

REGULATION
OF THE MINISTER OF MARINE AFFAIRS AND FISHERIES
OF THE REPUBLIC OF INDONESIA
NUMBER 39/PERMEN-KP/2019

ON

IMPLEMENTATION OF PORT STATE MEASURES TO PREVENT, DETER
AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

UPON THE GRACE OF GOD THE ALMIGHTY

THE MINISTER OF MARINE AFFAIRS AND FISHERIES OF THE REPUBLIC OF INDONESIA

- Bearing in mind:
- a. whereas, to implement Presidential Regulation Number 43 of 2016 on Ratification of Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, it is deemed necessary to regulate the Implementation of Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing;
 - b. whereas, pursuant to the consideration set forth in paragraph a, it is necessary to enact Regulation of the Minister of Marine Affairs and Fisheries on the Implementation of Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing;
- Recalling
1. Law Number 17 of 1985 on the Ratification of the United Nations Convention On The Law Of The Sea (State Gazette of the Republic of Indonesia Number 76 of 1985, Supplemental State Gazette of the Republic of Indonesia Number 3319);
 2. Law Number 31 of 2004 on Fisheries (State Gazette of the Republic of Indonesia of 2004 Number 118, Supplemental State Gazette of the Republic of Indonesia Number 4433), as amended by Law Number 45 of 2009 on Amendment to Law Number 31 of 2004 on Fisheries (State Gazette of the Republic of Indonesia of 2009 Number 154, Supplemental State Gazette of the Republic of Indonesia Number 5073);
 3. Law Number 21 of 2009 on Ratification of Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (State Gazette of the Republic of Indonesia of 2009 Number 95, Supplemental State Gazette of the Republic of Indonesia Number 5024);
 4. Presidential Regulation Number 9 of 2007 on Ratification of Agreement for the Establishment of the Indian Ocean Tuna Commission (State Gazette of the Republic of Indonesia of 2007 Number 41);

5. Presidential Regulation Number 109 of 2007 on Ratification of Convention for the Conservation of Southern Blue Fin Tuna (State Gazette of the Republic of Indonesia of 2007 Number 148);
6. Presidential Regulation Number 61 of 2013 on Ratification of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (State Gazette of the Republic of Indonesia of 2013 Number 148);
7. Presidential Regulation Number 7 of 2015 on the Organization of State Ministers (State Gazette of the Republic of Indonesia of 2015 Number 8);
8. Presidential Regulation Number 63 of 2015 on the Ministry of Marine Affairs and Fisheries (State Gazette of the Republic of Indonesia of 2015 Number 111), as amended by Presidential Regulation Number 2 of 2017 on Amendment to Presidential Regulation Number 63 of 2015 on the Ministry of Marine Affairs and Fisheries (State Gazette of the Republic of Indonesia of 2017 Number 5);
9. Presidential Regulation Number 43 of 2016 on Ratification of Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (State Gazette of the Republic of Indonesia of 2016 Number 92);
10. Regulation of the Minister of Marine Affairs and Fisheries Number PER.08/MEN/2012 on Matters Pertaining to Fishing Ports (State Gazette of the Republic of Indonesia of 2012 Number 440);
11. Regulation of the Minister of Marine Affairs and Fisheries Number PER.25/MEN/2012 on the Formulation of Legislations of the Ministry of Marine Affairs and Fisheries (State Gazette of the Republic of Indonesia of 2013 Number 1), as amended by Regulation of the Minister of Marine Affairs and Fisheries Number 49/PERMEN-KP/2017 on Amendment to the Regulation of the Minister of Marine Affairs and Fisheries Number PER.25/MEN/2012 on the Formulation of Legislations of the Ministry of Marine Affairs and Fisheries (State Gazette of the Republic of Indonesia of 2017 Number 1521);
12. Regulation of the Minister of Marine Affairs and Fisheries Number PER.03/MEN/2013 on Matters Pertaining to Harbormasters of Fishing Ports (State Gazette of the Republic of Indonesia of 2013 Number 342);
13. Regulation of the Minister of Marine Affairs and Fisheries Number 6/PERMEN-KP/2017 on the Organization and Operating Procedures of the Ministry of Marine Affairs and Fisheries (State Gazette of the Republic of Indonesia of 2017 Number 220), as amended by Regulation of the Minister of Marine Affairs and Fisheries Number 7 /PERMEN-KP/2018 on Amendment to Regulation of the Minister of Marine Affairs and Fisheries Number 6/PERMEN- KP/2017 on the Organization and Operating Procedures of the Ministry of Marine Affairs and Fisheries (State Gazette of the Republic of Indonesia of 2018 Number 317);

HAS RESOLVED:

To enact REGULATION OF THE MINISTER OF MARINE AFFAIRS AND FISHERIES ON THE IMPLEMENTATION OF PORT STATE MEASURES TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING.

CHAPTER I
GENERAL PROVISIONS

Part One
Definitions

Article 1

In this Ministerial Regulation, the following terms shall have the definition assigned to them as follows:

1. Port State Measures, hereinafter referred to PSM, means rules established or measures taken by the Government on fishing vessels flying a foreign flag that are to enter and/or make use of the facilities of fishing or other designated ports, with the purpose of preventing, deterring, and eliminating illegal, unreported and unregulated fishing.
2. PSM Authority Secretariat means a technical unit managing PSM operating under the Ministry of Marine Affairs and Fisheries.
3. PSM Officers means civil servants employed within the Ministry of Marine Affairs and Fisheries appointed by the Directorate General and conferred with the authority to conduct inspections and possessing the relevant competence imparted through PSM education and training.
4. Regional Fisheries Management Organization, hereinafter referred to as RFMO, means an intergovernmental fisheries organization or institution or an equivalent body, that has the competence to establish conservation and management regulations.
5. Fishing Port means a site comprising of land and the surrounding water enclosed within certain demarcations designated for governance and commercial fishery activities used as a site for the landing, berthing and/or catch offloading of fishing vessels, equipped with marine safety facilities and fishery support activities.
6. Port means fishing port or any other port designated by the Minister as a site for the enforcement of PSM.
7. Fishing Port Facilities means facilities provided at fishing ports to support the functions of the fishing port, consisting of primary facilities, functional facilities, and supporting facilities..
8. Fish Transportation means an activity specifically undertaken for fishing and/or the transportation of fish.
9. Vessel means any vessel, ship of another type or boat used, equipped to be used, or intended to be used for, fishing or any other fishing related activities.
10. Fishing related activities means any operation in support of, or in preparation for, fishing, including the landing, packaging, processing, transshipping or transporting of fish that have not been previously landed at a port, as well as the provisioning of personnel, fuel, gear, and other supplies at sea.

11. Foreign vessel means any vessel flying a flag other than the Indonesian flag and not registered in the ledger of Indonesian vessels.
12. Flag State means the nationality state of a vessel.
13. Illegal, Unreported and Unregulated Fishing, hereinafter referred to as IUU fishing, means any fishing activity that is illegal, unreported or misreported to the fishery management authority, or any fishing activity that is not governed by the applicable laws and posing a threat to the conservation of fishery resources.
14. Inspection means the inspection of a Foreign Vessel to verify compliance with the requirements under the PSM provisions.
15. Minister means the minister administering government matters in marine affairs and fishery.
16. Director General means the Director General implementing technical functions in the area of catch fishery.

Part Two

Scope

Article 2

The scope of this Ministerial Regulation encompasses :

- a. implementation;
- b. institutional matters;
- c. mechanisms and procedures a foreign vessels' entry into port;
- d. education and training of PSM officers; and
- e. monitoring and reporting.

CHAPTER II IMPLEMENTATION

Article 3

- (1) For the implementation of the PSM, the Minister designates and publicizes Ports where the PSM are to be implemented.
- (2) Publication as referred to in paragraph (1) shall be by way of submission by the Minister to the Food and Agriculture Organization (FAO).
- (3) Designation of ports as referred to in paragraph (1) shall be affirmed by a Ministerial Regulation.
- (4) Where the designation as referred to in paragraph (2) is made on a port that is not a fishing port, the Minister shall coordinate with the minister administering governmental matters in the field of maritime affairs.

Article 4

- (1) Any foreign vessel entering into port are subject to PSM enforcement.
- (2) PSM enforcement as referred to in paragraph (1) shall be exempted for container ships:
 - a. that are not carrying fish; or
 - b. carrying fish that have been previously landed, provided that such container ship is not suspected of being engaged in IUU fishing.

- (3) The foreign vessels as referred to in paragraph (1) includes any fish transport vessel that carry and such catch:
 - a. have not been previously landed; or
 - b. have been previously landed at another state and [such vessel] conducts [subsequent] fishing activities.

CHAPTER III INSTITUTIONAL MATTERS

Article 5

- (1) For the implementation of PSM the Minister appoints the Director General as the PSM authority.
- (2) The Director General as PSM authority referenced in paragraph (1) establishes PSM implementing units comprising of:
 - a. PSM Authority Secretariat; and
 - b. PSM Inspection Team.
- (3) A PSM Authority Secretariat as referred to in paragraph (2) sub-paragraph a is led chaired by the Director of Fishing Port with members derived from operating units in charge of:
 - a. fishing port matters;
 - b. marine and fishery resources oversight;
 - c. fishery resources management;
 - d. fish quarantine, quality control, and fishery product security; and
 - e. fishing vessel authorizations.
- (4) The PSM Inspection Team as referred to in paragraph (2) sub-paragraph b comprises of:
 - a. a coordinator; and
 - b. PSM Officers.
- (5) The [function of the] coordinator as referred to in paragraph (4) sub-paragraph a is executed *ex officio* by the head of the Fishing Port designated to enforce the PSM.
- (6) PSM Officers as referred to in paragraph (4) sub-paragraph b are derived from units in charge of:
 - a. fishing port matters;
 - b. marine and fishery resources oversight;
 - c. fish quarantine, quality control, and fishery product security.
- (7) Organization and membership of a PSM implementing unit as referred to in paragraph (3) is affirmed by a Decree of the Director General.

Article 6

- (1) With respect to the implementation of PSM, the Directorate General in its capacity as PSM authority coordinates with units in charge of:
 - a. oversight marine resources and fisheries; and
 - b. fish quarantine, quality control, and fishery product security.

- (2) With respect to the coordination as referred to in paragraph (1), the unit enforcing oversight of marine resources and fishery resources is tasked with ensuring that the Foreign Vessel intending to enter the Port in question is not engaged or involved IUU fishing.
- (3) With respect to the coordination as referred to in paragraph (1), the unit enforcing fish quarantine, quality control, and fishery product security is tasked with ensuring the validity, correctness, and conformity of documents pertaining to transporting mode and catch.

Article 7

- (1) The Director General Direktorat in its capacity as PSM authority is tasked with :
 - a. establishing the organization and members of the PSM implementing units;
 - b. providing direction and development to the PSM implementing units;
 - c. monitoring the implementation of the PSM;
 - d. submitting reports on the implementation of the PSM to the Minister.
- (2) The PSM Authority Secretariat is tasked with:
 - a. receiving Foreign Vessels' requests for port entry;
 - b. effecting coordination with the relevant agencies;
 - c. conducting analysis of Foreign Vessels' requests for port entry;
 - d. requesting additional information from the Flag States, coastal states, other port states, RFMOs and relevant international organizations;
 - e. issuing authorization or denial of Foreign Vessels' requests for port entry;
 - f. communicate authorization or denial of Foreign Vessels' requests for port entry to:
 - 1) FAO;
 - 2) relevant international organizations/RFMO;
 - 3) Flag State;
 - 4) master of vessel, owner of vessel, or their respective representatives in Indonesia;
 - 5) PSM coordinator; and
 - 1) relevant agencies.
 - g. communicate result of inspection of Foreign Vessels conducted by PSM Officers to the Flag State, RFMO, relevant international organizations, and relevant parties;
 - h. collaborate and share information with authorities in other states, FAO, and RFMOs, and the relevant international organizations; and
 - i. provide translations of relevant documents if possible.
- (3) The PSM Inspection Team Coordinator is tasked with:
 - a. preparing facilities to Foreign Vessels that received authorization for entry into port from the PSM Authority Secretariat;
 - b. assigning PSM Officers to perform inspection;
 - c. issuing authorization or denial of the use of port facilities based on result of inspection provided by PSM Officers; and
 - d. reporting the result of inspection performed by PSM Officers to the PSM Authority Secretariat.
- (4) PSM Officers are tasked with:
 - a. preparing inspection plans;
 - b. verifying identification documents of Foreign Vessels and information pertaining to owner of Foreign Vessels;

- c. verifying the flag and marking of Foreign Vessels;
- d. verifying authorizations to conduct fishing and fishing related activities;
- e. inspecting other relevant documents on board Foreign Vessels;
- f. inspecting conformity of fishing gear on board Foreign Vessels;
- g. inspecting consistency of type of catch on board with those allowed under the fishing authorization;
- h. inspecting the quantity and composition of fish;
- i. evaluating evidence of alleged involvement of a Foreign Vessel in IUU fishing or IUU fishing related activities;
- j. preparing reports of inspection result, including actions that may be taken, to be signed by the inspector and master of the vessel;
- k. reporting result of inspection of Foreign Vessel to the PSM Inspection Team Coordinator; and
- l. undertake any other duties commensurate to PSM as assigned by the PSM Inspection Team Coordinator.

CHAPTER IV MECHANISM FOR ENTRY OF FOREIGN VESSEL INTO PORT

Part One Request for Entry Into Port

Article 8

- (1) Every Foreign Vessel entering port must submit a written request for port entry to the PSM Authority Secretariat.
- (2) The request for port entry as referred to in paragraph (1) may be made by the owner of the Foreign Vessel, master of the vessel, or their representatives in Indonesia, by attaching the following documents:
 - a. Nationality/Registry Certificate, namely a certificate stating the nationality identification of a vessel issued by the Flag State;
 - b. International Tonnage Certificate, namely a certificate of measurement stating the key dimensions of the vessel, such as overall length overall (LOA), breadth (BJ), depth (D), and dead weight Tonnage (DWT) and gross tonnage (GT);
 - c. Transshipment Declaration (for vessels conducting transshipment in high seas), namely a declaration of transshipment signed by the observer;
 - d. Last Port Clearance, namely an authorization for departure issued by the harbor master of the vessel's last port of call; and
 - e. Relevant Fishing Authorization, namely the authorization to conduct fishing and/or transporting of fish.
- (3) Request for port entry as referred to in paragraph (1) shall be submitted by seven time twenty-four hours prior to the Foreign Vessel entering port.
- (4) The format for request for port entry as referred to in paragraph (1) is as set forth in Annex I, which constitute an inseparable part of this Ministerial Regulation.

Article 9

- (1) Based on the request as referred to in Article 8, the PSM Authority Secretariat conducts analysis of the request for port entry.
- (2) For the analysis of the request for port entry as referred to in paragraph (1), the PSM Authority Secretariat may require additional information from the Flag State, coastal state, other coastal state, and the relevant RFMOs and international organizations.

Article 10

- (1) Result of the analysis as referred to in Article 9 paragraph (1) may [result in];
 - a. authorization of entry into port; or
 - b. denial of entry into port.
- (2) The PSM Authority Secretariat communicates the authorization or denial of entry as referred to in paragraph (1) to the master of the vessel, owner of the vessel, or their representatives in Indonesia by no later than three times twenty-four hours prior to the vessel's entry into port.
- (3) The authorization or denial of entry as referred to in paragraph (1) shall be communicated by the PSM Authority Secretariat to the PSM Inspection Team, the Flag State, coastal state, RFMO and the relevant international organizations.
- (4) Insofar as there is indication that the Foreign Vessel requesting for port entry is engaged in IUU fishing or IUU fishing related activities, such Foreign Vessel may be granted entry into port for inspection.

Article 11

- (1) Where the Foreign Vessel cannot enter into port within the prescribed time, the master of the vessel, owner of the Foreign Vessel, or their representatives in Indonesia must promptly notify the PSM Authority Secretariat within no later than two times twenty-four hours prior to arrival.
- (2) The PSM Authority Secretariat upon receiving the notification as referred to in paragraph (1) may issue an authorization or denial for port entry by taking into consideration input from the PSM Inspection Team.

Article 12

- (1) A Foreign Vessel authorized to enter Port in accordance with the authorization of entry as referred to in Article 10 paragraph (1) letter a shall be required to present, through the master of the vessel, owner of the vessel, or the representative of the vessel in Indonesia, the said entry authorization to the PSM Inspection team upon arrival of the vessel at the port.
- (2) A Foreign Vessel authorized to enter into port pursuant to paragraph (1) may be subject to Inspection by PSM Officers in accordance with the procedures as specified in Annex II, which constitute an integral part of this Ministerial Regulation.
- (3) Inspection as referred to in paragraph (2) shall be conducted to ensure the consistency of the physical aspect of the Foreign Vessel with the pertaining documents as provided pursuant to Article 8 paragraph (2)

- (4) Where the inspection set forth in paragraph (3) indicate any inconsistency is found between the physical aspect of the Foreign Vessel and the pertaining document, the PSM Officer shall report the result of the inspection to the PSM Inspection Team coordinator to subsequently deny such Foreign Vessel the use of Port services .
- (5) Based on the inspection report of the PSM Officers as referred to in paragraph (4), the PSM Inspection team coordinator shall report the result of the inspection and the decision to deny such the Foreign Vessel [the use Port services] to the PSM Authority Secretariat.
- (6) Based on the report of the PSM Inspection Team coordinator referred to in paragraph (5), the Secretariat of the PSM Authority shall communicate the decision to deny the Foreign Vessel the use Port facilities to the relevant flag states, coastal states, RFMO and other relevant international organizations.
- (7) Where no evidence of IUU Fishing is found during the Inspection, the PSM Officer shall submit the report on the inspection result to the PSM Inspection team coordinator to further grant authorization [for the Foreign Vessel] to use Port services.
- (8) PSM Officers shall oversee activities or the use of Port facilities during the time the Foreign Vessel is in the Port up to the time it departs.
- (9) The format of the report setting forth the inspection result as referred to in paragraphs (4) and (7) is as provided in Annex III, which constitute an inseparable part of this Ministerial Regulation.

Part Two
Force Majeure

Article 13

- (1) A Foreign Vessel experiencing a force majeure may be permitted by the Secretariat of the PSM Authority to enter the Port in order to receive minimum services as may be required [to address to] emergency needs.
- (2) Force majeure as referred to in paragraph (1), shall include among others:
 - a. sick crew members requiring immediate treatment;
 - b. vessel is in a state of safety emergency, such as suffering fire, damage to engine and structure , and other emergency situations.
- (3) Where a Foreign Vessel as referred to in paragraph (1) is suspected of being engaged in IUU Fishing, an Inspection of the Foreign Vessel shall be conducted by the PSM Officer after upon the vessel receiving minimum service [to address] emergency needs.
- (4) Minimum service as referred to in paragraph (1) shall be provided by taking into account the principles of humanity, propriety and fairness.

Part Three
Follow Up of Inspection Result

Article 14

If the result of the Inspection performed by the PSM Officer indicates sufficient evidence that the Foreign Vessel is engaged and/or involved in IUU Fishing:

- a. notification shall be communicated to the flag State, coastal State, RFMO and relevant international organizations, and the state of nationality of the vessel's master;
- b. such Foreign vessel shall be denied use of port services; or
- c. legal proceedings shall be initiated pursuant to the national laws and regulations.

Part Four
Identity of PSM Officers

Article 15

- (1) In carrying out their duties as referred to in Article 7 paragraph (4), as PSM Officers shall be equipped with:
 - a. identifications, which includes identity card, cap/helmet and vest; and
 - b. equipment, which includes shoes, bag, glasses, gloves, two way radio, camera, flashlight, and other equipment necessary for conducting an inspection.
- (2) The design of the identifications as referred to in paragraph (1) letter a, is as provided in Annex IV, which constitute an inseparable part of this Ministerial Regulation.

CHAPTER V
EDUCATION AND TRAINING FOR PSM OFFICERS

Article 16

- (1) [Personnel of] PSM Implementing Units are appointed by the Director General upon their completion of PSM education and training.
- (2) PSM training and education as referred to in paragraph (1) is administered by a working unit responsible for education and training, to be implemented in coordination with the Director General.

CHAPTER VI
MONITORING AND REPORTING

Article 17

- (1) The Director General as the PSM Authority shall conduct monitoring and evaluation on the implementation of PSM.
- (2) Based on the result of the monitoring and evaluation as referred to in paragraph (1), the Director General as the PSM Authority shall report on the PSM implementation every 6 (six) months to the Minister.

- (3) The result of the monitoring and evaluation as referred to in paragraph (2) shall be used by the Minister in providing development to:
- a. PSM Authority;
 - b. PSM Authority Secretariat; and
 - c. Inspection Teams;
- (4) Development as referred to in paragraph (3) shall be conducted through:
- a. dissemination;
 - b. training;
 - c. skills upgrading; and/or
 - d. courses.

CHAPTER VII MISCELLANEOUS PROVISIONS

Article 18

implementation of PSM at ports that are not designated as fishing ports shall be coordinated by the Minister with the minister in charge of maritime affairs.

CHAPTER VIII FINAL PROVISIONS

Article 19

This Ministerial Regulation shall come into force 3 (three) months upon the date of its promulgation.

For public cognizance, this Ministerial Regulation shall be announced through its publication in the State Gazette of the Republic of Indonesia.

Enacted in Jakarta
on October 15, 2019

MINISTER OF MARINE AFFAIRS AND
FISHERIES OF THE REPUBLIC OF
INDONESIA,

Signed.

SUSI PUDJIASTUTI

Promulgated in Jakarta
on October 18, 2019

DIRECTOR GENERAL OF
LAWS AND REGULATIONS,
MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA,

Signed.

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 1217 OF 2019

Certified true copy
Head of Legal and Organization Bureau

[signed and sealed]

Tini Marusli

ANNEX I
 MINISTERIAL REGULATION OF MARINE AFFAIRS
 AND FISHERIES OF THE REPUBLIC OF INDONESIA
 NUMBER 39/PERMEN-KP/2019
 ON THE IMPLEMENTATION OF PORT STATE
 MEASURES TO PREVENT, DETER, AND ELIMINATE
 ILLEGAL, UNREPORTED AND UNREGULATED
 FISHING

ENTRY INTO PORT REQUEST FORM

1. <u>Intended port of call</u> Pelabuhan tujuan					
2. <u>Port State</u> Negara Pelabuhan					
3. <u>Estimated date and time of arrival</u> Perkiraan tanggal dan waktu kedatangan					
4. <u>Purpose(s)</u> Maksud kedatangan					
5. <u>Port and date of last port call</u> Pelabuhan dan tanggal permintaan izin masuk pelabuhan terakhir					
6. <u>Name of the vessel</u> Nama kapal					
7. <u>Flag State</u> Negara bendera					
8. <u>Type of vessel</u> Tipe kapal					
9. <u>International Radio Call Sign</u> Kode panggilan radio internasional					
10. <u>Vessel contact information</u> Informasi kontak kapal					
11. <u>Vessel owner(s)</u> Pemilik kapal					
12. <u>Certificate of Registry ID</u> Identitas sertifikat pendaftaran					
13. <u>IMO ship ID, if available</u> Identitas kapal dari IMO, jika tersedia					
14. <u>External ID, if available</u> Identitas eksternal, jika tersedia					
15. <u>RFMO ID, if applicable</u> Identitas RFMO, jika tersedia					
16. <u>VMS</u>		<u>No</u> Tidak	<u>Yes: National</u> Ya: Nasional	<u>Yes: RFMO(s)</u> Ya: RFMO(s)	<u>Type</u> Tipe
17. <u>Vessel dimensions</u> Dimensi kapal		<u>Length</u> Panjang		<u>Beam</u> Lebar	<u>Draft</u> Kedalaman
18. <u>Vessel master name and nationality</u> Nama dan kebangsaan nakhoda kapal					
19. <u>Relevant fishing authorization(s)</u> Perizinan penangkapan ikan yang relevan					
<u>Identifier</u> Pemeriksa	<u>Issued by</u> Dikeluarkan oleh	<u>Validity</u> Validitas	<u>Fishing area(s)</u> Area Penangkapan	<u>Species</u> Spesies	<u>Gear</u> Alat penangkapan
20. <u>Relevant transshipment authorization(s)</u> Perizinan transshipment yang relevan					
<u>Identifier</u> Pemeriksa			<u>Issued by</u> Dikeluarkan oleh		<u>Validity</u> Validitas

<u>Identifier</u> Pemeriksa			<u>Issued by</u> Dikeluarkan oleh		<u>Validity</u> Validitas			
21. <u>Transshipment concerning donor vessel</u> Informasi alih muatan mengenai kapal donor								
<u>Date</u> Tanggal	<u>Location</u> Lokasi	<u>Name</u> Nama	<u>Flag State</u> Negara bendera	ID	<u>Species</u> Spesies	<u>Product</u> Produk	<u>Catch Area</u> <u>Area</u> penangkapan	<u>Quantity</u> Kuantitas
22. <u>Total catch on board</u> Total tangkapan di kapal				23. <u>Catch to be Offloaded</u> Tangkapan yang akan diturunkan				
<u>Species</u> Spesies	<u>Product form</u> Formulir produk		<u>Catch Area</u> <u>Area</u> penangkapan	<u>Quantity</u> Kuantitas	<u>Quantity</u> Kuantitas			

MINISTER OF MARINE AFFAIRS AND
FISHERIES OF THE REPUBLIC OF
INDONESIA,

Signed.

SUSI PUDJIASTUTI

Certified True Copy
Head of Legal and Organization Bureau

[signed and sealed]

Tini Marusli

ANNEX II
MINISTERIAL REGULATION OF MARINE AFFAIRS
AND FISHERIES OF THE REPUBLIC OF INDONESIA
NUMBER 39/PERMEN-KP/2019
ON THE IMPLEMENTATION OF PORT STATE
MEASURES TO PREVENT, DETER, AND ELIMINATE
ILLEGAL, UNREPORTED AND UNREGULATED
FISHING

INSPECTION PROCEDURES FOR PSM
OFFICERS

To perform the inspection, PSM Officers shall:

- a. verify, to the extent possible, that the vessel identification documentation on board and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag State or international records of vessels if necessary;
- b. verify that the vessel's flag and markings (such as name, external registration number, International Maritime Organization (IMO) ship identification number, international radio call sign and other markings, as well as the main dimension of the vessel) are consistent with information contained in the documentation;
- c. verify, to the extent possible, that the authorizations for fishing and fishing related activities are true, complete, correct and consistent with the information provided in accordance with Annex I;
- d. review all other relevant documentation and records held on board, including, to the extent possible, those in electronic format and vessel monitoring system (VMS) data from Flag State or relevant regional fisheries management organizations (RFMO). Relevant documentation may include logbooks, catch, transshipment, and trade documents, crew lists, stowage plans and drawings, descriptions of fish holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- e. examine all relevant fishing gear on board, including any gear stowed out of sight as well as related devices, and verify that they are in conformity with the conditions of the authorizations. The fishing gear shall be checked to ensure that features such as mesh and twine size, devices and attachments, dimensions and configuration of nets, pots, dredges, hook sizes and numbers are in conformity with the prevailing rules and regulations and that the markings correspond to those authorized for the vessel;
- f. determine whether the fish on board was harvested in accordance with the applicable authorizations.
- g. examine the fish, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fish has been pre-packed and move the catch or containers to ascertain the integrity of fish holds. Such examination may include inspections of product type and determination of nominal weight;
- h. evaluate whether there is clear evidence for suspecting that a vessel has engaged in IUU fishing or fishing related activities in support of such fishing;

- i. provide the master of the vessel with the report containing the result of the inspection, including possible measures that could be taken, to be signed by the inspector and the master. The master's signature on that report shall serve only as acknowledgement of the receipt of the copy of the report. The master of the vessel shall be given the opportunity to add any comments or objection to the report, and to contact the relevant authorities of the flag State in particular where the master has serious difficulties in understanding the content of the report. A copy of the report shall be provided to the master;
- j. arrange, where necessary and possible, for translation of relevant documentation.

MINISTER OF MARINE AFFAIRS AND
FISHERIES OF THE REPUBLIC OF
INDONESIA,

Signed.

SUSI PUDJIASTUTI

Certified true copy
Head of Legal and Organization Bureau

[signed and sealed]

Tini Marusli

ANNEX III
 MINISTERIAL REGULATION OF MARINE AFFAIRS
 AND FISHERIES OF THE REPUBLIC OF INDONESIA
 NUMBER 39/PERMEN-KP/2019
 ON THE IMPLEMENTATION OF PORT STATE
 MEASURES TO PREVENT, DETER, AND ELIMINATE
 ILLEGAL, UNREPORTED AND UNREGULATED
 FISHING

REPORT OF THE RESULTS OF INSPECTION

1. <u>Intended port of call</u> Pelabuhan tujuan		2. <u>Port State</u> Negara Pelabuhan			
3. <u>Inspecting Authority</u> Otoritas pemeriksa					
4. <u>Name of principal inspector</u> Nama inspektur utama		ID			
5. <u>Port of inspection</u> Pelabuhan pemeriksa					
6. <u>Commencement of inspection</u> Mulai inspeksi	<u>YY</u> Tahun	<u>MM</u> Bulan	<u>DD</u> Tanggal	<u>HH</u> Waktu	
7. <u>Completion of inspection</u> Selesai inspeksi	<u>YY</u> Tahun	<u>MM</u> Bulan	<u>DD</u> Tanggal	<u>HH</u> Waktu	
8. <u>Advanced notification received</u> Notifikasi lanjutan yang diterima	Yes			No	
9. <u>Purpose(s)</u> Maksud kedatangan	TRX	PRO		OTH (specify)	
10. <u>Port and date of last port call</u> Pelabuhan dan tanggal permintaan izin masuk pelabuhan terakhir			<u>YY</u> Tahun	<u>MM</u> Bulan	<u>DD</u> Tanggal
11. <u>Vessel name</u> Nama kapal					
12. <u>Flag State</u> Negara bendera					
13. <u>Type of vessel</u> Tipe kapal					
14. <u>International Radio Call Sign</u> Kode panggilan radio internasional					
15. <u>Certificate of Registry ID</u> Identitas sertifikat pendaftaran					
16. <u>IMO ship ID, if available</u> Identitas kapal dari IMO, jika tersedia					
17. <u>External ID, if available</u> Identitas eksternal, jika tersedia					
18. <u>Port of registry</u> Pelabuhan pendaftaran					
19. <u>Vessel owner(s)</u> Pemilik kapal					
20. <u>Vessel beneficial owner(s) if known and different from vessel owner</u> Pemilik kapal, jika diketahui dan berbeda dari pemilik kapal					
21. <u>Vessel operator(s), if different from vessel owner</u> Operator kapal					
22. <u>Vessel master name and nationality</u> Nama nakhoda dan kebangsaan					
23. <u>Fishing master name and nationality</u> Nama nakhoda dan kebangsaan					
24. <u>Vessel agent</u> Agen kapal					

25. <u>VMS</u>	<u>No</u> Tidak	<u>Yes: National</u> Ya: Nasional	<u>Yes: RFMO(s)</u> Ya: RFMO(s)	<u>Type</u> Tipe		
26. <u>Status in RFMO areas where fishing or fishing related activities have been undertaken, including any IUU vessel listing</u> Status penangkapan ikan di wilayah RFMO, termasuk ke daftar IUU fishing						
<u>Vessel identifier</u> Identifikasi kapal	RFMO	<u>Flag State Status</u> Status Negara Bendera	<u>Vessel on authorized</u> Kewenangan Kapal	<u>Vessel on IUU vessel list</u> Kapal dalam daftar IUU fishing		
27. <u>Relevant fishing authorization(s)</u> Perizinan penangkapan ikan yang relevan						
<u>Identifier</u> Pemeriksa	<u>Issued by</u> Dikeluarkan oleh	<u>Validity</u> Validitas	<u>Fishing area(s)</u> <u>Area</u> Penangkapan	<u>Species</u> Spesies	<u>Gear</u> Alat penangkapan	
28. <u>Relevant transshipment authorization(s)</u> Perizinan transshipment yang relevan						
<u>Identifier</u> Pemeriksa		<u>Issued by</u> Dikeluarkan oleh		<u>Validity</u> Validitas		
<u>Identifier</u> Pemeriksa		<u>Issued by</u> Dikeluarkan oleh		<u>Validity</u> Validitas		
29. <u>Transshipment concerning donor vessel</u> Informasi alih muatan mengenai kapal donor						
<u>Name</u> Nama	<u>Flag State</u> Negara bendera	ID no. No. ID	<u>Species</u> Spesies	<u>Product form</u> Asal produk	<u>Catch Area</u> Area penangkapan	<u>Quantity</u> Kuantitas
30. <u>Evaluation of offloaded catch (quantity)</u> Pembongkaran ikan (jumlah)						
<u>Species</u> Spesies	<u>Product form</u> Formulir produk	<u>Catch Area</u> Area penangkapan	<u>Quantity</u> Kuantitas	<u>Quantity</u> Kuantitas	<u>Difference between quantity declared and quantity determined, if any</u> Perbedaan antara kuantitas yang dideklarasikan dan kuantitas hasil pemeriksaan, jika ada	
31. <u>Catch retained on board (quantity)</u> Tangkapan yang masih di kapal						
<u>Species</u> Spesies	<u>Product form</u> Formulir produk	<u>Catch Area</u> Area penangkapan	<u>Quantity</u> Kuantitas	<u>Quantity</u> Kuantitas	<u>Difference between quantity declared and quantity determined, if any</u> Perbedaan antara kuantitas yang dideklarasikan dan kuantitas hasil pemeriksaan jika ada	
32. <u>Examination of logbook(s) and other documentation</u> Pemeriksaan logbook dan dokumentasi lainnya				<u>Yes</u> Ya	<u>No</u> Tidak	<u>Comments</u> Komentar
33. <u>Compliance with applicable catch documentation scheme(s)</u> Kepatuhan terhadap CDS				<u>Yes</u> Ya	<u>No</u> Tidak	<u>Comments</u> Komentar
34. <u>Compliance with applicable trade information scheme(s)</u> Kepatuhan terhadap skema perdagangan yang berlaku				<u>Yes</u> Ya	<u>No</u> Tidak	<u>Comments</u> Komentar
35. <u>Type of gear used</u> Tipe alat tangkap yang digunakan						
36. <u>Gear examined in accordance with paragraph (e) of Annex B</u> Alat tangkap yang diperiksa (annex B)				<u>Yes</u> Ya	<u>No</u> Tidak	<u>Comments</u> Komentar
37. <u>Findings by inspectors</u> Temuan pemeriksa						
38. <u>Apparent infringement(s) noted including reference to relevant legal instrument(s) /</u> Pelanggaran nyata dicatat termasuk rujukan kepada instrument hukum yang terkait						
39. <u>Comments by the master</u>						

Komentar nakhoda
40. <u>Action taken</u> Aksi yang diambil
41. <u>Master's signature</u> Tanda tangan nakhoda
42. <u>Inspector's signature</u> Tanda tangan pemeriksa

MINISTER OF MARINE AFFAIRS AND
FISHERIES OF THE REPUBLIC OF
INDONESIA,

Signed.

SUSI PUDJIASTUTI

Certified true copy
Head of Legal and Organization Bureau

[signed and sealed]

Tini Marusli

ANNEX IV
 MINISTERIAL REGULATION OF MARINE AFFAIRS
 AND FISHERIES OF THE REPUBLIC OF INDONESIA
 NUMBER 39/PERMEN-KP/2019
 ON THE IMPLEMENTATION OF PORT STATE
 MEASURES TO PREVENT, DETER, AND ELIMINATE
 ILLEGAL, UNREPORTED AND UNREGULATED
 FISHING

DESIGN OF THE IDENTITY FOR PSM OFFICERS

I. Logo of PSM *Inspector*



Description:

1. Coat-of-Arms (golden base color)
2. Red and White flag (National Symbol)
3. Image of a Ship
4. Inscription of PSM *Inspector*

II. Identity Card



Description of Image:

1. Logo of Garuda

2. Logo of PSM Inspector
3. Name of PSM Inspector
4. Registration Number of PSM Inspector
5. Photo of PSM Officer
6. Signature of Director General

III. Occupational Safety Helmet



Description:

Helmet shall be blue in color, affixed with the PSM Inspector logo at the center front

IV. Cap



Description:

Cap shall be dark blue in color, affixed with the PSM Inspector logo at the center front

V. Workwear Vest



Description:

1. Logo of PSM *Inspector*,
2. Name of PSM Officer;
3. Inscription of PSM *Inspector*,
4. Silver reflector;
5. Basic color of the vest is navy blue;
6. Pocket..

MINISTER OF MARINE AFFAIRS AND
FISHERIES OF THE REPUBLIC OF
INDONESIA,

Signed.

SUSI PUDJIASTUTI

Certified true copy
Head of Legal and Organization Bureau

[signed and sealed]

Tini Marusli