



REGULATION OF THE MINISTER OF MARINE AFFAIRS AND FISHERIES OF THE
REPUBLIC OF INDONESIA
NUMBER 2 OF 2023
CONCERNING
REQUIREMENTS AND PROCEDURES OF TARIFF IMPOSITION ON TYPE OF
NON-TAX STATE REVENUE THAT APPLY TO THE MINISTRY OF MARINE
AFFAIRS AND FISHERIES WHICH ORIGINATE FROM UTILIZATION OF
FISHERIES RESOURCES

BY THE GRACE OF GOD ALMIGHTY

THE MINISTER OF MARINE AFFAIRS AND FISHERIES OF THE REPUBLIC OF
INDONESIA,

- Considering :
- a. that Regulation Minister of Marine Affairs and Fisheries Number 38 Year 2021 on Requirements and Procedures of Tariff Imposition on Type of Non-Tax State Revenue that Apply to the Ministry of Marine Affairs and Fisheries which Originate from Utilization of Fisheries Resources experience obstacles in implementation withdrawal of Non Tax State Revenue Which Originate from Utilization of Fisheries Resources in particular withdrawal postproduction fishery levy so it is necessary to amend.
 - b. that based on consideration as mentioned on paragraph a, its necessary to stipulate Regulation Minister of Marine Affairs and Fishery Number 38 Year 2021 on Requirements and Procedures of Tariff Imposition on Type of Non-Tax State Revenue that Apply to the Ministry of Marine Affairs and Fisheries which Originate from Utilization of Fisheries Resources;
- In view of :
1. Article 17, paragraph (3) Constitution of the Republic Indonesia Year 1945;
 2. Law Number 39 Year 2008 on the State ministries (State Gazette of Republic of Indonesia Number 166, Additional State Gazette of the Republic Indonesia Number 4916);

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3. Government Regulation Number 85 Year 2021 on Type and Tariff of Non-Tax State Revenue that Apply to the Ministry of Marine Affairs and Fisheries (State Gazette of Republic of Indonesia Number 188 Year 2021, Additional State Gazette of Republic of Indonesia Number 6710);
4. President Regulation Number 63 Year 2015 on the Ministry of marine affairs and fisheries (State Gazette of Republic of Indonesia Number 111 Year 2015) as has amended with President Regulation Number 2 Year 2017 on the Amendment of the President Regulation Number 63 Year 2015 on the Ministry Marine Affairs and Fisheries (State Gazette of Republic of Indonesia Number 5 Year 2017);
5. Regulation of Minister of Marine Affairs and Fisheries No.48/PERMEN-KP/2020 on the Organization and Working System of the Ministry of Marine Affairs and Fisheries (State Gazette of Republic of Indonesia Number 1114 Year 2020).

DECIDE:

Stipulate : REGULATION MINISTER MARINE AFFAIRS AND FISHERIES ON REQUIREMENTS AND PROCEDURES OF TARIFF IMPOSITION ON TYPE OF NON-TAX STATE REVENUE THAT APPLY TO THE MINISTRY OF MARINE AFFAIRS AND FISHERY WHICH ORIGINATE FROM UTILIZATION OF FISHERIES RESOURCES

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Ministerial Regulation:

1. Non-Tax State Revenue, hereinafter abbreviated as PNBP is a levy paid by individuals or entities by obtaining direct or indirect benefits for services or utilization of resources and rights obtained by the state, based on laws and regulations which become Central Government revenue outside of tax revenues and grants and managed in the mechanism of the state budget of revenue and expenditures.
2. Fishing Business License, hereinafter abbreviated as SIUP is a written permit must be possessed by every individual to conduct business on fisheries subsector and/ fish transporting subsector by using means production which listed in the permit.
3. A FAD Installation on License hereinafter abbreviated as SIPR is business licensing for support business activity must be possessed by every fishing vessel to conduct placement and utilization of FAD.

4. Fishing Vessel means the vessel used in fish catching, including collect, store, refrigerate, and/or preserve fish.
5. Fish Carrier means a vessel which have a fish hold and are specially used to transport carry, collect, gather, store, refrigerate and/or preserve fish
6. Capture Fishery Business Actor means an individual and or entities who conduct a business and/or activity on capture fisheries subsector or transporting fish subsector
7. Bill of PNPB means letter and/or document which used to bill PNPB outstanding, both principal and administrative sanction in the form of a fine.
8. Fishery Levy means PNPB which must pay before issuing SIUP on capture fisheries business subsector and/or fish transporting in marines or inland, business license on fish transporting subsector in marines or inland, and SIPR.
9. Fishery Levy post-production means PNPB must be paid based on fish catch by the owner of business license on fish catching sub sector.
10. Ministry means Ministry which organize affairs government in field marine and fishery.
11. Minister means a minister administrating government affair in the field of marine and fisheries.
12. Directorate General means as directorate general responsible for technical tasks in capture fisheries.

Article 2

- (1) Type PNPB which originate from utilization fisheries resources in the form of:
 - a. Commercial Fisheries Charges; and
 - b. Fishery levy
- (2) Type PNPB as meant on paragraph (1) point a in the form of:
 - a. Commercial Fisheries Charges for SIUP whose business activity in fish catching subsector and/or fish transporting subsector in marine and inland waters, new or renewing.
 - b. Commercial Fisheries Charges for business licensing in fish transporting subsector in marine and in marine and inland waters, new or renewing.
 - c. Commercial Fisheries Charges for SIPR new or renewing, which obtain business licensing from Minister.

- (3) PNBP as meant on paragraph (1) point b in the form of fishery levy for business licensing on fish catching subsector for fishing vessels in marine, new or renewing which obtain business licensing from Minister.
- (4) Tarif on type of PNBP as meant on paragraph (1) point b imposed based on:
 - a. postproduction; or
 - b. by contract system

CHAPTER II REQUIREMENTS, IMPOSITION AND PAYMENT PROCEDURE OF COMMERCIAL FISHERIES CHARGES

Article 3

- (1) Commercial Fisheries Charges as refer to Article 2 paragraph (1) point a imposed to Capture Fishery Business Actors who submit the application:
 - a. New or renewing SIUP;
 - b. New or renewing business licensing on fish transporting subsector; and
 - c. New or renewing SIPR.
- (2) Capture Fishery Business Actors shall submit new SIUP application and imposed Commercial Fisheries Charges, if any:
 - a. business expansion.
 - b. change in size of fishing vessel or fish Carrier which different in range gross tonnage;
 - c. change function of Fishing Vessels.
 - d. change function Fish Carrier; and/or
 - e. change fishing gear.
- (3) Capture Fishery Business Actors shall submit business licensing application in new fish transporting subsector and imposed Commercial Fisheries Charges if any change in size of Fish.

Article 4

Commercial Fisheries Charges as refer to Article 3 paragraph (1) imposed with provisions:

- a. after application approved; and
- b. SIUP, business licensing on fish transporting subsector or SIPR in accordance with the application has not published.

Article 5

- (1) Directorate General based on tariff per gross tonnage deliver notification on the amount of Commercial Fisheries Charges for new or renewing. SIUP as refer to Article 3 paragraph (1) point a at least (one) working day since application approved.

- (2) In the case of submitted SIUP contains different size of the vessel, the amount of tariff of Commercial Fisheries Charges is determined by the highest tariff range gross tonnage on each range gross tonnage vessel multiplied by total allocated vessels.

Article 6

Directorate General based on tariff per gross tonnage from gross tonnage size of realized Fish Carrier deliver notification the amount of Commercial Fisheries Charges for new or renewing business licensing subsector as refer to Article 3 paragraph (1) point b at least 1 (one) working day since application approved.

Article 7

Directorate General based on tariff per unit FADs per year deliver notification the amount of Commercial Fisheries Charges for new or renewing SIPR as refer to Article 3 paragraph (1) point c at least 1 (one) working days since application approved.

Article 8

Delivery notification of the amount of Commercial Fisheries Charges as meant in Article 5 paragraph (1), Article 6, and Article 7 carried out through application which provided by the Ministry.

Article 9

Tariff mount for calculating Commercial Fisheries Charges of new or renewing SIUP as refer to Article 5 paragraph (1), Commercial Fisheries Charges on business licensing on new or renewing fish transporting subsector as refer to Article 6, and Commercial Fisheries Charges on new or renewing SIPR as refer to Article 7 implemented in accordance with provision regulation that regulates on the type and tariff on type of PNPB apply to Ministry.

Article 10

- (1) Payer based on notification the amount of Commercial Fisheries Charges for new and renewing SIUP as refer to Article 5 paragraph (1), Commercial Fisheries Charges for business licensing subsector new of renewing fish transporting as refer to Article 6, and/or Commercial Fisheries Charges for new or renewing SIPR as refer to Article 7 shall make payment of Commercial Fisheries Charges to state treasury based on rule and regulation in the PNPB field, at least in period of 3 working days.

- (2) If within the period time of 3 (three) working days since notification as refer to paragraph (1), payer do not pay Commercial Fisheries Charges, SIUP application, business licensing on fish transporting subsector, and/or SIPR is declared null and void and shall re-submit new application.

CHAPTER III
REQUIREMENTS, IMPOSITION PROCEDURE, AND PAYMENT OF
FISHERY LEVY

First Part
Fishery Levy of Post-production

Article 11

Fishery levy on post-production imposed to the Capture Fisheries Business Actor who own business licensing on fish catching subsector with harbor base which has fulfilled withdrawal requirements on post-production.

Article 12

- (1) Fishery levy on post-production as refer to Article 11 imposed every time fish landing.
- (2) Imposition Fishery levy on post-production as refer to paragraph (1) with provisions:
 - a. business licensing on fish catching subsector has been issued; and
 - b. value of fish production when landed has been stipulated.

Article 13

- (1) Amount of fishery levy post-production as refer to Article 12 paragraph (1) is calculated self assessment by the Capture Fishery Business Actor through application which provided by Ministry.
- (2) Calculation of fishery levy post-production as refer to paragraph (1) based on formulas:
Index tariff x production fish value when landed.
- (3) Index tariff as refer to paragraph (2) in accordance with provision rules and regulation which regulates type and tariff on type of non-tax state revenue which apply to the Ministry of Marine Affairs and Fisheries.

- (4) Value of production fish when landed as refer to paragraph (2) calculated in accordance with provision of rules and regulation which regulated on the procedure for determining value fish production when landed.

Article 14

- (1) Capture fishery Business Actor based on self assessment Fishery Levy Post-production as refer to Article 13 paragraph (1) report to Ministry through application which provided by Ministry.
- (2) Based on report a refer to paragraph (1), Directorate General deliver notification the amount of Fishery Levy Post-production through application which provided by Ministry.

Article 15

- (1) Payer shall pay Fishery Levy Post-production as refer to Article 14 paragraph (2) at least 7 (seven) days calendar since the date of Letters of Evidence Reporting Ship Arrival at the fishing port or activity agreement at the public port issued.
- (2) Payment of Fishery Levy postproduction as refer to paragraph (1) to state treasury in accordance with provision rules and regulation in field of PNBP.
- (3) Payer who do not pay their Fishery Levy Post- production as refer to paragraph (1) until its due date is subject to penalty administrative in form of an administrative fine.
- (4) Amount and period imposition of administrative fine as refer to paragraph (3) implemented in accordance with provision rules and regulation in field PNBP.

Article 16

- (1) Directorate General do verification over calculating Fishery Levy of Post-production conducted by payer.
- (2) Verification as refer to paragraph (1) carried out based on risk profile of payer.
- (3) In the case of verification result as refer to paragraph (1) found that the payment is not enough, Directorate General publish and deliver PNBP Fishery Levy of Post-production Bill to payer.
- (4) PNBP Fishery Levy of Post-production Bill as refer to paragraph (3) including principal underpayment of outstanding Fishery Levy of Post-production and/or administrative fine.

- (5) Mechanism underpayment billing as refer to paragraph (3) implemented in accordance with provision rules and regulation in field of PNBP.

Article 17

- (1) In the case of payer has not paid Fishery Levy of Post-production as refer to Article 15 paragraph (1), to fish Carrier used by payer, sailing approval could not be published.
- (2) Payer who do not make payment of Fishery Levy Post-production as refer to Article 15 paragraph (1) or underpayment as refer to Article 16 paragraph (5) until due date subjected to administrative sanction namely administrative
- (3) Fishing Vessels which daily land fish catch products, sailing approval remain issued prior to due date as refer to Article 15 paragraph (1).
- (4) If payer do not make payment of Fishery Levy of Post-production, within 3 (three) months since due date and/or at least 3 (three) months since the first PNPB for Fishery Levy Post-production Bill issued, subject to penalty administrative in the form of freezing business licensing fish catching subsector.
- (5) Freezing as refer to paragraph (4) carried out at least until the expired date of the business licensing on fish catching subsector
- (6) If until the expired date of its business licensing on fish catching sector payer do not make payment of Fishery Levy of Post-production, business allocations are subtracted
- (7) Freezing business licensing fish catching subsector as refer to paragraph (4) and business allocation subtraction as refer to paragraph (6) shall not abolish payment obligation of Fishery Levy Post-production and administrative fine.
- (8) Payer who have paid Fishery Levy Post-production and administrative fine shall come to conduct fish catching activity according to business licensing fish catching sub sector.
- (9) Amount and period time of imposition administrative fine as refer to paragraph (2) implemented in accordance with provision rule and regulation in field of PNBP.

Article 18

In the case payer has not paid the Fishery Levy post-production of transhipped fish catch products, sailing approval of the transhipped Fish Carrier will not be published.

Part Two

Fishery Levy on System Contract

Article 19

Requirements, imposition procedure, and payment of fishery levy by contract system conducted in accordance with provision regulation.

CHAPTER IV

PROVISION TRANSITION

Article 20

- (1) Payment Commercial Fishery Charges in which PNPB Commercial Fishery Charges Bill has been published prior to this Ministerial Regulation come into force, processed based on Regulation Minister Marine Affairs and Fisheries No. 38 Year 2021 on the Requirements and Imposition Procedure Tariff of Nontax State Revenue Type applied to the Ministry of Marine Affairs and Fisheries originate from Utilization Fisheries Resource (State Gazette Number 1029 Year 2021)
- (2) Payment of fishery levy which which PNPB fishery levy Bill published prior to the Ministerial Regulation come into force, processed in accordance with the Regulation of Minister of Marine Affairs and Fisheries Number 38 Year 2021 on the Requirements and Imposition Procedure Tariff of Non-tax State Revenue Type applied to the Ministry of Marine Affairs and Fisheries originate from Utilization Fisheries Resources (State Gazette Number 1029 Year 2021).

CHAPTER V

PROVISION CLOSING

Article 21

At the time this Ministerial Regulation comes into force, the Regulation Minister of Marine Affairs and Fisheries Number 38 Year 2021 on Requirements and the Requirements and Imposition Procedure Tariff of Non-tax State Revenue Type applied to the Ministry of Marine Affairs and Fisheries originate from Utilization Fisheries Resources (State Gazette Number 1029 Year 2021), revoked and declared invalid.

Article 22

This Ministerial Regulation come into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Ministerial Regulation by its placement in State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
On 2 January 2023

MINISTER OF MARINE AFFAIRS AND
FISHERIES
REPUBLIC OF INDONESIA,

Signed.

SAKTI WAHYU TRENGGONO

Promulgated in Jakarta
on 3 January 2023

MINISTER OF LAW AND HUMAN RIGHTS OF
THE REPUBLIC OF INDONESIA,

Signed.

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2023 NUMBER 2

Original copy
Director of Bureau of Law,



Electronic signature

Effin Martiana