



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

NUMBER 28 OF 2023

CONCERNING

REGULATIONS FOR IMPLEMENTING GOVERNMENT REGULATION
NUMBER 11 OF 2023 CONCERNING QUOTA-BASED FISHING

BY THE GRACE OF GOD ALMIGHTY

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

Considering : that to implement the provisions of Article 3 paragraph (3), Article 4 paragraph (2), Article 6 paragraph (4), Article 8 paragraph (11), Article 9 paragraph (9), Article 10 paragraph (7), Article 11 paragraph (3), Article 18 paragraph (6), Article 19 paragraph (7), Article 20 paragraph (3), and Article 22 paragraph (3), Government Regulation Number 11 of 2023 concerning Quota-based Fishing, it is necessary to stipulate a Regulation of the Minister of Marine Affairs and Fisheries concerning Regulations for Implementing Government Regulation Number 11 of 2023 concerning Quota-based Fishing;

In view of : 1. Article 17 paragraph (3) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 39 of 2008 concerning State Ministries (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to State Gazette of the Republic of Indonesia Number 4916);
3. Government Regulation Number 11 of 2023 concerning Quota-based Fishing (State Gazette of the Republic of Indonesia of 2023 Number 36, Supplement to State Gazette of the Republic of Indonesia Number 6853);
4. Presidential Regulation Number 38 of 2023 concerning the Ministry of Marine Affairs and Fisheries (State Gazette of the Republic of Indonesia of 2023 Number 89);
5. Regulation of the Minister of Marine Affairs and Fisheries Number 48/PERMEN-KP/2020 concerning Organization and Work Procedures of the Ministry of Marine Affairs and Fisheries (State Gazette of the Republic of Indonesia of 2020 Number 1114);

DECIDE:

Stipulate : REGULATION OF THE MINISTER OF MARINE AFFAIRS AND FISHERIES OF THE REPUBLIC OF INDONESIA CONCERNING REGULATIONS FOR IMPLEMENTING GOVERNMENT REGULATION NUMBER 11 OF 2023 CONCERNING QUOTA-BASED FISHING

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Ministerial Regulation :

1. Quota-based Fishing is controlled and proportional fishing, carried out in quota-based fishing zones, based on fishing quotas in order to preserve fish resources and the environment as well as equalize national economic growth.
2. Quota-Based Fishing Zones is the fisheries management area of the Republic of Indonesia and the high seas are managed for the utilization of fish resources by quota based fishing.
3. The Republic of Indonesia State Fisheries Management Area, hereinafter abbreviated to WPPNRI, is a fisheries management area for fishing and fish cultivation which includes Indonesian waters, the Indonesian exclusive economic zone, rivers, lakes, reservoirs, swamps and other bodies of water that have the potential to be exploited in the area of the Republic of Indonesia.
4. High Seas are parts of the sea that are not included in Indonesia's exclusive economic zone, Indonesia's territorial sea, Indonesia's archipelagic waters and Indonesia's inland waters.
5. Fishing Ground are WPPNRI and the high which is designated as a fishing ground.
6. Limited Fishing Ground is a place fishing in Fishing Areas designated for fishing vessel sizes, fishing gears, and/or certain times.
7. Business Allocation is the number of fishing vessels permitted to fish in a certain area within a certain period of time in accordance with the allocation of available fish resources.
8. Fishing Quota is a resource allocation fish or the number of fish that can be utilized by Quota-based Fishing.
9. Local Fishermen are fishermen who are domiciled in provinces in the Quota-based Fishing Zone in accordance with their identity card or domicile certificate or business domicile and carry out fishing activities up to 12 (twelve) nautical miles measured from the coastline towards High Seas and/or towards archipelagic waters.
10. Small-scale Fishermen are people who earn their living carry out fishing to fulfill daily living needs, whether using a fishing vessel or not using a fishing vessel.

11. Fishing Vessels shall mean any vessel, boat, or any other floating device used for fishing, supporting fishing operation, fish culture, fish transporting, fish processing, fishery training, and research/ exploration.
12. Fishing Vessels shall mean vessels used to catch fish, including holding, storing, cooling and/or preserving fish.
13. Fish-Carrier shall mean vessels that have cargo hold and is specifically used to transport, load, accommodate, collect, store, cool and/or preserve fish.
14. Fishing Gears shall mean facilities and equipment or other objects used to catch fish.
15. Base Port shall mean a fishing port or public port where fishing vessels dock, anchor, load and unload fish, and/or fill supplies which is equipped with shipping safety facilities and fisheries support activities.
16. Fishing Port shall mean a place consisting of land and surrounding waters with boundaries specifically as a place for government activities and fisheries business system activities used as a place for fishing vessels to dock, anchor, and/or load and unload fish equipped with shipping safety facilities and fisheries support activities.
17. Loading Port shall mean a fishing port or public port for fishing vessels to load fish and fill supplies or other operational needs.
18. Regional Fisheries Management Organization, hereinafter referred to as RFMO, is a regional fisheries management organization that has its own provisions or regulations, especially to ensure the conservation and sustainability of fish resources in certain areas.
19. Observers on board of Fishing Vessels and Fish-Carrier, hereinafter referred to as Observers on Boards, are officers appointed by the Government and have competence in Monitoring activities on board of Fishing Vessels and Fish-Carrier.
20. Commercial Fisheries license, hereinafter referred to as SIUP, shall refer to a license, which must be procured by any individual to carry out business in the fishing subsector and/or fish transportation subsector using the production facilities as specified in the license.

21. Fishing Log Book shall mean a daily written report by the captain or fisherman regarding fishing activities and daily operations of Fishing Vessel.
22. Fishing shall mean any activities to catch fish within the waters not being used for fish-culture, using any kind of gears or means, including activities using vessels to load, transport, store, chill, handle, process and/or preserve it.
23. Harbor Master at a Fishing Port is a government official who is placed specifically at a Fishing Port for administrative management and carrying out the function of maintaining shipping safety.
24. Fishing Vessel Book, hereinafter referred to as BKP, shall to a document containing information on the identity of the owner and identity of the Fishing Vessel, along with changes identity of the owner and identity of the Fishing Vessel.
25. Taxpayer Status Information shall mean information provided by the Director General of Taxes in the context of confirming taxpayer status for certain public services in government agencies.
26. Business License shall mean the legality granted to business actors to start and run their businesses and/or activities.
27. Non-Tax State Revenue hereinafter referred to as PNBP are levies paid by individuals or entities by obtaining direct or indirect benefits from services or utilization of resources and rights obtained by the state, based on statutory regulations, which become central government revenues outside of tax and grant revenues and are managed in state revenue and expenditure budget mechanism.
28. Days shall mean working days as determined by the central government.
29. Any Individual shall mean an individual or corporation.
30. Central Government shall mean the President of the Republic of Indonesia who holds the power of the government of the Republic of Indonesia assisted by the Vice President and ministers as referred to in the 1945 Constitution of the Republic of Indonesia.
31. Regional Government shall mean the regional head as elements of regional government administrators who lead the implementation of government affairs which is the authority of the autonomous region.
32. Ministry shall mean the ministry that carries out government affairs in the maritime and fisheries sector.
33. Minister shall mean the minister who administers government affairs in the marine affairs and fisheries sector.

34. Director General shall mean the director general who carries out technical duties in the field of capture fisheries.
35. Dinas (provincial office) shall mean the office in charge of marine affairs and fisheries.

CHAPTER II PROCEDURES FOR CALCULATION OF FISHING QUOTAS

Article 2

- (1) Fishing Quotas in Quota-Based Fishing Zones is determined for each WPPNRI in marine waters and the High Seas.
- (2) Fishing Quotas as referred to in paragraph (1) is determined by Ministerial Decree.

Article 3

- (1) Fishing Quota as referred to in Article 2 paragraph (1) is calculated based on the potential of available fish resources and the amount of allowable fish catch taking into account the utilization level of fish resources.
- (2) Potential fish resources and the amount of allowable fish catch as referred to in paragraph (1) consists of:
 - a. determined by the Minister; and
 - b. determined by the RFMO.
- (3) In case of potential for fish resources and the amount of allowable fish catch has not been determined by the Minister and the RFMO, the potential of fish resources and the number of allowable fish catch are determined based on analysis of historical data on fish catch by considering the precautionary principle.

Article 4

- (1) Fishing Quota in Quota-based Fishing Zone consists of:
 - a. quota for industry;
 - b. quota for Local Fishermen;
 - c. quota for non-commercial activities.
- (2) Quota for industry as referred to in paragraph (1) point a is granted to each Quota-based Fishing Zone above 12 (twelve) nautical miles.
- (3) Quota for Local Fishermen as referred to in paragraph (1) point b is granted to each Quota-based Fishing Zone up to 12 (twelve) nautical miles.
- (4) Quota for non-commercial activities as referred to in paragraph (1) point c is given to each Quota-based Fishing Zone up to 12 (twelve) nautical miles and above 12 (twelve) nautical miles.

Article 5

- (1) Distribution of quota for industry, quota for Local Fisherman and quota for non-commercial activities as referred to in Article 4 paragraph (1) are carried out based on the proportion of fish species and/or fish resource groups.
- (2) Distribution of quota for industry, quota for Local Fisherman and quota for non commercial activities as referred to an paragraph (1) is based on considerations:
 - a. number of fishermen;
 - b. number and size of Fishing Vessels;
 - c. Fishing Gear;
 - d. production of fish catch;
 - e. Fishing Log Book data;
 - f. characteristics of fish resources and its habitat; and
 - g. number of educational, training, research institutions or other scientific activities, as well as organizers of leisure and tourism activities who carry out non-commercial fishing activities.

Article 6

Quota for Local Fisherman Quota as referred to in Article 4 paragraph (1) point b is divided for each province in each Quota-based Fishing Zone in WPPNRI in marine waters by considering at least:

- a. number of fishermen;
- b. number and size of Fishing Vessels;
- c. number of Fishing Gears; and
- d. production of fish catch.

Article 7

- (1) The Director General calculates the Fishing Quota.
- (2) In calculating Fishing Quota as referred to in paragraph (1), Director General may involve:
 - a. relevant ministries/institutions;
 - b. Provincial Regional Government;
 - c. college; and/or;
 - d. experts.
- (3) The Director General submits the results of the calculation Fishing Quota to the Minister to be determined.

CHAPTER III PROCEDURES AND REQUIREMENTS FOR GRANTING FISHING QUOTA

Part One General

Article 8

- (1) The Ministry allocates quota for industry of Small-scale Fisherman.
- (2) The provincial office allocates Local Fisherman quota for Small-scale Fishermen.
- (3) The allocation quota for industry of Small-scale Fishermen as referred to in paragraph (1) and the allocation quota for Local Fisherman of Small-scale Fishermen as referred to in paragraph (2) is carried out by considering:
 - a. number of Small-scale Fishermen; and
 - b. production of fish catch of Small-scale Fishermen in Fishing Port and/or fishermen center.

Article 9

- (1) Quota for industry and/or quota for Local Fisherman in Quota-based Fishing Zone is distributed to every Base Port in each Quota-based Fishing Zone.
- (2) Distribution quota for industry and quota for Local Fishermen in every Base Port as referred to in paragraph (1) considering:
 - a. Base Port capacity; and
 - b. Base Port development plan.
- (3) Quota for industry and/or Quota for Local Fisherman in every Base Port as referred to in paragraph (1) is determined by Ministerial Decree.

Article 10

The capacity of Base Port as referred to in Article 9 paragraph (2) point a is capacity Base Port accommodates a number of Fishing Vessels and number of Fish-Carrier.

Article 11

- (1) Based Port development plan as referred to an Article 9 paragraph (2) point b in accordance with the Fishery Port master plan.
- (2) Based Port development Based Port is carried out in accordance with the applicable laws and regulations.

Article 12

- (1) Granting Fishing Quotas considering the availability of Fishing Quotas.
- (2) Granting Fishing Quotas as referred to in paragraph (1) is carried out prior to the period of 1 (one) year of year Fishing Season.
- (3) Period of 1 (one) year fishing season as referred to in paragraph (2) starts from January to December.
- (4) In case Fishing Quota is still available, the Fishing Quota as referred to paragraph (1) can be granted within a period of 1 (one) year of the current Fishing season.

- (5) Granting of Fishing Quotas as referred to in paragraph (1) in the form of Fishing Quota certificates.
- (6) The granting of Fishing Quotas is subject to PNPB in accordance with the applicable laws and regulations.
- (7) Form and format of Fishing Quota certificate as referred to in paragraph (5) is listed in Appendix I which is an integral part of this Ministerial Regulation.

Article 13

- (1) The validity for utilization of quota for industry and quota for Local Fishermen according to the SIUP validity, except for Small-scale Fisherman.
- (2) The validity for utilization of quota for non-commercial activity is in accordance with the applicable laws and regulations.
- (3) The validity of quota for industry and/or quota for Local Fisherman which utilized by Small-scale Fishermen while carrying out Fishing business.

Part Two

Quota for Industry

Article 14

- (1) Quota for industry is granted by the Minister to the following;
 - a. individual person; and
 - b. legal business entity, based on application.
- (2) The Minister delegates the granting of quota for industry as referred to in paragraph (1) to the Director General.
- (3) Legal business entities as referred to in paragraph (1) point b consist of:
 - a. limited liability company; and
 - b. cooperative, which has fishing business activities.
- (4) Legal business entities as referred to in paragraph (3) utilize industries quotas in zone 01, zone 02, zone 03 and zone 04, in the form of:
 - a. domestic investment; or
 - b. foreign investment.
- (5) Legal business entities as referred to in paragraph (3) which utilizes quota for industry in zone 05 and zone 06, in the form of domestic investment.
- (6) Foreign investment as referred to in paragraph (4) point b is in accordance with the applicable laws and regulations.

Article 15

- (1) Application as referred to in Article 14 paragraph (1) is submitted in accordance with the realization of the Fishing Vessels.

- (2) Application as referred to in paragraph (1) contains at least:
 - a. Quota-based Fishing Zone;
 - b. number of quota for industry; and
 - c. Base Port,which is applied.
- (3) Application as referred to in paragraph (1) shall fulfill the following conditions:
 - a. possess SIUP;
 - b. possess BKP for every Fishing Vessel; and
 - c. Taxpayer Status Information, with valid status.
- (4) The SIUP as referred to in paragraph (3) point a is a SIUP that contains a Quota-based Fishing Zone and Base Port in accordance with the Minister Regulation.
- (5) BKP as referred to in paragraph (3) point b is a BKP that contains a Quota-based Fishing Zone in accordance with the Minister Regulation.
- (7) Requirements and procedures for obtaining SIUP and BKP as referred to in paragraph (3) are in accordance with the applicable laws and regulations.

Article 16

- (1) Based on the application as referred to in Article 14 paragraph (1), the Director General verifies the suitability of the application with the data and information contained in the requirements and evaluates the applicant's track record, the results of which are either appropriate or inappropriate.
- (2) If the result of the verification and evaluation as referred to in paragraph (1) is appropriate, the Director General in a maximum period of 4 (four) Days provides quota for industry detailed per fish species and/or fish resource group.
- (3) If the results of the verification and evaluation as referred to in paragraph (1) is inappropriate, the Director General within a maximum period of 4 (four) Days shall submit the rejection granting the quota for industry along with the reasons.
- (4) Any individual whose application is rejected as referred to in paragraph (3) may reapply for quota for industry as long as it is still within the Fishing Quota granting period.

Article 17

The granting quota for industry for the following year is carried out without application.

Article 18

- (1) Any Individual who has received quota for industry must apply for the Business License for Capture Fisheries sub-sector.
- (2) The business License for Capture Fisheries sub-sector as referred to in paragraph (1) valid for a period of 1 (one) year in the Fishing season.

- (3) In case the Business Licensing for Capture Fisheries sub-sector as referred to in paragraph (1) is issued during the 1 (one) year period of the current year's Fishing season, the business Licensing for Capture Fisheries sub-sector is valid until the end of the 1 (one) year period of the Fishing season.

Article 19

- (1) Any Individual who possessed a SIUP with a maximum period of 2 (two) years starting from the date issued and has not yet realized the Fishing Vessel allocation as stated in the SIUP:
 - a. Quota for industry have not been granted to the Fishing Vessels that have not realized its allocation; and
 - b. The Ministry reserves quota for industry for a maximum period of 2 (two) years since the SIUP is issued.
- (2) If within a period of 2 (two) years since the first SIUP published, the SIUP owner has not yet realized part or all of the Fishing Vessel allocation as stated in the SIUP shall not be granted quota for industry.
- (3) Proof of realization of Fishing Vessel allocation as referred to in paragraph (1) and paragraph (2) in the form of BKP in the name of the SIUP owner.

Article 20

- (1) The quota for industry is calculated for the first time based on the size of the Fishing Vessel that has been realized multiplied by the productivity of the Fishing Vessel.
- (2) The productivity of Fishing Vessels as referred to in paragraph (1) is determined by Ministerial Decree.

Part Three

Quota for Local Fisherman

Article 21

- (1) Quota for Local Fisherman is granted by the governor to Local Fishermen consist of:
 - a. individual person; and
 - b. legal business entity
- (2) Legal business entities as referred to in paragraph (1) point b consist of:
 - a. limited liability company; and
 - b. cooperative,
which has Fishing business activities.
- (3) Limited liability company as referred to in paragraph (2) point a in the form of domestic investment.

Article 22

- (1) Application as referred to in Article 21 paragraph (1) is submitted in accordance with the realization of the Fishing Vessel.
- (2) Application as referred to in paragraph (1) contains at least:
 - a. Quota-based Fishing Zone;
 - b. number of quota for Local Fisherman; and
 - c. Base Port,which applied
- (3) Application as referred to in paragraph (1) must fulfill the following conditions:
 - a. possess SIUP;
 - b. possess BKP for each Fishing Vessel; and
 - c. information on Taxpayer's valid Status.
- (4) The SIUP as referred to in paragraph (3) point a is a SIUP that contains a Quota-based Fishing Zone and Base Port in accordance with this Ministerial Regulation.
- (5) BKP as referred to in paragraph (3) point b is a BKP that contains a Quota-based Fishing Zone in accordance with this Ministerial Regulation.
- (6) Requirements and procedures for obtaining SIUP and BKP as referred to in paragraph (3) in accordance with the applicable laws and regulations.

Article 23

- (1) Based on the application as referred to In Article 21 paragraph (1), the governor verifies the suitability of the application with the data and information contained in the requirements and evaluates the applicant's track record, the results of which are either appropriate or inappropriate.
- (2) If the results of verification and evaluation as referred to in paragraph (1) appropriate, the governor within a maximum period of 7 (seven) Days provides a quota for Local Fishermen detailed by fish species and/or fish resource group.
- (3) If the results of verification and evaluation as referred to in paragraph (1) is inappropriate, the governor within a maximum period of 7 (seven) Days submits rejection granting the quota for Local Fisherman along with the reasons.
- (4) Any individual whose application is rejected as referred to in paragraph (3), may re-apply for the quota for Local Fisherman as long as still in the Fishing Quota granting period.

Article 24

Granting quota for Local Fisherman for the following year is carried out without an application.

Article 25

- (1) Any Individual who has received quota for Local Fisherman shall submit an application for the Business License for Capture Fisheries sub-sector.
- (2) The business Licensing for Capture Fisheries sub-sector as referred to in paragraph (1) applies for a period of 1 (one) year in the Fishing season.

Article 26

- (1) Local Fishermen who already possessed SIUP valid for a maximum of 2 (two) years since it was issued and the Fishing Vessel allocation has not been realized as stated in the SIUP:
 - a. quota for Local Fishermen has not been granted to the allocation of Fishing Vessels which have not been realized; and
 - b. The provincial regional government reserves quota for Local Fishermen within a maximum period of 2 (two) years since the SIUP is issued.
- (2) If within a period of 2 (two) years since the SIUP issued, Local Fishermen who possess the SIUP have not realized partial or whole the Fishing Vessel allocation as stated in the SIUP, quota for Local Fishermen has not been granted to the Fishing Vessels allocation which have not been realized.
- (3) Proof of realization of Fishing Vessel allocation as referred to in paragraph (1) and paragraph (2) is in the form of BKP in the name of the SIUP owner.

Article 27

- (1) The quota for Local Fishermen is calculated for the first time based on the realized size of Fishing Vessels multiplied by the productivity of Fishing Vessel.
- (2) The productivity of Fishing Vessels as referred to in paragraph (1) is determined by Ministerial Decree.

Article 28

The Governor submits a report on the granting of quota to Local Fisherman to the Minister within a maximum period of 30 (thirty) calendar days since the issuance of the Fishing Quota certificate.

Part Four

Quota for Industry and Quota for Local Fisherman to Small-scale Fishermen

Article 29

- (1) The quota for industry and quota for Local Fisherman to Small-scale Fishermen is granted by the Minister through the governor.
- (2) Granting quota for industry to Small-scale Fishermen as referred to in paragraph (1) can be carried out simultaneously with the granting of quota for Local Fisherman to Small-scale Fishermen.

Article 30

- (1) Small-scale Fishermen to obtain quota for Local Fisherman and/or quota for industry shall submit an application to the governor.
- (2) Application as referred to in paragraph (1) contains at least:
 - a. Quota-based Fishing Zone;
 - b. quota for industry and/or quota for Local Fisherman;
 - c. Base Port and/or fishing center, as applied.
- (3) Application as referred to in paragraph (1) must fulfill at least contains:
 - a. possess Business Licensing for Capture Fisheries sub-sector; and/or
 - b. possess BKP for each Fishing Vessel, to the Small-scale Fishermen use the Fishing Vessel.
- (4) Small-scale Fishermen as referred to in paragraph (1) preferably join a cooperative that has a fishing business sector.
- (5) Requirements and procedures in obtaining Business Licensing for Capture Fisheries sub-sector and BKP as referred to in paragraph (3) in accordance with the applicable laws and regulations.

Article 31

- (1) Based on the application as referred to in Article 30 paragraph (1), the governor verifies the suitability of the application with the data and information contained in the requirements, the results of which are either appropriate or inappropriate.
- (2) If the verification results as referred to in paragraph (1) is appropriate, the governor shall within a maximum period of 7 (seven) Days provide quota for industry and/or quota for Local Fisherman detailed by fish species and/or fisheries resource group.
- (3) If the results of the verification as referred to in paragraph (1) is inappropriate, within a maximum period of 7 (seven) Days, the governor shall submit a rejection of the granting of quota for industry and/or quota for Local Fisherman along with the reason.
- (4) Small Fishermen whose application is rejected as referred to in paragraph (3) shall re-apply quota for industry and/or quota for Local Fisherman as long as still within the Fishing Quota granting period.

Article 32

- (1) Small-scale Fishermen who have obtained quota for industry and/or quota for Local Fisherman shall submit an application for Business License for Capture Fisheries sub-sector which includes Quota-based Fishing Zone and Base Port or Fishermen Center, in accordance with the applicable laws and regulations.

- (2) Business License for Capture Fisheries sub-sector as referred to in paragraph (1) is valid while carrying out Fishing business.

Article 33

- (1) The Ministry and Regional Government facilitate granting quota for industry and/or quota for Local Fisherman to Small-scale Fishermen.
- (2) Facilitation as referred to in paragraph (1) shall be in the form of:
 - a. providing of supporting facilities;
 - b. technical guidance; and/or;
 - c. counseling and assistance.

Article 34

The Governor submitted a report on the granting of quota for Local Fisherman and quota for industry to the Small-scale Fishermen to the Minister within a maximum period of 30 (thirty) calendar days since the issuance of the Fishing Quota certificate.

Part Five

Quota for Non-commercial Activities

Article 35

- (1) Quota for non-commercial activities is granted by the Minister or governor in accordance with his/her extends to Any Individual, Central Government and Regional Government carrying out activities in the context of education, training, research or other scientific activities, as well as leisure and tourism.
- (2) The Minister delegates the granting of quota for non-commercial activities as referred to in paragraph (1) to the Director General.
- (3) Quota for non-commercial activities in the context education as referred to in paragraph (1) is granted to education providers.
- (4) Quota for non-commercial activities in the context of training as referred in paragraph (1) is granted to training providers.
- (5) Quota for non-commercial activities in the context of research or other scientific activities as referred to in paragraph (1) is granted to the research or other scientific activities providers.
- (6) Quota for non-commercial activities in the context of leisure and tourism activities as referred to in paragraph (1) is granted to pleasure and tourism activities providers.

Article 36

- (1) The education, training, research or other scientific activities, as well as leisure and tourism activities providers to obtain quota for non-commercial activities must shall an application to:

- a. Director General, for a quota for non-commercial activities above 12 (twelve) nautical miles; and
 - b. governor, for a quota for non-commercial activities up to 12 (twelve) nautical miles.
- (2) Application as referred to in paragraph (1) must be fulfilled by the following conditions:
- a. education and training activities, in the form of:
 - 1) non-commercial Fishing approval: and
 - 2) activity proposal, at least contains:
 - a) activity objectives;
 - b) Quota-based Fishing Zone;
 - c) fishing routes;
 - d) type, size and number of Fishing Vessel;
 - e) Fishing Gears;
 - f) activity execution time;
 - g) Requested Fishing Quota per fish species and/or fish resource group that is the target of fishing.
 - b. research activities or other scientific activities, in the form of:
 - 1) permission from the agency in charge of research, for research that must have a permit in accordance with the applicable laws and regulations; and
 - 2) proposal of research or other scientific activities, at least contain:
 - a) activity objectives;
 - b) Quota-based Fishing Zone;
 - c) fishing routes;
 - d) type, size and number of Fishing Vessels;
 - e) Fishing Gear;
 - f) activity execution time;
 - g) Requested Fishing Quota per fish species and/or fish resource group that is the target of fishing.
 - c. leisure and tourist activities, in the form of:
 - 1) non-commercial Fishing approval; and
 - 2) activity proposals, at least contains :
 - a) activity objectives;
 - b) Quota-based Fishing Zone;
 - c) fishing routes;
 - d) type, size and number of Fishing Vessels;
 - e) Fishing Gear;
 - f) activity execution time;

- g) Requested Fishing Quota per fish species and/or fish resource group that is the target of fishing.

Article 37

- (1) Based on the application as referred to in Article 36 paragraph (1), the Director General or governor in accordance with his/her authority verifies the conformity of the application with the data and information stated in the requirements and evaluation, the results of which are either appropriate or inappropriate.
- (2) If the results of the verification and evaluation as referred in paragraph (1) is appropriate, the Director General or governor in accordance with his/her authority within a maximum period of 7 (seven) Days shall provide a quota for non-commercial activities with detailed per fish species and/or fish resources group.
- (3) If the results of the verification and evaluation as referred to in paragraph (1) is inappropriate, the Director General or the governor in accordance with his/her authority, within a maximum period of 7 (seven) Days, submits a rejection to grant a quota for non-commercial activities along with the reason.
- (4) Providers of education, training, research or other scientific activities, as well as leisure and tourism activities whose application is rejected as referred to in paragraph (3) may reapply for a quota for non-commercial activities as long as it is still within the period of granting the Fishing Quota.
- (5) Quota for non-commercial activities as referred to in paragraph (2) is granted to the applicant in the form of a quota for non-commercial activities with detailed per fish species and/or fish resources group.

Article 38

The Governor submits a report on the granting of quota for non-commercial activities to the Minister no later than January 31 of the following year.

CHAPTER IV UTILIZATION OF FISHING QUOTA

Part One General

Article 39

- (1) Fishing Quota in Quota-based Fishing Zones used within a 1 (one) year fishing season and limited by the Fishing Quota granted for each year.

- (2) Any Individual, Central Government, or Regional Government that carries out Fishing is obliged to comply with the provisions regarding Fishing Quotas as referred to in paragraph (1).
- (3) Fishing Quota as referred to in paragraph (2) is the total number of fish species and/or groups of fish resources catch.
- (4) In case that there is an excess in the total number of fish species and/or groups of fish resources catch, the excess is calculated as utilization of the following year's Fishing Quota, except for Small-scale Fishermen.

Article 40

- (1) In case that the number of fish catch per period of 1 (one) year of the Fishing season does not reach the Fishing Quota granted in the current year, the remaining Fishing Quota cannot be accumulated in the period of 1 (one) year of the following Fishing season.
- (2) In case that the last Fishing trip exceeds 1 (one) year Fishing season period, the number of fish catch is calculated as the utilization of the Fishing Quota for the Fishing season period at the time it is landed.
- (3) In case that the RFMO regulates quota or catch limits for fish species, the Director General reconciles data on the number of fish catch which catch during the current year's Fishing season and landed during the following Fishing season.

The Second Part

Transfer of Quota for Industry

Article 41

- (1) Fishing Vessels that have utilized all quotas for industry before the end of period 1 (one) year of Fishing season, the operational worthiness standards and sailing approval for Fishing cannot be issued.
- (2) Fishing Vessels as referred to in paragraph (1) can carry out Fishing again in the 1 (one) year period of the current year's Fishing Season after the Fishing Vessel receives additional quota for industry.
- (3) Additional fishing vessel industry quotas as referred to in paragraph (2) is obtained through:
 - a. transfer of quotas for industry from Fishing Vessels in one SIUP; or
 - b. transfer of quotas for industry from Fishing Vessels in different SIUP.

- (4) The transfer of quota for industry as referred to in paragraph (3) is carried out based on the quota for industry that have not been utilized.

Article 42

The transfer of quota for industry Fishing Vessels that in one SIUP as referred to in Article 41 paragraph (3) point a, with condition that the Fishing Vessels that transfer and receive quotas for industry should own:

- a. Fishing Ground in the same Quota-based Fishing Zone;
- b. The same Fishing Gears; and
- c. The same Base Port.

Article 43

- (1) Any individual who will carry out the transfer of quota for industry from a Fishing Vessel located within one SIUP as referred to in Article 41 paragraph (3) point a must submit an application for certificate of change in fishing quota to the Director General through the application provided by the Ministry.
- (2) Application as referred to in paragraph (1) fulfilled with the following conditions:
 - a. number of utilization realizations of industry quota for Fishing Vessels that will transfer and receive quotas for industry;
 - b. registration number of the Fishing Vessel that will transfer and receive the quotas for industry;
 - c. the number of quotas for industry to be transferred;
 - d. reasons for transferring quotas for industry; and
 - e. statement from the SIUP owner that:
 1. has fulfilled the PNPB payment fisheries resources;
 2. Fishing Vessel that will transfer and receive quotas for industry is not currently involved in legal cases; and
 3. The data and information submitted are appropriate.
- (3) Based on the application as referred to in paragraph (1), the Director General shall verify the requirements within a maximum period of 3 (three) Days since the completed application for Fishing Quota certificate change is received which the result either appropriate or inappropriate.
- (4) If the verification result as referred to in paragraph (3) is appropriate, the Director General within a maximum period of 1 (one) Day issues a certificate of change in fishing quota.
- (5) If the verification result as referred to in paragraph (3) is inappropriate, the Director General within the term a maximum of 1 (one) Day to submit a rejection of the application along with the reasons.

Article 44

The validity period of the certificate of change in fishing quota as referred to in Article 43 paragraph (4) does not change the validity period of the Fishing Quota certificate.

Article 45

Transfer of quota for industry Fishing Vessels within one SIUP is not subject to PNBP.

Article 46

- (1) Transfer of quota for industry from Fishing Vessels in different SIUP as referred to in Article 41 paragraph (3) point b, with the following provisions:
 - a. Fishing Vessels that transfer and receive quota for industry have Fishing Zone in the same Quota-based Fishing Zone;
 - b. Fishing Vessels that transfer and receive quota for industry own same Fishing Gears;
 - c. Fishing vessels that transfer and receive quota for industry have utilized the quota for industry for a minimum of 2 (two) years;
 - d. Fishing Vessels that transfer quota for industry have realized an quotas for industry of at least 50% (fifty percent) of the quotas for industry within the period of 1 (one) year of the current year's Fishing Season; and
 - e. Fishing Vessels that transfer and receive quota for industry own the same Base Port.
- (2) Fishing Vessel that receives a transfer of quota for industry cannot transfer quota for industry to a Fishing Vessel in different SIUP.

Article 47

- (1) Any individuals who will receive an quotas for industry from Fishing Vessels in different SIUP as referred to in Article 41 paragraph (3) point b must submit an application for the certificate of change in fishing quota to the Director General through the application provided by the Ministry.
- (2) Application as referred to in paragraph (1) fulfilled with the following conditions:
 - a. Fishing Quota certificate number from the Fishing Vessel will transfer and receive quota for industry;
 - b. the number of realizations of quotas for industry utilization from Fishing Vessels that will transfer and receive quotas for industry;
 - c. the number of quota for industry to be transferred;
 - d. reasons for transferring the quota for industry;

- e. document of agreement on transfer of quota for industry between Fishing Vessel SIUP owners who will transfer and receive quota for industry; and
 - f. statement from the owner of the SIUP who will transfer and receive quota for industry that:
 - 1. has fulfilled the PNBP payment obligation of fishery natural resources;
 - 2. Fishing Vessels that will transfer and receive quota for industry is not currently involved in a legal case; and
 - 3. the data and information submitted are correct.
- (3) Based on the application as referred to in paragraph (1), the owner of the SIUP of Fishing Vessel who will transfer the quota for industry shall confirm and provide a statement of the correctness of the data on the information submitted no later than 24 (twenty four) hours via the application provided by the Ministry.
- (4) If the owner of the SIUP of Fishing Vessel who will transfer the quota for industry does not provide confirmation and a statement of the correctness of the data on the information submitted as referred to in paragraph (3), the application is declared null and void.
- (5) Based on the application as referred to in paragraph (1), as well as confirmation and statement of the correctness of data on information as referred to in paragraph (3), the Director General shall verify and evaluate the requirements within a maximum period of 3 (three) Days since the completed application for change of the Fishing Quota certificate is received, which the result either appropriate or inappropriate.
- (6) If the results of verification and evaluation as referred to in paragraph (5) is appropriate, the Director General within a maximum period of 1 (one) Day issues a certificate of changing Fishing Quota for Fishing Vessel SIUP owners who transfer and receive quotas for industry.
- (7) If the result of the verification and evaluation as referred to in paragraph (5) is inappropriate, the Director General within a maximum period of 1 (one) Day shall submit a rejection of the application along with the reasons.

Article 48

The validity period of the certificate of change in fishing quota as referred to in Article 47 paragraph (6) does not change the validity period of the Fishing Quota certificate.

Article 49

Transfer of quota for industry from Fishing Vessels in different SIUP is subject to PNBP in accordance with provision rules and regulations.

Part Three
Transferring Quota for Local Fishermen

Article 50

- (1) Fishing vessels that have utilized all quota for Local Fishermen prior to the end of 1 (one) year of Fishing Season period cannot be issued operating worthiness standard and sailing approvals to carry out Fishing.
- (2) Fishing vessels as referred to in paragraph (1) can carry out Fishing again during the 1 (one) year period of the current year's Fishing season after the Fishing Vessel obtains an additional quota for Local Fisherman.
- (3) Additional quota for Local Fisherman for Fishing Vessels as referred to in paragraph (2) is obtained through:
 - a. transfer of quota for Local Fisherman from Fishing Vessels under one SIUP; or
 - b. transfer of quota for Local Fisherman from Fishing Vessel in different SIUP.
- (4) Transfer of quota for Local Fisherman as referred to in paragraph (3) is carried out based on quota for Local Fisherman which has not yet been utilized.

Article 51

Transfer of quota for Local Fisherman from Fishing Vessels Fish which in one SIUP as referred to in Article 50 paragraph (3) point a, with condition that the Fishing Vessel that transfer and receives the quota for Local Fisherman has:

- a. Fishing Grounds at the Quota-based Fishing Zones and the same province;
- b. The same Fishing Gears; and
- c. The same Base Port.

Article 52

- (1) Local Fishermen who wish to transfer quota for Local Fisherman from Fishing Vessels that are in one SIUP as referred to in Article 50 paragraph (3) point a must submit an application for certificate of change in fishing quota to the governor through an application provided by the Ministry.
- (2) Application as referred to in paragraph (1) fulfilled with the following conditions:
 - a. the actual number utilization quota for Local Fishermen of Fishing Vessel that will transfer and receive quota for Local Fisherman;
 - b. registration number of the Fishing Vessel that will transfer and receive quota for Local Fisherman;
 - c. the number of quota for Local Fisherman to be transferred;
 - d. reasons for transferring quota for Local Fisherman;

and

e. statement from the SIUP owner that:

1. has fulfilled the obligation payment of PNPB fisheries resources;
 2. The Fishing Vessel that will transfer and receive the Local Fishermen's quota is not currently involved in a legal case; and
 3. The data and information submitted are correct.
- (3) Based on the application as referred to in paragraph (1), the governor shall verify the requirements within a maximum period of 3 (three) Days from the receipt of the completed application for certificate of change in fishing quota, the results of which are either appropriate or inappropriate.
- (4) If the result of the verification as referred to in paragraph (3) is appropriate, the governor within a maximum period of 1 (one) Day issues certificate of change in fishing quota.
- (5) If the verification result as referred to in paragraph (3) is inappropriate, the governor within a maximum period of 1 (one) Day submits a rejection of the application along with the reasons.

Article 53

The validity period of the certificate of change in fishing quota as referred to in Article 52 paragraph (4) do not change the validity period of the Fishing Quota certificate.

Article 54

Transfer of quota for Local Fisherman from Fishing Vessels in one SIUP is not subject to PNPB.

Article 55

- (1) Transfer of quota for Local Fisherman from Fishing Vessel in different SIUP as referred to in Article 50 paragraph (3) point b, with the provisions:
- a. Fishing Vessels that transfer and receive quota for Local Fisherman having a Fishing Ground in Quota-based Fishing Zone of up to 12 (twelve) nautical miles in the same province;
 - b. Fishing Vessels that transfer and receive a quota for Local Fishermen to have same Fishing Gears;
 - c. Fishing Vessels that transfer and receive the Local Fisherman quota has utilized the Local Fisherman quota at least for 2 (two) years;
 - d. Fishing Vessels that transfer quota for Local Fisherman have realized quota for Local Fisherman of at least 50% (fifty percent) of the quota for Local Fisherman in 1 (one) year period of the current year's Fishing season; and

- e. Fishing Vessels that transfer and receive quota for Local Fisherman have the same Base Port.

- (2) Fishing Vessels that receive the transferring of quota for Local Fisherman shall not transfer quota for Local Fisherman to Fishing Vessels in different SIUP.

Article 56

- (1) Local Fishermen who will receive quota for Local Fisherman from Fishing Vessels in different SIUP as referred to in Article 50 paragraph (3) point b must submit application for certificate of change in fishing quota to the governor through the application provided by the Ministry.
- (2) Application as referred to in paragraph (1) fulfilled the following conditions:
 - a. Fishing Quota certificate number from Fishing Vessels that will transfer and receive quota for Local Fisherman;
 - b. number of realization of quota utilization for Local Fisherman from Fishing Vessels that will transfer and receive quota for Local Fisherman;
 - c. the number of quota for Local Fisherman that will be transferred
 - d. reasons of transferring quota for Local Fisherman;
 - e. document of agreement on transfer of quota for Local Fisherman between Fishing Vessel SIUP owners who will transfer and receive quota for Local Fisherman; and
 - f. statement from the SIUP owner who will transfer and receive the quota for Local Fisherman that:
 - 1. has fulfilled the obligation payment of PNPB fisheries resources;
 - 2. Fishing vessels that will transfer and receive quota for Local Fisherman is not currently a legal case; and
 - 3. the data and information submitted are correct.
- (3) Based on the application as referred to in paragraph (1), the owner of SIUP of Fishing Vessel who will transfer quota for Local Fisherman shall confirm and provide a statement of data accuracy on the information submitted no later than 24 (twenty four) hours through the application provided by the Ministry.
- (4) If the owner of SIUP of the Fishing Vessel that will transfer quota for Local Fisherman does not provide confirmation and statement of data accuracy on the information submitted as referred to in paragraph (3), the application is declared null and void.
- (5) Based on the application as referred paragraph (1), as well as confirmation and statement of data accuracy on the information as referred to in paragraph (3), the

governor shall verify and evaluate the requirements within a maximum period of time

3 (three) Days from the receipt of the completed application for changing Fishing Quota certificate, in which the results is appropriate or inappropriate.

- (6) If the verification results as referred to in paragraph (5) is appropriate, the governor within a maximum period of time within 1 (one) Day to issue a certificate of change in fishing quota to the owners of SIUP of Fishing Vessel that transfer and receive quota for Local Fisherman.
- (7) If the results of verification and evaluation as referred to in paragraph (5) is inappropriate, the governor within a maximum period of 1 (one) Day submits a rejection of the application along with the reasons.

Article 57

The validity period of the certificate of change in fishing quota as referred to in Article 56 paragraph (6) shall not change the validity period of the Fishing Quota certificate.

Article 58

Transfer of Local Fisherman quota from Fishing Vessels in different SIUP is subject to PNBPN in accordance with the applicable laws and regulations.

Part Four

Transfer of Quota for Non-Commercial Activities

Article 59

Non-commercial activities quotas shall not be transferred.

Part Five

Reduction, Addition or Revocation of Fishing Quota

Article 60

- (1) Any Individual can apply for a reduction, addition or revocation of the Fishing Quota.
- (2) The application as referred to in paragraph (1) is submitted to the Director General or governor in accordance with his/her authority.
- (3) Application as referred to in paragraph (2) shall be fulfilled with the following conditions:
 - a. Fishing Quota certificate number;
 - b. Number of realization of quota for Local Fisherman;
 - c. history of Fishing Quota transfers;
 - d. registration number of the Fishing Vessel that applied for reduction, addition or revocation of the Fishing Quota; and
 - e. reasons for reduction, addition, or revocation of Fishing Quotas.

- (4) Based on the application as referred to in paragraph (1), the Director General or governor in accordance with his/her authority shall verify the conformity of the application with the data and information stated in the requirements and evaluation within a maximum period of 3 (three) Days from the receipt of the completed application for reduction, addition, or revocation of the Fishing Quota, the results of which are appropriate or inappropriate.
- (5) If the results of verification and evaluation as referred to in paragraph (4) are appropriate, the Director General or governor in accordance with his/her authority shall within a maximum period of 1 (one) Day reduce, add or revoke the Fishing Quota.
- (6) If the results of the verification and evaluation as referred to in paragraph (4) are inappropriate, the Director General or governor in accordance with his/her authority within a maximum period of 1 (one) Day submits a rejection, reduction, addition or revocation of the Fishing Quota along with the reasons.
- (7) In case of revoking of Fishing Quota as referred to in paragraph (5), the Director General or governor in accordance with his/her authority within a maximum period of 1 (one) Day shall revoke the Business Allocation in the SIUP for Fishing Vessels in which quotas for industry or quotas for Local Fisherman are revoked.
- (8) In case of reduction, addition, or revocation of the Fishing Quota as referred to in paragraph (1), the paid PNPB shall not be withdrawn.
- (9) In case of revocation of the Business Allocation in SIUP, that the Business Allocation in the SIUP is revoked as referred to in paragraph (7), the paid PNPB shall not be withdrawn.

Article 61

- (1) The Director General or governor in accordance with his/her authority revokes quota for industry or quota for Local Fisherman stated in the Fishing Quota certificate in case of Fishing Vessel is subject to administrative sanctions in the form of revocation of the Business Licensing for Capture Fisheries sub-sector.
- (2) Revocation of quota for industry or quota for Local Fisherman as referred to in paragraph (1) in accordance with the quota for industry or quota for Local Fisherman on Fishing Vessels which subject to administrative sanctions in the form of revocation of the Business Licensing for Capture Fisheries sub-sector.
- (3) In case of Business Licensing for Capture Fisheries sub-sector is revoked as referred to in paragraph (1), the Director General or governor, in accordance with

his/her authority revokes Business Allocation in SIUP for Fishing Vessels Fish which subject to administrative sanctions.

- (4) The Director General or governor, in accordance with his/her authority, revokes the quota for non-commercial activities in case Any Individual, Central Government or Regional Government is subject to administrative sanctions in the form of revocation of approval.
- (5) Revocation of quota for industry or quota for Local Fisherman as referred to in paragraph (2) and quota for non-commercial activities as referred to in paragraph (4) are carried out by changing or revoking the Fishing Quota certificate.
- (6) Changes or revocation of Fishing Quota certificates as referred to in paragraph (5) are carried out without application.
- (7) In the case of revocation of quota for industry or quota for Local Fisherman as referred to in paragraph (1) or the revocation of the quota for non-commercial activities as referred to in paragraph (4), the paid PNBP shall not be withdrawn.
- (8) In case of revocation of the Business Allocation in SIUP as referred to in paragraph (3), the paid PNBP shall not be withdrawn.

Article 62

- (1) Any Individual shall change the Fishing Quota certificate in case of Fishing Vessels changes the Fishing Gears.
- (2) Changes in Fishing Quota certificates as referred to in paragraph (1) is carried out by submitting an application to the Director General or governor in accordance with his/her authority.
- (3) Application as referred to in paragraph (2) shall fulfill the following requirements :
 - a. own SIUP; and
 - b. own BKP,for which have changed the Fishing Gears
- (4) Provisions regarding changes to SIUP and BKP as referred to in paragraph (3) in accordance with the applicable laws and regulations.
- (5) Based on the application as referred to in paragraph (2), the Director General or governor in accordance with his/her authority shall verify the accuracy of the data and information as stated in the requirements and evaluation within a period of no later than 3 (three) Days from the receipt of the request for certificate of change in Fishing Quota, the results of which are appropriate or inappropriate.
- (6) If the results of verification and evaluation as referred to in paragraph (6) appropriate, the Director General or governor in accordance with his /her authority within a maximum period of 1 (one) Day changes in Fishing

Quota certificate.

- (7) If the results of the verification and evaluation as referred to in paragraph (5) are inappropriate, the Director General or governor in accordance with his/her authority within a maximum period of 1 (one) Day submits a rejection of the change of the Fishing Quota certificate along with reason of the rejection.
- (8) Since the changing process of SIUP, BKP, Fishing Quota certificate, and Business Licensing for Capture Fisheries sub-sector until the end of the 1 (one) year period of the Fishing season in the current year, Fishing Vessels which have changed the Fishing Gears are not allowed to fishing in the current year.
- (9) The validity period of the amended SIUP does not change the validity period of the SIUP before the change was made.
- (10) Changes of SIUP due to changes in Fishing Gears are subject to PNPB in accordance with the applicable laws and regulations.
- (11) Changes of Fishing Quota certificates as referred to in paragraph (6) are subject to PNPB in accordance with the applicable laws and regulations.
- (12) In case that SIUP and Fishing Quota certificate are changed, the paid PNPB shall not be withdrawn.

Part Six

Fishing Quota Utilization Data

Article 63

- (1) Fishing Quota utilization data is obtained from self-assessment reported by Any Individual, Center Government and Regional Government through application through the application provided by the Ministry.
- (2) Self-assessment as referred to in paragraph (1), to quota for industry or quota for Local Fisherman are the results of calculating of fish catch:
 - a. reported by the owner of Fishing Vessels based on Fishing Log Book reported by the captain and the weighing results, for non-Small-scale Fishermen; and
 - b. which has been reported by the Small-scale Fisherman.
- (3) Self-assessment as referred to in paragraph (1) for quota for non-commercial activity is the result of counting of fish catch:
 - a. on the fishing Log Book that has been reported by the event organizer for educational, training, research or other scientific activities; and
 - b. which reported by the event organizer, for every leisure and tourist activities.

- (4) The owner of Fishing Vessel as referred to in paragraph (2) point a, before reporting the catch fish shall weigh it when the fish catch fish is landed
- (5) The event organizer as referred to in paragraph (3) before reporting the fish catch shall weigh it when the fish catch fish is landed.
- (6) Any Individuals who has reported the results of self assessment can carry out additional self-assessment data if there is a lack of data on the species and weigh of fish catch that has been reported.
- (7) Addition self-assessment data as referred to in paragraph (6) can be carried out before verification is carried out by the Directorate General.
- (8) The Director General has the authority to verify the results of self-assessment as referred to in paragraph (2) and paragraph (6).
- (9) In case of verification results as referred to in paragraph (8) there are differences with the results of self assessment, the Director General updates the Fishing Quota utilization data in the application provided by the Ministry.
- (10) Further provisions regarding verification as referred to in paragraph (8) are stipulated by the Decree of the Director General.

Article 64

- (1) Every Fishing Vessel or vessel used for non-commercial Fishing shall be completed with a Fishing Log Book.
- (2) Provisions as referred to in paragraph (1) excluded for the vessels used for non-commercial fishing like leisure and tourism.
- (3) The Fishing Log Book as referred to in paragraph (1) at least contain theses following data:
 - a. Fishing Vessel or vessel used for non-commercial Fishing;
 - b. Fishing Gears
 - c. coordinate point of Fishing Ground; and
 - d. fish catch.
- (4) Fishing Vessels as referred to in paragraph (1) owned by Small-scale Fishermen, can use a simplified Fishing Log Book.
- (5) The simplified Fishing Log Book as referred to in paragraph (4) can be in the Fishing Log Book form.

- (6) Provisions regarding the form and format of the simplified Fishing Log Book as referred to in paragraph (4), are listed in Appendix II which is an inseparable part of this Ministerial Regulation.

Article 65

- (1) Fishing Log Book as referred to in Article 64 paragraph (1) is filled in by the captain of a Fishing Vessel, Small-scale Fisherman, or the captain of vessels used for fishing for non-commercial activities electronically through an application provided by the Ministry.
- (2) Fishing Vessel Owners and organizers of non-commercial activities must provide devices for filling and reporting the Fishing Log Book electronically via the application provided by the Ministry for each Fishing Vessel or vessels used for fishing for non-commercial activities.
- (3) Filling in the Fishing Log Book as referred to in paragraph (1) is carried out after the fish catch are counted independently by the captain of the Fishing Vessel, Small-scale Fisherman, or the captain of vessels used for fishing for non-commercial activities on board the Fishing Vessel or vessels used for fishing for non-commercial activities.
- (4) Small-scale Fishermen can fill in the Fishing Log Book as referred to in paragraph (1) non-electronically by using a simplified Fishing Log Book on board a Fishing Vessel.
- (5) Small-scale Fishermen who fill out the simplified Fishing Log Book as referred to in paragraph (4) must enter Fish Catch data into the application provided by the Ministry after the fish catch have been counted at Base Port or fishing centers.
- (6) Entering fishing data into the application as referred to in paragraph (5) can be facilitated by the Ministry or Regional Government.
- (7) Facilitation as referred to in paragraph (6) can be in the form of:
 - a. provision of supporting facilities; and/or
 - b. accompaniment.

Article 66

Fishing Log Book as referred to in Article 64 paragraph (1) for Fishing Vessels measuring over 5 (five) gross tonnage and vessels used for fishing for non-commercial activities consists of:

- a. Fishing Log Book for Fishing Gear of tuna longlines and tuna handlines;

- b. Fishing Log Book for Fishing Gear of purse seines, huhate, mechanical huhate, and *tonda*; and
- c. Fishing Log Book for other Fishing Gear.

Article 67

Filling in the Fishing Log Book data for the coordinate points of Fishing Ground as referred to in Article 64 paragraph (3) point c is carried out every time when start setting and hauling the Fishing Gear.

Article 68

- (1) Filling in the Fishing Log Book data for fish catch as referred to in Article 64 paragraph (3) point d, is carried out based on the results of calculations by the captain of a Fishing Vessel, Small-scale Fisherman, or the captain of a vessels used for fishing for non-commercial activities.
- (2) The calculation as referred to in paragraph (1) is carried out on a Fishing Vessel or a vessel used for fishing for non-commercial activities to determine the weight of the fish catch according to the species of fish catch.
- (3) Small-scale Fishermen as referred to in paragraph (1) can count the fish catch at Base Port or fishing centers.

Article 69

- (1) The calculation as referred to in Article 68 paragraph (1) is carried out using the weighing method.
- (2) In case that the weighing method as referred to in paragraph (1) cannot be carried out, counting of fish catch can be carried out using the following method:
 - a. calculation based on the volume of the cargo hold filled with fish catch;
 - b. calculation using baskets or containers of the same size; or
 - c. other methods determined by the Minister.
- (3) The calculation of fish catch as referred to in paragraph (1) and paragraph (2) is carried out using equipment available on board a Fishing Vessel or a vessel used for fishing for non-commercial activities.
- (4) The equipment as referred to in paragraph (3) is provided by the owner of the Fishing Vessel or the owner of the vessel used for fishing for non-commercial activities.

Article 70

- (1) The calculation of fish catch by Small-scale Fishermen as referred to in Article 68 paragraph (3) is carried out using the method:
 - a. weighing;
 - b. calculation using baskets or other containers; or
 - c. other methods determined by the Minister.
- (2) The calculation as referred to in paragraph (1) can be facilitated by the Ministry or Regional Government.
- (3) Facilitation as referred to in paragraph (2) can be in the form of:
 - a. provision of supporting facilities; and/or
 - b. accompaniment.

Article 71

- (1) The captain of a Fishing Vessel, Small-scale Fisherman, or the captain of a vessel used for fishing for non-commercial activities must enter the calculation results as referred to in Article 68 paragraph (1) into the Fishing Log Book through the application provided by the Ministry.
- (2) The provisions as referred to in paragraph (1) are excluded for vessels used for fishing for non-commercial activities in the form of pleasure and tourism.
- (3) Every captain of Fishing Vessels, Small-scale Fishermen and captains of vessels used for fishing for non-commercial activities must declare the correctness of the calculation results as referred to in paragraph (1).
- (4) Owners of Fishing Vessels who operating Fishing Vessels and organizers of Fishing activities for non-commercial activities are responsible for the correctness of the calculation results entered into the Fishing Log Book by the captain of the Fishing Vessel and the captain of the vessel used for fishing for non-commercial activities as referred to in paragraph (3).

Article 72

- (1) In case that the fish catch is transferred from a Fishing Vessel to a Fish-Carrier, the captain of the Fishing Vessel and the captain of the Fish-Carrier shall make an official report on the transshipment via the application provided by the Ministry.
- (2) The official report on the transshipment as referred to in paragraph (1) must contain at least the following data:
 - a. Fishing Vessels;
 - b. Fish-Carriers;
 - c. species and weight of transshipped fish catch;
 - d. time of transshipment; and

- e. coordinate point of transshipment.
- (3) Every captain of a Fishing Vessel and captain of a Fish-Carrier declares the truth of the official report on the transshipment as referred to in paragraph (2).
- (4) The owner of the Fishing Vessel and the owner of the Fish-Carrier is responsible for the correctness of the official report on the transshipment made by the captain of the Fishing Vessel and the captain of the Fish-Carrier as referred to in paragraph (3).

Article 73

- (1) In the context of managing fish resources, the Director General carries out analysis of Fishing Log Book data.
- (2) The Director General submits a report on the results of the Fishing Log Book data analysis as referred to in paragraph (1) to the Minister once every 1 (one) year.
- (3) The results of the analysis as referred to in paragraph (2) are used as material for making fisheries management policies.
- (4) Provisions regarding the analysis of Fishing Log Book data as referred to in paragraph (1) are stipulated in a Decree of the Director General.

Article 74

- (1) Guidance on the implementation of the Fishing Log Book is carried out by the Director General, governors and regents/mayors in accordance with their authority.
- (2) Guidance as referred to in paragraph (1), is carried out to heads of Fishing Ports, heads of provincial services, heads of district/city services, Harbor Masters at Fishing Ports, fisheries instructors, owners of Fishing Vessels, captains of Fishing Vessels, captains of Fish-Carriers, and Small-scale Fisherman.
- (3) Guidance as referred to in paragraph (1) is carried out through:
 - a. socialization;
 - b. training;
 - c. technical guidance; and/or
 - d. counseling.

Part Seven

Reporting, Monitoring and Evaluation of Fishing Quota Utilization

Article 75

- (1) Any Individual who utilizes quotas for industry must submit a report on the realization of quotas for industry utilization to the Director General.
- (2) Any Individual, Central Government and Regional Government that utilizes the quota for non-commercial activities carried out above 12 (twelve) nautical miles must submit a report on the realization of the utilization of the quota for non-commercial activities to

- the Director General.
- (3) The report on the realization of quotas for industry utilization as referred to in paragraph (1) is included in the business activity report.
 - (4) The report on the realization of quotas for industry utilization as referred to in paragraph (1) must contain at least:
 - a. the total number of quotas for industry received within a 1 (one) year fishing season period;
 - b. the total number of quotas for industry realizations utilized in the 1 (one) year fishing season period;
 - c. information on transfer of quotas for industry, which at least includes:
 1. name of Fishing Vessel and Fishing Gear;
 2. Quota-based Fishing Zone;
 3. the number of transferred of quotas for industry or received; and
 4. name of the owner of another SIUP, in case that the transfer of quotas for industry is carried out between SIUPs;
 - d. distribution of fish catch; and
 - e. the amount of fisheries levies paid.
 - (5) The report on the realization of quota utilization for non-commercial activities as referred to in paragraph (2) must contain at least:
 - a. the number of quotas for non-commercial activities received within a 1 (one) year fishing season;
 - b. realization of quotas for non-commercial activities utilized within the 1 (one) year fishing season period; and
 - c. the amount of PNBP paid.
 - (6) Reports on the realization of the utilization of quotas for industry as referred to in paragraph (1) and quotas for non-commercial activities as referred to in paragraph (2) shall be made no later than January 31 of the following year.
 - (7) The form and format of the report on the realization of the use of quotas for industry as referred to in paragraph (4) and quotas for non-commercial activities as referred to in paragraph (5) are listed in Appendix III which is an inseparable part of this Ministerial Regulation.

Article 76

- (1) The Director General monitors the utilization of quotas for industry and quotas for non-commercial activities carried out above 12 (twelve) nautical miles.
- (2) Monitoring as referred to in paragraph (1) is carried out at least every 3 (three) months.
- (3) The Director General submits the monitoring results as referred to in paragraph (1) to the Minister.

- (4) The results of monitoring as referred to in paragraph (3) can be used as a consideration in granting quotas for industry and quotas for non-commercial activities carried out above 12 (twelve) nautical miles in the following year.

Article 77

- (1) The Director General evaluates the utilization of quotas for industry and quotas for non-commercial activities carried out above 12 (twelve) nautical miles.
- (2) The evaluation as referred to in paragraph (1) is carried out at least once a year.
- (3) The Director General submits the results of the evaluation as referred to in paragraph (1) to the Minister.
- (4) The results of the evaluation as referred to in paragraph (3) are used as consideration in granting quotas for industry and quotas for non-commercial activities carried out above 12 (twelve) nautical miles in the following year.

Article 78

- (1) Any Individual who utilizes the Local Fisherman quota must submit a report on the realization of the Local Fisherman quota utilization to the governor.
- (2) Any Individual, Central Government and Regional Government that utilizes the quota for non-commercial activities up to 12 (twelve) nautical miles must submit a report on the realization of the utilization of the quota for non-commercial activities to the governor.
- (3) The report on the realization of the utilization of the Local Fisherman quota as referred to in paragraph (1) is included in the business activity report.
- (4) The report on the realization of the utilization of the Local Fisherman quota as referred to in paragraph (1) must contain at least:
 - a. Total quota of local fishermen received in the period 1 (one) year of fishing season;
 - b. The total number of local fishermen quota realizations used in a period of 1 (one) year of fishing season;
 - c. Information on the transfer of local fishermen quota, which contains the least:
 1. Name of Fishing Vessels and Fishing Gear;
 2. Quota-Based Fishing Zone;
 3. Number of quota for Local Fishermen that are transferred or received; and
 4. The name of the other SIUP owner, in case of the transfer of the quota of Local Fishermen is carried out between SIUP.
 - d. Fish catch distribution; and

- e. the number of fisheries levies paid.
- (5) The report on the realization of quota utilization for non-commercial activities as referred to in paragraph (2) must contain at least:
 - a. the number of quotas for non-commercial activities received within a 1 (one) year Fishing season;
 - b. realization of quotas for non-commercial activities utilized within the 1 (one) year Fishing season period; and
 - c. the amount of PNBPN paid.
- (6) Reports on the realization of the utilization of the Local Fisherman quota as referred to in paragraph (1) and the quota for non-commercial activities as referred to in paragraph (2) shall be made no later than January 31 of the following year.
- (7) The form and format of the report on the realization of the utilization of the Local Fisherman quota as referred to in paragraph (4) and the quota for non-commercial activities as referred to in paragraph (5) are listed in Appendix III which is an inseparable part of this Ministerial Regulation.

Article 79

- (1) The Governor monitors the utilization of Local Fisherman quotas and quotas for non-commercial activities carried out up to 12 (twelve) nautical miles.
- (2) Monitoring as referred to in paragraph (1) is carried out at least every 3 (three) months.
- (3) The Governor submits the monitoring results as referred to in paragraph (1) to the Minister with a copy to the Director General.
- (4) The results of monitoring as referred to in paragraph (3) can be used as a consideration in granting Local Fisherman quotas and quotas for non-commercial activities carried out up to 12 (twelve) nautical miles in the following year.

Article 80

- (1) The Governor evaluates the utilization of Local Fisherman quotas and quotas for non-commercial activities carried out up to 12 (twelve) nautical miles.
- (2) The evaluation as referred to in paragraph (1) is carried out at least once a year.
- (3) The Governor submits the results of the evaluation as referred to in paragraph (1) to the Minister with a copy to the Director General.
- (4) The results of the evaluation as referred to in paragraph (3) are used as consideration in granting Local Fisherman quotas and quotas for non-commercial activities carried out up to 12 (twelve)

nautical miles in the following year.

CHAPTER V RESTRICTED FISHING ZONE

Article 81

- (1) Restricted Fishing Zone are determined by the Minister based on certain fisheries conditions.
- (2) Certain fisheries conditions as referred to in paragraph (1) consist of:
 - a. fish resources, in the form of:
 1. a place for spawning and/or raising fish; or
 2. decline in fish resource stocks;
 - b. fish resource environment, in the form of environmental pollution or damage, whether caused by natural or human factors;
 - c. fisheries socio-economics, in the form of fishermen's welfare level, tradition, local cultural conditions, local wisdom, and/or fishermen conflicts; and/or
 - d. fisheries governance, in the form of:
 1. fisheries management plan;
 2. fisheries utilization strategy; and/or
 3. compliance with regulations in the fisheries sector.
- (3) Restrictions in Restricted Fishing Zone in the form of:
 - a. specific region/coordinates;
 - b. certain Fishing Vessels and/or Fish-Carriers;
 - c. certain business scale;
 - d. certain fishermen and/or community;
 - e. certain time;
 - f. certain Fishing Gear; and/or
 - g. certain sizes and/or species of fish.

Article 82

Restricted Fishing Zone can only be used by:

- a. Small-scale Fisherman; and/or
- b. Any Individual, Central Government or Regional Government carrying out activities for non-commercial activities.

CHAPTER VI TRANSSHIPMENT

Article 83

- (1) Any Individual who carries out fishing activities in the Quota-based Fishing Zone can carry out transshipment.

- (2) Any Individual carrying out transshipment as referred to in paragraph (1) is obliged to fulfill the provisions:
 - a. Fishing Vessels use tuna longline and tuna hand line; and
 - b. Fishing Vessels and Fish-Carriers in one business unit.

Article 84

- (1) Fishing Vessels that carrying out transshipment to WPPNRI in sea waters other than in the RFMO competency/ convention area are required to comply with the following provisions:
 - a. Fishing Vessel owners are willing to accept Monitors on board; and
 - b. The captain prepares a transshipment report.
- (2) Fish-Carriers that receive transshipment at WPPNRI other than in the RFMO competency/convention area are required to comply with the following provisions:
 - a. the captain notifies the transshipment plan when applying for sailing approval;
 - b. the owner of a Fish-Carrier is willing to accept Monitors on board; and
 - c. The captain make and delivers minutes of on transshipment.
- (3) Minutes of transshipment as referred to in paragraph (1) point b and paragraph (2) point c are made by the captain of the Fishing Vessel and the captain of the Fish-Carrier through the application provided by the Ministry.

Article 85

- (1) Fishing Vessels and Fish-Carriers that carrying out transshipment in RFMO competency/convention areas are required to comply with the following provisions:
 - a. the transshipment is monitored by a Monitor on board from the RFMO or a Monitor on board that meets RFMO standards, which is placed on board a Fish-Carrier; and
 - b. listed in the list of vessels in the same RFMO.
- (2) Apart from fulfilling the provisions as referred to in paragraph (1), Fishing Vessels are required to fulfill the following provisions:
 - a. the captain or owner of the Fishing Vessel/person in charge of the company shall notify the transshipment plan in writing to the Director General and the fisheries authority at Base Port no later than 48 (forty eight) hours before the transshipment is carried out;
 - b. the captain of a Fishing Vessel must fill out a minutes of transshipment signed by the captain of the Fishing Vessel, the captain of the Fish-Carrier, and the Monitor on board; and

- c. the captain or owner of the Fishing Vessel/person in charge of the company submits the minutes of the transshipment electronically to the fisheries authority at Base Port no later than 5 (five) days after the transshipment is carried out.
- (3) Apart from fulfilling the provisions as referred to in paragraph (1), Fish-Carriers are required to fulfill the following provisions:
- a. the captain or owner of the Fish-Carrier/person in charge of the company shall notify the transshipment plan in writing to the Director General and the fisheries authority at Base Port no later than 72 (seventy two) hours before the transshipment is carried out; and
 - b. The captain of a Fish-Carrier must submit a report electronically to the Director General, the fisheries authority at Base Port, and the RFMO secretariat no later than 24 (twenty four) hours after the transshipment is carried out.

Article 86

- (1) Violation of the obligations as referred to in Article 83 paragraph (2), Article 84 paragraph (1) and paragraph (2), and Article 85 constitutes a violation of the obligation to fulfill Business Licensing.
- (2) Violations as referred to in paragraph (1) are subject to administrative sanctions in accordance with the provisions of statutory regulations.

CHAPTER VII

TERMS AND PROCEDURES FOR DETERMINING A BASE PORT

Article 87

- (1) The Minister determines the Base Port for each Quota-based Fishing Zone.
- (2) Base Port as referred to in paragraph (1) consists of:
 - a. Fishing Ports that built and/or operated by the Central Government or Regional Government;
 - b. Fishing Ports that are not built and/or operated by the Central Government or Regional Government; and
 - c. public port.

Article 88

- (1) To be designated as a Fishing Port as a Base Port as referred to in Article 87 paragraph (2) point a and b must meet the following requirements:
 - a. listed in the national Fishing Port master plan;

- b. has been designated as a Fishing Port, for Fishing Ports that are not built and/or not operated by the Central Government or Regional Government; And
 - c. has facilities that at least include:
 - 1. basic facilities consist of land, docks, harbor pools and roads;
 - 2. functional facilities consisting of a port administration office, fish marketing area, clean water and electricity; and
 - 3. supporting facilities, namely showers and toilets.
- (2) A Fishing Port that built and/or operated by the Regional Government to be designated as a Base Port must be submitted by the provincial Regional Government to the Minister.
- (3) A Fishing Port that is not built and/or operated by the Central Government or Regional Government to be designated as a Base Port must submit an application by the owner of the Fishing Port to the Minister.
- (4) Submission of applications as referred to in paragraph (2) and paragraph (3) is made in writing by attaching:
 - a. statement of readiness to operate Base Port;
 - b. data on owned facilities along with photos;
 - c. data on owned human resource; and
 - d. data on operational budget availability.
- (5) In order for a public port to be designated as a Base Port as referred to in Article 87 paragraph (2) point c, it must obtain prior approval from the ministry that carries out government affairs in the shipping sector.

Article 89

- (1) To determine the Base Port in a Quota-based Fishing Zone, the Director General carries out an assessment of the fulfillment of the requirements as a Base Port.
- (2) If necessary, the Director General, in carrying out an assessment of the fulfillment of the requirements as referred to in paragraph (1), coordinates with:
 - a. the directorate general which has technical duties in the field of strengthening the competitiveness of marine and fisheries products;
 - b. Provincial services that have technical duties in the marine and fisheries sector;
 - c. owners of Fishing Ports that are not built and/or operated by the Central Government or Regional Government; and/or
 - d. the ministry that handles government affairs in the shipping sector.

- (3) The Director General, based on the results of the assessment as referred to in paragraph (1), shall compile a list of Base Ports according to the Quota-based Fishing Zone.
- (4) Based on the list of Base Ports in accordance with the Quota-based Fishing Zone as referred to in paragraph (3), the Director General submits proposals for Base Ports in accordance with the Quota-based Fishing Zone to the Minister.
- (5) The Minister based on the proposal as referred to in paragraph (4) determines the Base Port according to the Quota-based Fishing Zone with a Ministerial Decree.

Article 90

- (1) In the context of economic growth and equality, as well as community empowerment in each Quota-based Fishing Zone:
 - a. The Ministry and the provincial Regional Government facilitate the ease of doing business and the development of Fishing Ports built and/or operated by the Central Government or Regional Government;
 - b. Owners of Fishing Ports that are not built and/or operated by the Central Government or Regional Government that have been designated as Base Ports must:
 1. build and/or develop downstream industries:
 - a. fish processing business;
 - b. fishery product marketing business; and/or
 - c. other supporting businesses, in the Fishing Port area; and
 2. involve local communities in the construction, development and operation of Fishing Ports.
 - c. Any Individual who has been given a Fishing Quota can build and/or develop downstream industries as referred to in point b number 1 at Base Port.
- (2) The Ministry and the provincial Regional Government can collaborate in the management and development of Fishing Ports built and/or operated by the Central Government or Regional Government in accordance with the provisions of statutory regulations.

CHAPTER VIII FISH LANDING

Article 91

- (1) Fishing vessels that carry out fishing in the Quota-based Fishing Zone are required to land the fish they catch at the Base Port specified in the Quota-based Fishing Zone.

- (2) Fish-Carriers that transporting fish from Fishing Ground in Quota-based Fishing Zones are obliged to land the fish catch at the same Base Port with the Base Port of Fishing Vessels.
- (3) Fishing Vessels as referred to in paragraph (1) are given a maximum of 5 (five) Base Ports in the Quota-based Fishing Zone.
- (4) Fish-Carriers that transporting fish from Fishing Ground as referred to in paragraph (2) are given a maximum of 5 (five) Base Ports in the Quota-based Fishing Zone in accordance with the Fishing Ground of the Fishing Vessel.

Article 92

- (1) In case that it is not possible to land the fish catch at the designated Base Port due to an emergency situation which results in a decrease in the quality of the fish catch, Fishing Vessels or Fish-Carriers can land at other Base Ports that have been determined by the Minister.
- (2) The captain or owner of the Fishing Vessel/person in charge of the company shall notify the planned arrival of the Fishing Vessel or Fish-Carrier as referred to in paragraph (1) to the Harbor Master at the destination Base Port.
- (3) After the Fishing Vessel or Fish-Carrier docks/arrives at Base Port, the captain or owner of the Fishing Vessel/person in charge of the company must submit a written application to the fisheries authority at the destination Base Port.
- (4) The application as referred to in paragraph (3) must meet the requirements:
 - a. have prior sailing approval;
 - b. have a statement by the captain of the Fishing Vessel or Fish-Carrier stating that if the fish are not landed it will result in a decrease in the quality of the fish catch;
 - c. have information from the vessel repair shop/service provider stating the condition of the damage to the vessels, for Fishing Vessels or Fish-Carriers that will land fish catch outside the designated Base Port due to vessel damage; and
 - d. have a captain's statement proven by bad weather news from the agency that handles affairs in the fields of meteorology, climatology and geophysics, which is known to the fisheries authority at Base Port, for emergencies related to bad weather.

- (5) Based on the application as referred to in paragraph (4), the fisheries authority at Base Port carries out an inspection of the correctness of the application, the results of which are either appropriate or inappropriate.
- (6) In case that the results of the inspection of the correctness of the application as referred to in paragraph (5) are appropriate, the fisheries authority at Base Port within a maximum period of 1 (one) calendar day shall issue an approval for the landing of the fish catch with a copy to the fisheries authority at Base Port in accordance with those listed in the Business License for the Fishing subsector or Business License for the fish transporting subsector.
- (7) In case that the results of the inspection of the correctness of the application as referred to in paragraph (5) are inappropriate, the fisheries authority at Base Port within a maximum period of 1 (one) calendar day issues a rejection of the landing of the fish catch accompanied by reasons for the rejection.
- (8) Fishing Vessels or Fish-Carriers that obtain approval for landing of fish catch as referred to in paragraph (6), can then unload the fish catch and are obliged to pay PNBP in accordance with the provisions of statutory regulations.
- (9) In case that there is a difference in the PNBP value between the designated Base Port and the Base Port where the fish catch is landed, the PNBP payment as referred to in paragraph (8), refers to the highest PNBP value.
- (10) The form and format of letter of approval for landing of fish catch as referred to in paragraph (6) is listed in Appendix IV which is an inseparable part of this Ministerial Regulation.

Article 93

The fisheries authority at Base Port as referred to in Article 85 and Article 92 consists of:

- a. Head of Fishing Port, for Fishing Port built by the Central Government or Regional Government;
- b. Harbor Master at Fishing Ports, for Fishing Ports that are not built by the Central Government or Regional Government; and
- c. officials appointed by the Director General, for public ports.

Article 94

- (1) In case that there is no Base Port in the Quota-based Fishing Zone, Fishing Vessels and Fish-Carriers can land the fish catch at Base Port in other nearby Quota-based Fishing Zones.
- (2) Fishing Vessels and Fish-Carriers may land fish catch at Base Port in other nearby Quota-based Fishing Zones, in case that:
 - a. The Base Port available in the Quota-based Fishing Zone as a Fishing Ground is not able to accommodate the number of Fishing Vessels and Fish-Carriers; and/or
 - b. Piers and/or harbor pools at Base Ports in Quota-based Fishing Zones as Fishing Grounds cannot be used for mooring and/or anchoring Fishing Vessels and Fish-Carriers of a certain size.
- (3) Fishing Vessels and Fish-Carriers as referred to in paragraph (1) are granted Business Permits for the Fishing Subsector and Business Permits for the Fish transporting subsector with the Base Port in other nearby Quota-based Fishing Zones.

Article 95

- (1) The obligation to land fish at Base Port as referred to in Article 91 paragraph (1) for Small-scale Fishermen can be carried out at fishing centers.
- (2) Cooperatives that have a fisheries business sector report the fish catch landed by the Small-scale Fishermen who are their members each time they are landed via the application provided by the Ministry.
- (3) Small-scale Fishermen who are not members of a cooperative that has a fisheries business sector report the fish they catch every time they are landed via the application provided by the Ministry.
- (4) The Ministry and Regional Government collect data on fish catch landed by Small-scale Fishermen as referred to in paragraph (2) and paragraph (3) at Base Port or Fisherman's Center.

CHAPTER IX
EVALUATION

Part One
Evaluation of Fishing Quotas

Article 96

- (1) The Ministry evaluates the Fishing Quota as referred to in Article 2 paragraph (2) no later than 12 (twelve) months after the Fishing Quota is determined.
- (2) Evaluation of the Fishing Quota as referred to in paragraph (1) shall at least be carried out on:
 - a. calculation;
 - b. granting; and
 - c. utilization,
of Fishing Quota.
- (3) Evaluation of the Fishing Quota as referred to in paragraph (1) may involve:
 - a. relevant ministries/institutions;
 - b. Regional government;
 - c. college;
 - d. expert; and/or
 - e. stakeholders.
- (4) The results of the evaluation as referred to in paragraph (1) are used as consideration for determining the next Fishing Quota.

Article 97

- (1) The next Fishing Quota as referred to in Article 96 paragraph (4) may be reduced or increased from the previous fishing season's 1 (one) year period.
- (2) In case that the Fishing Quota is reduced as referred to in paragraph (1), the granting of the Fishing Quota for the period of 1 (one) year of the next Fishing season shall be reduced.
- (3) In case that the Fishing Quota increases as referred to in paragraph (1), additional Fishing Quota can be granted for the next 1 (one) year Fishing season.

Part Two

Evaluation of Base Port

Article 98

- (1) The Ministry evaluates the Base Port in the Quota-based Fishing Zone at least 1 (one) time in 1 (one) year.
- (2) Evaluation of Base Port in the Quota-based Fishing Zone as referred to in paragraph (1) towards:
 - a. technical and operational aspects of the Fishing Port which is used as a Base Port; And
 - b. operational activities related to fisheries at the public port which is used as Base Port.
- (3) Evaluation of Base Port as referred to in paragraph (1) may involve:

- a. relevant ministries/institutions;
 - b. Provincial Regional Government;
 - c. Regency/City Regional Government; and/or
 - d. owners of Fishing Ports that are not built and/or operated by the Central Government or Regional Government.
- (4) The results of the evaluation as referred to in paragraph (1) are used as a basis for making changes to the determination of the Base Port in the Quota-based Fishing Zone.

CHAPTER X OTHER PROVISIONS

Article 99

- (1) The provincial regional government carries out monitoring and evaluation of Fishing Vessels that:
- a. Business License for the Fishing subsector;
 - b. Business License for the fish transporting subsector; and
 - c. approval, issued in accordance with its authority.
- (2) Monitoring and evaluation as referred to in paragraph (1) to ensure that Fishing Vessels operate in accordance with the provisions of statutory regulations.

Article 100

- (1) The Minister evaluates the SIUP.
- (2) The Minister delegates the evaluation as referred to in paragraph (1) to the Director General.
- (3) In case that the SIUP as referred to in paragraph (1) is issued by the governor, the Director General shall conduct a joint evaluation with the governor.
- (4) In case that the results of the evaluation of the SIUP as referred to in paragraph (1) require a reduction or revocation of the Business Allocation in the SIUP, the Director General or governor in accordance with their authority shall make changes or revocation of the SIUP without an application.
- (5) SIUP changes as referred to in paragraph (4) are not subject to fisheries levies and PNBP that has been paid cannot be withdrawn.

Article 101

Any Individual who catches fish and/or transports fish using a Fishing Vessel and/or Fish-Carrier with a Business License issued by the Minister or governor is subject to PNBP in accordance with the provisions of statutory regulations.

CHAPTER XI TRANSITIONAL PROVISIONS

Article 102

When this Ministerial Regulation comes into force:

- a. The SIUP which was in effect before this Ministerial Regulation, remains valid until the SIUP is issued based on the provisions of this Ministerial Regulation;
- b. Any Individual who already has a Business License for the fishing subsector and a Business License for the fish transportation subsector remains valid until the issuance of a Business License for the Fishing subsector and Business License for the fish transportation subsector based on the provisions of this Ministerial Regulation;
- c. Small-scale Fishermen can still carry out fishing activities in accordance with the applicable of the laws and regulations prior to the enactment of this Ministerial Regulation until the provision of quotas for industry and/or quotas for Local Fisherman based on the provisions of this Ministerial Regulation;
- d. fish catch landed after the first issuance of the Fishing Quota certificate is counted as part of the utilization of the Fishing Quota; and
- e. Fishing Vessels that have fishing vessel registration certificates, Business License for the Fishing subsector, or Business License for the fish transportation subsector issued by the provincial regional government but do not yet have PPKP and/or BKP, the governor issues PPKP and/or BKP without going through an application referring to available data and is not subject to administrative fines.

Article 103

- (1) Any Individual who already has a SIUP issued by the Minister or governor prior to this Ministerial Regulation must submit an application for changes to the SIUP containing the Quota-based Fishing Zone and Base Port in accordance with this Ministerial Regulation to the Minister or governor in accordance with their authority no later than 31 December 2023.
- (2) Application for changes to SIUP as referred to in paragraph (1) can only be made for:
 - a. changes in Fishing Grounds;
 - b. changes to the Base Port;
 - c. change of Loading Port; and/or
 - d. reduction of business.
- (3) Changes in Fishing Grounds as referred to in paragraph (2) point a are changes from WPPNRI to Quota-based Fishing Zones.
- (4) Changes to the SIUP as referred to in paragraph (2) are not subject to fisheries levies.
- (5) The validity period of the amended SIUP as referred to in paragraph (1) does not change the validity period of the SIUP before the changes.

- (6) In case that Any Individual does not submit an application for changes to the SIUP as referred to in paragraph (1), the SIUP is revoked and declared invalid.

Article 104

- (1) The Minister and the governor, in accordance with their authority, shall update the Fishing Grounds in the BKP without application if the changes to the SIUP as referred to in Article 103 have been issued.
- (2) The Minister delegates the authority as referred to in paragraph (1) to the Director General.

Article 105

- (1) Any Individual who already has a Business License for the Fishing subsector issued by the Minister or governor prior to the enactment of this Ministerial Regulation, must submit an application for a change to the Business License for the Fishing subsector which contains a Quota-based Fishing Zone and Base Port in accordance with this Ministerial Regulation to the Minister or the governor in accordance with his/her authority no later than 31 December 2023.
- (2) Application for Business License for the Fishing subsector as referred to in paragraph (1), shall be completed with the requirements for a Fishing Vessel registration number and shall submit:
 - a. Quota-based Fishing Zone; and
 - b. Base Port, requested.
- (2) The validity period of the Business License for the Fishing subsector changes as referred to in paragraph (1) is until 31 December 2023.

Article 106

- (1) Any Individual who already has a Business License for the Fish Transportation subsector issued by the Minister or governor prior to the enactment of this Ministerial Regulation, must submit an application for a change to the Business License for the Fish Transportation subsector which contains a Quota-based Fishing Zone and Base Port in accordance with this Ministerial Regulation to the Minister or the governor in accordance with his/her authority no later than 31 December 2023.
- (2) Application for Business License for the Fish Transport subsector as referred to in paragraph (1), accompanied by the required Fishing Vessel registration number and submit:
 - a. Quota-based Fishing Zone; and
 - b. Base Port, requested.

- (3) The validity period of the Business License for the Fish Transport subsector as referred to in paragraph (1) is until 31 December 2023.

Article 107

New applications and/or changes to SIUP, BKP, Business License for the Fishing subsector, and Business License for the fish transportation subsector that have been submitted before the enactment of this Ministerial Regulation must be made adjustments in accordance with the provisions of this Ministerial Regulation.

Article 108

- (1) Any Individual who owns a Fishing Vessel that is carrying out Fishing activities can apply for changes to the Business License for the Fishing subsector.
- (2) Fishing Vessels that have made changes to their Fishing Business License as referred to in paragraph (1) carry out fishing in the Fishing Ground and land fish at the Base Port listed on the Fishing Business License before the change.
- (3) The provisions as referred to in paragraph (2) only apply for 1 (one) trip until the Fishing Vessel lands the fish catch at Base Port.

Article 109

- (1) Any Individual who owns a Fish-Carrier that is carrying out Fish Transport activities can apply for changes to the Business License for the Fish Transporting subsector.
- (2) Fish-Carriers that have made changes to their Business License for the Fish Transporting subsector as referred to in paragraph (1) carry out Fish Transport in Fishing Grounds and land fish at the Base Port listed on the Business License for the Fish Transporting before the change.
- (3) The provisions as referred to in paragraph (2) only apply for 1 (one) trip until the Fish-Carriers lands the fish catch at Base Port.

Article 110

- (1) Fishing Vessels that already have Business License in the fishing subsector before this Ministerial Regulation comes into effect, can be given 4 (four) base ports in WPPNRI which are their Fishing Grounds and 1 (one) base port in accordance with their business domicile or domicile of residence.

- (2) Fish-Carriers that carry out fish transportation from Fishing Grounds and already have Business License for the Fish Transporting subsector before this Ministerial Regulation comes into effect, can be given 4 (four) base ports in WPPNRI which are their Fishing Grounds and 1 (one) base port according to business domicile or residence domicile.
- (3) The provisions as referred to in paragraph (1) and paragraph (2) are valid until 31 December 2024.

Article 111

The obligation to comply with the provisions as referred to in Article 83 paragraph (2) comes into effect from 1 January 2025 for Fishing Vessels that already have Business License in the fishing subsector and Fish-Carriers that already have Business License for the Fish Transporting subsector before this Ministerial Regulation comes into force.

Article 112

The Fishing Quota Certificate will be valid from 1 January 2024.

Article 113

In case that the law and regulations governing PNBP for the granting of Fishing Quotas and PNBP for the transfer of Fishing Quotas are not yet in force, the granting of Fishing Quotas and the transfer of Fishing Quotas are not subject to PNBP.

Article 114

- (1) In case that Small-scale Fishermen do not yet have the requirements as referred to in Article 30 paragraph (3), they can use:
 - a. Fishing Vessel registration certificate for Small-scale Fishermen;
 - b. cards of business actors and supporting actors in the marine and fisheries sector; or
 - c. certification letter from the Head of Village or Urban Village stating that the person concerned is a Small-scale Fisherman and accompanied by the required population identification number.
- (2) The provisions as referred to in paragraph (1) are valid until 31 December 2025.
- (3) The form and format of the Certification Letter from the Head of Village or Urban Village as referred to in paragraph (1) point c is listed in Appendix V which is an inseparable part of this Ministerial Regulation.

CHAPTER XII
CLOSING

Article 115

When this Ministerial Regulation comes into force:

- a. provisions in Chapter II of the Minister of Marine Affairs and Fisheries Regulation Number 33 of 2021 concerning Fishing Log Book, Monitoring on Fishing Vessels and Fish-Carriers, Inspection, Testing and Marking of Fishing Vessels, as well as Management of Fishing Vessel Manning (State Gazette of the Republic of Indonesia 2021 Number 963); and
- b. The provisions on transshipment in the Minister of Maritime Affairs and Fisheries Regulation Number 10 of 2021 concerning Standards for Business Activities and Products in the Implementation of Risk-Based Business License in the Marine and Fisheries Sector (State Gazette of the Republic of Indonesia of 2021 Number 317), are revoked and declared invalid.

Article 116

This Ministerial Regulation comes into force on the date of promulgation.

So that everyone is aware, this Ministerial Regulation is ordered to be promulgated by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
On 1 September 2023

MINISTER OF MARINE AFFAIRS AND FISHERIES
REPUBLIC OF INDONESIA,
Signed.
SAKTI WAHYU TRENGGONO

Promulgated in Jakarta
on 1 September 2023

DIRECTOR GENERAL OF LEGISLATION
MINISTER OF LAW AND HUMAN RIGHTS OF
THE REPUBLIC OF INDONESIA,
Signed.
ASEP N. MULYANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2023 NUMBER 698

Original copy
Director of Bureau of Law,



Electronic signature
Effin Martiana

APPENDIX I
REGULATION OF THE MINISTER OF MARINE AFFAIRS AND FISHERIES
OF THE REPUBLIC OF INDONESIA
NUMBER 28 OF 2023
CONCERNING
REGULATIONS FOR IMPLEMENTING GOVERNMENT REGULATION
NUMBER 11 OF 2023 CONCERNING QUOTA-BASED FISHING

FORM AND FORMAT OF FISHING QUOTA CERTIFICATE



CERTIFICATE OF
FISHING QUOTA

Number : xxxxxxxxxx

Based on the Minister of Marine Affairs and Fisheries Regulation No... Year... concerning Regulations for Implementing Government Regulation Number 11 of 2023 concerning Quota-based Fishing, hereby provides quotas for industry/Local Fisherman/Non-commercial activities to:

Name : ...
SIUP Number : ...
SIUP Date : ...
SIUP Validity Period : ...
Address : ...
Person Responsible : ...
NIB : ...
NPWP : ...
Scope of Activities : Fishing Business / Fishing Business and Fish Transport Business
Number of Fishing Vessels: ...
Total Quota : ...
Validity Period : ... (date, month, year – date, month, year)
(Detail as attached)

Issue in Jakarta
On ...
Director General of Capture Fisheries,



(.....)

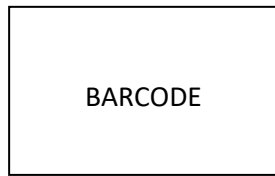


Attachment of Fishing Quota Certificate

Number : ...
Date : ...

No.	Name of Vessels	Fishing Gear	Size of Vessels (GT)	Zone of Quota-based Fishing	Base Port	Total Quota (Kg)
1
2
TOTAL				

Issue in Jakarta
On ...
Director General of Capture Fisheries,



(.....)

MINISTER OF MARINE AFFAIRS AND FISHERIES
REPUBLIC OF INDONESIA,

Signed.

SAKTI WAHYU TRENGGONO

Original copy
Director of Bureau of Law,



Electronic signature

Effin Martiana

APPENDIX II
 REGULATION OF THE MINISTER OF MARINE AFFAIRS AND FISHERIES
 OF THE REPUBLIC OF INDONESIA
 NUMBER 28 OF 2023
 CONCERNING
 REGULATIONS FOR IMPLEMENTING GOVERNMENT REGULATION
 NUMBER 11 OF 2023 CONCERNING QUOTA-BASED FISHING

FORM AND FORMAT OF SIMPLIFIED FISHING LOG BOOK

Departure location	:	Rumpon/FAD (Yes/No)	:
Name of vessels	:	Lamp (Yes/No)	:
Name of owner	:	Number of nets (pcs)	:
Fishing gear	:	Number of bubu/trap (unit)	:

Size (GT)	:	Number of hooks	:
Engine power	:	Number of anglers (people)	:
Departure date	:	Type of bait	:
Arrival date	:	Time of soak (hours)	:
Fishing Zone	:		

Operation Date	Setting number	Operation time	Fish Catch (kg/tail)					
			Species 1 ...	Species 2 ...	Species 3 ...	Species 4 ...	Others ...	Total

MINISTER OF MARINE AFFAIRS AND
 FISHERIES
 REPUBLIC OF INDONESIA,

Signed.

SAKTI WAHYU TRENGGONO

Original copy
 Director of Bureau of Law,



Electronic signature

Effin Martiana

APPENDIX III
 REGULATION OF THE MINISTER OF MARINE AFFAIRS AND FISHERIES
 OF THE REPUBLIC OF INDONESIA
 NUMBER 28 OF 2023
 CONCERNING
 REGULATIONS FOR IMPLEMENTING GOVERNMENT REGULATION
 NUMBER 11 OF 2023 CONCERNING QUOTA-BASED FISHING

FORM AND FORMAT OF THE REPORT ON REALIZATION OF THE UTILIZATION OF
 QUOTA FOR INDUSTRY, LOCAL FISHERMAN AND NON-COMMERCIAL ACTIVITIES

A. FORM AND FORMAT OF REPORT ON REALIZATION OF THE UTILIZATION OF
 QUOTAS FOR INDUSTRY

Name	SIUP Number	Number of Fishing Quota Certificate	Number of quota for industry (Kg)	Quota- based fishing zone	Realization				Note
					Name of vessels	Business License Number	Number of production (Kg)	Amount of PNBP paid	

B. FORM AND FORMAT OF REPORT ON REALIZATION OF THE UTILIZATION OF
 QUOTAS FOR LOCAL FISHERMAN

Name	SIUP Number	Number of Fishing Quota Certificate	Number of quota for local fisherman (Kg)	Quota- based fishing zone	Realization				Note
					Name of vessels	Business License Number	Number of production (Kg)	Amount of PNBP paid	

C. FORM AND FORMAT OF REPORT ON REALIZATION OF THE UTILIZATION OF
 QUOTAS FOR NON-COMMERCIAL ACTIVITIES

Name	SIUP Number	Number of Fishing Quota Certificate	Number of quota for non- commercial activities (Kg)	Quota- based fishing zone	Realization				Note
					Name of vessels	Business License Number	Number of production (Kg)	Amount of PNBP paid	

MINISTER OF MARINE AFFAIRS AND FISHERIES
 REPUBLIC OF INDONESIA,

Signed.

SAKTI WAHYU TRENGGONO

Original copy
 Director of Bureau of Law,



Electronic signature

Effin Martiana

APPENDIX IV
REGULATION OF THE MINISTER OF MARINE AFFAIRS AND FISHERIES
OF THE REPUBLIC OF INDONESIA
NUMBER 28 OF 2023
CONCERNING
REGULATIONS FOR IMPLEMENTING GOVERNMENT REGULATION
NUMBER 11 OF 2023 CONCERNING QUOTA-BASED FISHING

FORM AND FORMAT OF LETTER OF APPROVAL FOR LANDING OF FISH CATCH

LETTERHEAD OF BASE PORT

LETTER OF APPROVAL FOR LANDING OF FISH CATCH
Number ...

Referring to the provisions of the Regulation of the Minister of Marine Affairs and Fisheries of the Republic of Indonesia Number... Year... concerning Regulations for Implementing Government Regulation Number 11 of 2023 concerning Quota-based Fishing, approval is hereby given to land fish catch at the base port... to:

1. Name of captain : ...
2. Name of vessel : ...
3. Size of vessel (GT) : ...
4. Vessel identification mark : ...
5. Fishing Gear : ...
6. Business License Number for Fishing/fish : ...
transport subsector
7. Base Port according to business permits : ...
8. Number and date of previous sailing approval : ... (number), ... (date, month, year)
9. Base Port of the previous sailing approval was : ...
issued
10. Reason for landing fish : ...

... (location), ... (date, month, year)
Fisheries Authority at Base Port...

(signature & stamp)

... (Name)

Copy:
Fisheries Authority at Base Port...
(Base Port of the previous sailing
approval was issued)

MINISTER OF MARINE AFFAIRS AND FISHERIES
REPUBLIC OF INDONESIA,

Signed.

SAKTI WAHYU TRENGGONO

Original copy
Director of Bureau of Law,



Electronic signature
Effin Martiana

APPENDIX V
REGULATION OF THE MINISTER OF MARINE AFFAIRS AND FISHERIES
OF THE REPUBLIC OF INDONESIA
NUMBER 28 OF 2023
CONCERNING
REGULATIONS FOR IMPLEMENTING GOVERNMENT REGULATION
NUMBER 11 OF 2023 CONCERNING QUOTA-BASED FISHING

FORM AND FORMAT OF CERTIFICATION LETTER FROM THE HEAD OF VILLAGE OR URBAN
VILLAGE

LETTERHEAD OF URBAN VILLAGE / VILLAGE

CERTIFICATE

NUMBER : ...

The undersigned is the Head of Urban Village/Village of...District...Regency...:

Name : ...
NIP/NIK : ...
Position/Category : ...

With this explains that:

Name : ...
NIK : ...
Place and date of birth : ...
Gender : ...
Job : ...
Address : ...
Name and Size of Vessel 1. ... (name of vessel), ... (size of vessel)
2. ... (name of vessel), ... (size of vessel)
3. etc

It is true that the person concerned is a resident of the Urban Village/Village... District...
Regency..., it is further explained that the person concerned works as a Small Fisherman, who carries
out fishing activities in sea waters... and is a member of a joint venture group (KUB)/Cooperative (if
he joins a KUB/Cooperative).

Thus, we have made this certificate in truth, so that it can be used properly.

... (place), ... (date/month/year)
HEAD OF URBAN VILLAGE/VILLAGE

(signed)

... (full name)

MINISTER OF MARINE AFFAIRS AND FISHERIES
REPUBLIC OF INDONESIA,

Signed.

SAKTI WAHYU TRENGGONO

Original copy
Director of Bureau of Law,



Electronic signature
Effin Martiana