

**DECREE OF MINISTER OF MARINE AND FISHERIES AFFAIR
NO. KEP. 41/MEN/2003
CONCERNING
THE DETERMINING
AND REVOKE OF FISH QUARANTINE AREA**

MINISTER OF MARINE AND FISHERIES AFFAIR

Considering :

- a. to prevent the infection of the pests and diseases of fish or if it is suspected that there is a possibility of an infection, it is necessary to declare an area as a quarantine area
- b. according to point a as the realizing of article 55 Government Regulation number 15 year 2002 concerning Fish Quarantine , it is deem necessary to regulate the arrangement of determining and revoked of Fish Quarantine Area with Minister Decree;

Referring to :

1. Law of the Republic of Indonesia Number 9 Year 1985 concerning Fisheries;
2. Law of the Republic of Indonesia Number 16 Year 1992 concerning Animal, Fish and Plant Quarantine;
3. Government regulation Number 15 Year 2002 concerning Fish Quarantine;
4. Presidential Decree Number 228/M Year 2001;
5. Presidential Decree Number 102 Year 2001 concerning Position, Duty, Function, Authority, and Organization of the Department
6. Presidential Decree Number 109 Year 2001 concerning Formation Unit and The Duty of Escalon I of the Department Presidential Decree Number 47 Year 2001;
7. Minister of Marine and Fisheries Affair Decree Number KEP/24/MEN/2002 and Technique of Technical Composing Legislation of the Department of Marine and Fisheries Affair.
8. Minister of Marine and Fisheries Affair Decree Number KEP.29/MEN/2002 concerning Organization and Customs and Manners of Technical Implementer Units of Fish Quarantine

Hereby Decree

To Enact : **THE MINISTER OF MARINE AND FISHERIES AFFAIR
DECREE OF THE REGULATION OF FISH QUARANTINE AREA**

Article 1

1. Fish Quarantine Area is an area which the pests and disease of fish are found under inspection, therefore in order to prevent further infection the area must be isolated from the traffic of pests and disease carrier

2. the are or zone which under inspection is found and indicated free from any infection of pests and disease of fish.
3. The pests and disease carrier is fish and/or other material which can carry the pests and disease of fish.
4. The pests and diseases of fish are all of pests and diseases of fish which are not exist and/or existed in certain area in the territory of the Republic of Indonesia that in brief span of time could become an epidemic and will inflict harm *sosio-economically or endanger public health*.
5. The extermination of pests and diseases of fish is an effort or action to free a zone or an area from the infection of the pests and disease of fish.
6. The Minister is Minister of Marine and Fisheries Affair.
7. Head Center is Head of Fish Quarantine Center

Article 2

An area will be declared a Quarantine Area if :

1. The pests and diseases of fish are discovered or there is an indication of an infection.
2. It is possible to isolate the area from carrier traffic

Article 3

The pests and disease of fish as stated in article 2 are the pests and disease of fish that recently discovered or already existed and consider under control or not.

Article 4

The area that can be declared as a quarantine area are : rivers an its surrounding environment, lakes, dams or fish industry areas.

Article 5

1. Every person or controller of the pests and diseases of fish who posses the knowledge or suspected the presence of an infection in an area, will have the obligation to report to the proper authority.
2. The proper Authority as stated in article 5 verse 1 will report directly to the Minister, and forward that report to the governor, Mayor, Director General of Cultured Fish and head of Fish Quarantine.
3. Before the Minister decree that an area is a Quarantine Area, the Governor or mayor also have the authority to decree the restriction of carrier traffic in and out of the area.

Article 6

1. Based on the report given stated article 5 verse 2 the Minister will assign the head of fish quarantine to coordinate with the head of Board for Marine and Fisheries Research and the Director General of Cultured Fish and conduct a background check to the pests and diseases of fish phenomenon.
2. if the result of the background check as stated verse 1, stated that the pests and diseases of fish are indeed the pests and disease that merit a quarantine area, the

Minister will decree that the area is a quarantine area with the endorsement of the local authority.

Article 7

The action of controlling and elimination of pests and diseases of fish on the quarantine area, will be the jurisdiction and the responsibility of the director general of Cultured fish.

Article 8

The local authority (Governor and Mayor) will conduct the action of controlling and the elimination of pests and diseases of fish in the quarantine area according to their jurisdiction based on the Minister guidance of controlling and the elimination of pests and diseases of fish an quarantine area.

Article 9

1. if the action of controlling and the elimination of pests and diseases of fish on quarantine area as stated article 8 is the presence of pests and diseases of fish is no longer found in the quarantine area and the situation is under control for at least 2 years, the minister will withdraw the quarantine states of the area and declared a free area.
2. The withdrawal of the the status of quarantine area as stated verse 1 based on the recommendation of the head of fish quarantine and the endorsement of local authority (governor and mayor)
3. With the withdrawal of quarantine area as stated verse 1, the local authority (governor and mayor) will revoke the isolation status of the carrier traffic on the Quarantine area.

Article 10

This decree shall come into effect on the day of decided

Enacted in Jakarta
On the 14 of November 2003

Minister of Marine and Fisheries Affair

ROKHMIN DAHURI