

DECREE OF THE MINISTER OF AGRICULTURE  
No.: 265/Kpts/LB.730/5/1985  
Concerning  
QUARANTINE REQUIREMENTS FOR THE IMPORTATION  
OF LIVE FISH INTO THE TERRITORY OF THE  
REPUBLIC OF INDONESIA

THE MINISTER OF AGRICULTURE

Considering : a. that fishery resources are very potential for national development to raise the welfare of the people;  
b. that fishery resources must, therefore, be protected against the hazards posed by exotic disease agents and pests;  
c. that live fish imported into the territory of the Republic of Indonesia may carry dangerous fish disease agents and pests;  
d. that based on the above-mentioned facts it is deemed necessary to stipulate quarantine requirements for the importation of live fish into the territory of the Republic of Indonesia.

Referring to : 1. Law No.9 of 1935 (Statute Book 1985 : 46);  
2. Presidential Decree No.44 of 1974;  
3. Presidential Decree No.45/M of 1983;  
4. Presidential Decree No.15 of 1984;  
5. Decree of the Minister of Agriculture No.819/Kpts/Um/11/1980;  
6. Decree of the Minister of Agriculture No.179/Kpts/Um/3/1982;  
7. Decree of the Minister of Agriculture No.OT.210/706/Kpts/9/1983;  
8. Decree of the Minister of Agriculture No.45/Kpts/OT.210/2/1986.

HAS DECIDED

To lay down : DECREE OF THE MINISTER OF AGRICULTURE CONCERNING QUARANTINE REQUIREMENTS FOR THE IMPORTATION OF LIVE FISH INTO THE TERRITORY OF THE REPUBLIC OF INDONESIA,

Article 1

In this Decree

- a. "Fish" means all species of fish including other aquatic biota in all stages of development/existence as referred to in Law No.9 of 1985.
- b. "Foreign Fish Quarantine" means the government endeavour to prevent the introduction of dangerous fish disease agents and pests into the territory of the Republic of Indonesia;
- c. "Importation" means the importation of live fish from abroad into the territory of the Republic of Indonesia.
- d. "Quarantine Actions" means all activities aimed at preventing the introduction of dangerous fish disease agents and pests into the territory of the Republic of Indonesia and include health inspection, refusal for entry, detention, observation, isolation, treatment, destruction, release and other activities deemed necessary.
- e. "Dangerous Disease Agents and Pests" means fish disease agents and pests which endanger fish life.
- f. "Points of Entry" means seaports, airports and other places deemed necessary, which are designated by the Minister of Agriculture as places through which the entry of live fish is allowed.

- g. "Post-entry Quarantine Establishment" means a place with various facilities belonging to the Fish Quarantine Station at point of entry, where imported live fish are isolated, inspected and observed.
- h. "Fish Quarantine Officer" means a civil servant appointed by the authorized official to perform quarantine actions.
- i. "Transit of Live Fish" means the temporary stay of live fish commodity which arrives in the country from abroad before it proceeds to a destination in another foreign country.
- j. "Owner" means a natural or juridical person who is responsible for the importation of live fish.
- k. "Import Permit" means a written authorization issued by the Minister of Agriculture or an official appointed by him for each importation of live fish.
- l. "Fish Health Certificate" means a certificate issued by an authorized government agency in the country of origin or country of despatch stating that the live fish, the species and quantity of which mentioned therein, have been inspected and found to be free from dangerous disease agents and pests.
- m. "Certificate of Exit from Customs Area" means a certificate issued by the authorized Fish Quarantine Officer at point of entry to the owner of imported live fish as a document stating that the shipment of live fish has been received for detention in the Post-entry Quarantine Establishment.
- n. "Certificate of Release from Quarantine" means a certificate issued by the authorized Fish Quarantine Officer at point of entry stating that the imported live fish which have undergone quarantine are free or have been freed from dangerous fish disease agents and pests and have met other quarantine requirements, and are therefore released from quarantine.
- o. "Certificate of Refusal" means a certificate issued by the authorized Fish Quarantine Officer at point of entry stating that the imported live fish are refused entry, either because the live fish are not free or cannot possibly be freed from dangerous fish disease agents and pests, or because the importation of live fish has not complied with other requirements.
- p. "Official Report of Destruction" means an official report issued by the authorized Fish Quarantine Officer at point of entry stating that the imported live fish have been destroyed, either because the live fish are not free or cannot possibly be freed from dangerous disease agents and pests, or because the importation of live fish has not complied with other requirements.

#### Article 2

All importations of live fish shall comply with the quarantine requirements as stipulated in this Decree.

#### Article 3

- (1) The importation of live fish shall only be permitted through the designated points of entry.
- (2) Live fish imported through places other than those referred to in paragraph (1) shall be refused entry or destroyed.

#### Article 4

- (1) Any imported live fish shall be covered by an Import Permit and accompanied by a Fish Health Certificate.
- (2) Imported live fish which are not covered by an Import Permit referred to in paragraph (1) shall be refused entry or destroyed.
- (3) Imported live fish which are not accompanied by a Fish Health Certificate referred to in paragraph (1) but upon inspection are found to be free from dangerous disease agents and pests shall only be released after a dispensation from the Fish Health Certificate requirement has been granted by the Director of the Centre for Agricultural Quarantine.

#### Article 5

The Minister of Agriculture determines the species of dangerous fish disease agents and pests, the species of live fish to be prohibited entry, and the prohibition on the importation of live fish from countries in which dangerous fish diseases are spreading epidemically.

#### Article 6

- (1) If considered necessary, at any point of entry referred to in Article 3 paragraph (1) the owner, on conditions to be imposed by the Director of Centre for Agricultural Quarantine, may provide a Post-entry Quarantine Establishment in or outside the port area under the supervision of the authorized Fish Quarantine Officer at point of entry.
- (2) The Fish Quarantine Officer at point of entry shall have the authority to perform quarantine actions in the Post-entry Quarantine Establishment referred to in paragraph (1).

#### Article 7

No person shall be allowed to enter a Post-entry Quarantine Establishment without a written permission given by the authorized Fish Quarantine Officer at point of entry, except those officers ordered by him to perform quarantine actions in such place.

#### Article 8

- (1) The owner shall notify the authorized Fish Quarantine Officer at point of entry referred to in Article 3 paragraph (1) of the prospective arrival of a shipment of live fish at least four days before the arrival of the shipment.
- (2) At the time the consignment of live fish arrives the owner shall submit the consignment along with the required documents to the authorized Fish Quarantine Officer at point of entry for the purpose of quarantine actions.
- (3) If the consignment of live fish is accompanied by the required documents, the live fish with their their packing shall immediately be forwarded to the Post-entry Quarantine Establishment and a Certificate of Exit from Customs shall be issued to the owner.
- (4) The quarantine period at the Post-entry Quarantine Establishment shall be at most one month; however in certain cases to be determined by the Fish Quarantine Officer at point of entry the quarantine period may be extended.

#### Article 9

- (1) The transit of live fish within the territory of the Republic of Indonesia is prohibited in case the live fish commodity comes from a country in which a dangerous fish disease is known to be spreading epidemically.
- (2) In case a violation of the provision referred to in paragraph (1) occurs the live fish shall be destroyed.

#### Article 10

- (1) At the Post-entry Quarantine Establishment the live fish shall be removed from their packing and put into a container provided therefor for the purpose of observation, while their packing and water shall be disinfected or destroyed.
- (2) If during the observation it becomes evident that there are live fish species which are different from those written in their accompanying documents, the live fish shall be destroyed.
- (3) If during the observation it becomes evident that all the live fish species are the same as those written in their accompanying documents, the live fish shall be inspected as to their health.

- (4) If after health inspection it becomes evident that the live fish are free from dangerous disease agents and pests the live fish shall be released on the issuance of a Certificate of Release from Quarantine to the owner.

#### Article 11

If in the proper performance of the quarantine actions damage or death occurs to the live fish, the Government or the Fish Quarantine Officer is exempt from all claims for compensation.

#### Article 12

- (1) The destruction of live fish as referred to in Article 3 paragraph (2), Article 4 paragraph (2), Article 5 paragraph (2), Article 10 paragraph (2) and (6), shall be carried out by the Fish Quarantine Officer.
- (2) Each destruction shall be witnessed by the owner or his proxy, Customs Officer, Police Officer, and by officers of other agencies concerned.
- (3) In each case of destruction an official report of destruction shall be made in triplicate, the first copy is for the owner, the second copy for the Customs, and the third copy for the authorized Fish Quarantine Officer at point of entry.

#### Article 13

The owner shall have no right to claim for or receive any compensation in the event of his live fish being destroyed as referred to in Article 3 paragraph (2), Article 4 paragraph (2), Article 9 paragraph (2), Article 10 paragraphs (1), (2) and (6).

#### Article 14

- (1) All fees and charges connected with the performance of quarantine actions shall be borne by the owner.
- (2) The schedule of fees and charges referred to in paragraph (1) and the procedure for their collection shall be laid down by the Minister of Agriculture in a separate Decree.
- (3) All money received in connection with the collection of the fees and charges referred to in paragraph (1) shall constitute the revenue of the State and shall be deposited in the State Treasury.

#### Article 15

This Decree shall come into effect on the day of its issuance.

Issued in Jakarta  
on the 6th day of May 1986.  
THE MINISTER OF AGRICULTURE,

sgd

(Ir Achmad Affandi.)