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G E N E R A L  
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THE PRESIDENT OF THE REPUBLIC OF INDONESIA

**GOVERNMENT REGULATION**  
**NUMBER : 141/2000 ; DATED : DECEMBER 21, 2000**

RE

**SECOND AMENDMENT TO GOVERNMENT REGULATION NO. 15/1990**  
**ON THE FISHERY BUSINESS**

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering :**
- a. that in its enforcement, *Government Regulation No. 15/1990 on the fishery business as already amended by Government Regulation No. 46/1993* can no longer accommodate the development of the *fishery business activities*;
  - b. that in the framework of *boosting state's revenues from the fishery sector*, it is necessary to provide services related with the granting of an Indonesian fishing and fish transportation vessel license (SIKPPII) and an Indonesian fish transportation vessel license (SIKPPII) to individuals and statutory bodies undertaking the fishery business;
  - c. that on connection with this matter, it is deemed necessary to amend *Government Regulation No. 15/1990 on the fishery business as already amended by Government Regulation No. 46/1993*;

- Bearing in mind :**
- 1. Article 5 sub-article (2) of the Constitution of 1945 as already amended by the second amendment to the Constitution of 1945;
  - 2. Act No. 1/1967 on foreign investments (State Gazette No. 1/1967, Supplement to State Gazette No. 2818) as already amended by Act No. 11 of 1970 (State Gazette of 1970 No. 45, Supplement To State Gazette No. 2943) ;
  - 3. Act No. 6/1968 on Domestic Investments (State Gazette No. 33/1968, Supplement to State Gazette No. 2853), as already amended by Act No. 12/1970 (State Gazette No. 47/1970, Supplement to State Gazette No. 2944);
  - 4. Act No. 5/1983 on the Indonesian exclusive economic zone (State Gazette No. 44/1983, Supplement to State Gazette No. 3260);
  - 5. Act No. 9/1985 on Fisheries (State Gazette No. 16/1985, Supplement to State Gazette No. 3299);
  - 6. Act No. 20/1997 on non-tax state's revenues (State Gazette No. 43/1997, Supplement to State Gazette No. 3687);

7. Act No. 22/1999 on regional administrations (State Gazette No. 60/1999, Supplement to State Gazette No. 3839);
8. Act No. 25/1999 on the financial equilibrium between the central government and regional administrations (State Gazette No. 72/1999, Supplement to State Gazette No. 3851);
9. Government Regulation No. 15/1990 on the fishery business (State Gazette No. 19/1990, Supplement to State Gazette No. 3408) as already amended by Government Regulation No. 43/1993 (State Gazette No. 73/1993, Supplement to State Gazette No. 3536);

#### **HAS DECIDED**

**To stipulate : THE GOVERNMENT REGULATION CONCERNING THE SECOND AMENDMENT TO GOVERNMENT REGULATION NUMBER 15/1990 ON THE FISHERY BUSINESS.**

#### **Article I**

To amend several provisions in Government Regulation No. 15/1990 on the fishery business (State Gazette No. 19/1990, Supplement to State Gazette No. 3408) as already amended by Government Regulation No. 43/1993 (State Gazette No. 73/1993, Supplement to State Gazette No. 3536) as follows :

1. The provision in Article 1 shall be supplemented with figure 13, figure 14, figure 15 and figure 16 so that Article 1 shall entirely read as follows :

#### **"Article 1**

Referred to in this government regulation as :

1. The fishery business shall be every undertaking of an individual or a statutory body to catch or cultivate fish, including storing, deep-freezing of preserving fish for commercial purposes.
2. A fishery company shall be one undertaking a fishery business and is run by a citizen of the Republic of Indonesia or an Indonesian statutory body.
3. A fisherman shall be a person who catch fish as his livelihood.
4. A fish farmer shall be a person who cultivates fish as his livelihood.
5. A fishery business license (IUP) shall be a written license which must be owned by a fishery company to undertake a fishery business using the production facilities set forth in the said license.
6. A foreign vessel use approval (PPKA) shall be an approval granted to a fishery company already possessing an IUP to use a fishery vessel with a foreign flag in the framework of cooperation with a foreigner or a foreign business company for fishing in the Indonesian exclusive economic zone (ZEEI).

7. A fishery vessel shall be a vessel or a boat or other floating means used for fishing, including for fishery surveys or explorations.
  8. A fishing business expansion shall be an addition in the number of fishery vessels and or an addition in the related types of business activities not yet set forth in the IUP.
  9. A fish cultivation business expansion shall be an expansion in the area and or an addition in the types of business activities not yet set forth in the IUP.
  10. A fishing certificate (SPI) shall be a certificate which must be owned by every fishing vessels with an Indonesian flag to undertake fishing activities in the Indonesian waters and or ZEEI, and shall constitute an inseparable part of an IUP.
  11. A fishing license (SIPI) shall be a license which must be owned by every fishing vessel with a foreign flag used by an Indonesian fishery company already possessing an IUP and an PPKA to conduct fishing in the ZEEI and shall constitute an inseparable part of a PPKA.
  12. The minister shall be the minister responsible in the fishery area.
  13. As SIKPPII shall be a license which must be owned by every fishing vessel with an Indonesian flag in a fishing fleet unit used by a fishing company to undertake fishing and fish transportation activities.
  14. An SIKPII shall be a license which must be owned by every fishing company with an Indonesian flag used by a fishery company to undertake fish transportation activities.
  15. A foreign fish transportation vessel license (SIKPIA) shall be a license which must be owned by every fishing vessel with a foreign flag used by a fishery company to undertake fish transportation activities.
  16. A foreign fish transportation vessel approval certificate (SPKPIA) shall be a certificate of approval which must be owned by every fishery company with a foreign flag used by a non-fishery company to undertake fish transportation activities.
2. Between Article 7 and Article 8, 4 (four) new articles shall be supplemented, namely Articles 7A, 7B, 7C and 7D, which shall read as follows :

**"Article 7A**

- (1) A fishery vessel with an Indonesian flag used by a fishery company as meant in Article 6 sub-article (1) for fishing and or fish transportation in ZEEI shall be obligated to own an SIKPPII.
- (2) An SIKPPII shall be valid for 3 (three) years for large pelagis and 2 (two) years for small pelagis."

**"Article 7B**

- (1) A fishery vessel with an Indonesian flag used by a fishery company as meant in Article 6 sub-article (1) used by a fishery company as meant in Article 6 sub-article (1) to transport fish shall be obligated to possess an SIKPII.
- (2) An SIKPII shall be valid for 3 (three) years."

**"Article 7C**

- (1) A fishery vessel with a foreign flag used by a fishery company as meant in Article 6 sub-article (1) to transport fish shall be obligated to possess an SIKPIA.
- (2) An SIKPIA shall be valid for 1 (one) year."

**"Article 7D**

- (1) A fishery vessel with a foreign flag used by a non-fishery company as meant in Article 6 sub-article (1) to transport fish shall be obligated to possess an SPKPIA.
- (2) An SPKPIA shall be valid for 3 (three) months."

- 3. The provision in Article 10 shall be amended so that Article 10 shall entirely read as follows:

**"Article 10**

- (1) The governor or an official he appoints shall grant:
  - a. an IUP an SPI, an SIKPPII and an SIKPII to a fishery company or an individual domiciled in its administrative territory and undertaking fishing in a maritime territory as far as 12 (twelve) nautical miles measured from the coast line towards offshore and or towards archipelagic waters, using inboard motorized fishing vessels measuring not more than 30GT and or with an engine with the power of not more than 90 HP and based in its administrative territory without the use of foreign capital and or personnel.
  - b. an IUP to a fishery company undertaking the cultivation of fish in fresh water, brackish water and in the maritime waters of a province, not using foreign capital and or foreign personnel.
- (2) A regent/municipality head or an official he appoints shall grant :
  - a. an IUP, an SPI, an SIKPPII and an SIKPII to a fishery company or an individual undertaking a fishing business in the maritime territory of a regency/municipality and domiciled in its administrative territory, using a non-motorized fishing vessel, an outboard-motorized fishing vessel and an inboard-motorized fishing vessel measuring not more than 30 GT and or using an engine with the power of not more than 30 HP, and based an its administrative territory without using foreign capital and or foreign personnel.
  - b. an IUP to a fishing company or an individual undertaking fish cultivation in fresh water, in brackish water, and in the maritime territory of a regency/

municipality without using foreign capital and or foreign personnel.

- (3) The provision on the procedure for the granting of an IUP, an SPI, an SIKPPII and an SIKPII as meant in sub-articles (1) and (2) shall be regulated by the governor and the regent/municipality with the procedure for the granting of a fishery business license regulated by the Minister as the guideline.
4. The provisions in Article 11 sub-articles (1) and (3) shall be amended so that Article 11 shall entirely read as follows:

**"Article 11**

- (1) Except with respect to the activities which are within the authority of a governor or a regent/municipality head as meant in Article 10, the Minister or an official he appoints shall give an IUP, an SPI, an SIKPPII, an SIKPII, a PPKA, an SIKPIA, an SPKPIA and an SIPI to a fishery company as meant in Articles 6, 7, 7A, 7B, 7C, 7D and 9.
- (2) The authority to grant an IUP to a fishery company whose investment is made in the framework of Act No. 1/1970 on domestic investment as already amended by Act No. 12/1970 and in the framework of Act No. 1/1967 on foreign investments as already amended by Act No. 11/1970 as meant in sub-article (1) shall be delegated by the Minister to the chairman of the Investment Coordinating Board.
5. The title of Chapter III shall be amended as follows :

**"CHAPTER III  
REVOCATION OF IUP, SPI, SIKPPII, SIKPII,  
PPKA, SIKPIA, SPKPIA AND SIPI"**

6. The provision in Article 15 sub-article (2) shall be supplemented with letter a and 2 (two) sub-articles, namely sub-articles (3) and (4), shall be supplemented to Article 15 so that Article 15 shall entirely read as follows :

**"Article 15**

- (1) An IUP can be revoked by the license issuer in the event that a fishery company :
- a. expands its business without a written approval from the license issuer; or
  - b. fails to convey a report on business activities for 3 (three) times consecutively or deliberately conveys an incorrect report; or
  - c. fails to implement the provisions set forth in the IUP; or
  - d. transfers its IUP without a written approval from the license issuer; or
  - e. fails to carry out its business activities for 1 (one) whole year since the issuance of the IUP.
- (2) An SPI can be revoked by a license issuer if :

- a. a fisher company fails to implement the provisions set forth in the IUP and or SPI; or
- b. a fishery company using a fishery vessel for non fishing activities; or
- c. a fishery company no longer uses a fishing vessel completed with the said SPI; or
- d. the IUP owned by the said fishery company has been revoked by the license issuer;
- e. the fishery company is declared guilty on the basis of a court ruling with a permanent legal force.

(3) An SIKPPII can be revoked by a license issuer if :

- a. a fishery company fails to implement the provisions set forth in the SPI and or SIKPPII;
- b. a fishery company uses a fishing vessel for non-fishing and non-fish transportation activities;
- c. a fishery company fails to undertake its business activities for 1 (one) whole year after the issuance of the SIKPPII;
- d. the IUP is revoked by the license issuer;
- e. a fishery company is declared guilty on the basis of a court ruling with a permanent legal force.

(4) An SIKPII can be revoked by the license issuer if :

- a. a fishery company fails to implement the provisions set forth in the SPI and or SIKPII;
- b. a fishery company uses a fishing vessel for non-fishing and non-fish transportation activities;
- c. a fishery company fails to undertake its business activities for 1 (one) whole year after the issuance of the SIKPII;
- d. the IUP and or the SPI is revoked by the license issuers;
- e. a fishery company is declared guilty on the basis of a court ruling with a permanent legal force.

(5) An SIKPIA can be revoked by a license issuer if :

- a. a fishery company no longer fulfils the technical stipulations of the vessel;
- b. a fishery company uses a fish-transportation vessel not for loading or accommodating or transporting fish;

- c. a fishery company no longer uses a fish-transporting vessel or a fishing vessel in a fishing fleet unit covered by the said SIKPIa;
- d. the IUP and or the PPKA is revoked by the license issuer;
- e. the vessel is used for the transportation of prohibited goods; or
- f. the provisions set forth in the SIKPIA fails to be enforced.

(6) An SPKPIA shall be revoked if the provisions prevailing for the SPKPIA are violated."

7. The provision in Article 17 shall be amended so that it shall read as follows :

#### **"Article 17**

The provisions regarding the procedure for the revocation of an IUP, an SPI an SIKPPII, an SIKPII, a PPKA, an SIKPIA, an SPKPIA and an SIPI shall be stipulated by the Minister."

#### **Article II**

This government regulation shall take effect as from the date of promulgation.

For public cognizance, this government regulation shall be promulgated by publishing it in the State Gazette of the Republic of Indonesia.

Promulgated in Jakarta  
On December 21, 2000  
THE STATE SECRETARY  
sgd.

Stipulated in Jakarta  
On December 21, 2000  
THIS PRESIDENT OF THE REPUBLIC OF INDONESIA  
sgd.

DJOHAN EFFENDI

ABDURRAHMAN WAHID

**STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 256/2000**

#### **ELUCIDATION ON GOVERNMENT REGULATION NUMBER 141/2000**

*CAFI 32/APRIL 20. 2001*

**CONCERNING  
THE SECOND AMENDMENT TO  
GOVERNMENT REGULATION NUMBER 15/1990 ON THE FISHERY BUSINESS**

**GENERAL**

That with the stipulation of Government Regulation No. 15/1990 on the fishery business as already amended by Government Regulation No. 46/1993, it turns out that the development of the fishery business activities still cannot be fully accommodated. In addition, this government regulation is also yet to provide a legal basis for fishery levies from individuals or fishery companies whose licenses are issued for Indonesian fishing and fish-transportation vessels.

On the basis of the above-mentioned matter, it is deemed necessary that Government Regulation No. 15/1990 on the fishery business as already amended by Government Regulation No. 46/1993 should be amended.

**ARTICLE BY ARTICLE**

**Article 1**

**Figure 1**

**Article 1**

**Figures 1**

Self-explanatory.

**Figures 2**

Self-explanatory.

**Figures 3**

Self-explanatory.

**Figures 4**

Self-explanatory.

**Figures 5**

Self-explanatory.

**Figures 6**

Self-explanatory.

**Figures 7**

Self-explanatory.

**Figures 8**

Self-explanatory.

**Figure 9**

Referred to as an area shall encompass the area to cultivate fish in fresh water, in brackish water and for the fish cultivation in the sea.

**Figures 10**



Self-explanatory.

**Figures 11**

Self-explanatory.

**Figures 12**

Self-explanatory.

**Figures 13**

Self-explanatory.

**Figures 14**

Self-explanatory.

**Figures 15**

Self-explanatory.

**Figures 16**

Self-explanatory.

**Figure 2**

**Article 7A**

In each SIKPPII it is stipulated among others the coordinates of the fishing areas and the fishing gear used and the identity of the vessel.

**Article 7B**

In every SIKPII it is stipulated among others the name of fishery ports of loading and the ports of destination and the identity of the vessel.

**Article 7C**

In every SIKPIA it is stipulated among others the name of the fishery ports of loading and the ports of destination, and the identity of the vessel.

**Article 7D**

In every SPKPIA it is stipulated among others the name of the fishery ports of loading and the ports of destination and the identity of the vessel.

**Figure 3**

**Article 10**

**Sub-article (1)**

The determination of the size of the vessel is aimed to control the utilization of fish resources in order that optimum utilization may be reached without disturbing its sustainability.

**Sub-articles (2)**

Self-explanatory.

**Sub-articles (3)**

Self-explanatory.

**Figure 4**

**Article 11**

Self-explanatory.