, schools, and around the Jember Town Square as well as the Jember District Government Office.

The Availability of SOPs

One of the important aspects of the bureaucratic structure is the existence of SOP. SOPs are formulated to facilitate policy implementation and guide the policy actors.¹² With SOP, policy actors are enabled to perform efficiently and synchronize the actions of complex and widespread implementers, thus the flexibility and uniformity of policy implementation could be achieved.¹³

Cigarette billboard policy implementation in Jember does not yet have the standard or guideline specifically formulated for the policy. The SOP for this policy is still the same as the standards for billboard permits in general. As seen in DPMPTSP, the guideline was regulated in the Jember Regent Decree Number 513 of 2018 concerning Service Standards for Advertising Permits (*Standar Pelayanan Surat Izin Penyelenggaraan Reklame*). Cigarette billboard is one of the sub-content of advertisement media that are served using this guideline. Along with what happened in the Bapenda, there was no SOP specifically for cigarette billboard service, there was only SOP for the billboard in general, and currently there is an updating process of the SOP.

The SOP, specifically for cigarette billboard service, is needed to detail the main task and functions of each implementer. Thus, it makes the implementers have the guidelines to deal with various problems that may arise and anticipate them, especially to prevent confusion on which institution should handle the violation case. Whereas in Satpol PP, there was SOP to control the billboard in general, regulated in the Minister of Home Affairs Regulation Number 54 of 2011 concerning Standard Operating Procedure for Satpol PP. Since 2019, Satpol PP of Jember has detailed the SOP, especially the technical matters such as the coordination methods with other local bureaucracies.

“There is no SOP. We only have the SOPs for general permit services.” (MI 1)

“Oh, there is no SOP for the cigarette billboard. It is just the SOPs for general billboard.” (MI 4)

“The general SOPs were since 2011, we use the Minister of Home Affairs Regulation. But since, if I’m not mistaken, 2018 or 2019, we detailed the SOPs.” (MI 6)

The documentation and observation results were in line with the informants’ opinion, that the SOP for this policy is still the same as the standards for billboard permits in general. The Service Standards for Advertising

Permits can be accessed on the official website of the Public Service Information System (*Sistem Informasi Pelayanan Publik/SIPP*) of the Ministry of State Apparatus Utilization and Bureaucratic Reform. The licensing service standard on the website is a simpler version of the document held by the researcher from the documentation result in DPMPTSP. Such information as the legal basis, requirements, procedures, completion time, fees or rates, as well as advertisement service complaints are available on the website. The informant stated that the absence of the particular SOP for cigarette billboards was due to the types of permits handled by DPMPTSP is increased every time.

“License permit service SOPs. So we receive and verify the document. If it’s good, we forward the document to the technical local bureaucracies, they process and give their recommendation, and then we issue the permit. However, there is still no (SOPs) legalization yet. Because the number of licenses in the Online Single Submission (OSS) is continuously rising. In the past, it was only a business license, now it has developed to a health facility permit and commercial license. Well, that’s why we are still confused. That it keeps changing and expanding. If we formulate an SOP, then it is legalized, the current SOPs will be changed again, right?” (MI 1)

The obstacle of this policy implementation was in terms of the clarity of the main duties and functions of each implementer, as said by the informant as follows.

“... (the obstacle) is related to being aware of the main duties of each actor. DPMPTSP is the permit issuer, right? Sometimes, for example, the obstacle which I still have to formulate in a form of regulation is for when the permit has been issued, and then there was a violation like, the permit met its expiration date, who is in charge of this matter. According to Minister of Home Affairs Regulation Number 138 of 2017, it is the task of the technical OPD, but it does not mention which OPD, not even Satpol PP. Satpol PP is in charge of handling the billboard that has no permit from the beginning. So it needs to be formulated. That’s our problem.” (MI 6)

The existence of SOP makes the main duties and function of the implementers clear, thus it creates a good and harmonious cooperative relationship between policy actors and prevents obstacles in carrying out coordination. Another study showed that the distribution of main duties and functions of each implementer for the Urban Farming Program in Gresik District was clear and organized so that it created good coordination between the leading sectors and other related actors as seen from the absence of excessive fragmentation that could interfere the success of policy implementation.⁸

The limitation of this study is the key informant did not provide detailed information in the process of data collection through interviews. The key informant only provided several key points during the interview. However, the researchers overcame this condition by interviewing other informants, which were the main informants, to obtain deeper and detailed information.

CONCLUSION

Information related to the policy was well understood by the implementers but not by the public in general. There were still many violations related to the placement of tobacco billboards in restricted areas, such as around health facilities and government agencies, one of them did not include the “18+” information. The SOP for this policy is still the same as the standards for billboard permits in general, with no specific SOP for tobacco billboards. The obstacles of this policy implementation were in terms of the clarity of the main duties and

functions of each implementer, especially when there was a policy violation. The implementers are expected to conduct policy dissemination as well as detailing the SOP, hence the coordination process, monitoring, and evaluation can be carried out properly every six months.

ACKNOWLEDGMENT

We would like to thank the Faculty of Public Health, University of Jember and all the participants who have contributed to this research.

AUTHOR CONTRIBUTION

BSSS as the main researcher, collected and analysed the data. CS and DR as the supervisors of this research. AHR and BIH edited the manuscript.

CONFLICT OF INTEREST

None declared

FUNDING

The study was funded by the researchers.

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