

ELUCIDATION  
OF  
LAW OF THE REPUBLIC OF INDONESIA  
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ON  
FISHERIES

I. GENERAL

The Unitary State of the Republic of Indonesia as set forth in the 1945 Constitution of the Republic of Indonesia has sovereignty and jurisdiction over the Indonesian water territory and authority in the framework of stipulating of provisions on utilization of fish resources, either for fish catching or fish breeding and to improve prosperity and justice for optimal utilization for the sake of the nation and the state according to conservation of fish resources and the environment thereof and sustainable national fisheries development.

Furthermore, as a legal consequence of the ratification of United Nations' Convention on Law of the Sea of 1982 by virtue of Law Number 17 of 1985 on United Nations' Convention on the Law of the Sea of 1982 places Indonesia to have the right to utilize, to conserve, and to process fish resources in the Indonesian Exclusive Economic Zone and the open seas implemented according to the applicable international conditions or standards.

Fisheries plays an important and strategic role in national economic development, especially in improving of extension of work opportunities, even distribution of income, and improvement of living standards of the nation in general, small fishers, small fish breeders, and business performers in the field of fisheries in observance of environmental conservation, conservation and availability of fish resources.

Law Number 9 of 1985 on Fisheries could not anticipate fisheries development at present and in, the future, because in the field of fisheries, there has been very significant changes, either those relating to the availability of fish resources, conservation of fish resource environment, or development of fisheries management methods more effectively, efficiently, and up-to-date so that fisheries management needs to be implemented carefully based on the principles of benefit, justice, partnership, even distribution, integration, openness, efficiency, and sustainable conservation.

To guarantee optimal and sustainable cultivation of fish resources, the role of fisheries inspectors and the society in the monitoring of fisheries have to be improved efficiently and effectively.

Law enforcement in the field of fisheries becomes very important and strategic in the framework of supporting of fisheries development effectively and according to the fisheries management methods so that fisheries development may run sustainably. Therefore, legal certainty is one of the absolute requirements, which is necessary. This Law provides more clarity and legal certainty on law enforcement of criminal acts on fisheries consisting of investigation, prosecution, and examination in court sessions, therefore the authorities of investigators, general prosecutors, and judges in handling criminal acts on the fisheries have to be stipulated.

In performing investigation, prosecution, and examination in court sessions, other than acting in accordance with the procedural law as set forth in Law Number 8 of 1981 on Criminal Procedural Law, this Law also stipulates Criminal Procedural Law and any other procedural law (*lex specialis*). Law enforcement on criminal acts on fisheries occurring up to this time proves that it is facing various obstacles. Therefore, a specific law enforcement relating to the material and formal laws is required. To guarantee legal certainty, either on the stages of investigation, prosecution, or examination in court sessions, a time span will be determined so that in this Law, procedural law (formal law) will more rapidly be formulated.

To increase efficiency and effectiveness of law enforcement on criminal acts on the fisheries, this Law rules about the establishment of fisheries court within the environment of the general judicature, which, for the first time, is established at the District Court of North Jakarta, Medan Pontianak, Bitung, and Tual. Yet, however, considering that it requires some preparations, the established fisheries court will start to operate not later than 2 (two) years since the date of enforceability of this Law. The fisheries court is authorized

to examine, hear, and rule criminal acts on fisheries, which will be conducted by a panel of judges consisting of 1 (one) career judge of the district court and 2 (two) ad hoc judges.

Keeping in mind the fisheries development at present and in the future, this Law rules about matters relating to:

- a. Fisheries management implemented based on the principles of benefit, justice, partnership, even distribution, integration, openness, efficiency, and sustainable conservation;
- b. Fisheries management based on planning and integration of the control of which;
- c. Fisheries management in observance of division of authorities between the central government and the regional government;
- d. Fisheries management fulfilling the element of sustainable development supported by research and fisheries development and integrated control;
- e. Fisheries management by improvement of educations and trainings and elucidation in the field of fisheries;
- f. Fisheries management supported by fisheries facilities and infrastructures and system of information and statistics on fisheries;
- g. Strengthening of institutions of fishing port, fishing port authority, and fishery vessel;
- h. Fisheries management encouraged the giving of contribution to marine and fisheries developments;
- i. Fisheries management in observance of and by empowerment of small fishers or small fish breeders;
- j. Fisheries management in the Indonesian waters, Indonesian Exclusive Economic Zone, and open seas as stipulated in the laws in observance of the applicable international requirements or standards;
- k. Management and utilization of fish resources, either those in the Indonesian waters, Indonesian Exclusive Economic Zone, and the open seas shall be done with control through licensing development in observance of national and international interests according to the available fish resources;
- l. Fisheries surveillance;
- m. Grant of similar authority in the investigation of criminal acts on fisheries to fisheries civil servant investigators, Indonesian naval officers, and Indonesian police officers;
- n. Establishment of fisheries court; and

- o. Establishment of national fisheries development advisory council.

Based on the foregoing considerations, this Law is the renewal and perfection of regulations in fisheries affairs to replace Law Number 9 of 1985 on Fisheries.

## II. ARTICLE BY ARTICLE

### Article 1

Sufficiently clear.

### Article 2

Sufficiently clear.

### Article 3

Sufficiently clear.

### Article 4

Sufficiently clear.

### Article 5

#### Section (1)

Sufficiently clear.

#### Section (2)

The term “fisheries management outside fisheries management area of the Republic of Indonesia” means fisheries management in the high seas.

### Article 6

#### Section (1)

Sufficiently clear.

#### Section (2)

Customary (*adat*) law and/or local ability wisdom used as consideration in fisheries management are not contrary to the national law.

### Article 7

#### Section (1)

Point a

Sufficiently clear.

Point b

The term “potential and allocation of Fisher Resources” includes migrating fish.

Point c

The term “total allowable catch” means the quantity of fish resources, which are allowed to be caught within the fisheries management area of the Republic of Indonesia in observance of the conservation thereof so that accurate data and information on the availability of fish resources, which are accountable, are necessary, either scientifically or factually in each catching area. Additionally, the application of the permitted quantity of fish caught must observe international liabilities in the field of fisheries.

Point d

Sufficiently clear.

Point e

The term “potentiality and allocation of certain broodstock and juvenile” means the mothers and germs of certain kinds of fish caught from nature.

Point f

The term “size of fishing gears” also includes mesh size.

Point g

The term “fishing accessories” means facilities, equipment, or other materials used to assist in the framework of efficiency and effectiveness of fish catching, such as lights, artificial breeding place and artificial ridges of rocks.

Point h

The term “time or season of fishing” means the decided opening and closing of area or season of catching to give an opportunity for the recovery of fish resources and the environment thereof.

Point i

Sufficiently clear.

Point j

The term “fishery vessel monitoring system” means a form of

system of monitoring in fish catching using a fishery vessel monitoring unit. For example: Fishery Vessel Monitoring System (VMS).

Point k

In the effort to increase productivity of the waters, new kinds of fish can be spread, which will possibly bring a negative effect on the conservation of the local fish resources that it must be considered so that the new kinds/species of fish can adapt to the local fish resource environment and/or do not harm the originality of fish resources.

Point l

The term “aquaculture-based fishing” means the catching of fish resources grown as a result of re-spreading of fish.

Point m

According to technological development, aquaculture is no longer limited to ponds or coastal ponds, but is also done in rivers, lakes, and seas. Because those waters relate to public interest, designation of location and size of area and the methods used are necessary so that it will not disturb public interest. Other than that, provisions with the intention to protect aquaculture, for example, pollution to fish resource environment, have to be stipulated.

Point n

Sufficiently clear.

Point o

There are several methods, which may be used in implementing rehabilitation and improvement of fisheries resources and the environment thereof, among other things, by planting or rehabilitation of mangrove forests, installation of artificial coral reefs, making of protecting/breeding places for fish, increase of fertility of the waters by fertilizing or adding of types of food, making of fish migrating channel, or dredging of base waters.

Point p

Sufficiently clear.

Point q

The term “fish sanctuary” means a certain waters area, either

fresh, brackish, or marine water with certain conditions and characteristics, as places for protection/breeding of certain fisheries resources functioning as a protecting area.

Point r

The designation of epidemics and areas of fish epidemics is intended so that the public realize that there are epidemics in certain areas, and the Minister determines steps for the prevention of spread of the epidemics from one area to another.

Point s

Sufficiently clear.

Point t

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

The term "national committee" means a group, which reviews the potentiality of fisheries resources consisting of experts, universities, and the relevant government institutions having specialty in fish resources.

Section (4)

Sufficiently clear.

Section (5)

The term "fish species" means:

- a. *pisces* (fin fish);
- b. *crustacea* (shrimps, small crabs, crabs, and other similar animals);
- c. *mollusca* (*mussels*, oysters, squids, octopus, snails, and other similar animals);
- d. *coelenterata* (jelly fish and other similar animals);
- e. *echinodermata* (sea cucumbers, sea urchins, and other similar animals);
- f. *amphibia* (frogs and other similar animals);
- g. *reptilia* (crocodiles, turtles, monitor lizards, snakes, and other similar animals);
- h. *mammalia* (whales, dolphins, porpoises, dugongs, and other similar animals);

- i. *algae* (seaweeds and other plants living in water); and
  - j. other water biota relating to the foregoing species,
- all includes the parts thereof and protected fish.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Article 8

Section (1)

The use of chemical substances, biological substances, explosives, means and/or methods, and/or structures, which may harm and/or damage fish resources sustainability and the environment thereof not only kills fish directly, but also endangers human health and harms fishers and fish farmers. If damage occurs as a result of use of the foregoing substances and materials, recovery into the original condition requires a long time, even may cause extinction.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Article 9

The prohibition to use fishing gears and/or fishing accessories is necessary to prevent the use of tools, which may harm the conservation of fish resources and the environment thereof because the fisheries management area of the Republic of Indonesia is very vulnerable to use of fishing gears, which are not according to the characteristics of the nature and the availability of various species of fish resources in Indonesia, and to prevent the capture of species of fish, which are not



the target of fishing.

The prohibition as set forth in point a, point b and point c is contained in the licensing to capture fish and is an integral part of the vessels used to capture fish.

#### Article 10

##### Section (1)

###### Point a

Sufficiently clear.

###### Point b

The term “enclosed, or semi-enclosed seas” means bay, basin, or sea surrounded by two or more countries connected to another sea territory or ocean by a narrow channel or consisting entirely or mainly of territorial waters and exclusive economic zones of two or more coastal countries.

The term “pocket area/enclave” means a high sea surrounded by exclusive economic zones of several countries, for example, northern Papua where there is high seas bordered with Indonesian Exclusive Economic Zone, Papua New Guinean Exclusive Economic Zone, Palau Exclusive Economic Zone, and Exclusive Economic Zone of Federation State of Micronesia.

###### Point c

Sufficiently clear.

##### Section (2)

Membership of the Government in regional and international cooperation is implemented selectively.

In certain cases the Government is expected to actively sponsor the establishment of regional and international institutions for the progress of fisheries development in Indonesia.

#### Article 11

##### Section (1)

The term “critical events” means a serious decline as a result of over-fishing of certain species of fish, the condition where fish epidemics spread, or big changes as a result of environmental changes due to pollution affecting the availability of fish resources that must be handled and requires prompt action.

Section (2)

Sufficiently clear.

Article 12

Section (1)

The term “pollution to fish resources” means the mixing of fish resources, living creatures, substances, energy and/or other components as a result of human act so that the number of fish resources is declining, not functioning properly, and/or dangerous for those who exploit them.

The term “damage to fish resources” means decline in the potentiality of fish resources, which may endanger the conservation thereof in certain waters territories as a result of the act of a person and/or corporation causing disturbances to the biological balance or lifecycle of fish resources.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 13

Section (1)

Conservation areas relating to fisheries are, among other things, reefs, sea grasses, mangroves, swamps, lakes, rivers, and reservoirs which are deemed important to be conserved. In this case, the Government may designate conservation areas, among other things, as natural water sanctuary, national water park, tourist water park, and/or fish sanctuary.

Section (2)

Sufficiently dear.

Article 14

Section (1)

The term “genetic resources” means a substance existing in a group of living creatures and means a resource or generative characteristics which may be utilized and developed or assembled into new leading species.

This provision is intended to protect the existing genetic resources so that it will not be lost, extinct, or damaged, other than to protect the ecosystem.

Section (2)

Sufficiently clear.

Section (3)

The term "new species of fish " means non-original fish and/or fish not originating from nature (land and sea territory of Indonesia) familiar and/or known to be introduced into the Indonesian fisheries management area or fish as a result of purification, either locally or abroad.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 15

The term “prospective broodstock” means fish as a result of selection, which is prepared to become mothers.

The term “broodstock” means fish, which, at certain age and size, has been matured and is used to produce juvenile, and juveniles means fish at certain age, form, and size, which is not yet matured.

For the purpose of increase of production through fish quality improvement as a result of culture, new species and/or variety of fish which are not available locally, are required. Yet, the introduction of new species of fish from abroad may introduce and spread dangerous pests and epidemics and/or may become predators or competitors causing scarcity of species of local fish. Therefore, the introduction of which must be done pursuant to the applicable regulations. Regulations on exit of species of broodstocks candidate, broodstocks, and juveniles from the Indonesian fisheries management area are done to guarantee culturing of new species of fish sustainably.

Article 16

Section (1)

This prohibition is intended to protect the existing fish resources so that they will not be lost or become extinct, especially Indonesian indigenous fish species and also intended to protect Indonesian indigenous ecosystem.

Section (2)

Sufficiently clear.

Article 17

The term “facilities for aquaculture” consists of, among others, fish food, fish medicine, fertilizers, and fish cage.

The term “infrastructures for aquaculture” means, among others, ponds, coastal ponds, and coastal pond channels.

In regulating and developing aquaculture facilities and infrastructures, the Minister coordinates with the relevant institution.

Article 18

Section (1)

Every species of fish cultured requires different requirements and technological class. Therefore, arrangement of water utilization and aquaculture area are required so that the distribution and utilization of water can be done optimally according to the technical requirements for aquaculture and the use of areas endangering aquaculture may be prevented, including the availability of greenbelt.

Section (2)

Sufficiently clear.

Article 19

Section (1)

The term “fish health management unit and its environment” means an effort conducted in the framework of maintaining and recovering of balance of the environment, fish resilience, and fish epidemics by implementing prevention, medication, and arrangement of use of medicine for fish.

Section (2)

Sufficiently clear.

Section (3)

The management of health of fish and the environment thereof must be implemented collectively by the government and the relevant institution and by placing the public as the main performer in identifying fish pests and epidemics, identification, prevention, elimination, and control of health of fish, and problems of culturing environment.

Section (4)

Sufficiently clear.

Article 20

Section (1)

The term “fish processing” means a series of activities and/ or treatments from fish raw materials up to finished products for human consumption.

The term “fisheries product” means a product in the form of whole fish or a product containing parts of fish, including those processed by any means with fish as the main raw material.

The term “good manufacturing practices” means a condition fulfilling the basic principles of processing consisting of construction, location arrangement, sanitation, hygiene, raw material selection, and processing techniques.

The term “quality control system and safety of fisheries product” means a prevention effort that must be observed and implemented since pre-production up to distribution to produce qualified fisheries products, which are safe for human consumption.

Section (2)

Point a

The term “supervision and control of quality” means all activities of evaluating, examining, monitoring, sample taking, testing, correcting, validating, auditing, verifying, and calibrating in the framework of providing of quality guarantee and safety of fisheries products.

Point b

The term “standards of quality” consists of, among others, size, quantity, appearance, specifications of fisheries products,

and fish processing output.

Point c

Sufficiently clear.

Section (3)

The term “handling” means a series of activities and/or treatments of fish without changing the structure and basic form.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

To guarantee rights of consumers of fish and fisheries products, the products must be safe, healthy, and not expired.

Section (7)

Sufficiently clear.

Section (8)

Sufficiently clear.

Article 21

The term “health certificate of fisheries product intended for human consumption” means a certificate issued by a laboratory appointed by the government indicating that fish and fisheries products have fulfilled the requirements of quality guarantee and safety for human consumption.

Article 22

Sufficiently clear.

Article 23

Sufficiently clear.

Article 24

Sufficiently clear.

Article 25

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Sufficiently clear.

Article 28

Section (1)

SIKPI as referred to in this article is original SIKPI and not the photocopy and/or copy which is in conformity to the original SIKPI.

Section (2)

Sufficiently clear.

Article 29

Sufficiently clear.

Article 30

Sufficiently clear.

Article 31

Section (1)

SIPI as referred to in this article is original SIPI and not the photocopy and/or copy which is in conformity to the original SIPI.

Section (2)

Sufficiently clear.

Article 32

Sufficiently clear.

Article 33

The term “fishing and/or aquaculture not for commercial purposes” means an activity operated by an individual or government institution or

private institution in the framework of education, extension, research or other scientific activities, enjoyment, and/or recreations.

Article 34

Sufficiently clear.

Article 35

Section (1)

In the framework of control of utilization/exploitation of fish resources, arrangement and control over the procurement of new and/or old vessels have to be done so that it is in accordance with the carrying capacity of fish resources.

Section (2)

Sufficiently clear.

Article 36

Section (1)

Registration of fishery vessel in the ship book is to comply with the required issuance of SIPI/SIKPI. The ship book is intended not as *gros akte* of registration of vessel which is a condition for the issuance of Certificate of Nationality of Indonesian Vessel, for a vessel sailing with an Indonesian flag as a nationality flag.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

A fishery vessel which will obtain certificate of nationality is first be registered in the ship book.

Article 37

The term “fishery vessel identification and markings” means identification and markings that indicates, amongst others, identity of type of boat, size of boat, catching area, register number, and place of registration as fishery vessel.

Article 38



Section (1)

The obligation to keep fishing gears in the hold is applicable for every fishery vessel with a foreign flag crossing the Indonesian waters territory, Indonesian Archipelagic Sea Lane (ALKI), and ZEEI.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 39

The term “fishery vessel with certain size and type” means a vessel used by small fishers.

Article 40

Sufficiently clear.

Article 41

Section (1)

In the framework of fisheries development, the Government construct and develop fishing ports, among others, as places for mooring of fishery vessels, fish landing site, places for marketing and distribution of fish, places for development of quality of fisheries products, places for collection of data on fishing, places for extension and development of fishers society, and places for smooth operations of fishery vessels.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

To support and guarantee smooth operations of fishing ports, borders of working and operational area in geographical coordinates are determined.

In the event that the working and operational area of a fishing

port is bordered with and/or has similar interest with another institution, determination of the borders is done through coordination with the relevant institution.

Point e

A private party may construct fishing port with the Minister's approval.

Section (3)

Sufficiently clear.

Section (4)

The term "loading and unloading of fish" includes fish landing.

Article 42

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

The harbormaster that will be appointed by the Minister must first attend education and training on port authority affairs held by the institution responsible in port authority affairs.

Article 43

Sufficiently clear.

Article 43

Sufficiently clear.

Article 45

Fishery vessels sailing not from a fishing port including from a port constructed by a private party may only be possible if that place does not have any fishing port.

Fishery vessels sailing not from fishing port are among others vessels sailing from *tangkahan* port, public port, and other ports must obtain SLO from the fisheries inspector.

This provision is only applicable for fishery vessels in that area which does not have any fishing port and/or public port, and other facilities. In relation to this matter sailing permit is issued by the local harbormaster.

#### Article 46

##### Section (1)

In the framework of arrangement of plan of development of fisheries information system and statistics and evaluation into the progress thereof, data on techniques, production, processing, marketing of fish, and socio-economic data describing about utilization of the available fish resources is required.

The data and information are:

- a. types, quantity, and size of fishery vessels;
- b. types, quantity, and size of fishing gears;
- c. fishing ground and fishing season;
- d. total capture or total output of aquaculture;
- e. size of area and fisheries management area;
- f. total fishers and fish farmers;
- g. size of captured fish and spawning season;
- h. data on export and import of fisheries commodities; and
- i. information on certain requirements relating to standards of export.

##### Section (2)

Sufficiently clear.

#### Article 47

Sufficiently clear.

#### Article 48

##### Section (1)

Any persons operating fishing or aquaculture in the seas or other waters in fisheries management area of the Republic of Indonesia will be subject to fisheries levy because they have directly enjoyed the benefit of fish resources and/or the environment thereof.

##### Section (2)

Sufficiently clear.

Article 49

Sufficiently clear.

Article 50

Sufficiently clear.

Article 51

Sufficiently clear.

Article 52

The provision on research and development is intended to convey any basic problems regarding fish resources and the environment thereof and the technology relating to capture fisheries, aquaculture, and fish processing and socio-economic problems on fisheries.

The implementation of research and other scientific activities must be intended to obtain scientific information on fish resources and the environment thereof and socio-economic problems on fisheries, improvement of technology or new technology in capture fisheries, aquaculture, and fisheries processing which can be used as basis for the arrangement of policy on the processing of fish resources and fisheries development.

Article 53

Section (1)

Research and development performed by a state research and development institution (including those performed by non-departmental government institutions, state enterprises and/or regional enterprises).

Section (2)

In relation to the implementation of research and development in the field of fisheries, international cooperation is implemented frequently. This is conducted, among other things:

- a. characteristic of fish resources that disregards State administrative borders;
- b. demand to follow the progress of science and technology in the field fisheries;

- c. implementation of provisions of treaties; and
- d. development of consumers' demand for safety and quality guarantees of fisheries products.

Article 54

Sufficiently clear.

Article 55

Sufficiently clear.

Article 56

Sufficiently clear.

Article 57

Section (1)

Sufficiently clear.

Section (2)

Education and/or training of international standards is arranged by a Government institution responsible in the field of fisheries in all levels, namely training units, vocational schools, and universities, among other things, according to technology of fish capture, aquaculture, processing, machinery, and extensions.

Article 58

The term "relevant institutions" consists of Government institutions and non-Governmental institutions.

Article 59

Sufficiently clear.

Article 60

Section (1)

The Provincial and the Regency/municipal Government, in their respective areas empower small fishers and small fish farmers. The development of group of small fishers and fish farmers is as a means to ease empowerment through the activities as referred to in points a and point b.

Section (2)

The term “society” includes non-governmental institutions.

Article 61

Section (1)

Sufficiently clear.

Section (2)

The term “selected fish commodity” means species of fish, which are not prohibited by the Government to be cultured in accordance with the provisions of the prevailing legislation.

Section (3)

Sufficiently clear.

Section (4)

The term “food safety of fisheries product” means a condition or effort required to prevent food from pollution by biological substance, chemical substance, or other materials that may disturb, harm, or endanger human health, including the use of fishing and/or aquaculture methods that may damage the ecosystem and sustainability of fisheries environment.

Section (5)

Registration of individual, businesses, and activities for small fishers and small fish farmers, other than those implemented by themselves, the institution for fisheries also actively conducts registration in the framework of collection of data and information for the development of fisheries business and management of fish resources.

Article 62

Sufficiently clear.

Article 63

Sufficiently clear.

Article 64

Sufficiently clear.

Article 65

Sufficiently clear.

Article 66

Section (1)

Fisheries Inspectors are:

- a. fishing supervisor;
- b. fish breeding supervisors;
- c. aquaculture supervisor;
- d. fish pest and epidemic supervisor; and
- e. quality supervisor.

Section (2)

Sufficiently clear.

Section (3)

The term “non-investigator of fisheries civil servant” means another fisheries civil servant , who is a non-investigator, but is authorized to perform supervision.

Article 67

Public participation in assisting fisheries inspector is for example, by reporting to law enforcement officer if there is an suspicion of criminal act on fisheries.

Article 68

In the framework of supervision and development, the Government build, provide, and/or construct supervision facilities and infrastructures, which are:

- a. fisheries surveillance vessel;
- b. fishery vessel monitoring system; and
- c. fisheries surveillance vessel base/pier.

Article 69

Section (1)

Sufficiently clear.

Section (2)

The term “fisheries surveillance vessel” means a government ship with special signs to conduct surveillance and law enforcement in

the field fisheries.

Section (3)

Detention of vessel is implemented in the framework of an act of bringing a vessel to the nearest port and/or waiting for the temporary following processes.

Section (4)

Sufficiently clear.

Article 70

Sufficiently clear.

Article 71

Sufficiently clear.

Article 72

Sufficiently clear.

Article 73

Section (1)

Sufficiently clear.

Section (2)

Coordination is needed not only to accelerate the performance of investigators' duties, but also to accelerate communications and exchange of data, information, and any other necessary matters in the framework of effectiveness and efficiency in the handling and/or settlement of criminal acts on fisheries.

Section (3)

According to the requirements, a coordinating forum for the handling of criminal acts on fisheries may be established in the regions.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)



Sufficiently clear.

Section (8)

Sufficiently clear.

Section (9)

Sufficiently clear.

Article 74

Sufficiently clear.

Article 75

Sufficiently clear.

Article 76

Sufficiently clear.

Article 77

Sufficiently clear.

Article 78

Section (1)

The term "ad hoc judge" means a person from the fisheries environment, among others, universities in the field of fisheries, organization in the field of fisheries, and having of expertise in the fisheries law.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 79

Sufficiently clear.

Article 80

Sufficiently clear.

Article 81

Sufficiently clear.

Article 82

Sufficiently clear.

Article 83

Sufficiently clear.

Article 84

Sufficiently clear.

Article 85

Sufficiently clear.

Article 86

Sufficiently clear.

Article 87

Sufficiently clear.

Article 88

Sufficiently clear.

Article 89

Sufficiently clear.

Article 90

Sufficiently clear.

Article 91

Sufficiently clear.

Article 92

Sufficiently clear.

Article 93

Sufficiently clear.

Article 94

Sufficiently clear.

Article 95

Sufficiently clear.

Article 96

Sufficiently clear.

Article 97

Sufficiently clear.

Article 98

Sufficiently clear.

Article 99

Sufficiently clear.

Article 100

Sufficiently clear.

Article 101

Sufficiently clear.

Article 102

Sufficiently clear.

Article 103

Sufficiently clear.

Article 104

Section (1)

The term “sum of reasonable bond” means the amount of guarantee decided based on prices of vessels, vessel equipment,

and results of the activities, plus the amount of maximum fine.

Section (2)

The term “goods and/or equipment” means, among others, fishing gears, captured fish, the vessels used to capture fish and/or transport fish, and so forth.

Article 105

Sufficiently clear.

Article 106

The term “authorized district court” means the court in accordance with Law Number 4 of 2004 on Judicial Power.

Article 107

Sufficiently clear.

Article 108

Sufficiently clear.

Article 109

Sufficiently clear.

Article 110

Sufficiently clear.

Article 111

Sufficiently clear.