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FORESTRY

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DEPARTMENT OF FORESTRY

**DECREE OF THE MINISTER OF FORESTRY
NO. 85/Kpts-11/2001 DATED MARCH 15, 2001**

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THE GERMINATION OF FOREST PLANTS

THE MINISTER OF FORESTRY

- Considering** :
- a. that Government Regulation No. 44/1995 has stipulated provisions on the germination of forest plants;
 - b. that in order to implement Government Regulation No. 44/1995, it is necessary to stipulate the Decree of the Minister of Forestry No. 673/Kpts-II/1997 on the germination of forest plants;
 - c. that since the germination of forest plants develops, the Decree of the Minister of Forestry No. 673/Kpts-II/1997 needs to be amended by a decree of the Minister of Forestry;
- Bearing in mind** :
1. Law No. 12/1992;
 2. Law No. 16/1992;
 3. Law No. 5/1994;
 4. Law No. 22/1999;
 5. Law No. 41/1999;
 6. Government Regulation No. 44/1995;
 7. Government regulation No. 25/2000;
 8. Presidential Decree No. 177/2000;
 8. Presidential Decree No. 234/M/2000 jo Presidential Decree NO. 289/M/2000;

H A S D E C I D E D :

To stipulate : **THE DECREE OF THE MINISTER OF FORESTRY ON THE GERMINATION OF FOREST PLANTS.**

**CHAPTER I
GENERAL PROVISION
Article 1**

Referred to in this decree as :

1. Germination of forest plants shall be anything connected with the management of seeds of forest plants.
2. Seeds of forest plants, hereinafter called seeds, shall be plants or their part used to multiply or breed plants.

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3. Source of seeds shall be an upright cluster of forests, both natural forests and timber estate, which is specially designated or built to produce seeds.
4. Management of seed sources shall be activities which cover searching, collection, development of source of seeds, conservation and utilization of source of seeds.
5. Managers of seeds sources shall be individuals, cooperatives, state-owned enterprises, private-owned enterprises and government institutions having and/or controlling their own sources of seeds, and the sources of the seeds are managed properly so as to be capable of producing good quality seeds.
6. Provision of seeds shall be activities of searching, harvesting, sort-out and storing seeds before the seeds are used or distributed.
7. Distribution of Seeds shall be activities of packaging, transporting, storing, distributing and marketing seeds.
8. Certification of Seeds shall be a process of certifying seeds of forest plants after passing examination, testing and supervision as well as fulfilling all requirements for distribution.
9. Certification Institutions shall be statutory bodies (cooperatives, state-owned enterprises, private-owned enterprises) already accredited by authorized institutions to execute the certification of seeds or seedlings.
10. Seed Label shall be written information attached to seeds or seeds already packed and to be distributed, which contain, among others, kind of seed, place of origin of seed, quality of seed, data on results of laboratory test as well as the end of distribution period of seed.
11. seed Collection Zone shall be territory of or a group of territories in forests that have uniform ecological conditions (height of place, direction of elevation and climate). The territory contains a local original stand and constitutes a source of geographical seeds.
12. Identified Seed Stand shall be a natural or plant upright-cluster which has the average quality and is used for producing seeds with the distribution of locations being identifiable appropriately.
13. Selected Seeds Stand shall be a natural or plant upright-cluster having few superior trees in the case of important characteristics (straight trees, light branch etc) and used for producing seeds.
14. Seeds Production Area shall be a territory of selected seed stands having its quality increased through the felling of interior trees.
15. Seed Stand shall be an upright cluster built from seeds whose provenance has been tested and whose superiority has been ascertained.
16. Seed Farm shall be an upright cluster specially built to produce seeds.
17. Seeds shall materials of plants which can be in the form of seeds or saplings, such as slips of plants, ready for planting sapling, cuttings or uprooted saplings.
18. Provision of seeds shall include the germination (plant saplings/seeds), the making out of

growing medium, transfer of sprouts, maintenance and storage before being distributed and/or used.

19. Germination method shall be a seed production technique according to forms of seeds which are used, including generative germination of generative seeds and vegetative germination of vegetative seeds.
20. Seed and/or Seedling Quality Standards shall be requirements for the quality of seeds or seedlings which must be fulfilled, such as genetic, physical and fisiological quality.
21. Minister shall be the minister tasked to handle and responsible for the fishery sector.
22. Director General shall be the director general tasked to handle and responsible for the germination of forest plants.
23. Head of Agency shall be the head of the agency tasked to handle and responsible for the forestry research and development.
24. Provincial/Regency/City Service shall be service tasked to handle and responsible for the germination of forest plants.
25. Appraisal Team shall be a team consisting of professionals in the field of germination of forest plants that are tasked to audit the feasibility of sources of seeds and/or providers and distributors of seeds/seedlings and/or the feasibility of seeds/seedling certification institutions.

Article 2

The regulation of germination of forest plants shall aim at :

- a. guaranteeing the quality of seeds and seedlings of forest plants;
- b. ensuring the fulfillment of the need for quality seeds in a adequate and sustainable manner;
- c. guaranteeing the conservation of sources of seeds and their utilization.

CHAPTER II PROVISION AND DISTRIBUTION OF SEEDS Part One Management of seeds sources Article 3

- (1) Seeds can procured through domestic production and/or imports from other countries.
- (2) The producrement of seeds derived from the production of seeds as meant in paragraph (1) shall come from sources of seeds.

Article 4

- (1) The sources of seeds as meant in Article 3 paragraph (3) shall consist of :
 - a. seed collection zone;
 - b. identified seed stand;

- c. selected seed stand;
 - d. seed production area;
 - e. provenant seed stand;
 - f. seed farm.
- (2) The status of the sources of seeds as meant in paragraph (1) shall be stipulated:
- a. functionaries of forest areas, in the case of the sources of seeds being located in the forest area;
 - b. functionaries of land plots, in the case of the sources of seeds being located outside the forest areas;
- (3) The sources of seeds shall be managed by managers of seed sources already stipulated in accordance with the authority as meant in paragraph (2).
- (4) The managers of seed sources as meant in paragraph (3) can be individuals, statutory bodies (state-owned enterprises/BUMN, private-owned enterprises/BUMS, cooperatives) or government institutions.
- (5) The managers of seed sources as meant in paragraph (4) shall be entitled to execute the following activities:
- a. searching;
 - b. collection;
 - c. development of seed sources;
 - d. conservation and utilization of seed sources.
- (6) The Director General shall further regulate criteria, standards and procedures for the management of seed sources.

Part Two
Providers and Distributed of Seeds
Article 5

- (1) Providers and distributors of seed sources can be individuals, statutory bodies (State-owned enterprises/BUMN, private-owned enterprises/BUMS, cooperatives) and government institutions operating in the germination field.
- (2) Regency/city service shall stipulate registered providers and distributors on the basis of results of recommendations executed by Forest Plant Germination Centers.
- (3) The providers and distributors of seeds as meant in paragraph (2) shall be entitled to execute the following activities :
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| a. searching; | e. storage of seeds; |
| b. harvesting; | f. packaging; |
| c. collection; | g. transporting; |
| d. sort-out; | h. distribution and marketing of seeds. |
- (4) The Director General shall further stipulate criteria, standards and procedures for becoming the registered providers and distributors.

Article 6

- (1) The procurement of seeds through imports from other countries shall be done;
 - a. in the framework of fulfilling the domestic need for seeds;
 - b. because the seeds cannot be produced in the country yet;
 - c. in the interest of research and development of forest plants.
- (2) The imported seeds shall fulfill the following provisions:
 - a. having good quality seeds which are accompanied by certificates of origin;
 - b. having certificates of quality from countries of origin;
 - c. having certificates of phytosanitary which are issued by the authorized party.

Article 7

- (1) Imports of seeds to the territory of the Republic of Indonesia shall be done providers and distributors of seeds already stipulated by the authorized institution.
- (2) The imports shall be realized if import licenses have been obtained from the authorized institution.
- (3) The import licenses as meant in paragraph (2) shall be issued by :
 - a. the Director General, in the case of import license to develop of timber estate;
 - b. the Head of Agency, in the case of import licenses to undertake of forest research and development.
- (4) Applications for the import of seeds shall be submitted to the authorized institution as meant in paragraph (3) by mentioning: objective, kind, quantity, origin of seeds and country of origin.

Article 8

- (1) Seeds produced or distributed by providers and distributors of seeds shall :
 - a. fulfill the quality standards already stipulated;
 - b. originate from sources of seeds.
- (2) Distributors of seeds shall maintain the quality of seeds distributed.
- (3) The quality of seeds as meant in paragraph (2) shall be maintained in accordance with the requirements for packaging, storage, transporting and the distribution period of seeds;
- (4) The Director General shall further stipulate provisions on the packaging, storage and transporting.

Article 9

Distributors of seeds shall convey reports of Forest Plant Germination Centers in accordance with their working areas.

**Part Three
Certification
Article 10**

- (1) Certification of seeds shall aim at :
 - a. guaranteeing the quality of seeds of forest plants;
 - b. encouraging the use of good quality seeds;
 - c. providing intellectual protection for preservers of trees.
- (2) Certification shall be applied to seeds which will be distributed or used.
- (3) Certification shall consist of certification of seed sources, certification of seed quality and certification of phytosanitary.
- (4) The certification of phytosanitary as meant in paragraph (3) shall only be applied to seeds originating in other countries.
- (5) The certification of phytosanitary as meant in paragraph (4) shall be done by the Forest Plant Quarantine Center.

Article 11

- (1) Certification of seed sources shall aim at ascertaining classification of seed sources, which cover the examination of condition of stands, physical condition of fields, management of seed sources and facilities/infrastructures.
- (2) Seed sources passing the certification shall constitute seed sources fulfilling the quality standards, already stipulated.

Article 12

- (1) Certification of seed quality shall aim at ascertaining the quality of seeds, including the genetic, physical and fisiological quality.
- (2) Certification of seed quality shall be applied to seeds which will be distributed and/or used.
- (3) The genetic quality as meant in paragraph (1) can be examined by the examination of seed sources.
- (4) Laboratory tests of the physical and fisiological quality shall be done on the basis of standards of the international Seed Testing Association (ISTA).
- (5) The Director General shall further stipulate criteria, standards and procedures for the certification of seed quality.

Article 13

- (1) Seed sources and seed quality shall be certified by Forest Plant Germination Centers or Certification Institutions.
- (2) Statutory bodies (cooperatives, BUMN, BUMS) can become certification institutions if they have secured accreditation licenses from Forest Plant Cermination Centers.

- (3) The Director General shall further stipulate criteria, standards and procedures for applications for licenses to become certification institutions.

**CHAPTER III
EXPORTS OF SEEDS
ARTICLE 14**

- (1) Exports of seeds from the territory of the Republic of Indonesia shall be done by providers and distributors of seeds already stipulated by the authorized institutions as meant in Article 7 paragraph (1).
- (2) Exports of seeds can be done if they have secured licenses from the Director General or the Head of Agency.
- (3) The Director General as meant in paragraph (2) shall grant licenses to exports for the development of forests.
- (4) The Head of Agency as meant in paragraph (2) shall give licenses to export for the need of forest research and development.

Article 15

- (1) Seeds of forest plants which can be exported shall be :
- a. good quality seeds originating from forest plants which have developed in Indonesia;
 - b. being excluded from plants which are rare or almost to extinct and protected by laws.
 - c. being free from pests or diseases, namely seeds accompanied by phytosanitary certificates which are issued by the Forest Plant Quarantine Center.
 - d. seeds labeled by Forest Plant Germination Centers or Certification Institutions which have secured authorization from the government.
- (2) The Minister shall stipulate kinds of seeds which can be exported from the territory of the Republic of Indonesia.
- (3) The Director General shall further stipulate provisions on procedures for exporting seeds.

**CHAPTER IV
FLOURISHING
Article 16**

- (1) Providers and distributors of seedings can be individuals, statutory bodies (BUMN, BUMS, cooperatives), government institutions operating in the flourishing field.
- (2) The registered providers and distributors of seedings shall be stipulated by Regency/City Service on the basis of recommendations from Forest Plant Germination Centers.
- (3) The Director General shall further stipulate criteria, standards and procedures for becoming

the registered providers and distribution of seedings.

Article 17

- (1) Certification of seedings shall aim at ascertaining the quality of seedings, including the physiological physical quality.
- (2) Certification shall be applied to seedings which will be distributed or used.
- (3) Seedings passing the certification shall constitute seedlings already fulfilling the quality standards stipulated.
- (4) The Director General shall further stipulate criteria, standards and procedures for the certification of seedings.

Article 18

- (1) Seedings produced or distributed shall comply with the quality of seedings already stipulated.
- (2) Distributors of seedings shall maintain the quality of seedlings which are distributed.
- (3) The quality of seedings as meant in paragraph (2) shall be maintained in accordance with the requirements for packaging, storage and transporting.
- (4) The Director General shall further stipulate requirements for packaging, storage and transporting.

Article 19

Distributors shall convey reports to Forest Plant Germination Centers in accordance with their working areas.

CHAPTER V FOSTERING AND SUPERVISION Article 20

The Minister can prohibit the procurement, distribution and planting of seeds of kinds turning out to harm communities, cultivation of plants, other natural resources or the environment.

Article 21

- (1) The Director General shall foster and supervise the germination of forest plants.
- (2) The Head of Agency shall conduct a study on the germination of forest plants.
- (3) Provincial/Regency/City Service assisted by Forest Plant Germination Centers shall supervise, monitor and facilitate activities of forest plant germination in regions.

CHAPTER VI CONCLUSION Article 22

- (1) With the enforcement of this decree, the Decree of the Minister of Forestry No. 673/Kpts-II/1997 shall be declared null and void.
- (2) This decree shall come into force as from the date of stipulation.

Stipulated in Jakarta
On March 15, 2001
THE MINISTER OF FORESTRY

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Dr.Ir.NUR MAHMUDI ISMA'IL, MSc.

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