

**DECREE OF THE MINISTER OF COMMUNICATIONS
NUMBER : KM 14/1996; DATED : MARCH 29, 1996**

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**THE SIMPLIFIED PROCEDURE FOR THE PROCUREMENT
AND REGISTRATION OF VESSELS**

THE MINISTER OF COMMUNICATIONS,

- Considering :**
- a. that the vessel space demand for sea transport in Indonesia as well as from and to foreign countries is increasing rapidly, so that it is necessary to increase the size of the national fleet through the building and procurement of vessels from domestic and or foreign sources in order to meet the national vessel space demand;
 - b. that in connection with the consideration in letter a, and within the framework of supporting the effort to meet the national vessel space demand, it is necessary to simply the procedure for the procurement and registration of vessels in a decree of the Minister of Communication.

- Bearing in mind :**
1. The Commercial Act, Article 311 and Article 314;
 2. Act No. 21 of 1992 on Navigation (State Gazette of 1992 No. 98, Supplementary to State Gazette No. 3493);
 3. Presidential Decree No. 44 of 1974 on the Organizational Principles of Ministries;
 4. Presidential Decree No. 15 of 1984 on the Organizational Structures of Ministries, as already amended the latest by Presidential Decree No. 2 of 1996;
 5. The Decree of the Minister of Communications No. KM. 91/OT.002/Phb-80 and No. KM 164/OT.002/Phb-80 on the Organization and Operational Procedure of the Ministry of Communications, as already amended the latest by the Decree of the Ministry of Communications No. KM 58/1991.

HAS DECIDED :

**THE DECREE OF THE MINISTER OF COMMUNICATIONS CONCERNING THE
SIMPLIFIED PROCEDURE FOR THE PROCUREMENT AND REGISTRATION OF
VESSELS.**

Article 1

- (1) Vessels which can be registered in Indonesia shall be :
 - a. those with gross tonnage of at least 20 M3 or GT 7;
 - b. those owned by Indonesian citizens or Indonesian statutory bodies.
- (2) The vessels as meant in paragraph (1) can originate in the building of new ships, or the procurement of used or new ship from domestic as well as foreign sources.

Article 2

- (1) No licences are required for the procurement of vessels from abroad as meant in Article 1 paragraph (2), but requirements for vessel safety and prevention of pollution from ships shall be fulfilled, and legitimate and valid documents of ships from their countries of origin shall be possessed, for use in the evaluation of technical specifications and legal status of relevant vessels.
- (2) The requirements for vessel safety and prevention of pollution as meant in paragraph (1) shall cover:
 - a. Construction and composition of vessels;
 - b. stability and load lines of vessels;
 - c. equipment of vessels;
 - d. engines or electricity of vessels;
 - e. radio telecommunication and electronic sets of vessels;
 - f. fire prevention and fighting systems and equipment;
 - g. ship-generated pollution prevention system and equipment
- (3) Documents of ships as meant in paragraph (1) shall cover:
 - a. certificates of nationality/registry of vessels;
 - b. certificates of admeasurements;
 - c. certificates of vessels safety according to types, sizes and shipping areas of vessels;
 - d. certificates of prevention of pollution from ships;
 - e. pictures of vessels, at least pictures of general arrangements;
 - f. builder's certificates.

Article 3

- (1) The procurement of vessels which are not classified by approved classification agencies shall involve preliminary inspection covering the aspects of vessel safety and prevention of pollution from ships, within the framework of realising technical evaluation of vessels.

- (2) In the case of results of the technical evaluation as meant in paragraph (1) indicating non-fulfilment of relevant requirements, the vessels concerned cannot be registered as Indonesian ships.
- (3) The procedure for the technical evaluation of vessels as meant in paragraph (1) shall follow the relevant laws in force.

Article 4

- (1) The registration of property Rights to Indonesian ships shall be accompanied by the following documents:
 - a. evidence of ownership (deeds of transactions, grants, inheritance, court decisions or other proofs which can function as such);
 - b. Identities of owners;
 - c. certificates of admeasurements;
 - d. evidence of settlement of vessel name-transfer fees;
 - e. certificates of deregistration/cancellation, particularly for vessels once registered in other countries.
- (2) Certificates of admeasurements can be issued for Indonesians ships originating in foreign flag carriers, without conducting remeasurement in the following cases:
 - a. the vessels have possessed certificates of admeasurements issued by government agencies or approved classification agencies on behalf of governments of countries of vessels origin, based on the effective international Convention on Admeasurements of ships;
 - b. owners deliver pictures of general arrangements as meant in Article 2 paragraph (3) letter c, and calculation sheets used for determining ship tonnage and issuing certificates of admeasurements by countries of vessels origin.

Article 5

- (1) Applications for registration of vessels can be filed to the headoffice of the Directorate General of Sea Communications or at the following ports:

a. Ambon;	aa. Meneng;
b. Bagan Siapi-api;	bb. Merauke;
c. Balikpapan;	cc. Palembang;
d. Banjarmasin;	dd. Panjang;
e. Batam;	ee. Pakanbaru;
f. Belawan;	ff. Pontianak;
g. Bengkulu;	gg. Sabang;
h. Bena;	hh. Samarinda;
i. Bitung;	ii. Sampit;
j. Cilacap;	jj. Siboga;

k.	Cirebon;	kk.	Sorong;
l.	Donggala;	ll.	Tg. Emas;
m.	Dili;	mm.	Tg. Perak;
n.	Dumai;	nn.	Tg. Pinang;
o.	Gorontalo;	oo.	Teluk Bayur;
p.	Jambi;	pp.	Ternate;
q.	Jayapura;	qq.	Tual.
r.	Kendari;		
s.	Kupang;		
t.	Lembar;		
u.	Lhokseumawe;		
v.	Luwuk;		
w.	Makasar;		
x.	manado;		
y.	Manokwari;		
z.	Maumere;		

- (2) The approval or rejection of applications for vessels registration as meant in paragraph (1) shall be issued not later than 14 (fourteen) working days starting from the receipt of complete applications.
- (3) In the case of rejection of applications for vessels registration, the authorised officials concerned shall give written reasons for the rejection.

Article 6

- (1) National shipping companies or ship owners planning to sell Indonesian ships abroad shall submit notifications to authorised officials in places of vessels registration with copies being addressed to the Director General of Sea Communications.
- (2) Based on the notifications as meant in paragraph (1), authorised officials in places of vessels registration shall issue certificates of deregistrations/cancellation not later than 3 (three) working days starting from the receipt of notifications by the said officials in registration.
- (3) The certificates of deregistration/cancellation as meant in paragraph (2) shall not be issued by authorised officials in places of vessel registration, if the legal status of vessels is unclear and the vessels are being are being mortgaged or made security of any type to other parties.

Article 7

The Director General of Sea Communications shall conduct control over the implementation of this decree.

Article 8

The decree of the Minister of Communications regulating the procurement and registration of vessels which is in contradiction with this decree, shall be declared null and void.

Article 9

This decree shall come into force as from April 8, 1996.

Stipulated in : Jakarta
On : March 29, 1996
THE MINISTER OF COMMUNICATIONS
sgd
Dr. DHARYANTO DHANUTIRTO