

**JOINT DECREE OF THE MINISTER OF AGRICULTURE
AND THE MINISTER OF COMMUNICATIONS
NO. 492/KPTS/IK.120/7/1996 AND NO. SK.1/AL.003/PHB-96
DATED : JULY 4, 1996**

THE SIMPLIFICATION OF LICENSING FOR FISHING VESSELS

**THE MINISTER OF AGRICULTURE AND THE MINISTER
OF COMMUNICATIONS,**

- Considering** :
- a. that in the framework of promoting services and the smooth running of the community's businesses, particularly those in the fishery sector, using either Indonesian-flag-carrying fishing vessels or foreign-flag-carrying ones, it is necessary to simplify the licensing of their operations.
 - b. that to achieve the above-mentioned purpose, it is necessary to make formulation in a Joint Decree of the Minister of Agriculture and the Minister of Communications.
- Bearing in mind** :
- 1. Act No. 5/1983 on the Indonesian Exclusive Economic Zone (State Gazette No. 44/1983, Supplement to State Gazette No. 3260);
 - 2. Act No. 9/1985 on Fisheries (State Gazette No. 46/1985, Supplement to State Gazette No. 3299);
 - 3. Act No. 21/1992 on Navigation (State Gazette No. 98/1992, Supplement to State Book No. 3493);
 - 4. Government Regulation No. 15/1984 on the Management of Biological Natural Resources in the Indonesian Exclusive Economic Zone (State Gazette No. 23/1984, Supplement to State Gazette No. 3378);
 - 5. Government Regulation No. 17/1988 on the Operation and the Management of Sea Transportation (State Gazette No. 37/1988, Supplement to State Gazette No. 3378);
 - 6. Government Regulation No. 15/1990 on the Fishery Business jo. No. 46/1993 (State Gazette No. 19/1990, Supplement to State Gazette No. 73/1993 and State Gazette No. 73/1993, Supplement to State Gazette No. 3536);
 - 7. Presidential Decree No. 44/1974 on the Organizational Principles of Ministries;

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8. Presidential Decree No. 53/1977 on the Capital Investment Coordinating Board;
9. Presidential Decree No. 54/1977 on Basic Stipulations on the Procedure for Capital Investment;
10. Presidential Decree No. 15/1984 on the Organizational Structure of Ministries, as already amended, the latest by Presidential Decree No. 43/1996;
11. Presidential Decree No. 96/M/1993 on the Establishment of 6th Development Cabinet;
12. Decree of the Minister of Agriculture No. 565/Kpts/Org/10/1977 on the Delegation of the Chairman of the Capital Investment Coordinating Board;
13. Decree of the Minister of Communications No. KM.79/1988 on the Procedure for the Application for and the Granting of Business Licences for Shipping Companies and the Operation of Sea Transportation;
14. Decree of the Minister of Agriculture No. 815/Kpts/IK.120/11/90 on Fishery Business Licencing ;
15. Decree of the Minister of Agriculture No. 816/KPTS/IK.120/11/90 on the use of Fishing Vessels Carrying Foreign Flags on a Hiring Basis to Fish in the Indonesian Exclusive Economic Zone;
16. Decree of the Minister of Agriculture No. 96/Kpts/OT.210/2/1994 on the organization and the working system of the Ministry of Agriculture;
17. Decree of the Minister of Agriculture No. 14/Kpts/IK.410/1/1996 on the second amendment to the Decree of the Minister of agriculture No. 144/Kpts/IK.410/1993 on the stipulation of seaports as bases for fishing vessels carrying foreign flags hired by Indonesian fishery companies to fish in the Indonesian Exclusive Economic Zone.

Observing : The directive of the President of the Republic of Indonesia dated June 28, 1996;

HAVE DECIDED :

To stipulate : **THE JOINT DECREE OF THE MINISTER OF AGRICULTURE AND THE MINISTER OF COMMUNICATIONS CONCERNING THE SIMPLIFICATION OF LICENSING FOR FISHING VESSELS.**

Article 1

Irrespective of the stipulations in the operation of Indonesian-flag-carrying fishing vessels or foreign-flag-carrying ones pursuant to the prevailing laws, in this Joint Decree stipulations are laid down concerning fishing vessels as meant in Article 1 figure 8 of Act No. 9/1995 on Fisheries.

Article 2

- (1) Indonesian-flag-carrying fishing vessels (KII) shall be obligated in their operation to possess licences from the Director General of Fisheries, consisting of :
 - a. A Fishery Business Licence (IUP), which shall be valid as long as the company continues to conduct the fishery business or a licence from the State Minister for Investment Funds Mobilization/Chairman of the Capital Investment Coordinating Board (BKPM) for fishery companies under the status of foreign/domestic investment companies;
 - b. A Fishing Certificate (SPI), which shall be valid for 3 (three) years;
- (2) In addition to possessing the licences as meant in sub-article (1), a KII shall be obligated to be also covered with a Sailing Licence (SIB) from :
 - a. the Directorate General of Sea Communications or the Administrator of a local Public Seaport, for fishing ports located within the working territory (DLKR) of the said local public seaport;
 - b. The Directorate General of Fisheries or the Head of a Fishing Port acting as a port Administrator on the basis of delegation from the Director General of Sea Communications for fishing ports located outside the DLKR of a Public Seaport;
- (3) The Director General of Sea Communications shall supervise the implementation of the issuance of Sailing Licences (SIB) as meant in sub-article (2) pursuant to the prevailing laws.

Article 3

To obtain an SPI as meant in Article 2 sub-article (1) letter b, a fishery company to operate a KII shall be obligated to possess licences and certificates from the Directorate General of Sea Communications, comprising :

- a. A Non-Shipping Company Operational Licence (SIOPNP), which shall be valid as long as the company conducts its business;
- b. A Nationality Certificate of the fishing vessel;
- c. A shipworthiness and crew certificate of the fishing vessel.

Article 4

A foreign-flag-carrying vessel (KIA) shall in its operation be obligated to possess licences comprised of:

- a. A Fishery Business Licence (IUP) from the Directorate General of Fisheries and this shall be valid as long as the company continues to conduct its fishery business or a licence from the State Minister for Investment Funds Mobilization/Chairman of BKPM for fishery companies under the status of foreign/domestic investment companies;

- b. A letter of Approval for the Use of Foreign Vessels (PPKA) from the Director General of Fisheries and this shall be valid for 3 (three) years;
- c. A Fishing Licence (SIPI) from the Director General of Fisheries and this shall be valid for 1 (one) year;
- d. A Non-Shipping Company Operational Licence (SIOPNP) from the Directorate General of Sea Communications and this shall be valid as long as the company conducts its business.

Article 5

- (1) In addition to the obligation to possess the licences as meant in Article 4, a KIA shall be obligated to be covered with a Sailing Licence (SIB) from :
 - a. the Directorate General of Sea Communications cq. the port administrator of a local public seaport, for fishing ports located within the DLKR of a public seaport;
 - b. the Directorate General of Fisheries cq. head of a Fishing Port Acting as a Port Administrator on the Basis of Delegation from the Director General of Sea Communications for Fishing Ports Located Outside the DLKR of a Public Seaport;
- (2) The Director General of Sea Communications shall supervise the implementation of the issuance of Sailing Licences (SIB) as meant in paragraph (1) pursuant to the prevailing laws.

Article 6

- (1) A carbon copy of every SPI as meant in Article (2) paragraph (1) letter b, shall by the Director General of Fisheries be handed to the Director General of Sea Communications;
- (2) A fishery company using a KII shall submit its operational reports to the Director General of Fisheries every 6 (six) months, namely in, July and January of the next year, with carbon copies being given to the Director General of Sea Communications.

Article 7

- (1) A copy of every PPKA and SIPI as meant in Article 4 letters b and c shall be the Director General of Fisheries be handed to the Director General of Sea Communications as a substitute for the report on the Use of Foreign Vessels;
- (2) A fishery company using a KIA shall submit reports to the Director General of Fisheries every 3 (three) months, namely in April, July, October and January of the next year, with carbon copies being given to the Director General of Sea Communications.

Article 8

An implementation directive for this joint decree shall be further regulated either individually or jointly by the Director general of Fisheries and or the Director General of Sea Communications.

Article 9

This joint decree shall take effect as from the date of stipulation.

Stipulated in : Jakarta
On : July 4, 1996

THE MINISTER OF AGRICULTURE

MINISTER OF COMMUNICATIONS

sgd.
DR. IR SJARIFUDDIN BAHARSJAH

sgd.
DR. HARYANTO DHANUTIRTO