

AGRICULTURE

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THE DEPARTMENT OF AGRICULTURE

**DECREE OF THE MINISTER OF AGRICULTURE**

**NUMBER : 805/Kpts/IK.120/12/95 ; DATED : DECEMBER 1, 1995**

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**THE STIPULATION ON THE USE OF FISH-CARRYING VESSELS**

THE MINISTER OF AGRICULTURE

- Considering** :        a.        that to maintain the quality of fish catches and safeguard fish resources, it is necessary to lay down a stipulation on the use of fish-carrying vessels;

- b. that to attain the above-mentioned goal and at the same time to follow up Article 4 of Act No. 9 of 1985, it is necessary to lay down a Stipulation on the Use of Fish-Carrying Vessels.

**Bearing  
in mind**

- : 1. Act No. 5 of 1983;  
2. Act No. 9 of 1985;  
3. Act No. 21 of 1992;  
4. Government Regulation No. 15 of 1984;  
5. Government Regulation No. 15 of 1960 jo. Government Regulation No. 46 of 1993;  
6. Government Regulation No. 8 of 1995;  
7. Presidential Decree No. 44 of 1974;  
8. Presidential Decree No. 15 of 1984 jo. Presidential Decree No. 83 of 1993;  
9. Presidential Decree No. 96/M/1993;  
10. Decree of the Minister of Agriculture No. 815/Kpts/IK.120/11/1990;  
11. Decree of the Minister of Agriculture No. 816/Kpts/IK.120/11/1990;  
12. Decree of the Minister of Agriculture No. 144/Kpts/IK.410/2/93 jo. Decree of the Minister of Agriculture No. 57/Kpts/IK.410/1/1995;  
13. Decree of the Minister of Agriculture No. 96/Kpts/OT.210/2/1994;

**With due**

**Observing of**

- : 1. Letter of the Director General of Sea Communications No. HK.42/1/2-94 dated January 26, 1994;  
2. Letter of the Attorney General of the Republic of Indonesia No. R. 663/F/Fs/7/1994 dated July 11, 1994.

**HAS DECIDED :**

**To stipulate : THE DECREE OF THE MINISTER OF AGRICULTURE ON THE STIPULATION ON THE USE OF FISH-CARRYING VESSELS.**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1**

Referred to in this decree as :

- a. A fish-carrying vessel shall be a vessel which is specially used to carry fish including loading, holding, storing, cold-storing or preserving;
- b. A Fishing Fleet Unit shall be a group of fishing vessels composed of holdless fishing vessels, auxiliary fishing vessels and fish-carrying vessels;
- c. Fish resources shall be all kinds of fishes as referred to in Act No. 9 of 1985 on Fishery;
- d. A Fishery Business Licence (IUP) shall be a written licence which must be owned by a fishery company in order to be able to conduct a fishery business by means of using production facilities mentioned in the licence;

- e. An Approval to Use Foreign Vessels (PPKA) shall be an approval granted to a fishery company already owning an IUP, allowing it to use a fishing vessel carrying a foreign flag in the framework of cooperation with a foreign individual or a foreign statutory body with respect to fishing activities in the Indonesian Exclusive Economic Zone;
- f. An Indonesian Fish-Carrying Vessel Licence (SIKPII) shall be a licence which must be owned by every fish-carrying vessel carrying an Indonesian flag used by a fishery company in order to be able to conduct fishing activities;
- g. An Indonesian Fishing and Fish-Carrying Vessel Licence (SIKPPI) shall be a licence which must be owned by every fishing vessel carrying an Indonesian flag in a Fishing fleet Unit used by a fishery company in order to be able to conduct fishing and fish-carrying activities;
- h. A Foreign Fish-Carrying Vessel Licence (SIKPPIA) shall be a licence which must be owned by every fish-carrying vessel carrying a foreign flag and used by a fishery company in order to be able to conduct fish-carrying activities;
- i. A Foreign Fishing and Fish-Carrying Vessel Licence (SIKPPIA) shall be a licence which must be owned by every holdless fishing vessel, auxiliary fishing vessel and fish-carrying vessel carrying a foreign flag in a fishing fleet unit hired by a fishery company in order to be able to conduct fishing and fish-carrying activities;
- j. An Indonesian Fish-Carrying Vessel Certificate of Approval (SPKPII) shall be a certificate of approval which must be owned by every fish-carrying vessel carrying an Indonesian flag and used by a non-fishery company in order to be able to conduct fish-carrying activities;
- k. A Foreign Fish-Carrying Vessel Certificate of Approval (SPKPIA) shall be a certificate of approval which must be owned by every fish-carrying vessel carrying a foreign flag and used by a non-fishery company in order to be able to conduct fish-carrying activities;
- l. A fishery company shall be a company conducting a fishery and run by (an) Indonesian citizen(s) or an Indonesian statutory body;
- m. A non-fishery company shall be a company conducting a non-fishery business and run by (an) Indonesian citizen(s) or an Indonesian statutory body;
- n. A Fishing certificate (SPI) shall be a certificate which must be owned by a fishery vessel carrying the Indonesian flag in order to be able to conduct fishing activities on the Indonesian waters and or in the Indonesian Exclusive Economic Zone (ZEEI) and which shall constitute an inseparable part of the Fishery Business Licence (IUP);
- o. A Fishing Licence (SIPI) shall be a licence which must be owned by every fishery vessel carrying a foreign flag used by an Indonesian fishery company already owning an IUP and a PPKA in order to be able to conduct fishing activities in the Indonesian Exclusive Economic Zone and which constitutes an inseparable part of the PPKA.

## Article 2

A fish-carrying vessel can be used by a fishery or a non-fishery company either an Indonesian or foreign flag.

**Article 3**

- (1) As for a fishing vessel which is at the same time used as a fish-carrying vessel in a fishing fleet unit carrying an Indonesian flag previously granted an SPI, the arrangement shall be as follows:
  - a. A fishing vessel which is at the same time used as a fish-carrying vessel shall be obligated to be covered with an SPI;
  - b. A fish-carrying vessel used only to conduct fish-carrying activities shall be obligated to be covered with an SIKPII;
  - c. A fish-carrying vessel in a fishing fleet unit carrying an Indonesian flag shall be obligated to be covered with an SIKPPII.
- (2) As for a fishing vessel which is at the same time used as a fishing-carrying vessel and a fish-carrying vessel in a fishing fleet unit carrying a foreign flag previously granted an SIPI, the arrangement shall be as follows :
  - a. A fishing vessel which is at the same time used as a fish-carrying vessel shall be obligated to be covered with an SIPI;
  - b. A fish-carrying vessel used only to conduct fish-carrying activities shall be obligated to be covered with an SIKPIA;
  - c. A fish-carrying vessel in a fishing fleet unit shall be obligated to be covered with an SIKPPIA.
- (3) A fish-carrying vessel carrying an Indonesian flag and used by a non-fishery company shall be obligated to be covered with an SPKPIA.
- (4) A fish-carrying vessel carrying a Foreign flag and used by a non-fishery company shall to be obligated to be covered with an SPKPIA.

**Article 4**

- (1) Fish-carrying vessels as referred to in article 3 paragraph (1) b and Article (3) paragraph (2) b shall be distinguished into :
  - a. vessels carrying living fish;
  - b. vessels carrying fresh and/or frozen fish.
- (2) The fish-carrying vessels as referred to in paragraph (1) may not be used for fishing activities.

**Article 5**

- (1) Vessels carrying living fish and vessels carrying fresh and/or frozen fish as referred to in Article 4 paragraph (1) a and b shall fulfill the following requirements :
  - a. Having a general arrangement drawing for a fish-carrying vessel;
  - b. The engine room and the superstructure shall be located in the ship's stern or in midship or in an area occupying 1/4 (one fourth) of the ship from its posterior; and

- c. The fish hold shall be located in an area from midship up to the bow of the ship.
- (2) Vessels carrying living fish as referred to in Article 4 paragraph (1) a shall be obligated to fulfil the following requirements and be completed with the following :
- a. (Having) A watertight fish hold using a hydrostatic and mechanic circulation system (a pumping system);
  - b. (Having) A water pump unit, which shall be compatible with the carrying capacity of the ship;
  - c. (Having) A blower, which shall be compatible with the living fish loading capacity;
  - d. (Having) A thermometer and a salinometer;
  - e. (Having) Equipment to transfer living fish;
  - f. (Having) Complete navigational and communications devices pursuant to the prevailing stipulation.
- (3) The vessels carrying fresh and/or frozen fish as referred to in Article 4 paragraph (1) b shall be obligated to fulfill the following requirements and be completed with the following :
- a. (Having) A winch, a boom and a crane as an auxiliary device/machine for hoisting and lowering activities;
  - b. (Having) A Well-insulated and watertight fish hold;
  - c. (Having) A freezing machine in compatible with the fish produce to be transported; and
  - d. (Having) Adequate navigational devices pursuant to the stipulation prevailing in navigational safety.
- (4) It is not obligatory that the requirements regarding the characteristics and the equipment of a fish-carrying vessel carrying an Indonesian flag as referred to in paragraph (1), (2) and (3) should be fulfilled by a fish carrying vessel carrying an Indonesian flag with an outboard the ship or with an inboard engine measuring not more than 30 Gross Tons (GTs) and/or with an engine having a capacity of not more than 90 Horse Power (HP).

#### Article 6

- (1) A fishery company may use a fish-carrying vessel as referred to in Article 4 paragraph (1) for the following activities :
- a. transporting fish from one sepaort to another, from a fish-collection site to a sepaort, from a seaport to an export destination country, from a fish breeding location to a fish collection site, from a fishing area where static instruments are used to a seaport and from a sepaort to an export destination country on broad a fish-carrying vessel carrying the Indonesian flag;
  - b. transporting fish a fishing vessel in a fishing fleet unit to a seaport, and from a seaport to an export destination country on broad a fish-carrying vessel carrying an Indonesian flag;
  - c. transporting fish from an export seaport to an export destination country on broad a fish-carrying vessel carrying a foreign flag; or
  - d. transporting fish from a fishing vessel in a fishing unit to a fishing base, from a fishing base to an export destination country on board a fish-carrying vessel carrying a foreign flag;

- (2) A non-fishery company may use fish-carrying vessels as referred to in Article 4 paragraph (1) for the following activities :
- a. transporting fish from one seaport to another, from a fish-collection site to a seaport, from a seaport to an export destination country on board a fish-carrying vessel carrying an Indonesian flag.
  - b. transporting fish from a seaport where fish is collected to an export destination country on board a fish-carrying vessel carrying a foreign flag.

## **CHAPTER II LICENSING**

### **Article 7**

- (1) Fish-carrying vessels carrying the Indonesian flag as referred to in Article 6 paragraph (1) letter a shall be required to be covered with an SIKPPII and the SIKPPII shall be granted to a fish-carrying vessel carrying an Indonesian flag and used by a fishery company already owning IUP.
- (2) Each fishery vessel carrying an Indonesian flag in a fishing fleet unit shall be required to be covered with an SIKPPII and the SIKPPII shall be granted to every fishery vessel carrying an Indonesian flag in a fishing fleet unit used by a fishery company already owning an IUP.
- (3) A fish-carrying a foreign flag as referred to in Article 6 paragraph (1) letter c shall be required to be covered with an SIKPIA and the SIKPIA shall be granted to a fish-carrying vessel hired by a fishery company already owning an IUP and a PPKA.
- (4) Each fishery vessel carrying a foreign flag in a fishing fleet unit shall be required to be covered with an SIKPPIA and the SIKPPIA shall be granted to every fishery vessel carrying a foreign flag in a fishing fleet unit hired by a fishery company already owning an IUP and a PPKA.
- (5) A fish-carrying vessel carrying the Indonesian flag as referred to in Article 6 paragraph (2) letter a shall be required to be covered with an SPKPII and the SPKPII shall be granted to a fish-carrying vessel carrying an Indonesian flag and used by a non-fishery company.
- (6) A fish-carrying vessel carrying a foreign flag as referred to in Article 4 paragraph (2) letter b shall be required to be covered with an SPKPIA and the SPKPIA shall be granted to a fish-carrying vessel carrying a foreign flag and hired by a non-fishery company.

### **Article 8**

- (1) An SPKPII shall be valid for 3 (three) years and afterwards every time it expires it shall be renewed for another 3 (three) years as far as the said vessel is still used to carry fish.
- (2) An SIKPPII shall be valid for 3 (three) years and afterwards every time it expires it shall be renewed for another 3 (three) years as far as the said vessel is still used to catch and carry fish in a fishing fleet unit.
- (3) An SIKPIA shall be valid for 1 (one) year and every time it may be renewed for another 1 (one) year as far as this does not contravene the prevailing acts.

- (4) An SIKPPIA shall be valid for 1 (one) year and every time it expires it may be renewed for another 1 (one) year as far as this does not contravene the prevailing acts.
- (5) An SPKPPII shall be valid for 3 (three) years and afterwards every time it expires it shall be renewed for another 3 (three) years as far as the said vessel is still used to carry fish.
- (6) An SPKPPIA shall be valid for 3 (three) months and every time it expires it may be renewed for another 3 (three) months as far as this does not contravene the prevailing acts.

#### Article 9

The Director general of Fisheries shall grant :

- a. An SIKPPII to a fish-carrying vessel or an SIKPPII to every fishery vessel in a fishing fleet unit carrying an Indonesian flag, having an inboard motor measuring over 30 Gross Tons (GTs) and/or having an engine with a capacity of over 90 Hores Power (HP) and used by a fishery company;
- b. An SIKPPIA to a fish-carrying vessel or an SIKPPIA to every fishery vessel in a fishing fleet unit carrying a foreign flag and used by a fishery company;
- c. An SPKPPII to a fish-carrying vessel carrying an Indonesian flag and used by a non-fishery company with an inside motor measuring over 30 GTs and/or having an engine with a capacity of over 90 HP;
- d. An SPKPPIA to a fish-carrying vessel carrying a foreign flag used by a non-fishery company.

#### Article 10

The Governor/Head of a First-Level Region shall grant :

- a. An SIKPPII to a fish-carrying vessel or an SIKPPII to every fishery vessel in a fishing fleet unit carrying an Indonesian flag, used by a fishery company and having an outboard motor measuring from 10 up to 30 GTs and/or having an engine with a capacity of 30 up to 90 HP;
- b. An SPKPPII to a fish-carrying vessel carrying an Indonesian flag used by a non-fishery company, with an in-board motor measuring from 10 up to 30 GTs and/or with an engine having a capacity of 30 up to 90 HP.
- c. The stipulation on the procedure for the granting of an SIKPPII, an SIKPPII and an SPKPPII as referred to in points a and b shall be further regulation by the Governor/Head of a First-Level Region with this decree serving as a guideline.

#### Article 11

- (1) A district head/head of a pilot project second-level region as referred to in Government Regulation No. 8 of 1995 on the Delegation of Some of Government Matters to 26 (Twenty-Six) pilot project second-level regions, shall grant :
  - a. An SIKPPII to a fish-carrying vessel or a SIKPPII to every fishery vessel in a fishing fleet unit carrying an Indonesian flag used by a fishery company, having an outboard or inboard motor measuring less than 10 GTs and/or having an engine with a capacity of less

than 30 HP;

- b. An SPKPPII to a fish-carrying vessel carrying the Indonesian flag, used by a non-fishery company, having an outboard or inboard motor measuring less than 1 GTs and/or having an engine with a capacity of less than 30 HP; and
  - c. A Fish-Carrying Vessel Registration Card to a fish-carrying vessel used by fishermen having only 1 (one) fish-carrying vessel with an outboard or inboard motor measuring up to 5 GT and/or with an engine having a capacity of up to 15 HP.
- (2) The stipulation on the procedure for the granting of an SIKPII, an SIKPPPII, an SPKPPII and a Fish-Carrying Vessel Registration Card as referred to in paragraph (1) shall be further regulated by a district head/head of a second-level region concerned with this decree serving as a guideline.

#### **Article 12**

Every fish-carrying vessel or fishing vessel in fishing fleet unit shall always carry the original SIKPII, SIKPPPII, SIKPIA, SIKPPPIA, SPKPPII or SPKPPIA aboard, as stipulated in Article 7 of this decree.

### **CHAPTER III REQUIREMENTS AND PROCEDURE FOR THE GRANTING OF SIKPII, SIKPPPII, SIKPIA, SIKPPPIA, SPKPPII AND SPKPPIA**

#### **Article 13**

- (1) An SIKPII as referred to in Article 7 paragraph (1) shall be granted to a fish-carrying vessel used by a fishery company if copies of the following have been submitted :
- a. An IUP;
  - b. A Vessel Registration Card (Gross Akte);
  - c. A Vessel Property Title; and
  - d. A Vessel Worthiness Certificate.
- (2) An SIKPPPII as referred to in Article 7 paragraph (2) shall be granted to every fishery vessel in a fishing fleet unit used by a fishery company if copies of the following have been submitted :
- a. An IUP;
  - b. A Vessel Registration Card (Gross Akte);
  - c. A Vessel Property Title; and
  - d. A Vessel Worthiness certificate.

#### **Article 14**

- (1) An SIKPIA as referred to in Article 7 paragraph (3) shall be granted to a fish-carrying vessel hired by a fishery company if copies of the following have been submitted :
- a. An IUP and a PPKA;
  - b. The Establishment Act of the Company;
  - c. The Curriculum Vitae of Shareholders;
  - d. The General Arrangement Drawing of the Vessel;
  - e. The Summary of the Specifications of the Vessel;
  - f. The Captain's Passport;
  - g. A List of Crew Members; and



- h. Security clearance from the intelligence Agency of the Armed Forces of the Republic of Indonesia (BIA)
- (2) An SIKPPIA as referred to in Article 7 paragraph (4) shall be granted to every fishery ship in a fishing fleet unit hired by a fishery company if copies of the following have been submitted :
- a. An IUP and a PPKA;
  - b. The Curriculum Vitae of Shareholders;
  - c. The Establishment Act of the Company;
  - d. The General Arrangement Drawing of the Vessel;
  - e. The Summary of the Specifications of the Vessel;
  - f. A List of Crew Members;
  - g. The Captain's Passport
  - h. Security from the Intelligence Agency of the Armed Forces of the Republic of Indonesia (BIA).

#### **Article 15**

An SPKPII as referred to in Article 7 paragraph (5) shall be granted to a fish-carrying vessel used by a non-fishery company if copies of the following of the following have been submitted :

- a. The Establishment Act of the Company;
- b. The General Arrangement Drawing of the Vessel; and
- c. The Summary of the Specifications of the Vessel;

### **Article 16**

An SPKPIA as referred to in Article 7 paragraph (6) shall be granted to a fish-carrying vessel hired by a non-fishery company if copies of the following have been submitted :

- a. The Establishment Act of the Company;
- b. The General Arrangement Drawing of the Vessel; and
- c. The Summary of the Specifications of the Vessel;
- d. The Captain's Passport;
- e. A List of Crew Members; and
- f. Security clearance from the intelligence Agency of the Armed Forces of the republic of Indonesia (BIA).

### **Article 17**

- (1) An application for an SIKPII, SIKPPII or an SPKPII shall be filed to the Director General of Fisheries using a form of Phn-1a model with those making up the requirements as referred to in Articles 13 and 15 being attached.
- (2) The Director General of Fisheries shall, within 6 (six) working days at the latest after receiving an application for an SIKPII, SIKPPII or SPKPII in complete order, already appoint an officer to check the conformity between the application and the business plan and the documents containing the vessel's technical data.
- (3) If deemed necessary, a new fish-carrying vessel or one already operational may be subject to a vessel's physical examination and a report on the outcome of the vessel's physical examination shall be submitted to the Director General of Fisheries at the latest 10 (ten) days after the examination is completed.
- (4) The report on the outcome of the checking as referred to in paragraph (2) shall, at the latest within 20 (twenty) working days, already be submitted by the officer to the Director General of Fisheries using a form of Lpp-a model.
- (5) On the basis of the report on the outcome of document checking and the report on the vessel's physical examination, the Director General of Fisheries shall, at the latest within 6 (six) working days, already grant an SIKPII, SIKPPII and SPKPII, using a form of Ptn-3a model for an SIKPII, a form of Ptn-3b model for an SIKPPII and a form of Ptn-4a model for an SPKPII or reject the

application using a form of Ptn-2a model.

- (6) In the event of a rejection, a fishery company shall be given another opportunity to file again an application for an SIKPII, SIKPPII and SPKPII in accordance with the business plan.

#### **Article 18**

- (1) An application for an SIKPIA, SIKPPIA or SPKPIA shall be filed to the Director General of Fisheries using a form of Phn-1a model with those making up the requirements as referred to in Articles 14 and 16 being attached.
- (2) The Director General of Fisheries shall, at the latest 6 (six) working days after receiving the application in complete order, approve or reject the application for an SIKPIA, SIKPPIA or SPKPIA on the basis of among other things :
- a. the number of existing vessels;
  - b. the decree of the collection and utilization of fish resources at the seaport where fish is collected or in the Indonesia's Exclusive Economic Zone.
- (3) In the event of the application for an SIKPIA, SIKPPIA or SPKPIA being approved, the Director General shall, at the latest 6 (six) working days after the approval of the application, already appoint an officer to check the documents containing the vessel's technical data.
- (4) If deemed necessary, a fish-carrying vessel and a fishery vessel in a new fishing fleet unit, or one already operational, may be subject to a vessel's physical examination and a report on the outcome of the physical examination of the vessel must be submitted to the Director General of Fisheries at the latest 10 (ten) days after the examination is completed.
- (5) A report on the outcome of the checking of the documents attached to a licence application must, at the latest within 20 (twenty) working days, already be submitted by the officer to the Director General of Fisheries using a form of Lpp-a model.
- (6) On the basis of the report on the outcome of the document checking and the report on the outcome of the vessel's physical examination, the Director General of Fisheries shall, at the latest within 6 (six) working days, already grant an SIKPIA using a form of Ptn-5a model, an SIKPPIA using a form of Ptn-5b model and an SPKPIA using a form of Ptn-4b model.
- (7) In the event of an application for an SIKPIA, SIKPPIA or SPKPIA being rejected, the Director General of Fisheries shall convey the rejection using a form of Ptn-2A model.

#### **Article 19**

- (1) An SIKPPIA shall be granted after a fishery company has paid fishery levy to the government through the bank of Indonesia in accordance with the Fishery Levy Payment Instruction Letter (SPP-PP) issued by the Director General of Fisheries using a form of Ptn-6a model.
- (2) The fishery levy must be paid up at the latest within 30 (thirty) working days after the fishery company has received the SPP-PP, and if within the said period it has not been paid up the period for the paying up of the fishery levy may be extended for a maximum of 30 (thirty) working days upon request of the fishery company.

- (3) If within the extension period the fishery company has still not paid up the fishery levy, the SPP-PP shall be cancelled and the SIKPPIA shall not be granted.

#### **Article 20**

- (1) A holder of an SIKPII, SIKPPII or SPKPII shall be obligated :
- a. to implement the stipulations contained in the SIKPII, SIKPPII or SPKPII;
  - b. submit a business activity report once in 6 (six) months to the party granting the licence/approval.
- (2) A holder of an SIKPIA, SIKPPIA or SPKPIA shall be obligated to :
- a. implement the stipulations contained in the SIKPIA, SIKPPIA or SPKPIA;
  - b. specially with respect to an SIKPIA or an SIKPPIA business activity reports shall be submitted once in 3 (three) months to the party granting the licence; and
  - c. specially with respect to an SPKPIA, business activity reports shall be submitted at the latest 10 (ten) days after the expiry of the SPKPIA.

### **CHAPTER V PROCEDURE FOR THE REVOCATION OF SIKPII, SIKPPI, SIKPIA, SIKPPIA, SPKPII AND SPKPIA**

#### **Article 21**

- (1) An SIKPII or an SIKPPII shall expire if :
- a. the period of validity has expired;
  - b. it is returned to the party granting the licence prior to the expiration of its validity period;
  - c. it is revoked by the party granting the licence; or
  - d. the IUP is revoked by the party granting the licence.
- (2) An SIKPII or an SIKPPII shall be revoked if :
- a. a fish-carrying vessel or a fishery vessel in a fishing fleet unit no longer fulfil a vessel's technical stipulation;
  - b. A fish-carrying vessel is used in fishing activities;
  - c. A fishery company no longer uses a fish-carrying vessel or a fishery vessel in a fishing fleet unit covered with the said SIKPII or SIKPPII or
  - d. The IUP owned by a fishery company is revoked by the party granting the licence.
- (3) An SIKPIA or an SIKPPIA shall expire if :
- a. Its validity period has expired;
  - b. It is returned to the party granting the licence prior to the expiration of its validity of its validity period;

- c. It is revoked by the party granting the licence;
- e. The IUP is revoked by the party granting the licence; or
- f. A fish-carrying vessel or a fishery vessel in a fishing fleet unit is no longer used by a PPKA holder.

(4) An SIKPIA or an SIKPPIA shall be revoked if :

- a. The technical stipulation of a vessel is no longer complied with;
- b. A fish-carrying vessel is used not for loading, accomodating or transporting fish;
- c. A fish-carrying vessel or a fishery vessel in a fishing fleet unit covered with the said SIKPIA or SIKPPIA is no longer used;
- d. The IUP and or the PPKA are/is revoked by the party granting the licence;
- e. It is used in connection with the transportation of forbidden goods; or
- f. The stipulations contained in the SIKPIA or SIKPPIA are not complied with.

(5) An SPKPII shall expire if :

- a. The SPKPII is revoked by the party granting an approval;
- b. The validity period of the SPKPII has expired;
- c. The company has gone bankrupt/terminated its business; or
- d. The SPKPII is transferred to another party.

(6) An SPKPII shall be revoked if :

- a. It violates the prevailing stipulations for SPKPII;
- b. Reports on business activities are not submitted for three times consecutively or incorrect reports are deliberately submmited; or
- c. The company has failed to carry out is activities for 2 (two) years since the granting of the SPKPII.

(7) An SPKPIA shall expires if :

- a. The SPKPIa is revoked by the party granting an approval;
- b. The validity period of the SPKPIa has terminated;
- c. The hiring company has gone bankrupt/terminated its business; or
- d. The SPKPIa is transferred to another party.

- (8) An SPKPIa shall be revoked if the prevailing stipulations for SPKPIA are violated.

#### **Article 22**

The implementation of the revocation of an SIKPII, an SIKPPII, an SIKPIA, an SPKPII and an SPKPIA shall go through the following stages :

- a. a written reminder using a form of Ptn-7a model shall be given for 3 (three) times consecutively with an interval of 1 (one) month each time;
- b. the licence shall be suspended for 1 (one) month using a form of Ptn-8a model after the third reminder has gone unheeded;
- c. suspension may be lifted if during the suspension period the fishery company fulfils the requirements stipulated in this decree;
- d. If the suspension period is over and the fishery or non-fishery company has not fulfilled the requirements stipulated in this decree, the SIKPII, SIKPPII, < SIKPIA, SIKPPIA, SPKPII or SPKPIA shall be revoked using a form of Ptn-9a model.

### **CHAPTER V OBLIGATIONS AND PROHIBITIONS**

#### **Article 23**

- (1) A foreign-flag-carrying vessel carrying live fish shall be permitted only to carry living fish from 2 (two) seaports, 2 (two) fish-collection locations/sites or 2 (two) fish-breeding sites, accomodate and/or carry fish which has been collected, as specified in the SIKPIA or SPKPIA to an export destination country.
- (2) A fish-carrying vessel carrying a foreign flag shall be obligated to export fish from an export seaport as stipulated in the SIKPIA, SIKPPIA or SPKPIA.

#### **Article 24**

- (1) In the framework of implementing the management of and supervision over fish resources, fish-carrying vessels carrying a foreign flag shall be prohibited to conduct fish transactions/transhipment at sea.
- (2) A fishing vessel included in 1 (one) fishing fleet unit as referred to in Article 1 letter b shall be prohibited to conduct fish transactions/transhipment with another vessel not included in a fishing fleet unit.

#### **Article 25**

After entering a seaport or a site as referred to in Article 22, a fish-carrying vessel shall be obligated to report its arrival to the MCS Officer.

#### **Article 26**

In addition to the obligation to comply with the stipulations in this decree, a fish-carrying vessel shall also be obligated to comply with relevant prevailing acts.

**CHAPTER VI  
TRANSITIONAL PROVISION**

**Article 27**

The SIPI already granted to a foreign fish-carrying vessel or to a foreign fishing vessel in a fishing fleet unit hired by an Indonesian fishery company prior to the stipulation of this decree shall remain valid until it expires and must afterwards be replaced with an SIKPIa or an SIKPPIA as far as the fishery company concerned still carries out its business.

**CHAPTER VI  
TRANSITIONAL PROVISION**

**Article 27**

The SIPI already granted to a foreign fish-carrying vessel or to a foreign fishing vessel in a fishing fleet unit hired by an Indonesian fishery company prior to the stipulation of this decree shall remain valid until it expires and must afterwards be replaced with an SIKPIa or an SIKPPIA as far as the fishery company concerned still carries out its business.

**CHAPTER VII  
CLOSING PROVISION**

**Article 28**

This decree shall take effect as from the date of stipulation.

Stipulated at : JAKARTA  
On : DECEMBER 1, 1995  
MINISTER OF AGRICULTURE

signed  
Dr. Ir. SJARIFUDIN BAHARSJAH

**ATTACHMENTS :**

**Model Phn-1a**

Number	:		Jakarta, ..... 19....
Attachments	:		
Subject	:	Application for SIKPPII/SIKPPII/ SIKPIA/SIKPPIA/ SPKPII/SPKPIA *)	To. The Director General of Fisheries in J A K A R T A.

We, the undersigned :

- |    |                                       |   |  |
|----|---------------------------------------|---|--|
| 1. | Name                                  | : |  |
| 2. | Position in the Company/Cooperative   | : |  |
| 3. | Name of Company/Cooperative *)        | : |  |
| 4. | Address of the Company/Cooperative *) | : |  |

herewith file an application to obtain an SIKPII/SIKPPII/SIKPIA/SIKPPIA/SPKPII/SPKPIA.

To fulfil obligatory requirements please find attached \*\*):

1. Documents to fulfil the requirements for an application for an SIKPII/SIKPPII/SPKPII :
  - a. A Business Plan;
  - b. The Taxpayer's Code Number (NPWP);
  - c. The Establishment Act of the Company;
  - d. A Vessel Registration Card (Gross Akte);
  - e. A Vessel Property Title;
  - f. A Vessel Worthiness Certificate;
  
2. Documents to fulfil the requirements to obtain an SIKPIA/SIKPPIA :
  - (a) An IUP;
  - (b) A PPKA;
  - (c) The General Arrangement Drawing of the Vessel;
  - (d) A Summary of the Specifications of the Vessel;
  - (e) The Captain's Passport;
  - (f) A List of Crew Members.
  
3. Documents to fulfil the requirements to obtain an SPKPIA :
  - (a) A contract on the use of a fish-carrying vessel;
  - (b) The General Arrangement Drawing of the Vessel;
  - (c) A Summary of the Specifications of the Vessel;
  - (d) The Captain's Passport;
  - (e) A List of Crew Members;

We are filing this application for your consideration and we thank you for your attention and approval.

.....  
Management/Party Assuming Responsibility

Copies to :  
Head of Fisheries Service of  
First-Level Region of .....  
(only for applicant .....)

Note : \*) Delete as necessary  
\*\*) Check the suitable one.

**Model Lpp-a**

Report on the outcome of an examination  
of SIKPII/SIKPPII/SIKPIA/SIKPPIA/SPKPII/SPKPIA

1. Name of Company/Cooperatives \*) :
2. Date of Application :
3. Date of Examination Assignment :
4. Date of Report :



No.	Type of Documents	Available	Unavailable	Complete/ Incomplete	Description/ Remarks
1.	An application for an SIKPII/SIKPPII				
	a. IUP				
	b. Vessel Registration Card (Gross Akte)				
	c. Vessel Property Title				
	d. Vessel Worthiness certificate				
2.	An application for an SIKPIA/SIKPPIA				
	a. IUP and PPKA				
	b. Curriculum Vitae of Shareholders				
	c. Establishment Act of the Company/Cooperative *)				
	d. General Arrangement Drawing of the Vessel				
	e. Summary of Vessel's Specifications				
	f. Captain's Passport				
	g. List of Crew Members				
3.	An application for an SIKPII				
	a. Act of Establishment of the Company				
	b. General Arrangement Drawing of the Vessel				
	c. List of Vessel's Specifications				
4.	An application for an SPKPIA				
	a. Act of Establishment of the Company				
	b. General Arrangement Drawing of the Vessel				
	c. Summary of the Vessel's Specifications				
	d. Captain's Passport				
	e. List of Crew Members				
	f. Security Clearance				
5.	An application for the renewal of SIKPII/SIKPPII/SIKPIA/SIKPPIA/SPKPII/SPKPIA *)				
	a. Renewal Completion List				
	b. ....				
	c. ....				

Examination Conclusion :

Note : Delete as necessary.

Examining Officer

**Model Ptn-3a**

MINISTRY OF AGRICULTURE

INDONESIAN FISH-CARRYING VESSEL LICENCE  
(S I K P I I)

Number :

After examining the application for an Indonesian Fish-Carrying Vessel under Number : ..... dated ..... from :

1. Name of Company/Cooperative :
2. Office address :
3. Fishery Business Licence Number :

The Director General of Fisheries grants an Indonesian Fish-Carrying Vessel Licence to the applicant to complete the fishery vessel mentioned below :

1. Data of vessel :
  - a. Name of vessel :
  - b. Registration place and number/ :

- c. brand mark
  - d. Flag of the vessel : (GT)
  - e. Gross weight : Netto Ton
  - f. Net load : HP
  - g. Engine power : HP
  - h. Engine serial number :
  - i. Engine make :
  - i. R P M :
2. Status of vessel :
    - Owned/hired :
  3. Fish hold
    - a. Loading capacity :
    - b. Temperature of fish-storing room :
  4. Port of destination, port of call/loading
    - a. Port of destination :
    - b. Port of loading/call :
  5. Fishing base :
  6. Number of crew members
    - a. Expatriate : persons
    - b. Indonesian : persons

This Indonesian Fish-Carrying Vessel Licence shall come into force as from

Jakarta, ..... 19....  
 DIRECTOR GENERAL OF FISHERIES

( )

Copies :

1. ....
2. ....
3. ....
4. ....

**Model Ptn-3b**

MINISTRY OF AGRICULTURE  
 DIRECTORATE GENERAL OF FISHERIES

-----  
 INDONESIAN FISHING AND FISH-CARRYING VESSEL LICENCE  
 ( S I K P P I I )

NUMBER :

After examinig the application of an Indonesian Fishing and Fish-Carrying Vessel Licence under Number : ..... dated ..... from :

1. Name of Company/Cooperative :
2. Office address :
3. Fishery Business Licence Number :

the Director general of Fisheries grants an Indonesian Fishing and Fish-Carrying Vessel Licence to the applicant to complete the fishery vessel mentioned below :

1. Data of vessel :
  - a. Name of vessel :
  - b. Registration place and number/ Brand mark :
  - c. Flag of vessel :
  - d. Gross weight : (GR)
  - e. Net load : Netto Ton

- f. Engine power : HP
  - g. Engine serial number :
  - h. Engine make :
  - i. R P M :
2. Status of vessel  
- Owned/hired
3. Fish hold
- a. Loading capacity : M<sup>3</sup>
  - b. Temperature of fish-storing room :
4. Port of destination, port of call/loading :
- a. Port of destination :
  - b. Port of loading/call :
5. Fishing base :
6. Number of Crew Members :
- a. Expatriate : persons
  - b. Indonesian : persons

This Indonesian Fishing and Fish-Carrying Vessel Licence shall come into force as from ..... (date) up to ..... (date).  
Jakarta, ..... 19....

DIRECTOR GENERAL OF FISHERIES

Copies :

- 1. ....
- 2. ....
- 3. ....
- 4. ....

**Model Ptn-4a**

MINISTRY OF AGRICULTURE  
DIRECTORATE GENERAL OF FISHERIES

-----  
INDONESIAN FISH-CARRYING VESSEL APPROVAL CERTIFICATE  
( SPKPII )

NUMBER :

After examining the application for a Certificate of Approval for the Use of an Indonesian Fish-Carrying Vessel under Number ..... dated ..... the Director General of Fisheries grants an Approval for the Use of a Fish-Carrying Vessel Carrying an Indonesian Flag to :

Name of Company/Cooperative :  
Office address :  
Management head :  
Under the following provisions

1. Type and quantity of fish produce

No.	Type (Frozen/Live)	Quantity (Ton Pieces)	:	for frozen ship
			:	for live fish )

2. Name and Size of Vessel

No.	Name of Vessel	Size

3. Port of Loading/Call and Export Destination Country

Port of Loading/Call	Destination Country	Description

4. The said vessel shall not be permitted to be used as a fishing vessel.
5. This Approval Certificate shall constitute a recommendation for the settlement of navigational operation licencing at the Directorate General of Sea Communications including a waiver and so forth.
6. An exporting company shall be obligated to submit a fish export/consignment realization every month at the latest on the last working day of the month concerned, attaching an Export Notice (PEB), to the Director General of Fisheries with carbon copy being submitted to the local First-Level Region Fisheries Service.
7. Prevailing acts must be complied with.

Jakarta, ..... 19 ....  
 DIRECTORATE GENERAL OF FISHERIES  
 ( )

Copies :

-----

1. ....
2. ....
3. ....
4. ....

**Model Ptn-2a**  
**To be Continued**