

**CONDITIONS AND PROCEDURES OF STIPULATION OF
QUARANTINE INSTALLATIONS OWNED BY PERSONS OR CORPORATIONS**
(Regulation of the Minister of Agriculture No. 05/Permentan/HK.060/3/06 dated March 1, 2006)

WITH THE GRACE OF THE ALMIGHTY GOD

THE MINISTER OF AGRICULTURE,

Considering:

- a. that, to accelerate performance of plant quarantine actions, places owned by persons or corporations may be stipulated as Plant Quarantine Installations;
- b. that, based on the above matters and to implement the provisions of Article 47 of Government Regulation No. 14/2002 on Plant Quarantine, it is deemed necessary to stipulate conditions and procedures for stipulation of Plant Quarantine Installations owned by persons or corporations;

In view of:

1. Law No. 16/1992 on Animal, Fish, and Plant Quarantine (Statute Book of 1992 No. 56, Supplement to Statute Book No. 3482);
2. Government Regulation No. 14/2002 on Plant Quarantine (Statute Book of 2002 No. 35, Supplement to Statute Book No. 4196);
3. Presidential Decree No. 187/M/2004 on Establishment of United Indonesia Cabinet;
4. Presidential Regulation No. 9/2005 juncto Presidential Regulation No. 62/2005 on Positions, Duties, Functions, Organization Structures, and Work Procedures of State Ministries of the Republic of Indonesia;
5. Presidential Regulation No. 10/2005 on Organization Units and Duties of Echelons I of State Ministries of the Republic of Indonesia;
6. Decree of the Minister of Agriculture No. 38/Kpts/HK.310/1/1990 on Plant Quarantine Procedures and Actions on Import of Plants and Plant Seeds to Indonesian Territory;
7. Decree of the Minister of Agriculture No. 469/Kpts/

HK.310/8/2001 on Places of Import and Export of Carriers of Pests Attacking Quarantine Plants;

8. Regulation of the Minister of Agriculture No. 299/Kpts/OT.140/7/2005 on Organization and Work Procedure of the Ministry of Agriculture;
9. Regulation of the Minister of Agriculture No. 341/Kpts/OT.140/9/2005 on Organization and Work Procedure of the Ministry of Agriculture;
10. Regulation of the Minister of Agriculture No. 37/Kpts/HK.060/1/2006 on Plant Quarantine Procedures and Actions on Import of Fresh Fruits and or Vegetables to Indonesian Territory;
11. Decree of the Minister of Agriculture No. 38/Kpts/HK.060/1/2006 on Types of Pests Attacking Quarantine Plants of Class I Categories A1 and A2, Class II Categories A1 and A2, Host Crops, Carriers, and Areas of Dissemination

D E C I D E S :

To stipulate:

**REGULATION OF THE MINISTER OF AGRICULTURE ON
CONDITIONS AND PROCEDURES OF STIPULATION OF
QUARANTINE INSTALLATIONS OWNED BY PERSONS OR
CORPORATIONS.**

**CHAPTER I
GENERAL PROVISIONS**

Article 1

Hereinafter referred to as:

1. Plant is all kinds of biological resources, in living or dead condition, unprocessed or processed.
2. Plant Quarantine is an action of preventing the import and dissemination of pests attacking plants from overseas and from one area to another domestically or exit from Indonesian territory.
3. Plant Quarantine Action includes examination, isola-

tion, observation, treatment, detention, rejection, destruction, and release of carriers of pests attacking plants and or pests attacking quarantine plants.

4. Carrier of Pest, which is hereinafter called Carrier, includes plants and parts of plants and or other materials carrying pests that attack quarantine plants.
5. Plant Quarantine Installation, which is hereinafter called Quarantine Installation, is a place including its means used to perform plant quarantine action.
6. Plant Quarantine Officer is Civil Servant given a duty to perform plant quarantine action based on applicable laws.
7. Assessment is examination performed to find out about worthiness of places owned by persons or corporations in accordance with standards of plant quarantine installations.
8. Evaluation is examination performed regularly or at any time to find out about compatibility with the conditions stipulated.
9. Improvement is an act of improving incompatibilities or deviations from the conditions stipulated.
10. Owner is Indonesian citizen or Indonesian Corporation having places that can be proposed and stipulated as Quarantine Installations.

Article 2

- (1) This regulation is intended as guidelines for stipulation of Quarantine Installations owned by persons or corporations.
- (2) The purpose of this regulation is so that stipulation of Quarantine Installations owned by persons or corporations meet technical conditions and standards in accordance with their intended uses.

Article 3

This regulation rules about conditions and procedures for stipulation of places and their means owned by persons or corporations as Quarantine Installations

and the development and supervision of the places and their means.

Article 4

- (1) Places and their means owned by persons or corporations can be stipulated as Quarantine Installations.
- (2) The stipulation of places and their means owned by persons or corporations as Quarantine Installations, as meant in paragraph (1), is implemented by Head of Agriculture Quarantine Board.

CHAPTER II CONDITIONS FOR

STIPULATION OF QUARANTINE INSTALLATIONS

Article 5

- (1) Places and their means owned by persons or corporations that can be stipulated as Quarantine Installations, as meant in Article 4 paragraph (1), must meet the conditions, amongst others, as follows:
 - a. Having environmental condition and situation that may guarantee non-infection and or dissemination of pests attacking plants and or pests attacking quarantine plants;
 - b. Permanently-constructed buildings completed with licenses in accordance with their intended uses issued by the competent institution;
 - c. Being able to accommodate carriers and vehicles transporting carriers; and
 - d. Having adequate and flood-free locations and roads;
 - e. Recommendation from the Regental/Municipal Agency for plant protection.
- (2) Besides meeting the conditions, as meant in paragraph (1), places and means owned by persons or corporations must also meet technical standards for performance of plant quarantine actions, which included, among other things:
 - a. Mechanical cleansing treatment facility (high-pressure water spray) and destruction facility (incinerator);
 - b. Laboratory facilities, devices, and materials;
 - c. Clean water, electricity, and communications devices;
 - d. Facilities for maintenance and storage of carri-

ers;

- e. Officers in charge of Quarantine Installation responsible for the physical safety of carriers and administration/recording of Quarantine Installation activities;
- f. Security officers in charge of safety of the environment around Quarantine Installations; and
- g. Supporting means and facilities for performing plant quarantine actions in the form of examination, isolation, observation, treatment, detention, and destruction.

Article 6

Further provisions regarding the technical conditions and standards, as meant in Article 5, are stipulated by Head of Agriculture Quarantine Board.

CHAPTER II PROCEDURES FOR STIPULATION OF QUARANTINE INSTALLATIONS OWNED BY PERSONS OR CORPORATIONS

Article 7

- (1) Request for stipulation of quarantine installations is conveyed in writing to Head of local Plant Quarantine Technical Operating Unit.
- (2) The request, as meant in paragraph (1), is submitted along with the requirements, as meant in Article 5.
- (3) Head of the Plant Quarantine Technical Operating Unit, as meant in paragraph (1), performs assessment into technical conditions and standards.
- (4) The assessment into technical conditions and standards, as meant in paragraph (3), is implemented by Plant Quarantine Officers.
- (5) Result of the assessment, as meant in paragraph (4), by Plant Quarantine Officers, is conveyed to Head of the local Plant Quarantine Technical Operating Unit to be recommended to Head of the Agriculture Quarantine Board.
- (6) Based on recommendation of Head of the local Plant Quarantine Technical Operating Unit, as meant in paragraph (5), Head of the Agriculture Quarantine

Board may accept or reject the request for stipulation of Quarantine Installations.

- (7) If the request is accepted, as meant in paragraph (6), the requested places will be stipulated as Quarantine Installations by Head of the Agriculture Quarantine Board.

- (8) Stipulation of Quarantine Installations, as meant in paragraph (7), is given in the form of decision by Head of the Agriculture Quarantine Board.

Article 8

- (1) The stipulation of Quarantine Installations, as meant in Article 7 paragraph (7) is valid for one (1) year.
- (2) Within the term, as meant in paragraph (1), the Quarantine Installations will be evaluated to find out whether they are in accordance with technical conditions and standards and their intended uses.
- (3) If, based on the result of the evaluation, as meant in paragraph (2), the Quarantine Installations, as meant in paragraph (1), are in accordance with technical conditions and standards and intended uses, the term will be stipulated as three (3) years.
- (4) Extension for another term may be requested by the Owner within not later than two (2) months prior to end of the term, as meant in paragraph (3).

CHAPTER IV DEVELOPMENT AND SUPERVISION OF QUARANTINE INSTALLATIONS OWNED BY PERSONS OR CORPORATIONS

Article 9

Places including their means owned by persons or corporations already stipulated as Quarantine Installations, as meant in Article 8, are supervised by local Plant Quarantine Officers.

Article 10

Plant Quarantine Officers may perform plant quarantine actions at the stipulated Quarantine Installations, as meant in Article 8.

Article 11

Article

Article 11

Owner or party responsible for the stipulated Quarantine Installation, as meant in Article 8, must:

- a. Maintain the technical conditions and standards, as meant in Article 5, so that quarantine installations can be used in accordance with their intended uses;
- b. Submit report on the use of Quarantine Installation at least once in every six (6) months to Head of the Agriculture Quarantine Board via Head of the local Plant Quarantine Technical Operating Unit.

Article 12

(1) The places and means stipulated as Quarantine Installations, as meant in Article 8, are evaluated whether they already comply with technical conditions and standards and their intended uses by Plant Quarantine Officers at least once in every six (6) months.

(2) The evaluation, as meant in paragraph (1), may also be performed at any time.

Article 13

(1) If, the result of the evaluation, as meant in Article 12, indicated that the Quarantine Installations, as meant in Article 8, did not meet technical conditions and standards and intended uses, as meant in Article 5, and the owners or parties responsible did not implement the obligations, as meant in Article 11, the owners or parties responsible for the Quarantine

Installations will be given a reminder to make improvement.

(2) If the reminder, as meant in paragraph (1), is not implemented, Plant Quarantine Officers may propose revocation of stipulation of Quarantine Installations, as meant in Article 8, to Head of the Agriculture Quarantine Board via Head of the local Plant Quarantine Technical Operating Unit.

Article 14

Stipulation of Quarantine Installation, as meant in Article 8, expires because:

- a. It is revoked, as meant in Article 13 paragraph (2);
- b. At the request of the owner or party responsible; or
- c. The term of stipulation already expires and is not extended.

**CHAPTER V
CLOSING PROVISIONS**

Article 15

This regulation is valid since the date it is stipulated.

Stipulated in Jakarta

On March 1, 2006

THE MINISTER OF AGRICULTURE

Sgd

ANTON APRIYANTONO

—==(E)==—