



**PROCEEDING OF INTERNATIONAL CONFERENCE ON
THE LAW DEVELOPMENT FOR PUBLIC WELFARE**

ISSN: 2798-9313

Topic: Human Right Issues of Artificial Intelligence (AI) Gaps and Challenges, and Affected Future Legal Development in Various Countries

Legal Study on Sports Management in Paser District, East Kalimantan Province, Indonesia

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Abstract. Sports are an effort to improve the quality of life and well-being of the people. National development in the field of sports is carried out in a planned, systematic, integrated, tiered, and sustainable manner, oriented towards achievement and improvement of the welfare of sports actors, so that the development and management of sports are directed towards achieving the quality of health and fitness of the community, equitable access and fulfillment of sports infrastructure, improvement of achievement and improvement of the sports climate, as well as sports governance that is in accordance with community development and global sports competition. Therefore, the Regional Government must be able to guarantee equal opportunities for sports, improve quality, and the relevance and efficiency of sports management on an ongoing basis to face the challenges, demands, and dynamics of change in sports. The objectives of this study are: (1) to study the efforts that have been made by the Paser Regency Government in the field of sports organization; and (2) to study the problems faced in the framework of sports organization in Paser Regency. This study uses a legal research method, namely by conducting a Normative Juridical and Empirical Juridical legal research. The research activity stages are: (1) problem identification; (2) inventory of legal materials needed related to sports organization, systematization and analysis of legal materials; (3) observation and data collection; (4) data analysis; and (5) reporting. The results of the study show that: (1) The obstacles to sports and athlete development in Paser Regency include: (a) The absence of Regional Regulations as a legal umbrella that can maximize the development, development, and

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construction of Sports Infrastructure and Facilities in Paser Regency; (b) The participation of the community and the business world has not been running well, as well as the support of the business world/business entities; (c) The development and development of educational sports is still lacking, competitions or tournaments are rarely held, due to budget constraints; (d) The development and development of community sports (recreational sports) has not been implemented well, Paser Regency has community sports including "blowgun" but it is not well-promoted; (e) The obstacle to the development and development of achievement sports is funding; (f) For the development of sports for people with disabilities, coaching has continued to this day and has succeeded in winning championships in swimming and badminton for people with disabilities, but development is somewhat stagnant due to funding; (g) Sports funding in Paser Regency comes from the APBD, but it is not yet sufficient to meet the needs of sports organization in Paser Regency, it will be quite good if 2% of the APBD value can be budgeted; (h) The sports industry in Paser Regency has not received enough attention so it has not grown; (i) That the implementation of standardization, accreditation and certification of sports in Paser Regency is still far below the national standard; (j) That the coaching of sports actors in Paser Regency is only based on achievements that are then divided between athletes and coaches; (k) Doping is forbidden in the world of sports, socialization has been carried out to minimize doping; (l) Awards and Social Security provided by the Regional Government to: Athletes; Sports Actors; Sports Organizations; Government Institutions; Private; Business Entities; and Individuals who have achieved and or have contributed to the advancement of Sports in Paser Regency, have not been maximized, awards come from bonuses and achievements; (m) Development and Development of Achievement Sports is the main focus carried out by the Paser Regency KONI. While the development and development of educational sports, community sports, and sports for people with disabilities have not been implemented optimally. (2) The efforts made by the Paser Regency Government in the field of sports are by carrying out activities in the form of: (a) Tournaments, sports week in the form of tournaments in collaboration with sponsors, companies in Paser Regency with the aim of attracting interest in sports for young athletes, both from student sports and general achievements; (b) Community sports, namely the promotion of recreational community sports to attract interest, such as blowguns and others, which aim to find young sports seeds, preserve and introduce Paser Regency's characteristic sports to the national level; (c) Development and supervision carried out by: (1) By adding facilities and infrastructure for sports for coaches and athletes from the general level to the disability level; (2) By paying attention to the welfare of coaches, both incentives and awards for the achievements

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achieved by athletes to bring the name of Paser Regency; and (3) Supervision and strict sanctions if there is the use of doping to prevent unwanted things, although to date this strictness has been carried out by coaches and athletes, but there are no clear and binding sanctions related to the use of doping in the sports environment.

Keywords: Kalimantan Province; Paser District; Sports Management.

1. Introduction

The Indonesian government consistently upholds the motto "socializing sports and sporting the society" with the aim of maintaining and improving public health and fitness, achievements, intelligence, and human quality. It also aims to instill moral values, noble character, sportsmanship, competitiveness, and discipline. Additionally, it strengthens national unity and resilience, elevates the nation's dignity and honor, and contributes to world peace. The Ministry of Education and Culture (Depdikbud) defines sports as follows:

Sports signify physical activity or bodily movement. It represents a form of individual and societal education that prioritizes conscious and systematic physical movements aimed at achieving a higher quality of life. Based on the above quote, it can be concluded that sports are directly related to physical exercise. Sports are a form of individual and social education that emphasizes improving and utilizing human physical capacity. Sports activities connect people with each other, influencing their attitudes and self-perception. Sports are a popular activity among the Indonesian population. Today, sports are no longer disregarded but have become an integral part of society. This is evident by the numerous individuals, from children to adults, who engage in sports activities in public spaces on their days off. Based on their nature and objectives, sports can be categorized into competitive sports, educational sports, and recreational sports.

Therefore, to enhance the quality of life and well-being of the people, national development in the sports sector is implemented in a planned, systematic, integrated, multi-level, and sustainable manner. It focuses on achieving both high performance and improved welfare for those involved in sports. Consequently, the development and management of sports are directed towards achieving better public health and fitness, equitable access and provision of sports infrastructure, improved performance, and a more favorable sporting environment. Additionally, sports governance should adapt to societal advancements and the evolving dynamics of global sports competition.

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Sports development should ensure equal opportunities for participation, continuous improvement in quality, and relevant and efficient sports management to effectively address the challenges and demands of a changing sporting landscape, including strategic shifts in local, national, and international environments.

The promotion and development of sports are crucial aspects of sports implementation in a region. The Indonesian government has established regulations for the continuity of sports through Law Number 11 of 2022 concerning Sports. This law stipulates that sports activities are organized based on the principles of:

Nationality; mutual cooperation; justice; cultural development; utilization; diversity; participation; integration; sustainability; accessibility; sportsmanship; democracy; accountability; order and legal certainty.

In implementing the provisions contained in Law Number 11 of 2022 concerning Sports, the Regional Government has the following tasks:

- a. to determine and implement sports policies in the region based on the National Sports Policy; and
- b. to coordinate, monitor, and evaluate the implementation of sports policies in the region based on the National Sports Policy.

In implementing sports policies in regions, the Regional Government must consider the region's potential and conditions. In addition to the tasks mentioned above, the Regional Government has the authority to:

- a. Implement the National Sports Grand Design in the region by establishing a Regional Sports Design;
- b. Regulate, foster, and develop sports in the region; and
- c. Coordinate, implement, monitor, and evaluate the organization of sports in the region.

The execution of these tasks and authorities must be carried out in an integrated and continuous manner, and the Regional Government may establish a regional device organization that handles the sports field in accordance with the provisions of laws and regulations.

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Furthermore, Sports Development and Development includes the activities of Educational Sports, Community Sports, and Achievement Sports. In addition, also regulate the development and development of Amateur Sports, the development and development of Professional Sports, and the development and development of Sports for People with Disabilities. According to Lutan, there are 10 (ten) main components in sports achievement development. Lutan adopts De Bosscher et al's theory in 2006 about 10 components or pillars that can be used as the foundation for achieving the goals of sports achievement development. The 10 pillars consist of:

Pillar 1. Financial Support

Pillar 2. Organization and Structure of Integrated Sports Policy

Pillar 3. Marketing and Seeding

Pillar 4. Achievement Development: Talent Identification and Development

Pillar 5. Elite Group Achievement Development: Reward System and Post-Career Support

Pillar 6. Sports Infrastructure: Training Facilities

Pillar 7. Provision of Coaches, Training and Training Quality

Pillar 8. Competition Quality: National and International Standards

Pillar 9. Scientific Research: Input of Science and Technology for Sports

Pillar 10. Media Environment and Sponsorship

Based on Lutan's opinion above, it is very clear that the implementation of regional tasks and authority can be a guideline for development to achieve the goals and directions of achievement sports development.

Furthermore, in educational sports, the role of the government through Law Number 20 of 2003 concerning the National Education System Article 37 paragraph (1) letter h explicitly regulates sports with the name Physical Education and Sports (Penjasor) as one of the compulsory subjects that must be held in schools at the elementary and secondary levels. The Law on the Education System also synergizes with Law Number 11 of 2022 concerning Sports on Article 18 which states:



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(1) Educational sports are held to instill character values and acquire the knowledge, skills, and attitudes needed to build an active healthy lifestyle throughout life.

(2) Educational sports as referred to in paragraph (1) are carried out, both on the formal education path through intracurricular and or extracurricular activities, as well as non-formal through forms of activities that are in accordance with needs.

(3) Educational sports start from an early age by referring to the level of growth and development of students.

(4) Educational sports on the formal education path are carried out at every level of education.

(5) Educational sports on the non-formal education path can be carried out with guidance from tutors in a structured and tiered manner and can be assisted by other sports personnel.

(6) Educational sports as referred to in paragraph (4) are carried out under the guidance of sports teachers/lecturers and can be assisted by other sports personnel who are prepared by each education unit.

(7) education units as they prepare sports infrastructure and educational sports facilities in accordance with national education standards

(8) Each education unit needs to hold sports championships and/or sports festivals in accordance with the level of growth and development of students periodically between education units at the same level to foster a sense of brotherhood, social skills, and learn to compete.

(9) The sports championships and/or sports festivals of education units as referred to in paragraph (8) can be continued at the district/city, provincial, regional, national and international levels.

The existing sports facilities and infrastructure in Paser Regency include: (1) Football Fields: Sadurengas Tapis Stadium Gentung Temiang Stadium (KM 5) Garuda Tana Paser Field Other Football Fields (2) Volleyball Courts: Sadurengas Tapis Indoor Volleyball Court Former Bappeda Volleyball Court Office Complex Volleyball Court Paser Regency DPRD Volleyball Court Paser Regency Setda Volleyball Court (3) Badminton Courts: PBSI Indoor Badminton Court (4) Tennis Courts: Tanah Grogot District Tennis Court Tapis Tennis Court (Sports Complex) (5) Rock Climbing: Rock Climbing Facility in the Paser Regency Government Complex Area (6) Basketball Courts: State Senior High School 1 Tanah Grogot Basketball Court State Vocational High School 1 Tanah Grogot Basketball Court Sadurengas Tapis Indoor Basketball Court (7) Futsal Courts:

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Sadurengas Tapis Indoor Futsal Court (8) Muaythai: Muaythai Facility in Tanah Grogot District
(9) Table Tennis: Table Tennis Sports Facility in Tanah Grogot District

It should be noted that the quality and quantity of these sports facilities and infrastructure should be further improved, considering that the growth of regional development should go hand in hand with the improvement of sports facilities in Paser Regency.

However, the current phenomenon is that the development of sports in Paser Regency seems slow and unable to adapt to the needs of the community. Therefore, to provide legal certainty and facilitate the determination of priority scales for development in the field of sports administration in Paser Regency, it needs to be regulated in a regulation.

The research objectives are: (1) To study the efforts that have been made by the Paser Regency Government in the field of sports administration; and (2) To study the problems faced in the context of sports administration in Paser Regency.

2. Research Methods

This research employs a legal research method, which consists of both normative legal and empirical legal research. The research stages are as follows: (1) Identifying the problems faced by the Paser Regency Government and the Paser Regency DPRD in the implementation of sports. This identification stage is carried out through literature research, interviews with respondents, and focus group discussions (FGD). (2) Inventorying legal materials required for the implementation of sports, systematization, and analysis of legal materials. (3) Observation and data collection. (4) Data analysis (5) Reporting

3. Results and Discussion

3.1. Study on the Implementation of Sports in Paser Regency: Conditions and Problems Faced.

Research results in Paser Regency, the Indonesian National Sports Committee of Paser Regency oversees 42 registered sports. While the outstanding sports include:

1. Swimming (PRSI);
2. Rowing (PODSI);
3. Sepak Takraw (PSTI);
4. Tarung Derajat;

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5. Taekwondo (TI).

Challenges in sports development and athlete training in Paser Regency are caused by several factors, including:

- a. The absence of Regional Regulations as a legal umbrella that can maximize the development, promotion, and construction of sports infrastructure and facilities in Paser Regency.
- b. The involvement of the community and business world has not yet been optimal, including support from businesses/companies.
- c. Development and promotion of sports education are still lacking. Competitions or tournaments are rarely held due to budget constraints.
- d. Development and promotion of community sports (recreational sports) have not been well implemented. Paser Regency has a traditional sport called "sumpit", but it is not sufficiently promoted.
- e. The main obstacle in high-performance sports development is funding.
- f. For sports for people with disabilities, training is ongoing and has successfully produced champions in swimming and badminton for athletes with disabilities. However, further development has stalled due to funding limitations.
- g. Sports funding in Paser Regency comes from the Regional Budget (APBD), but it is still insufficient to meet the needs of sports activities in the regency. An allocation of 2% of the APBD would be significantly beneficial. However, this proposal was contested by participants in the FGD (held at a different time), who argued that 2% is too high.
- h. The sports industry in Paser Regency has not received enough attention and therefore has not grown.
- i. The implementation of standardization, accreditation, and certification in sports in Paser Regency is still far below the national standard.
- j. The development of sports actors in Paser Regency is only based on achievement, which is then divided between athletes and coaches.
- k. Doping is forbidden in the world of sports. Socialization efforts have been implemented to minimize doping.

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Furthermore, Awards and Social Security provided by the Regional Government to:

1. Athletes;
2. Sports Actors;
3. Sports Organizations;
4. Government Institutions;
5. Private Sector;
6. Business Entities; and
7. Individuals."

Those who have achieved and/or contributed to the advancement of sports in Paser Regency are considered to have not been given maximum recognition and/or are not yet balanced with the achievements and services in the field of sports that have been made by the person concerned. The awards that have been given by the Paser Regency Government are from bonuses and achievements.

Sports Facilities and Infrastructure in Paser Regency:

1. Football Fields:
 - a) Sadurengas Tapis Stadium
 - b) Gentung Temiang KM 5 Stadium
 - c) Garuda Tana Paser Field
 - d) Football Field
2. Volleyball Courts:
 - a) Volleyball Court at Sadurengas Tapis Sports Hall
 - b) Volleyball Court at the former Bappeda office
 - c) Volleyball Court at the Government Office Complex
 - d) Volleyball Court at the Paser Regency DPRD
 - e) Volleyball Court at the Paser Regency Secretariat

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3. Badminton Court: The badminton court at the PBSI Sports Hall.

4. Tennis Courts:

a) Tennis Court at Tanah Grogot District

b) Tennis Court at Tapis (Sports Complex)

5. Rock Climbing Wall: Rock climbing facilities at the Paser Regency Government Complex Rock Climbing Area.

6. Basketball Courts:

a) Basketball Court at Tanah Grogot State High School 1

b) Basketball Court at Tanah Grogot State Vocational High School 1

c) Basketball Court at Sadurengas Tapis Sports Hall

7. Futsal Court: Futsal court at Sadurengas Tapis Sports Hall.

8. Muaythai: Muaythai facilities in Tanah Grogot District.

9. Table Tennis: Table tennis facilities in Tanah Grogot District.

Furthermore, the development and improvement of prestasi sports is the main focus of the Paser Regency KONI, while the development and improvement of educational sports, community sports, and sports for people with disabilities have not been implemented optimally.

The efforts made by the Paser Regency Government in the field of sports are by carrying out activities in the form of:

a. Tournament, sports week. This is a tournament in collaboration with sponsors from companies in Paser Regency. The aim is to attract the interest of young athletes, both from student sports and general achievement branches.

b. Community sports. This involves promoting recreational community sports to attract interest, such as blowgun and others. The aim is to find young sports talents, preserve and introduce Paser Regency's unique sports to the national level.

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In addition, the Paser Regency Government's efforts are also carried out in the field of Coaching and Supervision, namely by adding sports facilities and infrastructure for coaches and athletes from the general level to the disabled level, paying attention to the welfare of coaches, both incentives and awards for achievements that have been achieved by athletes to bring honor to the name. Paser Regency, and Supervision and strict sanctions if there is the use of doping to prevent unwanted things, although until now the strictness has been carried out by coaches and athletes, there have been no clear and binding sanctions regarding the use of doping in the sports environment in Paser Regency.

3.2. Legal Basis

The legal basis for drafting a Regional Regulation on Sports Management in Paser Regency cannot be separated from aspects related to the formation of Regional Regulations as binding and generally applicable legal instruments. This is in line with the provisions contained in Article 18 of the Constitution of the Republic of Indonesia, which states that regional governments, districts and cities regulate and manage their own government affairs according to the principles of autonomy and assigned duties.

Based on the analysis of the relevant legislation, the legal basis for the preparation of the Regional Regulation on Sports Development in Paser Regency is as follows:

The relevant legislation related to the formation of the Regional Regulation on Sports Development is as follows:

1. Article 18(6) of the 1945 Constitution of the Republic of Indonesia: (6) Regional governments have the right to establish regional regulations and other regulations to implement autonomy and delegated tasks.
2. Act No. 27 of 1959 Concerning the Stipulation of Emergency Act No. 3 of 1953 on the Formation of Level II Regions in Kalimantan (State Gazette of 1953 Number 9).
3. Act No. 20 of 2002 concerning the National Education System (State Gazette of the Republic of Indonesia 2005 Number 89, Supplement to the State Gazette of the Republic of Indonesia Number 4301).
4. Act No. 3 of 2005 concerning the National Sports System (State Gazette of the Republic of Indonesia 2005 Number 89, Supplement to the State Gazette of the Republic of Indonesia Number 4535).

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5. Act No. 25 of 2009 concerning Public Services (State Gazette of the Republic of Indonesia 2009 Number 112, Supplement to the State Gazette of the Republic of Indonesia Number 5038).
6. Act No. 36 of 2009 concerning Health (State Gazette of the Republic of Indonesia 2009 Number 144, Supplement to the State Gazette of the Republic of Indonesia Number 5063).
7. Act No. 12 of 2011 concerning the Formation of Legislation (State Gazette of the Republic of Indonesia 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234).
8. Act No. 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as amended several times, most recently by Act No. 9 of 2015 concerning the Second Amendment to Act No. 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679).
9. Act No. 11 of 2022 concerning Sports (State Gazette of the Republic of Indonesia 2022 Number 71, Supplement to the State Gazette of the Republic of Indonesia Number 6782).
10. Government Regulation No. 16 of 2007 concerning the Implementation of National Sports (State Gazette of the Republic of Indonesia 2007 Number 35, Supplement to the State Gazette of the Republic of Indonesia Number 4703).
11. Government Regulation No. 17 of 2007 concerning Sports Week and Championships (State Gazette of the Republic of Indonesia 2007 Number 36, Supplement to the State Gazette of the Republic of Indonesia Number 4704).
12. Government Regulation No. 18 of 2007 concerning Sports Funding (State Gazette of the Republic of Indonesia 2007 Number 37, Supplement to the State Gazette of the Republic of Indonesia Number 4704).
13. Government Regulation No. 17 of 2012 concerning the Management and Implementation of Education (State Gazette of the Republic of Indonesia 2010 Number 23, Supplement to the State Gazette of the Republic of Indonesia Number 5015) as amended by Government Regulation No. 66 of 2010 concerning the Management and Implementation of Education (State Gazette of the Republic of Indonesia 2010 Number 102, Supplement to the State Gazette of the Republic of Indonesia Number 5157).

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3.3. Study on the Implications of Implementing the New Rules that will be Regulated in the Regional Regulation on Sports Management and its Impact on the Financial Burden of Paser Regency

The Impact of Implementing the Regulation on Sports Organization in Paser Regency The implementation of the Regulation on Sports Organization in Paser Regency will directly and indirectly affect various aspects of community life. This is related to the organization of sports, including:

1. Guidelines for Establishing Policies and Strategies for Sports Development This regulation will serve as the legal basis and guideline for all parties in setting policies and strategies for sports development. It will clearly define the planning, tasks, authority, and responsibilities of the Paser Regency Government in organizing sports. Additionally, it will clearly outline the roles, responsibilities, and rights of various stakeholders. This will ensure legal certainty and transparency in the implementation of sports programs.
2. Organized Sports Events The regulation will promote the organization of planned sports events. This will result in more focused, planned, and integrated sports programs, leading to greater success in advancing sports in Paser Regency.
3. Improved Provision of Sports Infrastructure and Facilities The regulation will serve as the basis for the Paser Regency Government to provide and/or complete sports infrastructure and facilities in order to effectively organize sports events.
4. Sports Organization and Task Force The regulation will clearly define the sports organization and task force, providing legal certainty for the establishment, management, membership, secretariat, finances, statutes, and bylaws of sports organizations.
5. Record Keeping and Reporting Record keeping and reporting are essential for sports organizations in Paser Regency to ensure effective sports development. This is a requirement for organizations to receive funding from the government, private sector, or the community. By fulfilling this requirement, sports organizations can maximize their potential to develop their members and improve their quality in accordance with applicable regulations.

Impact of the Regulation on the Financial Aspect of Paser Regency as the regulation is a legal product jointly established by the Paser Regency Government and the Paser Regency DPRD, all its provisions must be implemented by both parties. In practice, the Paser Regency Government serves as the executor, while the Paser Regency DPRD plays a role in monitoring, evaluation, and budgeting.

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From a financial perspective, the preparation of the Academic Draft and the Draft Regulation on Sports Organization will undoubtedly impact the financial burden of the Paser Regency Government. The process of developing the regulation will require significant funding. However, with careful consideration and planning, this budgetary burden will be insignificant compared to the importance of sports development in Paser Regency.

4. Conclusion

1. Constraints in Organizing Sports in Paser Regency. a. The absence of Regional Regulations as a legal umbrella that can maximize the development and construction of sports infrastructure and facilities in Paser Regency. b. The participation of the community and the business world has not been running well, as well as the support of the business world/business entities. c. The development and development of educational sports are still lacking, competitions or tournaments are rarely held due to budget constraints. d. The development and development of community sports (recreational sports) have not been properly implemented. Paser Regency has community sports such as "sumpit" but it is not well-promoted. e. The constraint in the Development of Sports Achievement is Funding. f. For Sports for People with Disabilities, the development has been ongoing and has successfully won championships in special sports for disabilities in swimming and badminton, but development has stalled somewhat due to funding. g. Sports funding in Paser Regency comes from the APBD, but it is not sufficient to meet the needs of sports activities in Paser Regency. It would be good if 2% of the APBD value could be budgeted. However, this opinion was rejected by the FGD participants (held at a different time) who argued that the 2% percentage was too large. h. The sports industry in Paser Regency has not received enough attention so it has not grown. i. That the implementation of standardization, accreditation and certification of sports in Paser Regency is still far below the national standard. j. That the development of sports actors in Paser Regency is only from achievements that are then divided between athletes and coaches. k. Doping is forbidden in the world of sports, socialization has been carried out to minimize doping. l. Awards and Social Security provided by the Regional Government to: I. Athlete; II. Sports participant; III. Sports organization; IV. Government institution; V. Private sector; VI. Business entity; and VII. Individual. m. Athletes who have excelled and contributed to the advancement of sports in Kabupaten Paser have not reached their maximum potential, and awards are given in the form of bonuses and achievements. n. The coaching and development of performance sports are the main focus of the Sports Council of Kabupaten Paser. However, the coaching and development of educational sports, community sports, and sports for people with disabilities have not been fully implemented to their maximum potential yet. 2. Efforts made by the Paser Regency Government in the field of sports include conducting activities

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such as: a. Tournaments, sports weeks. These are tournaments held in collaboration with corporate sponsors in the Paser Regency with the aim of attracting the interest of young athletes in various sports disciplines, both from student sports and general achievements. b. Community Sports This involves promoting community sports activities that are recreational in nature to attract interest, such as sepak takraw and others, aimed at identifying young sports talents, preserving and introducing the typical sports of Paser Regency at the national level. c. Coaching and Supervision: a) By adding sports facilities for coaches and athletes from general to disability levels. b) By paying attention to the welfare of coaches through incentives and awards for the achievements of athletes to promote the reputation of Paser Regency. c) Monitoring and strict sanctions in case of doping use to prevent undesirable activities. Although the coaches and athletes have implemented strict monitoring, clear and binding sanctions related to doping use in the sports environment are yet to be established.

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