

THE GOVERNMENT REGULATION OF
THE REPUBLIC OF INDONESIA
NUMBER 15 OF 2002
CONCERNING
FISH QUARANTINE

THE PRESIDENT OF THE REPUBLIC OF INDONESIA:

- Considering:
- a. that the regulations concerning fish quarantine are not longer keep up either with the development of science and technology or national and international laws of fisheries natural resources conservation;
 - b. that based on the above-mentioned facts and to provision the Laws of Republic of Indonesia No. 16 of 1992 concerning Animal, Fish and Plant Quarantine, it is necessary to lay down provision regarding fish quarantine in a government regulation;

- Referring to:
1. Article 5 Section (2) of The 1945 Constitution, which has been amendment with Third Amendment of the 1945 Constitution;
 2. Law of Republic of Indonesia No. 9 of 1985 concerning Fisheries (Government Gazette of Republic of Indonesia of 1985 No. 46, Additional Government Gazette No. 3299)
 3. Law of Republic of Indonesia No. 16 of 1992 concerning Animal, Fish and Plant Quarantine (Government Gazette of Republic of Indonesia of 1992 No. 56, Additional Government Gazette No. 3482)

HEREBY DECIDES:

To enact: GOVERNMENT REGULATION CONCERNING FISH QUARANTINE

CHAPTER I
GENERAL PROVISION

Article 1

As used in this regulation:

1. Fish quarantine means the actions as the effort to prevent the introduction into, dissemination from one area to another within, or the exportation from, the territory of Republic of Indonesia of quarantine pests and diseases of fish.

2. Quarantine pests and diseases of fish means all pests and diseases of fish which have not been introduced and/or have been established in certain area within the territory of Republic of Indonesia, which can spread rapidly in short period and cause social-economic losses or harmful to community health.
3. Area means region in an island, or an island, or a group of islands, within the territory of Republic of Indonesia that is related to the prevention of the spreading of pests and diseases of fish.
4. Quarantine pests and diseases of fish class I means all Quarantine Pests and Diseases of Fish which can not be free from its carrier because the treatment's technologies has not been understood.
5. Quarantine pests and diseases of fish class II means all Quarantine Pests and Diseases of Fish which can be free from its carrier because the treatment's technologies have been understood.
6. Carrier of Quarantine Pests and Diseases of Fish, further referred to as the Carrier, means fish and/or other article capable of carrying Quarantine Pests and Diseases of Fish.
7. Fish means all aquatic biota the life cycle of which takes place whole or partly in water, whether alive or dead, including parts thereof.
8. Other article means the carrier other than fish which potentially capable of spreading Quarantine Pests and Diseases of Fish.
9. Entry means all activities purposed to transport the carrier, into or from one area to another within, the territory of Republic of Indonesia.
10. Exportation means all activities purposed to transport the carrier out of or from one area to another within, the territory of Republic of Indonesia.
11. Fish quarantine actions, further referred to quarantine action, means all actions to prevent the introduction into, dissemination from one area to another within, or exportation from, the territory of Republic of Indonesia.
12. Inspection means action to check the completeness and legality of required documents, and to detect Quarantine Pests and Diseases of Fish and pests and diseases of fish.
13. Isolation means action to isolate the carrier that presumably affected by Quarantine Pests and Diseases of Fish and/or pests and diseases of fish in special location due to time-consumed characteristic of detection and to prevent the introduction and spreading of Quarantine Pests and Diseases of Fish to environment or place of destination.
14. Observation means further action to detect Quarantine Pests and Diseases of Fish and/or pests and diseases of fish in isolated carrier.
15. Treatment means action to set the carrier free or cure from Quarantine Pests and Diseases of Fish and/or pests and diseases of fish.
16. Detention means action to detent the carrier that introduced into or from one are to another within, the territory of Republic of Indonesia.

17. Refusal means action to band the carrier being introduced or exported, into or from one area to another within, the territory of Republic of Indonesia.
18. Destruction means action to destruct the carrier as following of previous quarantine action.
19. Release means action to allow the carrier to be introduced or exported, into or from one area to another within, the territory of Republic of Indonesia through designated place of entry or exit after subjected to quarantine actions.
20. Health certificate means a legal document which signed by quarantine officer or other authority in country of origin or transit, clarify that the carrier listed in it was not infected by Quarantine Pests and Diseases of Fish and/or pests and diseases of fish.
21. Release certificate means a legal document which signed by quarantine officer or other authority, clarify that the carrier listed in it is not infected or is free from Quarantine Pests and Diseases of Fish.
22. Fish quarantine installation, further referred to as quarantine installation, means a place along with its equipments and facilities that use to perform quarantine action
23. Owner means people or corporate body who has the carrier and/or responsible for the entry, exportation or transit of the carrier.
24. Mean of conveyance means all vessel and facilities that use to transporting the carrier.
25. Responsible body of means of conveyance means people or corporate body responsible for the arrival, departure or transit of means of conveyance.
26. Fish quarantine zone, further referred to as the quarantine zone, means a zone/region previously known to be free from Quarantine Pests and Diseases of Fish, but based on results of surveillance there is sign of restricted infection of Quarantine Pests and Diseases of Fish, hence the carrier need to be isolated from entry or exportation from and/or into the quarantine zone in order to prevent its spreading.
27. Transit of the carrier means temporary stay and unloads from means of conveyance in, or in an area within, the territory of Republic of Indonesia before it proceeds to a country or area of destination.
28. Transit of means of conveyance means temporary stay in, or in an area within, the territory of Republic of Indonesia, before it proceeds to a country or area of destination.
29. Fish quarantine officer, further referred to as quarantine officer, means government officer appointed to perform quarantine actions according to prevailed regulation.
30. Minister means the one who has responsibility in fish quarantine.

CHAPTER II
QUARANTINE REQUIREMENTS

Article 2

Any entry of the carrier into the territory of Republic of Indonesia shall be:

- a. Accompanied with Health Certificate issued by competent officer in country of origin or transit, except for other article.
- b. Transported through designated place of entry
- c. Reported and presented to quarantine officer at places of entry, as mentioned in character b, to perform the quarantine actions.

Article 3

(1) Any carrier that imported from one area to another within the territory of Republic of Indonesia shall be:

- a. Accompanied with Health Certificate issued by Quarantine officer at places of exit and transit, except for other article.
- b. Transported through designated place of entry and exit
- c. Reported and presented to quarantine officer at places of entry and exit as mentioned in character b, to perform quarantine actions.

(2) Requirements as mentioned in Section (1) shall apply to any carrier to be imported or transported from not free area to free area of Quarantine Pests and Diseases of Fish.

(3) Determining of area as mentioned in Section (2) is done by Minister based on the results of monitoring and surveillance of distributional area and risk analysis of Quarantine Pests and Diseases of Fish

Article 4

Any carrier to be exported from the territory of Republic of Indonesia shall be:

- a. Accompanied with Health Certificate issued by Quarantine officer at places on exit, unless required by the destination country.
- b. Transported through designated places of exit.
- c. Reported and presented to quarantine officer at places of exit as mentioned in Character b, to perform quarantine actions.

Article 5

(1) In addition to obligated requirements as mentioned in Article 2, Article 3 and Article 4, in certain cases the Minister may issue additional requirements.

- (2) Additional requirements as mentioned in Section (1) are in the form of technical requirement and/or management of disease.
- (3) Additional requirement as mentioned in Section (1) is regulate further with Minister Decree.

CHAPTER III QUARANTINE ACTIONS

Part One General

Article 6

- (1) Any carrier imported into, transported from area to another within, or transit in, the territory of Republic of Indonesia shall be performed the quarantine actions.
- (2) Any carrier exported from the territory of Republic of Indonesia through designated place of exit, shall be reported and presented to quarantine officer and be performed quarantine actions if required by destination country.
- (3) Quarantine actions as mentioned in Section (2) and Section (2) comprises inspection, isolation, observation, treatment, detention, refusal, destruction and release.
- (4) Quarantine actions are perform by quarantine officer at places of entry and/or exit, whether in or out of designated quarantine installation.
- (5) Quarantine action as mentioned in Section (3) may be perform onboard of means of conveyance.

Part Two Entry of the Carrier

Article 7

- (1) For any entry of carrier which has form as:
 - a. Baggage, the owner shall report and present the carrier along with required documents to quarantine officer on the time of arrival at places of entry;
 - b. Postal packages of non-live fish, the owner shall report the arrival at least 5 (five) days after received the notification from postal office, and present it along with required documents to the quarantine officer after package delivered by postal officer.
 - c. Cargo of live fish, the owner shall report the arrival at least 2 (two) days and present it along with required documents to the quarantine officer on the time of arrival at places of entry.
 - d. Cargo of dead fish, the owner shall report the arrival at least 1 (one) day and present it to quarantine officer on the time of arrival at places on entry.

- e. Other articles, the owner shall report and present it to the quarantine officer on the time of arrival at places of entry.
- (2) Regulation concerning quantity, type and size of baggage as mentioned in Section (1) Character a, regulate further with Ministry Decree.

Article 8

If the regulation as mentioned in Article 7 Section (1) could be carried out by the owner, the carrier shall be subjected to quarantine action.

Article 9

- (1) Quarantine action as mentioned in Article 8, is initiated with inspection.
- (2) Inspection as mentioned in Section (1) is meant to inspect the completeness and accuracy of document and also to detect Quarantine Pests and Diseases of Fish.
- (3) Inspection as mentioned in Section (2) may perform:
 - a. After the carrier unloaded from means of conveyance
 - b. Onboard of means of conveyance
- (4) Inspection as mentioned in Section (3) is carrying out coordinately with relevant institutions.

Article 10

- (1) The Inspection that carried out after the carrier is unloaded from means of conveyance without attached Health Certificate and other documents of which required as additional requirement shall under detention for maximum 3 (three) days.
- (2) If in that periods of time as mentioned in Section (1) the required documents have not been completed yet, the carrier shall be subject to refusal.
- (3) If after the 3 (three) days period of refusal, the carrier do not re-exported, it shall be subject to destruction.

Article 11

The carrier that fulfilled the requirements or the owner could complete the requirement in periods of time as mentioned in Article 10 Section (1), shall be performed of inspection to detect Quarantine Pests and Diseases of Fish.

Article 12

If the result of inspection as mentioned in Article 11, the carrier is:

- a. Not infected or free from Quarantine Pests and Diseases of Fish, it shall be released.

- b. Presumably infected by Quarantine Pests and Diseases of Fish and for further detection requires an indefinitely long period, special facilities, and controlled environment condition, it shall be kept in isolation for observation.
- c. Infected by Quarantine Pests and Diseases of Fish Class I, or damage, or is in decaying condition, or a prohibited-importation species, it shall be subjected to destruction.
- d. Infected by Quarantine Pests and Diseases of Fish Class II, it shall be subjected to treatment.

Article 13

- (1) If after being kept in isolation for observation as mentioned in Article 12 Character b, the carrier is:
 - a. Carrying the Quarantine Pests and Diseases of Fish Class I, it shall be subjected to destruction
 - b. Carrying the Quarantine Pests and Diseases of Fish Class II, it shall be subjected to treatment.
- (2) If after being subjected to treatment as mentioned in Section (1) Character b, the carrier is:
 - a. Could be free from Quarantine Pests and Diseases of Fish Class II, it shall be releases.
 - b. Could not free from Quarantine Pests and Diseases of Fish Class II, it shall be subjected to destruction.

Article 14

If after being subjected to treatment as mentioned in Article 12 Character d, the carrier is

- a. can be free from quarantine pests and diseases of fish Class II, it shall be released by giving the releases certificate
- b. can not be free from quarantine pests and diseases of fish Class II, it shall be subjected to destruction

Article 15

- (1) The carrier which inspected onboard of means of conveyance that uncompleted with health certificate from country or area of origin and other documents that required as additional requirement shall be under detention for maximum 3 (three) days.
- (2) If in the period of time as mentioned in Section (1) the required documents have not completed yet, the carrier shall be subjected to refusal.
- (3) If in period of 3 (three) days after refusal, the carrier have not re-exported yet, it shall be subjected to destruction.

Article 16

The carrier with complete documents or the owner can complete the requirements in the periods of time as mentioned in Article 15 Section (1); it shall be subjected to inspection in order to detect quarantine pests and diseases of fish.

Article 17

- (1) If the inspection of the carrier onboard of means of conveyance as mentioned in Article 16, the carrier is:
- a. Free from quarantine pests and diseases of fish which can be detected onboard, it can be unloaded from means of conveyance for release by giving release certificate
 - b. Not free from quarantine pests and diseases of fish Class I which can be detected onboard, or in condition of decaying, or damaged, or as prohibited importation species, its entry shall be rejected.
 - c. Not free from quarantine pests and diseases of fish Class II which can be detected onboard, it shall be subjected to treatment onboard of means of conveyance.
 - d. Unable to be detected from pests and diseases of fish onboard of means of conveyance, with approval of quarantine officer it shall be subjected to destruction.
- (2) If the carrier as mentioned in Section (1) Character b and have unloaded from means of conveyance without any approvals from quarantine officer, it shall be subjected to destruction.

Article 18

If after being subjected to inspection as mentioned in Article 17 Section (1) Character c, the carrier is:

- a. Can be free from quarantine pests and diseases of fish Class II, it shall be releases by giving the release certificate.
- b. Can not be free from quarantine pests and diseases of fish Class II, it shall be subjected to refusal.

Article 19

- (1) If after being subjected to isolation and observation as mentioned in Article 17 Section (1) Character d, the carrier is:
- a. Free from quarantine pests and diseases of fish, it shall be issued a release certificate.
 - b. Not free from quarantine pests and diseases of fish Class I, it shall be subjected to destruction.
 - c. Not free from quarantine pests and diseases of fish Class II, it shall be subjected to treatment.
- (2) If after being subjected to treatment as mentioned in Section (1) Character c, the carrier is:

- a. Can be free from quarantine pests and diseases of fish Class II, it shall be released by giving a release certificate.
- b. Can not be free from quarantine pests and diseases of fish Class II, it shall be subjected to destruction.

Article 20

- (1) The responsible body of means of conveyance or their representative shall be reported the arrival of their means of conveyance to quarantine officer at the place of entry in the following conditions:
 - a. For ships, the report on the arrival is done at places of entry prior to the arrival
 - b. For land or air transportation, the report on the arrival is done at the time of arrival.
- (2) Upon arrival of means of conveyance as mentioned in Section (1) at places of entry, the responsible body of means of conveyance or its representative shall be submitted the list or information on the loaded cargo and other documents/declarations to quarantine officer at places of entry.

Article 21

Concerning the means of conveyance as mentioned in Article 20, after arrival at places of entry, the inspection is carry out as far as there are strong reasons that vehicle can be a source of quarantine pests and diseases of fish in following conditions:

- a. For ships, the inspection shall be carried out before or at time of arrival of ship.
- b. For air or land transportation, the inspection shall be carried out at the time of arrival.

Article 22

- (1) If after the inspection as mentioned in Article 21, it is found or suspected the existence of quarantine pests and diseases of fish, the means of conveyance shall be subjected to treatment.
- (2) By considering the provision of Article 20 and Article 21, the cargo except person onboard of means of conveyance as mentioned in Section (1) is only allowed to be unloaded from it after being subjected to treatment.
- (3) The treatment of person can be done onboard of means of conveyance, or after they got off from it.

Article 23

- (1) Any importation of the carrier that inappropriate arranged, or its ownership is unknown, shall be subjected to detention.

- (2) Concerning the carrier as mentioned in Section (1), which physically formed as live fish, fresh and frozen fish, if in the periods of 3 (three) days after detention they have not arranged yet, or their ownership still remain unknown, shall be subjected to destruction.
- (3) For other carrier beside of which mentioned in Section (2), if in the period of 14 (fourteen) days after detention have not arranged yet, or its ownership remain unknown, it shall be subjected to refusal.
- (4) If in the period of 14 (fourteen) days as mentioned in Section (3) the carrier have not be re-export from the territory of Republic of Indonesia, it shall be subjected to destruction.

Article 24

Further conditions concerning quarantine actions for entry of the carrier will be issues by Ministry Decree.

Part Three Exportation of the Carrier

Article 25

The carrier that will be transported from one area to another within the territory of Republic of Indonesia which in form of:

- a. Baggage, the owner shall report and present the carriers to quarantine officers at places of exit at least prior to departure.
- b. Cargoes or postal objects or other articles, the owner shall report and present the carriers to quarantine officers at places of exit at least 1 (one) day before being subjected to quarantine actions.

Article 26

The carriers that will be exported from the territory of Republic of Indonesia which in form of:

- a. Baggage, the owner shall report and present the carriers to quarantine officers at places of exit at least prior to departure, and quarantine actions will performed if it requested by country of destination.
- b. Cargoes, or postal objects, the owner shall report and present the carriers to quarantine officers at places of exit at least 1 (one) day before being subjected to quarantine actions if requested by destination country.

Article 27

After the carrier as mentioned in Article 25 and Article 26 has presented to quarantine officers, it might be subjected to inspection.

Article 28

If after being subjected to inspection, the carrier would be transported from one area to another within the territory of Republic of Indonesia was:

- a. Requirement – completed as mentioned in Article 3 and free from quarantine pests and diseases of fish, it shall be released by giving it a Health Certificate;
- b. Prohibit to be transported from given area; its exportation shall be refused.
- c. Infected by quarantine pests and diseases of fish class I or damaged or in condition of decaying, its exportation shall be refused.
- d. Infected by quarantine pests and diseases of fish class II, it shall be subjected to treatment.
- e. Its exportation requires the isolation and observation procedure, it shall be subjected to isolation for observation.

Article 29

If after being subjected to isolation and observation as mentioned in Article 26 Character e, the carrier was:

- a. Infected by quarantine pests and diseases of fish Class I, its exportation shall be refused.
- b. Infected by quarantine pests and diseases of fish Class II, it shall be subjected to treatment.
- c. Free from quarantine pests and diseases of fish, it shall be released by giving it a health certificate.

Article 30

If after being subjected to treatment as mentioned in Article 28 Character d or Article 29 Character b, the carrier was:

- a. Could not be free from quarantine pests and diseases of fish Class II, its exportation shall be refused.
- b. Could be free from quarantine pests and diseases of fish Class II, it shall be released by giving it a health certificate.

Article 31

If after being subjected to inspection, in fact, the carrier that would be exported from the territory of the Republic of Indonesia was:

- a. Requirement - completed as mentioned in Article 4, and not infected by pests and diseases of fish as requested by destination country, it shall be released by giving it a health certificate.
- b. A prohibited object to destination country, its exportation shall be refused.
- c. In condition of decaying, or damaged, its exportation shall be refused.
- d. Infected by pests and diseases of fish as requested by destination country, it shall be subjected to treatment.
- e. Its exportation requires undergoing to isolation and observation, it shall be subjected to isolation for observation.

Article 32

If after being subjected to isolation and observation as mentioned in Article 31 Character e, the carrier was:

- a. Infected by pests and diseases of fish as required by destination country, it shall be subjected to treatment.
- b. Not infected by pests and diseases of fish as required by destination country, it shall be released by giving it a health certificate.

Article 33

If after being subjected to treatment as mentioned in Article 31 Character d or Article 32 Character a, the carrier was:

- a. Could not be free from pests and diseases of fish as required by destination country, its exportation shall be refused.
- b. Could be free from pests and diseases of fish as required by destination country, it shall be released by giving it a health certificate.

Article 34

Further regulation concerning quarantine actions for exportation the carrier will be issued by Ministry Decree.

**Part Four
Transit**

Article 35

(1) To prevent the introduction and spreading of quarantine pests and diseases of fish through means of conveyance of transit and the carrier to or from one area to another within, the territory of the republic of Indonesia, the transit shall be allowed only at designated place of entry and exit.

- (2) Upon the arrival of means of conveyance as mentioned in Section (1) at places of entry or exit, the responsible body of them or their legal representative shall report the arrival of means of conveyance and the carrier to local quarantine officer.
- (3) During transit, the carrier shall be under provision of quarantine officer.

Article 36

- (1) Concerning to the carrier as mentioned in Article 35 Section (1), it have to accompany by a health certificate from area or country of origin.
- (2) For the carrier that require an addition or replacement of water or oxygen and /or others shall be reported and that activity should be carried out under provision of quarantine officer.
- (3) For the carrier that during transit still wrapped or do not required the addition, replacement or others, is under provision of quarantine officers.
- (4) Packing materials, gears/tools, and water that used during transit shall be subjected to treatment or destruction.

Article 37

- (1) Concerning to the carrier as mentioned in Article 36 Section (2), which presumably have infected by quarantine pests and diseases of fish, or damaged, or in condition of decaying, the means of conveyance of transit shall be ordered to depart the transit area immediately
- (2) If at least 2 (two) days after received order to depart the transit area as mentioned in Section (1) and it have not departed yet, the carrier shall be subjected to destruction.

Article 38

If the country or area of origin required health certificate, the quarantine officer at places of transit obligates to carry out quarantine action as mentioned in Article 7 up to Article 23.

Article 39

Concerning the means of conveyance of the carrier as mentioned in Article 37 section (1), which could not continue their journey, they shall be subjected to regulations as mentioned in Part Two, Article 21, Article 22 and Article 23.

Article 40

- (1) For the means of conveyance that transit in outbreak country or area shall be subjected to quarantine actions.

- (2) Transit of the carrier which originated from out breaking country or area only allowed for means of conveyance.

Article 41

Further regulation concerning quarantine actions for transit will be issued by Ministry Decree.

Part Five
Means of Conveyance that
Moored or Landed in emergency situation

Article 42

- (1) if ships or air planes which carried the carrier was moored or landed at designated place of entry and exit because of emergency situation, the responsible body of ships/planes or their legal representative shall report it immediately to quarantine officer at the nearest place of entry and exit.
- (2) Unless for persistent reasons, loaded carrier, gears/tools. Other articles or materials on ship or planes are not allowed to unload from means of conveyance before have been inspecting and permitting by quarantine officer.
- (3) Concerning to the means of conveyance that moored or landed in emergency situation, which unable to continue their journey, the loaded carrier will be subjected to regulation concerning the entry of carrier as mentioned in Part Two, Chapter III.
- (4) If ships or planes that moored or landed in emergency situation are able to continue their journey, the loaded carrier will be subjected to regulation concerning transit of the carrier as mentioned in Article 35 up to Article 40, Part Four, and Chapter III.

Article 43

Further regulation concerning quarantine actions for means or conveyance that moored or landed in emergency situation will be issued by Ministry Decree.

Part Six
Quarantine action outside
The designated place of entry/exit

Article 44

- (1) In certain situation, quarantine actions might be carried out outside the designated place of entry and exit.

- (2) Quarantine actions as mentioned in Section (1) might be carried out either in or outside the designated quarantine installation.
- (3) Upon the quarantine actions that carried out outside quarantine installation as mentioned in Section (2), the place of installation shall fulfills the requirement for being used for quarantine actions.

Article 45

Quarantine actions as mentioned in Article 44 will prevail according to regulations as mentioned in Part Two and Part Three of Chapter III.

Part Seven Quarantine actions by third party

Article 46

- (1) Certain quarantine actions might be carried out by third party under agreement and provision of quarantine officer.
- (2) Further regulation concerning quarantine actions by third party will be issued by Ministry Decree.

Part Eight Quarantine actions for other carrier

Article 47

- (1) Other carriers in formed of garbage, which have contacted to fish that unloaded from means of conveyance at places of entry or exit shall be subjected to destruction by responsible body of means of conveyance of their legal representative under provision of quarantine officer.
- (2) Destruction for other carriers as mentioned in Section (1) shall be carried out without place of entry.
- (3) Regulations as mentioned in Section (1) and Section (2) are carrying out coordinately with and supported by relevant organization at places of entry.
- (4) Concerning to the quarantine actions that carried out outside place of entry and/or exit, and others carriers as mentioned in Section (1), the destruction shall be carried out at places of which quarantine action have carried out.

Part Nine Quarantine action toward Refusal by Destination Country

Article 48

- (1) Re-entry of the carrier that have refused by destination country because of unfulfilled the designated quarantine requirement of destination country, or other reasons, the carrier might be subjected to quarantine actions according to regulations concerning the entry.
- (2) Re-entry of the carrier as mentioned in Section (1) shall accompany by refusal notification letter from destination country.
- (3) Health certificate which accompanied with the carrier at places of exit might be reuse as quarantine requirement.
- (4) After being subjected to quarantine actions according to regulations concerning the entry as mentioned in Section (1), the carrier might be release if they can be fulfilled the requirements.

Article 49

- (1) Re-entry of the carrier because of failing to fulfilled quarantine requirements at exit, the carrier shall be subjected to destruction at places of entry or quarantine installation.
- (2) Further regulations concerning the re-entry of the carrier as mentioned in Section (1) will be issued by Ministry Decree.

**Part Ten
Diplomatic Articles**

Article 50

Quarantine actions on diplomatic articles which in form of the carrier will follow this government regulation.

**Part Eleven
Document of Quarantine Actions**

Article 51

- (1) All quarantine actions on the carrier shall be documented.
- (2) Documents of quarantine actions as mentioned in Section (1) shall be issued by quarantine officer at places of entry or exit.
- (3) Documents of quarantine actions which issued as mentioned in Section (2) shall be handed over to the owner or relevant party.

- (4) To support the smooth running of the carrier at places of entry or exit, documents of quarantine actions can be hand over directly by issuing officer or trough electronic facilities to compulsory body.
- (5) Further regulations concerning form, type and issuing procedures of quarantine action's document will be issued by Ministry Decree.

CHAPTER IV QUARANTINE ZONE

Article 52

If it was found presumably there is any sign of existences of quarantine pests and diseases of fish in an area that previously known free from quarantine pests and diseases of fish, this area should be declared as quarantine zone.

Article 53

- (1) Ministry has the right to declare or revoke the declaration of quarantine zone by considering local district head opinions.
- (2) While waiting the declaration of quarantine zone as mentioned in Section (1), district head can prohibit the entry or exit of the carrier to, or from, quarantine zone and control given quarantine pests and diseases of fish.

Article 54

Concerning to the declaration an area as quarantine zone, so that:

- a. Prevention of quarantine pests and diseases of fish spreading from quarantine zone is competency and responsibility of Ministry.
- b. Control of quarantine pests and diseases of fish in quarantine zone is competency and responsibility of Ministry
- c. The coordination of actions as mentioned in Character b is carry out by local governor.

Article 53

Further regulations concerning requirements, criteria, and declaration and revocation procedure will be issued by Ministry Decree.

CHAPTER V QUARANTINE PESTS AND DISEASES OF FISH and THE CARRIER

Part One
Designation of Quarantine Pests and Diseases of Fish

Article 56

- (1) Pests and diseases of fish can be differentiated into Quarantine Pests and Diseases of Fish and Non Quarantine Pests and Diseases of Fish.
- (2) Quarantine pests and diseases of fish, based on their hazardous level to conservation of fish resources, environment and human health can be differentiated into:
 - a. Quarantine pests and diseases of Fish Class I
 - b. Quarantine pests and diseases of Fish Class II
- (3) Quarantine pests and diseases of fish as mentioned in Section (2) and their area of spreading and carrier which established based on mapping result of them will be issued by Ministry Decree.

Part Two
Designation of the Carrier of Quarantine Pests and Diseases of Fish

Article 57

To prevent the introduction to and/or dissemination from one area to another within, the territory of Republic of Indonesia, The Minister decides the carrier which prohibited to:

- a. Be imported into the territory of Republic of Indonesia.
- b. Be transported from one area to another within the territory of Republic of Indonesia.

Part Three
Surveillance of Quarantine Pests and Diseases of Fish

Article 58

- (1) To understand the spreading of quarantine pests and diseases of fish, the surveillance of the spreading of quarantine pests and diseases of fish is carry out within the territory of Republic of Indonesia.
- (2) The surveillance of quarantine pests and diseases of fish as mentioned in Section (1) can be carried out with participates of relevant party.
- (3) Further regulation concerning the development of quarantine pests and diseases of fish surveillance system as mentioned in Section (1) and Section (2) will be issued by Ministry Decree.

CHAPTER VI
PLACES OF ENTRY AND EXIT

Article 59

- (1) The designation of places of entry and exit have to considering the risk of the introduction and dissemination of quarantine pests and diseases of fish, spreading status of quarantine pests and diseases of fish, conservation basis of fisheries resources and the smoothness and development transportation system, trade and economic.
- (2) Minister decides the places of entry and exit for the carrier as mentioned in Section (1) after he/she has coordinated with relevant Minister.

CHAPTER VII
QUARANTINE OFFICER AND INSTALLATION

Part One
Quarantine Officer

Article 60

- (1) The implementation of quarantine actions is carry out by quarantine officers.
- (2) Quarantine officers as mentioned in Section (1) are Functional Controlling Officers of Pests and Diseases of Fish that works at Quarantine Installation

Article 61

- (1) In the implementation of quarantine actions, quarantine officers have competency to:
 - a. Enter and inspect the means of conveyance, warehouse, apron, passenger's departure and arrival rooms, or other area at places of entry and exit to check whether there are or there are no any carriers that would be transported.
 - b. Open or instruct other person to open the wrapping, package or parcel of the carrier, container or baggage, holds of ship to check whether there are or there are no any carriers that would be transported.
 - c. Prohibit any unauthorized person to enter the quarantine installation, means of conveyance or other area which quarantine actions are carrying out.
 - d. Prohibit the unloading or removal of the carrier from means of conveyance while it was under observation by quarantine officers.
 - e. Prohibit any person to throw away the carrier, garbage, article or material that could spread the pests and diseases of fish at places of entry and exit and at any place along the journey.

- f. Survey the quarantine pests and diseases of fish at fish production site, open waters, holding, raiser and marketing facilities of the carrier.
 - g. Take sample of the carrier that would be transported, and do the experiment, and/or
 - h. Decide the way of treatment and raising the carrier which being subjected to quarantine actions.
- (2) In implementing the duties as mentioned in Section (1), the quarantine officers coordinates with relevant parties.

Article 62

Further investigation of criminal acts in fish quarantine can be carried out by quarantine officers who have the authorization as Civil Servant Investigator according to regulation in effect.

**Part Two
Quarantine Installation**

Article 63

- (1) For implementation of quarantine actions, the government builds quarantine installation at places of entry and exit, or at other places if necessary.
- (2) A quarantine installation as mentioned in Section (1) is provide with:
 - a. Inspection facilities and materials.
 - b. Isolation and observation facilities.
 - c. Treatment facilities.
 - d. Detention facilities.
 - e. Destruction facilities, and
 - f. Other supporting facilities.
- (3) Further regulation concerning quarantine installation as mentioned in Section (1) and Section (2) will be issued by Ministry Decree.

Article 64

- (1) An individual or a corporate can establish a quarantine installation outside the place of entry and exit.
- (2) Further regulation concerning quarantine installation as mentioned in Section (1) will be issued by Ministry Decree.

CHAPTER VIII
QUARANTINE'S SERVICE TAX

Article 65

- (1) Any person or corporate who utilized the services or facilities provided by government for implementing quarantine actions will be subjected to quarantine's service tax.
- (2) Quarantine's service tax as mentioned in Section (1) is contain of:
 - a. Cost for using the facilities at government's quarantine installation.
 - b. Cost for implementing the quarantine actions.
- (3) The amount of quarantine's service tax and its collecting procedure will be issued by Ministry Decree.

Article 66

All revenues that earned from tax as mentioned in Article 65 are Non Tax Government Revenue (*Indonesian: Penerimaan Negara Bukan Pajak [PNBP]*) and will be deposit to Government Treasury according to regulation concerning non tax government revenue in effect.

CHAPTER IX
DEVELOPMENT OF QUARANTINE MINDEDNESS

Article 67

- (1) Minister undertakes the development of quarantine mindedness to improve awareness and participation in fish quarantine through planned and continued education, training, extension, dissemination of information activities.
- (2) In implementing the activities as mentioned in Section (1), Minister can involve professional organizations or non government organization and others agency.

CHAPTER X
INTER-COUNTRY COOPERATION

Article 68

- (1) Minister may carry out mutual cooperation with other countries on fish quarantine.
- (2) Cooperation as mentioned in Section (1) can be carried out bilateral, regional and/or multilateral.

**CHAPTER XI
TEMPORARY PROVISION**

Article 69

All implementing regulations concerning fish quarantine, so long as they are not contrary to this Government Regulation is still in effect until the novel executing regulation that based on this Government Regulation has been issued.

**CHAPTER XII
FINAL PROVISION**

Article 70

This Government Regulation shall come into effect as of the date of enactment. For public awareness, this regulation shall be published in the Government Gazette of The Republic of Indonesia.

Issued in Jakarta

On 23rd April 2002

PRESIDENT OF THE REPUBLIC OF INDONESIA

MEGAWATI SOEKARNOPUTRI

Enacted in Jakarta

On 23rd April 2002

THE STATE SECRETARY OF THE REPUBLIC ON INDONESIA

BAMBANG KESOWO

PRESIDENT
REPUBLIC OF INDONESIA

EXPLANATORY NOTE
ON
GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
NO. 15 OF 2002
CONCERNING
FISH QUARANTINE

GENERAL

With the enactment of Law Number 16 of 1992 concerning Animal, Fish and Plant Quarantine dated 8th day of June 1992, the implementation of fish quarantine in Indonesia has obtained the new complete legal basis and in accordance with development of demanded requirements. In general, Law No. 16 of 1992 as well as other law, contains general provisions that should be detailed further in more operationally provisions in a government regulation as well as the lower order regulations.

There are two issues in the Law No. 16 of 1992 that strongly conveyed to be elaborated further in a government regulation, that are the issue concerning quarantine's service tax and the issue concerning transit of means of conveyance that loaded with the carrier. However, this does not close the possibility to regulate other issues in a government regulation besides of which mentioned above. Considering the issues that will be regulated have widely implications on the public interest or competency on several departments, the implementation of them requires coordination between those departments. Besides that, some of those issues are new materials or not clearly regulated in Law No. 16 of 1992 so they need to be regulated further in government regulations to maintain the integrity of opinion as well as to complete the regulation that have been regulated in that Law. Further regulation concerning those issues in a government regulation is also carrying out because of the hierarchy of relegation in Indonesia thus it is necessary to regulate priority of those issues in government regulation before regulate them further in lower order regulation.

Based on above-mentioned consideration, beside the issue of quarantine's service tax and transit of means of conveyance, in this Government Regulation it has regulated on the issue of quarantine action, quarantine zone, mechanism of designation of places on entry and exit, quarantine installation, competencies of quarantine officers, the development of community participation and others which considered necessary.

ARTICLE PER ARTICLE

Article 1

Numeral 1

Self explanatory

Numeral 2

Self explanatory

Numeral 3

Self explanatory

Numeral 4

Self explanatory

Numeral 5

Self explanatory

Numeral 6

Self explanatory

Numeral 7

“Fish” includes:

- a. finfish (Pisces)
- b. shrimp, small crab, crab, and the like (Crustacean)
- c. shell-fish, oyster, octopus, snails and the like (Mollusc)
- d. jelly fish and the like (Coelenterate)
- e. sea-cucumber, sea urchin and the like (Echinoderm)
- f. frogs and the like (Amphibian)
- g. crocodile, turtle, tortoise, lizard, water snake and the like (Reptile)
- h. whale, dolphin, sea cow and the like (Mammalian)
- i. sea-weed and other aquatic vegetations (Algae)
- j. Other aquatic biota related to above-mentioned groups of species and protected species of fish.

Numeral 8

“Other Articles” means pathogenic and biologic materials, fish feed, raw materials of fish feed, biology control agents, culture of organism and vector.

Numeral 9

Self explanatory

Numeral 10

Self explanatory

Numeral 11

Self explanatory

Numeral 12

Detection means to check the carrier in order to find the quarantine pests and diseases of fish and/or pests and diseases of fish, includes visual and laboratory inspection.

Numeral 13

Special location means quarantine installation.

Numeral 14

Self explanatory

Numeral 15

Self explanatory

Numeral 16

Self explanatory

Numeral 17

Self explanatory

Numeral 18

Self explanatory

Numeral 19

Self explanatory

Numeral 20

Health Certificate is a certificate that issued after having been subjected to quarantine actions.

Numeral 21

Self explanatory

Numeral 22

Self explanatory

Numeral 23

Self explanatory

Numeral 24

Self explanatory

Numeral 25

Self explanatory

Numeral 26

Self explanatory

Numeral 27

Self explanatory

Numeral 28

Self explanatory

Numeral 29

Self explanatory

Numeral 30

Self explanatory

Article 2

Character a

For the carrier that categorized as "other article" should accompany by a Certificate of Origin. This certificate can be issue by government agency, producer, holding or processing establishment, and at least contain the information about product, country or place of origin.

Character b

Self explanatory

Character c

Self explanatory

Article 3

Section (1)

Character a

See explanation of Article 2 Character a

Character b

Self explanatory

Character c

Self explanatory

Section (2)

This condition means that the requirements as mentioned in Section (1) is only applicable to any carrier that brought or transported from a not free area to a free area of quarantine pests and diseases of fish. The carrier that brought from a free area to another, from a not free area to another, and from a free area to a not free area from quarantine pests and diseases of fish within the territory of Republic of Indonesia will not subject to these requirements as mentioned in Section (1)

Section (3)

Surveillance and monitoring distributional area of pests and diseases of fish are intended to determine the existence of a pests and diseases of fish in a certain area, while the risk analysis is to determine whether a pests and diseases of fish can be categorized as quarantine pests and diseases of fish and the quarantine requirements and actions that appropriate to prevent its disseminations. The following factors that need to study in risks analysis are:

1. The possibility of the pests and diseases of fish spreading occurred naturally.
2. The impacts of the quarantine requirement and actions that to be implemented to prevent the spreading of pests and diseases of fish toward the smooth running of trade and transportation of peoples and articles.
3. The amount of expenditure required and benefit that will be obtained from effort (cost benefit analysis)
4. The capability of government to undertake the effort to prevent the spread of pests and diseases of fish.

Based on results of given surveillance and monitoring and risk analysis, Minister will decide whether distributional area of a pests and diseases of fish is still limited to an particular part of island, or whole part of island, or a group of islands.

Article 4

Self explanatory

Article 5

Section (1)

“Certain case” means a situation that another area is not free from quarantine pests and diseases of fish. The carrier is carrier of quarantine pests and diseases of fish.

Section (2)

Self explanatory

Section (3)

Self explanatory

Article 6

Section (1)

By considering the regulation as mentioned in Article 3 Section (2) so that quarantine actions is only applicable to any carrier brought or transported from a not free area to

a free area from quarantine pests and diseases of fish. The carrier that brought from a free area to another free area, from a not free area to another not free area, and from a free area to a not free area from quarantine pests and diseases of fish within the territory of Republic of Indonesia will not subject to quarantine actions as mentioned in this Section.

Section (2)

Self explanatory

Section (3)

Self explanatory

Section (4)

The implementation of quarantine action is an integrating part of the protection of fisheries natural resources conservation system and human health.

Section (5)

Self explanatory

Article 7

Section (1)

Character a

Self explanatory

Character b

The owner means the sender or consignee of the carrier. Postal package means the package that sent by government or private Expedition Company.

Character c

Self explanatory

Character d

Self explanatory

Character e

Self explanatory

Section (2)

Self explanatory

Article 8

Self explanatory

Article 9

Self explanatory

Article 10

Section (1)

Detention of the carrier is carry out at quarantine installation or other places which designated by quarantine officers.

Section (2)

Self explanatory

Section (3)

Self explanatory

Article 11

Self explanatory

Article 12

Character a

The carrier that not infected or free from quarantine pests and diseases of fish means that carrier is free from the infection of quarantine pests and diseases of fish based on visual and laboratory inspection/examination.

Character b

Further detection which requires an indefinitely long period because of diagnostic methods which used and biologic nature of quarantine pests and diseases of fish, e.g. incubation period, nature of carrier and etc.

Character c

The carrier that infected by quarantine pests and diseases of fish means in that carrier was found quarantine pests and diseases of fish based on visual and laboratory inspection/examination.

Character d

Self explanatory

Article 13

Self explanatory

Article 14

Character a

The carrier that can be free from quarantine pests and diseases of fish means that carrier can be cured either symptomatically or etiologically.

Symptomatically cured means the carrier is can be free from diseases but there is still a probability of the existence of quarantine pests and diseases of fish Class II and laboratory disorder (clinical sign have disappeared) in the carriers.

Etiologically cured means in the carrier can not be found any quarantine pests and diseases of fish Class II (and other agents).

The carrier that can be free means that carrier can be free from quarantine pests and diseases of fish Class II after being subjected to treatment.

Character b

Self explanatory

Article 15

Section (1)

Detention will carry out after the carrier has unloaded from means of conveyance.

Section (2)

Self explanatory

Section (3)

Self explanatory

Article 16

Self explanatory

Article 17

Self explanatory

Article 18

Self explanatory

Article 19

Section (1)

Character a

Self explanatory

Character b

The carrier has to destructive immediately because it is potentially to spread the quarantine pests and diseases of fish.

Character c

Self explanatory

Section (2)

Self explanatory

Article 20

Section (1)

Arrival report of a means of conveyance can be carried out in verbal, or written, or in other form, e.g. by presenting the shipping/flight schedule, or by audiovisual.

Section (2)

Self explanatory

Article 21

The inspection of means of conveyance is carry out as far as there are strong reasons means that means of conveyance was suspected to be infected by quarantine pests and diseases of fish because they cross the infected area of or came from an out breaking area of quarantine pests and diseases of fish.

Article 22

Section (1)

Self explanatory

Section (2)

Self explanatory

Section (3)

The person who got off from means of conveyance means person who still stay around the place of entry.

Article 23

Section (1)

Self explanatory

Section (2)

Self explanatory

Section (3)

Self explanatory

Section (4)

For the carrier that transported by ship, its destruction could be carried out after it has unloaded from means of conveyance.

Article 24

Self explanatory

Article 25

Self explanatory

Article 26

Self explanatory

Article 27

Self explanatory

Article 28

Self explanatory

Article 29

Self explanatory

Article 30

Self explanatory

Article 31

Self explanatory

Article 32

Self explanatory

Article 33

Self explanatory

Article 34

Self explanatory

Article 35

Self explanatory

Article 36

Self explanatory

Article 37

Self explanatory

Article 38

Self explanatory

Article 39

Self explanatory

Article 40

Self explanatory

Article 41

Self explanatory

Article 42

Section (1)

Self explanatory

Section (2)

Emergency situation includes security and safety reasons because the ships or plane are in disturbance or disorder situation.

Section (3)

Self explanatory

Section (4)

Self explanatory

Article 43

Self explanatory

Article 44

Section (1)

Certain situation means incubation periods of quarantine pests and diseases of fish, and to prevent the spreading of quarantine pests and diseases of fish and the obstruction in trade of goods.

Section (2)

The quarantine action can be carried out at outside the places of entry or exit, it is meant to prevent the spreading of quarantine pests and diseases of fish and also to prevent the obstruction in trade of goods.

Section (3)

Self explanatory

Article 45

Self explanatory

Article 46

Section (1)

Third party means the owner of the carrier or agency that implementing the quarantine action after has been trained and accredited according to prevailing regulation. The certain quarantine actions that allow carrying out by third party are isolation, observation and treatment.

Section (2)

Self explanatory

Article 47

Section (1)

Other carriers in form of garbage include the leftover from a food that contain materials originated from fish.

Section (2)

Self explanatory

Section (3)

Self explanatory

Section (4)

Self explanatory

Article 48

Section (1)

The 'other reasons' means the reasons that not based on quarantine techniques, e.g. product quality (death fish, fin broken fish) or prohibited species.

Section (2)

Self explanatory

Section (3)

Self explanatory

Section (4)

Self explanatory

Article 49

Section (1)

Failing to fulfilled quarantine requirements means criminal acts because of unreported, have not inspected, transported through non designated place, or smuggled.

Section (2)

Further regulations that will be issued by Minister include the carrier which protected by law.

Article 50

Self explanatory

Article 51

Section (1)

Self explanatory

Section (2)

The place of entry and exit means the Technical implementer Unit of Fish Quarantine that supervises of the entry and exit of the carrier that would be imported or exported.

Section (3)

Quarantine actions documents that have to be presented to the owner or other relevant party, includes:

1. Health Certificate for Fish and Fish Product.
2. Domestic Health Certificate for Fish.
3. Releases Certificate of fish quarantine/import.
4. Letter (notice) of temporary detention.
5. Letter (notice) of refusal.
6. Entering Identification Paper of fish quarantine installation.
7. Destruction Official Report.

Section (4)

Self explanatory

Section (5)

Self explanatory

Article 52

Self explanatory

Article 53

Self explanatory

Article 54

Self explanatory

Article 55

Self explanatory

Article 56

Section (1)

Non quarantine pests and diseases of fish mean all organisms that able to destruct disturb or cause fish to death.

Section (2)

Self explanatory

Section (3)

Self explanatory

Article 57

Restriction is carry out by the reasons of quarantine pests and diseases of fish.

Article 58

Self explanatory

Article 59

Self explanatory

Article 60

Self explanatory

Article 61

Section (1)

Character a

Self explanatory

Character b

The opening of baggage, packages, wrappings and others have to be carried out in front of the owner or their representative.

Character c

Self explanatory

Character d

Self explanatory

Character e

Self explanatory

Character f

Self explanatory

Character g

Self explanatory

Character h

Self explanatory

Article 62

Self explanatory

Article 63

Section (1)

Self explanatory

Section (2)

Character a

Self explanatory

Character b

Self explanatory

Character c

Self explanatory

Character d

Self explanatory

Character e

Self explanatory

Character f

The supporting facility includes warehouse and transportation devices.

Section (3)

Self explanatory

Article 64

Section (1)

The determining of places and facilities that belonging to individual or corporate as quarantine installation can be done in the following conditions:

- a. Government has not able to establish quarantine installation at that places.
- b. Quarantine installation at that places can not hold the carrier that necessary to be subjected to quarantine actions.
- c. The individual or corporate have already have a adequate place and facilities, so that they can be determined as quarantine installation in order to facilitate quarantine actions on the carrier of them.

Section (2)

Self explanatory

Article 65

Self explanatory

Article 66

Self explanatory

Article 67

Self explanatory

Article 68

Section (1)

Self explanatory

Section (2)

Inter-country cooperation includes:

- a. The implementation of quarantine action by Indonesia quarantine officers within the country of origin.**
- b. The implementation of quarantine actions by quarantine officers from relevant country within the territory of the Republic of Indonesia.**
- c. Mutual acknowledgement between countries on the implementation of quarantine action and health certification.**
- d. Acknowledgement of methods and result of pests and diseases of fish surveillance and mapping within the territory of the Republic of Indonesia as well as within the territory of relevant country.**
- e. Acknowledgement of pests and diseases of fish area within the territory of Republic of Indonesia or relevant country.**
- f. Determining of pests and diseases of fish by Indonesia and others relevant country.**
- g. Exchange of information on the implementation of quarantine actions.**

Article 69

Self explanatory

Article 70

Self explanatory