

DEPARTMENT OF AGRICULTURE OF THE REPUBLIC OF INDONESIA

**DECREE OF THE MINISTER OF AGRICULTURE  
NUMBER : 392/Kpts/IK.120/4/1999 ; DATED : APRIL 5, 1999**

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**FISHING LANES**

THE MINISTER OF AGRICULTURE,

- Considering** :
- a. that the Decree of the Minister of Agriculture No. 607/Kpts/Um/9/1976 jo. No. 608/Kpts/Um/9/1976 and No. 300/Kpts/Um/5/1978 has already regulated fishing lanes;
  - b. that in lane with developments of fishing technology, the above mentioned Decree needs to be amended, and at the same time to implement Article 4 of Act No. 9/1995, it is necessary to restipulate Fishing Lanes by issuing a Decree of the Minister of Agriculture;
- Bearing in mind** :
- 1. Act No. 5/1983;
  - 2. Act No. 9/1985;
  - 3. Act No. 21/1992;
  - 4. Act No. 6/1996;
  - 5. Government Regulation No. 15/1984;
  - 6. Government Regulation No. 15/1990 jo. No. 46/1993;
  - 7. President Decree No. 44/1974;
  - 8. President Decree No. 61/1998;
  - 9. President Decree No. 122/M/1998;
  - 10. Decree of the Minister of Agriculture No. 957/Kpts/IK.120/12/1996;
  - 11. Decree of the Minister of Agriculture No. 1016/Kpts/IK.210/12/1998;

**HAS DECIDED :**

**To stipulate : THE DECREE OF THE MINISTER OF AGRICULTURE ON FISHING LANES.**

**Article 1**

Without reducing the provisions on shipping lanes stipulated by the Government, fishing lanes in the Indonesian fishing territory shall be stipulated.

**Article 2**

The Indonesia fishing territory shall be divided into 3 (three) lanes :

- a. fishing lane I;
- b. fishing lane II; and
- c. fishing lane III.

### Article 3

- (1) **The fishing lane I** as meant in Article 2 letter a shall cover coastal water measured from the sea level of the lowest ebb at every island up to 6 (six) nautical miles seaward.
- (2) The fishing lane I as meant in paragraph (1) shall be divided into as follows :
  - a. coastal waters measured from the sea level of the lowest ebb up to 3 (three) nautical miles;
  - b. coastal waters outside 3 (three) nautical miles up to 6 (six) nautical miles.
- (3) The coastal waters measured from the sea level of the lowest ebb up to 3 (three) nautical miles as meant in paragraph (2) letter a shall only be reserved for :
  - a. stationary fishing equipment;
  - b. non stationary fishing equipment which is not modified; and/or
  - c. non-motorized fishing ships with the total length not surpassing 10 m.
- (4) The coastal waters outside 3 (three) nautical miles up to 6 (six) nautical miles as meant in paragraph (2) letter b shall only be reserved for :
  - a. non regular fishing equipment which are modified;
  - b. fishing ships :
    1. which are non-motorized and/or have not out boat motors with the total length not surpassing 10 m;
    2. which have out and in boat motors with the total length not of 12 m at the maximum or the weight of 5 GT at the maximum; and or
    3. which have purse seines with the length of 150 m at the maximum;
    4. which have drift gill nets with the length of 1,000 m at the maximum;
- (5) Every fishing ship operating in the fishing lane II shall be given lane identity by painting 1/4 (one fourth) of the left and right sides of the ships at the minimum :
  - a. with **white** colour, for fishing ships operating in waters up to 3 (three) nautical miles measured from the sea level of the lowest ebb;
  - b. with **red** colour. for fishing ships operating in coastal waters outside 3 (three) nautical miles up to 6 (six) nautical miles.

### Article 4

- (1) **The fishing lane II** as meant in Article 2 letter b shall cover water outside the fishing lane I up to 12 (twelve) nautical miles seaward.
- (2) The fishing lane II as meant in paragraph (1) shall be reserved for :
  - a. motorized fishing ships weighing 50 GT at the maximum;
  - b. fishing ships using the following fishing equipment :

1. purse seine with the maximal length of 600 m by using the method of one ship (single) rather than group operation or the maximal length of 1,000 m by using the method of two ships (double) rather than group operation;
  2. tuna long lines with the total hooks of 1,200 at the maximum;
  3. drift gill nets with the maximal length Of 2,500.
- (3) Every fishing ship operating in the fishing lane II shall be given lane identity by painting 1/4 (one fourth) of the left and right sides of the ships with **orange** colour.

#### **Article 5**

- (1) **The fishing lane III** as meant in Article 2 letter c shall cover waters outside the fishing lane II with the outer limit being the Indonesian Economic Exclusive Zone (ZEEI).
- (2) The allocation of the fishing lane III as meant in paragraph (1) shall be stipulated as follows :
  - a. the Indonesian waters are allowed to Indonesian-flag fishing ships weighing 200 GT, except ships which use large-scale laminating purse seine of the all size are prohibited from operating in Tomini Bay, Maluku, Seram, Banda, Flores and Sawu seas.
  - b. the ZEEI waters of the Malacca strait are allowed to Indonesian-flag fishing ships weighing 200 GT at the maximum, except ships which use fish nets with the minimal weight of 60 GT;
  - c. the ZEEI waters outside the Malacca Strait ZEEI are allowed to :
    - 1) Indonesian and foreign-flag fishing ships weighing 350 GT at the maximum for all kinds of fishing equipment;
    - 2) fishing ships weighing above 350 GT - 800 GT which use purse seines, may only operate outside 100 (one hundred) nautical miles from the Indonesian archipelagic base lane;
    - 3) fishing ships equipped with seines under the group system may only operate outside 100 (one hundred) nautical miles of the Indonesian archipelagic base lane.
- (3) Foreign-flag fishing ships may operates in the fishing lane III as meant in paragraph (2) letter c as far as their operation is possible according to the provisions of acts in force.
- (4) Every fishing ship operating in the fishing lane III shall be given lane identity by painting 1/4 (one fourth) of the left and right sides of the ships at the minimum with yellow colour.

#### **Article 6**

- (1) All fishing equipment used in every fishing lane shall be given fish trawl identity.
- (2) Provisions on the use of the fish trawl identity as meant in paragraph (1) shall be further

stipulated by the Director General of Fishery.

#### **Article 7**

Fishing ships using nets with the hole size of less than 25 mm (one inch) and purse seines with the hole size of less than 75 mm (3) shall be prohibited from operating in all fishing lanes, except small fish nets and lift nets.

#### **Article 8**

Motorized fishing ships undertaking research, survey, exploration and fishing training activities shall be excluded from the provisions on fishing lanes as stipulated in this decree, but they must obtain approval from the Director General of Fishery.

#### **Article 9**

- (1) All fishing ships and fishing equipment allowed to operate in the fishing lane I as meant in Article 3 paragraph (2) letter a, may be operated in the fishing lane I as meant in Article 3 paragraph (2) letter b, fishing lanes II and III as meant in Article 2 letters b and c.
- (2) All fishing ships and fishing equipment allowed to operate in the fishing lane I as meant in Article 3 paragraph (2) letter b, may be operated in the fishing lane II and III as meant in Article 2 letters b and c.
- (3) All fishing ships and fishing equipment allowed to operate in the fishing lane II as meant in Article 2 letter b, may be operated in the fishing lane III as meant in Article 2 letter c, and are prohibited from operating in the fishing lane I as meant in Article 3 paragraph (2).
- (4) All fishing ships and fishing equipment allowed to operate in the fishing lane III as meant in Article 2 letter c, shall be prohibited from operating in fishing lanes I and II as meant in Article 2 letters a and b.

#### **Article 10**

- (1) The Director General of Fishery shall contain fishing lanes prohibited in SPI and SPI for every ship.
- (2) Heads of Fishery Service Offices of First and Second-level regions shall contain fishing lanes prohibited in Fishing Ship Licences (SIKP) for every ship.

#### **Article 11**

Every fishing ship violating the provisions on fishing lanes, fishing ship, fishing equipment as well as fish trawl identity shall be liable to revocation of SPI or SIPI or IUP and/or a fine of Rp 25,000,000.00 (twenty five million rupiahs) at the maximum in accordance with Article 27 of Act No. 9/1985 on Fishery Affairs.

#### **Article 12**

The granting of fishing lane identity as meant in Article 3 paragraph (5), Article 4 paragraph (3) and Article 5 paragraph (4) shall be made not later one year after the enforcement of this decree.

in the stipulation of this decree, Decrees of the Minister of Agriculture No. 608/Kpts/Um/9/1976 on fishing lanes, No. 608/Kpts/Um/9/1976 on the stipulation of fishing lanes fishing ships owned by state-owned fishing companies and No. 300/Kpts/Um/5/1978 on the installation of fishing lane idnetity in fishing ships, shall be declared null and void.

**Article 14**

This decree shall come into force as from the date of stipulation.

Stipulated in : Jakarta

On : April 5, 1999

THE MINISTER OF AGRICULTURE

sgd.

Prof. Dr.Ir.H. SOLEH SOLAHUDDIN M.Sc.

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Concession Performance Guarantee shall belong to the government if a forest concession is revoked owing to a sanction;