

ANNEX 1.

PRESIDENTIAL DECREE NO. 23/1982

REGARDING

SEAFARMING DEVELOPMENT IN INDONESIA WATERS

PRESIDENT OF REPUBLIC OF INDONESIA

- CONSIDERING :
- a. that Indonesia waters have high potential for the development of profitable seafarming activities;
 - b. that seafarming plays a role in the programme of increasing fish production, maintaining environmental condition and balancing capture activities;
 - c. that seafarming provides employment opportunities with low cost technology as well as;
 - d. improves the income of the needy coastal population thereby increasing supply of animal protein to the population; and
 - e. that the Indonesia waters as source of various activities need a coordinative management so that seafarming activities as well as the other sectors activities could mutually cooperate and support each other to maintain a continuing development.
- REMEMBERING :
- 1. Article 4 chapter (1) and Article 33 chapter (3) as well as Constitution 1945;
 - 2. Law No. 4/1960, Government Regulation regarding Indonesia waters (Gazette No. 22/1960 plus Gazette No. 1942);
 - 3. Law No. 5/1960 regarding Basic Regulation on Agriculture (Gazette No. 104/1960 and Gazette No. 1942);
 - 4. Law No. 12/1967 concerning Cooperative Principles (Gazette No. 23/1967 and Gazette No. 2832);
 - 5. Law No. 5/1974 concerning Government Regulation in District (Gazette No. 38/1974 and Gazette No. 3037).
 - 6. Law No. 4/1982 concerning Regulation on Living Environment Management (Gazette No. 12/1982 and Gazette No. 3215);

7. Government Regulation No. 84/1957 concerning Decentralization of Central Government affairs in charge of fishery, forestry and small-scale rubber or rubber estate to the provincial government (Gazette No. 169.1957 and No. 1490);
8. Presidential Decree No. 44/1974 concerning principles of Department Organization;
9. Presidential Decree No. 45 / 1974 concerning Organization Structure of Department of which has been amended several times, with the latest issue No. 15/1982.

D E C I D I N G,

THE PRESIDENTIAL DECREE REGARDING SEAFARMING DEVELOPMENT
IN INDONESIA

ARTICLE 1

Seafarming is an activity to undertake and develop natural resources of various fishes and non-fishes in Indonesia waters.

ARTICLE 2

- (1) The development of seafarming which is undertaken in Indonesia waters whose condition is eligible for that purpose is meant to increase the income of fishfarmers/fishermen, to give employment opportunities and to increase supply of animal protein to the coastal population.
- (2) The site location which is selected to undertake seafarming culture as mentioned in above Article 1, should meet with the technical conditions by noticing other sector' interest so that no any loses would incur during their respective operations or activities.

ARTICLE 3

- (1) The Provincial Governor has determined to utilize part of sea territories or coastal area in its administrative authority as a location for seafarming.
- (2) For adjustment of other parties' interests in relevant with sea utilization, the allocating of sea location such as mentioned in chapter (1) above can be reviewed periodically.

ARTICLE 4

- (1) Seafarming concession is granted by Provincial Governor to the Village Unit Cooperative (KUD) of which its operational area includes the coastal line mentioned under Article 3.
- (2) The concession such as mentioned in this article above clarifies that those who are undertaking seafarming are obliged to maintain the environment condition and to balance the capture activities in order to achieve a continuing development.
- (3) Seafarming is undertaken by fishermen/fish farmers who are members of Cooperative or Unit Village Cooperative.
- (4) Whatever regulation which is relevant to seafarming activity undertaking as stipulated under Chapter 3 is arranged by Unit Village Cooperative (KUD).
- (5) If it is still possible, fishermen/fish farmers outside Cooperative are permitted to undertake seafarming within Cooperative coastal area base on the regulations fixed by the Unit Village Cooperative (KUD).
- (6) The concession mentioned under Chapter (1) of this article is prohibited to be overtaken or overhanded in any other form.

ARTICLE 5

- (1) The concession of seafarming for certain types of seafarmed product which require high technology and big capital, can be granted both to the Unit Village Cooperative and individual or particular.

- (2) Types of seafarmed product such as aforementioned is fixed by the Minister of Agriculture.

ARTICLE 6

- (1) Unit Village Cooperative assists the fishermen/fish farmers in processing and marketing seafarmed product.
- (2) In order that Unit Village Cooperative can carry out its functions such as explained in this Article, Chapter (1), it should get some up-grading in some aspects.
- (3) In processing and marketing seafarmed product, it is essential that the Unit Village Cooperative cooperate with an individual or particular side.

ARTICLE 7

In carrying out the Presidential Decree in District, the Provincial Governor should notice the technical directions given by the Minister of Agriculture, Minister of Communication and other concerned Minister.

ARTICLE 8

Other matters which have not been arranged in this Presidential Decree will further be adjusted by the Minister of Agriculture after some negotiation with other concerned Ministers.

ARTICLE 9

This Presidential Decree is put into effect from the date of its fixing.

FIXED AT JAKARTA
DATED 25 MAY 1982
PRESIDENT OF REPUBLIC OF INDONESIA