

**LAW OF THE REPUBLIC OF INDONESIA
No. 16 OF 1992**

ON

ANIMAL, FISH, AND PLANT QUARANTINE

WITH THE MERCY OF ALMIGHTY GOD

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that Indonesia is endowed by Almighty God with rich natural resources which include numerous kinds of animals, fish, and plants that need to be preserved and conserved;
 - b. that these biotic natural resources constitute one of the basic wealth as well as a dominant factor that ought to be taken into account in national development which has as its objective the actualization of a just and prosperous society based on Pancasila and the 1945 Constitution;
 - c. that most of the pests and diseases of animals, fish, and plants that are potentially injurious to these biotic natural resources are not yet found in the Indonesian archipelago, whereas a number of those that are already present are still confined to certain islands;
 - d. that the ever-increasing international and intra-national movement of animals, fish, and plants through trade, exchange, and distribution enhances the likelihood of the introduction and dissemination of pests and diseases of animals, fish, and plants that may do damage to these biotic natural resources;
 - e. that the prevention of the introduction into, dissemination within, and exportation from, the territory of the Republic of Indonesia of animals, fish, and plants pests and diseases requires an improved and strong system of animal, fish, and plant quarantine;
 - f. that the existing colonial laws regarding animal quarantine, fish quarantine, and plant quarantine can no longer keep up with the legal development and national interests, and hence have to be revoked;
 - g. that the existing national laws do not cover completely the subjects of animal quarantine, fish quarantine, and plant quarantine;
 - h. that based on the above-mentioned facts it is deemed necessary to lay down provisions regarding animal, fish, and plant quarantine in a Law.
- Referring to:
1. Article 5 Section (1), Article 20 Section (1), and Article 33 Section (3), of the 1945 Constitution;
 2. Law of the Republic of Indonesia No. 5 of 1967 concerning Basic Provisions for Forestry (Government Gazette of the Republic of Indonesia of 1967 No. 8, Additional Government Gazette No. 2823);

3. Law of the Republic of Indonesia No. 6 of 1967 concerning Basic Provisions regarding Animal Husbandry and Animal Health (Government Gazette of the Republic of Indonesia of 1967 No. 10, Additional Government Gazette No. 2824);
4. Law of the Republic of Indonesia No. 9 1985 concerning Fisheries (Government Gazette of the Republic of Indonesia of 1985 No. 46, Additional Government Gazette No. 3299);
5. Law of the Republic of Indonesia No. 5 of 1990 concerning Conservation of Biotic Natural Resources and their Ecosystem (Government Gazette of the Republic of Indonesia of 1990 No. 49, Additional Government Gazette No. 3419).

**With the Approval of
THE COUNCIL OF PEOPLE'S REPRESENTATIVES
OF THE REPUBLIC INDONESIA**

HEREBY DECIDES :

To enact : LAW ON ANIMAL, FISH, AND PLANT QUARANTINE

**CHAPTER I
GENERAL PROVISIONS**

Article 1

As used in this law :

1. Quarantine means place of isolation and/or actions as the effort to prevent the introduction into, the dissemination from one area to another within, or the exportation from, the territory of the Republic of Indonesia of pests and diseases ;
2. Animal, fish, and plant quarantine means actions in the effort to prevent the introduction into, the dissemination from one area to another within, or the exportation from, the territory of the Republic of Indonesia of pests and diseases of animals, fish, and plants;
3. Pests and diseases of animals, fish, and plants means all organisms capable of doing damage to, undermining the health of, or causing death of animals, fish, and plants;
4. Quarantine pests and diseases of animals means all pests and diseases of animals designated by the Government to be prevented from being introduced into, disseminated within, and exported from, the territory of the Republic of Indonesia;
5. Quarantine pests and diseases of fish and plants means all pests and diseases designated by the Government to be prevented from being introduced into and disseminated within, the territory of the Republic of Indonesia;
6. Carrier of quarantine pests and diseases of animals, fish, and plants means animal, material of animal origin, product of material of animal origin, fish, plant and parts thereof, and/or other article capable of carrying quarantine pests and diseases of animals, fish, and plants;
7. Animal means all terrestrial animals, both wild and cultivated;

8. Material of animal origin means material obtained from animal which can be processed further;
9. Product of material of animal origin means material of animal origin that has been processed;
10. Fish means all aquatic biota the life-cycle of which takes place wholly or partly in water, whether alive or dead, including parts thereof;
11. Plant means all species of plants, whether living or dead, both unprocessed and processed;
12. Place of entry and place of export means seaport, river port, ferry port, airport, post office, border post, or any other place deemed necessary which has been designated as the place entry and export of carriers of pests and diseases of animals, fish, and plants;
13. Animal, fish, and plant quarantine officers means certain government employees charged with the task of carrying out quarantine actions under this law.

Article 2

Animal, fish, and plant quarantine is based on the principle of continuous existence of animal, fish and plant biotic natural resources.

Article 3

The objectives of animal, fish, and plant quarantine are:

- a. to prevent the introduction of quarantine pests and diseases of animals, fish, and plants into the territory of the Republic of Indonesia;
- b. to prevent the dissemination of quarantine pests and diseases on animals, fish, and plants from one area to another within the territory of the Republic of Indonesia;
- c. to prevent the concomitant exportation of quarantine pests and diseases of animals from the territory of the Republic of Indonesia;
- d. to prevent the concomitant exportation of certain pests and diseases of fish and plants from the territory of the Republic of Indonesia if so required by the country of destination.

Article 4

The scope of animal, fish, and plant quarantine regulations includes:

- a. quarantine requirements;
- b. quarantine actions;
- c. quarantine area;
- d. kinds of pests and diseases, and carriers thereof;
- e. places of entry and export.

CHAPTER II QUARANTINE REQUIREMENTS

Article 5

Any carrier of quarantine pests and diseases of animals, fish, and plants imported into the territory of the Republic of Indonesia shall be:

- a. accompanied by a health certificate from the country of origin and the country in which the carrier was landed and from which it was later re-

- consigned, for animal, material of animal origin, product of material of animal origin, fish, plant, or part of plant, except carrier classified as other article;
- b. through the designated place of entry;
 - c. notified and presented to the quarantine officer at the place of entry for quarantine actions.

Article 6

Any carrier of quarantine pests and diseases of animals, fish, and plants to be moved from

one area to another within the territory of the Republic of Indonesia shall be :

- a. accompanied by a health certificate from the area of origin for animal, material of animal origin, product of material of animal origin, fish, plant, or parts of plants, except carrier classified as other article;
- b. through the designated place of entry and place of exit;
- c. notified and presented to the quarantine officer at the places of entry and exit for quarantine actions.

Article 7

(1) Any carrier of quarantine pests and diseases of animals to be exported from the territory of the Republic of Indonesia shall be:

- a. accompanied by a health certificate for animal, material of animal origin, or product of material of animal origin, except carrier classified as other article;
- b. through the designated place of export;
- c. notified and presented to the quarantine officer at the place of export for quarantine actions.

(2) The requirements referred to in Section (1) shall apply to carrier of pests and diseases of fish and plants to be exported from the territory of the Republic of Indonesia if so required by the country of destination.

Article 8

In certain cases, owing to the nature of the pests and diseases of animals, fish, or plants, the Government may impose other requirements in addition to those referred to in Article 5, Article 6, and Article 7.

CHAPTER III QUARANTINE ACTIONS

Article 9

(1) Any carrier of quarantine pests and diseases of animals imported into, or to be moved from one area to another within, or to be exported from, the territory of the Republic of Indonesia shall be subjected to quarantine actions;

(2) Any carrier of quarantine pests and diseases of fish or plants imported into, or to be moved from one area to another within, the territory of the Republic of Indonesia shall be subjected to quarantine actions;

(3) Carrier of quarantine pests and diseases of fish or plants to be exported from the territory of the Republic of Indonesia shall not be subjected to quarantine actions unless required by the country of destination.

Article 10

Quarantine actions performed by the quarantine officers shall be:

- a. inspection;
- b. isolation;
- c. observation;
- d. treatment;
- e. detention;
- f. refusal;
- g. destruction;
- h. release.

Article 11

- (1) The inspection referred to in Article 10 letter a shall be performed to determine the presence of required documents, to verify the particulars given therein, and to detect quarantine pests and diseases of animals, fish, and plants;
- (2) Inspection of animals, material of animal origin, products of material of animal origin, and fish can be performed coordinately with the agency authorized to deal with quarantine diseases that affect human health.

Article 12

For further detection of certain quarantine pests and diseases of animals, fish, and plants which, due to their nature, requires an indefinitely long period, special facilities, and controlled environmental conditions, the carrier of pests and diseases that has been inspected as mentioned in Article II may be kept in isolation for observation.

Article 13

- (1) Carrier of quarantine pests and diseases of animals, fish, and plants shall be treated to free it from infestation or infection by quarantine pests and diseases of animals, fish, and plants;
- (2) The treatment referred to in Section (1) shall be performed if after inspection or isolation for observation it becomes evident that the carrier :
 - a. is infested/infected or suspected of being infested/infected by quarantine pests and diseases of animals, fish, and plants, or
 - b. is not free or suspected of being not free from quarantine pests and diseases of animals, fish, and plants.

Article 14

- (1) Carrier of quarantine pests and diseases of animals, fish, and plants shall be detained if after inspection as mentioned in Article 11, it becomes evident that the requirements for the importation into, or for the movement from an area to another within the territory of the Republic of Indonesia, have not been fully complied with.
- (2) The Government shall stipulate the period within which the requirements referred to in Section (1) shall be complied with.

Article 15

Carrier of quarantine pests and diseases of animals, fish, and plants imported into, or moved from an area to another within the territory of the Republic of Indonesia, shall be refused entry if it becomes evident that :

- a. after inspection on board the means of conveyance, the carrier is infested or infected by certain quarantine pests and diseases of animals, fish, and plants designated by the Government, or is in a decaying condition or damage, or belong to those species the importation of which is prohibited, or
- b. the requirements referred to in Article 5, Article 6, and Article 8 have not been fully complied with, or
- c. after detention referred to in Article 14 Section (1), the requirements cannot be fully complied with within the stipulated period.
- d. after treatment on board the means of conveyance, the carrier cannot be freed from infestation or infection by quarantine pests and diseases of animals, fish, and plants.

Article 16

- (1) Carrier of quarantine pests and diseases of animals, fish, and plants imported into, or moved from an area to another within the territory of the Republic of Indonesia shall be destroyed if it becomes evident that :
 - a. after discharge from the means of conveyance and subsequent inspection, the carrier is infected by certain quarantine pests and diseases of animals, fish, and plants designated by the Government, or is in a decaying condition or damage, or belongs to those species the introduction of which is prohibited, or
 - b. after refusal of entry as mentioned in Article 15, the carrier is not moved out of the territory of the Republic of Indonesia or area of destination by its owner within the stipulated period, or
 - c. after observation in isolation, the carrier is not free from infestation or infection by certain quarantine pests and diseases of animals, fish, and plants designated by the Government, or
 - d. after discharge from the means of conveyance and subsequent treatment, the carrier cannot be freed from infestation or infection by quarantine pests and diseases of animals, fish, and plants.
- (2) In case of destruction as mentioned in Section (1) the owner of the carrier of quarantine pests and diseases of animals, fish, and plants shall not be entitled to any compensation.

Article 17

Carrier of quarantine pests and diseases of animals, fish, and plants imported into, or moved from an area to another within the territory of the Republic of Indonesia shall be released if it becomes evident that :

- a. after inspection as mentioned in Article 11, the carrier is free from infestation or infection by quarantine pests and diseases of animals, fish, and plants; or
- b. after observation in isolation as mentioned in Article 12, the carrier is free from infestation or infection by quarantine pests and diseases of animals, fish, and plants; or
- c. after treatment as mentioned in Article 13, the carrier can be freed from infestation or infection by quarantine pests and diseases of animals, fish, and plants; or
- d. after detention as mentioned in Article 14, the requirements have been fully complied with.

Article 18

Subject to the provisions referred to in Article 6, Article 7, and Article 8, carrier of quarantine pests and diseases of animals, fish, and plants to be exported from, or to be moved from an area to another within the territory of the Republic of Indonesia shall be released if it becomes evident that :

- a. after having been inspected as mentioned in Article 11, the carrier is free from infestation or infection by quarantine pests and diseases of animals, fish, and plants; or
- b. after having been observed in isolation as mentioned in Article 12, the carrier is free from infestation or infection by quarantine pests and diseases of animals, fish, and plants; or
- c. after having been treated as mentioned in Article 13, the carrier can be freed from infestation or infection by quarantine pests and diseases of animals, fish, and plants.

Article 19

- (1) The release referred to in Article 17 shall be accompanied by the grant of a certificate of release.
- (2) The release referred to in Article 18 shall be accompanied by the grant of a health certificate.

Article 20

- (1) The quarantine actions referred to in Article 10 shall be performed by the quarantine officers at the place of entry and export, either inside or outside the quarantine establishments.
- (2) In certain cases the quarantine actions referred to in Section (1) may be performed outside the place of entry and export, either inside or outside the quarantine establishments.
- (3) Regulations regarding the quarantine actions outside the places of entry and export referred to in Section (2) shall be set forth by the Government.

Article 21

Consistent with the provision referred to in Article 9 quarantine actions may be imposed on persons, means of conveyance, equipment, water, or packing which is found to carry or suspected of carrying quarantine pests and diseases of animals, fish, and plants.

Article 22

- (1) Any person or body making use of the services provided or facilities made available by the Government in the performance of quarantine actions may be required to pay quarantine fees and charges.
- (2) Regulation regarding the collection of quarantine fees and charges referred to in Section (1) shall be set forth in Government Regulation.

CHAPTER IV QUARANTINE AREA

Article 23

- (1) In case a quarantine pest or disease of animal, fish, and plant is found to be present or suspected of being present in an area previously known to be

- free from such a pest or disease, the Government may proclaim such an area to be a quarantine area until further notice.
- (2) The movement of the carriers of said quarantine pest or disease into or out of the quarantine area referred to in Section (1) shall be regulated by the Government.

CHAPTER V KINDS OF PESTS AND DISEASES AND CARRIES THEREOF

Article 24

The Government shall designate:

- a. the kinds of quarantine pests and diseases of animals, fish, and plants ;
- b. the kinds of carriers of quarantine pests and diseases of animals, fish, and plants;
- c. the kinds of carriers of quarantine pests and diseases of animals, fish, and plants, the importation of which into, or the movement of which from an area to another within, the territory of the Republic of Indonesia is prohibited.

Article 25

Other carriers transported by a means of conveyance and discharged at the place of entry shall be destroyed by the owner of the means of conveyance under the supervision of a quarantine officer.

CHAPTER VI PLACES OF ENTRY AND EXPORT

Article 26

The Government shall designate the places of entry and export of carriers of quarantine pests and diseases of animals, fish, and plants.

Article 27

Regulations regarding means of conveyance that brings carriers of quarantine pests and diseases of animals, fish, and plants into the territory of the Republic of Indonesia on a transit scheme shall be set forth in Government Regulation.

CHAPTER VII DEVELOPMENT OF QUARANTINE MINDEDNESS

Article 28

The Government is responsible for generating the awareness of the public concerning animal, fish, and plant quarantine.

Article 29

The participation of the public in animal, fish, and plant quarantine shall be encouraged and directed by the Government through various efficient and effective activities.

CHAPTER VIII INVESTIGATION

Article 30

- (1) In addition to the officers of the Police of the Republic of Indonesia, certain government employees of the ministry responsible for animal, fish, and plant quarantine may be given such special authority as that of the investigators referred to in Law No. 8 of 1981 concerning Procedure for Criminal Justice to investigate punishable acts in the field of animal, fish, and plant quarantine;
- (2) The authority of the investigators referred to in Section (1) shall not diminish the authority of the investigators referred to in Law No. 9 of 1985 concerning Fisheries and Law No. 5 of 1990 concerning Conservation of Biotic Natural Resources and Their Ecosystem;
- (3) The investigators referred to in Section (1) shall be authorized :
 - a. to verify reports or information on punishable acts in the field animal, fish, and plant quarantine;
 - b. to summon a person for investigation, whether as a suspect or as a witness in a punishable act in the field of animal, fish, and plant quarantine;
 - c. to search and seize any object that serves as proof of a punishable act in the field of animal, fish, and plant quarantine;
 - d. to demand information and evidence material from a person or body in connection with a punishable act in the field of animal, fish, and plant quarantine;
 - e. to draw up and sign an official report;
 - f. to discontinue an investigation when no sufficient evidence is found concerning a suspected punishable act in the field of animal, fish, and plant quarantine.
- (4) The investigators referred to in Section (1) shall inform the public prosecutor of the commencement of an investigation through the investigators of the Police of the Republic of Indonesia in accordance with the provision of Article 107 of Law No. 8 of 1981 concerning Procedure for Criminal Justice.

CHAPTER IX PENALTY PROVISION

Article 31

- (1) Any person who willfully violate the provisions referred to in Article 5, Article 6, Article 7, Article 9, Article 21, and Article 25, shall be punishable by a maximum imprisonment of 3 (three) years in addition to a maximum fine of Rp.150.000.000,00 (one hundred and fifty million rupiahs);
- (2) Any person due to negligence violate the provisions of Article 5, Article 6, Article 7,

Article 9, Article 21, and Article 25, shall be punishable by both maximum imprisonment of 1 (one) year in addition to a maximum fine of Rp.50.000.000,00 (fifty million rupiahs);

(3) The punishable act referred to in Section (1) shall be a crime, and the punishable act referred to in Section (2) shall be an offense.

CHAPTER X TEMPORARY PROVISION

Article 32

All existing executive regulations under the laws regarding animal quarantine, fish quarantine, and plant quarantine, so long as they are not in contravention of this Law, shall remain in force pending the issuance of new executive regulations under this Law.

CHAPTER XI FINAL PROVISION

Article 33

At the time this Law comes into effect, the following shall be invalid :

1. Ordinance regarding Revision of the Provision relating to Government Supervision in Veterinary Affairs and the Veterinary Police (Herziening van de Bepalingen omtrent het Veeartsenijkundige Staatstoezicht en de Veeartsenijkundige Politie), Government Gazette of 1912 No. 432, as far as animal quarantine is concerned;
2. Ordinance regarding Amendment and addition to the Regulation concerning Government Supervision in Veterinary Affairs and the Veterinary Police in Netherlands Indies (Wijziging en Aanvulling van het Reglement op het Veeartsenijkundig Staatstoezichten de Veeartsenijkundige Politie in Nederlandsch-Indie), Government Gazette of 1913 No. 598;
3. Ordinance regarding Further Addition and Amendment to the Regulation concerning Government Supervision in Veterinary Affairs and the Veterinary Police in Netherlands Indies (Nadere Aanvulling en Wijziging van het Reglement op het Veeartsenijkundige Staatstoezicht en de Veeartsenijkundige Politie in Nederlandsch-Indie), Government Gazette of 1917 No. 9;
4. Ordinance regarding Further Addition and Amendment to the Regulation concerning Government Supervision in Veterinary Affairs and the Veterinary Police in Netherlands

- Indies (Nadere Aanvulling en Wijziging van het Reglement op het Veeartsenijkundige Staatstoezicht en de Veeartsenijkundige Politie in Nederlandsch-Indie), Government Gazette of 1923 No. 289:
5. Ordinance regarding Amendment and Addition to the Regulation concerning Government Supervision in Veterinary Affairs and the Veterinary Police in Netherlands Indies (Wijziging en Aanvulling van het Reglement op de Veeartsenijkundige Politie in Nederlandsch-Indie), Government Gazette of 1936 No. 205:
6. Ordinance regarding Prohibition on the Transportation of Banana Fruit, Banana Plants, Banana Suckers or Parts Thereof from Sulawesi and Its Dependencies, Manado (Verbod op de Uitvoer van Pisang Vruchten, Planten, Knollen of Delen daarvan uit Celebes en Onderhorigheden, Manado), Government Gazette of 1921 No. 532;
7. Ordinance regarding Measures for the Prevention of Introduction of Coffee Berry Borer into the Islands of Sulawesi and its Dependencies, Manado, Bali and Lombok, Timor and its Dependencies (Maatregelen ter Voorkoming van de Invoer van de Koffiebessenboeboek op de Eilanden behorende tot Celebes en Onderhorigheden, Manado, Amboina, Bali en Lombok, Timor en Onderhorigheden), Government Gazette of 1924 No. 439:
8. Ordinance regarding Measures for the Prevention of Dissemination of Sexava Grasshopper Existing in Sangihe and Talaud Islands (Maatregelen ter Voorkoming van de Verspreiding van de op Sangihe en Talaud Eilanden Voorkomende Sabelsprinkhaanplaag), Government Gazette of 1924 No. 571:
9. Ordinance regarding Measures for the Prevention of Further Spread of the Potato Tuber Moth (Maatregelen om Verdere Verspreiding van de Aardappelenknolrups Tegen te gaan), Government Gazette of 1925 No. 114;
10. Ordinance regarding Summary and Revision of the Rules Governing the Importation of Living Plant Material to Prevent the Introduction of Plant Pests and Diseases into the Netherlands Indies (Samenvatting en Herziening van de Regelen op den Invoer van Levend Plant material strekkende tot het begenaan van overbrenging van Zickten en Plagen op de Cultuurgewassen in Nederlandsch-Indie), Government Gazette of 1926 No. 427;
11. Ordinance regarding New Provisions for the Prevention and Control of Rabies in

Netherlands-Indies (Nieuwe Bepalingen ter Voorkoming en Bestrijding van Hondsdolheid (Rabies) in Nederlandsch-Indie), Government Gazette of 1926 No. 451. as far as animal quarantine is concerned;

12. Ordinance regarding Amendment to the Ordinance in Government Gazette of 1926 No. 427 Concerning Summary and Revision of the Rules Governing the Importation of Living Plant Material (Wijziging van de Ordonnantie in Staatsblad 1926 No. 427 Houdende Samenvatting en Herziening van de Regelen op de Invoer van Levend Plantenmateriaal), Government Gazette of 1932 No. 523;

13. Ordinance regarding Amendment to the Regulation Governing Revision of the Provision Regarding Government Control in Veterinary Affairs, and Veterinary Police in Government Gazette of 1912 No. 432, and to the Ordinance on New Provisions Regarding Prevention and Control of Rabies in Government Gazette of 1926 No. 451 (Wijziging van het Reglement op de Veeartsenijkundig Overheidsbemoeyenis en de Veeartsenijkundige Politie en van de Hondsdolheids Ordonnantie), Government Gazette of 1936 No. 715, as far as animal quarantine is concerned;

14. Ordinance regarding Inter-island Movement of Potatoes (Ordonnantie Interinsulair Vervoer Aardappelen), Government Gazette of 1938 No. 699.

Article 34

This Law shall come into effect on the day of publication.

In order that everybody may take cognizance of it, this Law shall be published in the Government Gazette of the Republic of Indonesia.

**Enacted in Jakarta
on the 8th of June 1992**

**THE PRESIDENT OF THE
REPUBLIC OF INDONESIA**

sgd

SOEHARTO

Published in Jakarta
on the 8th of June 1992
THE MINISTER/GOVERNMENT SECRETARY
OF THE REPUBLIC OF INDONESIA

sgd
MOERDIONO
GOVERNMENT GAZETTE OF THE REPUBLIC OF INDONESIA OF 1992 No. 56

**EXPLANATORY MEMORANDUM ON
LAW OF THE REPUBLIC OF INDONESIA
No. 16 OF 1992**

**CONCERNING
ANIMAL, FISH, AND PLANT QUARANTINE**

GENERAL.

Indonesia is endowed by Almighty God with rich biotic natural resources comprising various kinds of animals, fish, and plants. These biotic natural resources constitute a basic wealth for national development which is important in the effort to raise the standard of living, prosperity and welfare of the people, and need, therefore, to be preserved and protected.

One of the menaces to the continuous existence of the biotic natural resources is the incursion of pests and diseases which do damage to animals, fish, and plants. The damage inflicts severe losses on the people and government, since it reduces the animal, fish, and plant production in terms of quantity as well as quality, or it may cause extinction of certain species of animals, fish, and plants of high economic or scientific value. Certain diseases of animals, and fish may even affect public health.

The territory of the Republic of Indonesia is still free from different kinds of exotic pests and diseases of animals, fish, and plants. The geographical condition of the territory of the Republic of Indonesia, which is an archipelago consisting of thousands of islands, is an advantage in the effort to prevent the introduction and dissemination of pests and diseases of animals, fish, and plants, since the sea around the archipelago and among the islands serves as a natural barrier. With the ever-increasing movement of people and goods, which are likely to carry pests and diseases of animals, fish, and plants, and the limited capability to exercise control, prevention, and safeguard, the chance for the introduction and dissemination of pests and diseases becomes greater. This may endanger the continuous existence of biotic natural resources and the national economy. It is, therefore, necessary to be highly anticipatory and vigilant, in order that the introduction and dissemination of pests and diseases may be prevented.

The endeavor to prevent the introduction into, and the dissemination from one area to another within, the territory of the Republic of Indonesia of pests and diseases of animals, fish, and plants is effectuated by the government through animal, fish, and plant quarantine. Conformable to international convention Indonesia is also obligated to prevent the concomitant exportation of pests and diseases in the exportation of animals, fish, and plants from the territory of the Republic of Indonesia. The effectuation of animal, fish, and plant quarantine is, therefore, a manifestation of the fulfillment of such international obligation.

The important role of animal, fish, and plant quarantine requires for its execution a clear, firm, and comprehensive legal foundation in the form of a law.

Some existing ordinances regarding animal quarantine, fish quarantine, and plant

quarantine left behind by the colonial government are considered to be out of date. Moreover, in the national laws that are being used as the basis for animal

quarantine, fish quarantine, and plant quarantine regulation, namely Law No. 2 of 1961 concerning Exportation and Importation of Plants and Planting Materials, Law No. 6 of 1967 concerning Basic Provision for Animal Husbandry and Animal Health, and Law No. 9 of 1985 concerning Fisheries, the subjects of animal quarantine, fish quarantine, and plant quarantine are not adequately or explicitly. Covered. Consequently these laws are unable to deal with various problem arising in the field of animal, fish, and plant quarantine.

In view of the above-mentioned facts, it is deemed necessary to establish a law dealing with an overall subject on animal, fish, and plant quarantine.

ARTICLE BY ARTICLE ELUCIDATION

Article 1

Numeral 1

Self-explanatory

Numeral 2

Self-explanatory

Numeral 3

Self-explanatory

Numeral 4

Self-explanatory

Numeral 5

Self-explanatory

Numeral 6

“Other articles” means pathogenic material, biological products, fish feed, material for the preparation of cattle and/or fish feed, biological control agents, cultures of organism, soil, compost or other growing media, vector, etc.

Numeral 7

“Animals” includes protected animal, as referred to in other existing laws.

Numeral 8

“Materials of animal origin” includes meat, milk, egg, hair, horn, hoof, hide, semen, etc.

Numeral 9

“Products of materials of animal origin” includes meat that has been boiled in water, dried meat, semi processed tanned hide, ground bones, bones, blood, animal hair, hoof and horn, intestines, animal manure, animal organs, glands, tissue, and body fluid.

Numeral 10

“Fish” includes:

- a. finned fish (Pisces);
- b. shrimp, crab, and the like (Crustacean);
- c. shell-fish, cuttlefish, octopus, snails and the like (Mollusk);
- d. jelly-fish and the like (Coelenterate);
- e. sea-cucumber, sea urchin, and the like (Echinoderm);
- f. frogs and the like (Amphibian);
- g. crocodile, turtle, tortoise, lizard, water snake and the like (Reptile);
- h. whale, dolphin, sea-cow, and the like (Mammalian);
- i. sea-weed and other aquatic plants (Algae);
- j. other aquatic biota related to the above-mentioned species and protected fish.

Numeral 11

“Plants” includes protected plants, except sea-weed and other aquatic plants (Algae);

Numeral 12

Self-explanatory

Numeral 13

Self-explanatory

Article 2

Adherence to the principle of continuity-in-existence of biotic natural resources of animal, fish and plants, means that animal, fish and plant quarantine shall have as its only objective the protection of biotic natural resources against the attack of pests and disease of animal, fish and plants, and shall have no other objectives.

Article 3

Character a

Self-explanatory

Character b

“Area” means part of an island, or entire island, or group of island, within the territory of the Republic of Indonesia, which term is related to the prevention of dissemination of pests and diseases.

Character c

Self-explanatory

Character d

Self-explanatory

Article 4

Self-explanatory

Article 5

Certificates of health are issued by authorized officials.

It is considered to have been imported into the territory of the Republic of Indonesia, if the carrier has been removed from the place of quarantine actions or has been moved in free traffic within the territory of the Republic of Indonesia.

Article 6

It is considered to have been brought into an area from another within the territory of the Republic of Indonesia, if the carrier has been removed from the place of quarantine actions or has been moved in free traffic in the area of destination within the territory of the Republic of Indonesia.

It is considered to have been moved out of an area to another within the territory of the Republic of Indonesia, if the carrier has been loaded into a means of conveyance at the place of exit to be transported to another area within the territory of the Republic of Indonesia.

Article 7

Section (1)

It is considered to have been exported from the territory of the Republic of Indonesia, if the carrier has been loaded into a means of conveyance at the place of export to be shipped to another place outside the territory of the Republic of Indonesia.

Section (2)

Self-explanatory

Article 8

Additional requirements imposed by the Government are among others:

- a. application of certain treatment to carrier of pests and diseases of animals, fish, or plants in the country of origin; or
- b. imposition of quarantine actions in a third country; or
- c. prohibition on the unloading in a certain country of carrier of animal, fish or plant pests and diseases being imported into the territory of the Republic of Indonesia, if the means of conveyance of such carrier calls at a port in that country.
- d. obligation that certain imported carrier be accompanied by special certificates.

Article 9

Section (1)

Self-explanatory

Section (2)

The quarantine action mentioned in this Section shall be performed after preliminary examination has been done of the documents of goods followed by consultation of the list of quarantine pests and diseases of animals, fish, or plants.

Section (3)

Self-explanatory

Article 10

Character a

Self-explanatory

Character b

Self-explanatory

Character c

Self-explanatory

Character d

The treatment mentioned in this Section is the act of disinfesting or disinfecting carriers of pests and diseases of animals, fish, and plants by physical, chemical, biological, or any other method. Treatment by physical method includes among others: irradiation, application of heat, and refrigeration; chemical treatment includes among others: application of pesticides, antibiotics, and chemotherapy; biological treatment includes among others serum and vaccine injection.

Character e

Self-explanatory

Character f

Self-explanatory

Character g

Self-explanatory

Character h

Release as a quarantine actions means release in connection with exportation from, importation into, or movement from one area to another within, the territory of the Republic of Indonesia of carriers of quarantine pests and diseases of animals, fish, and plants. Release in connection with exportation or movement from one area to another is accompanied by a health certificate, while release in connection with importation is accompanied by a certificate of release.

Article 11

Section (1)

Self-explanatory

Section (2)

Quarantine diseases that endanger human health are among others those quarantine diseases specified in Law No. 1 of 1962 concerning Sea Quarantine, and Law No. 2 of 1962 concerning Air Quarantine, namely:

- a. plague,
- b. cholera,
- c. yellow fever,
- d. small-pox,

- e. typhus exanthematicus infectiosa (louse-borne typhus)
- f. louse-borne relapsing fever.

If in the course of inspection the carriers of the above mentioned diseases are detected, the quarantine officer must act coordinately with the port health physician.

Article 12

Self-explanatory

Article 13

Section (1)

Self-explanatory

Section (2)

Self-explanatory

Article 14

Section (1)

Quarantine requirements have not been fully complied with, if for example the shipment has not yet been provided with a health certificate or a certain additional certificate.

Section (2)

Self-explanatory

Article 15

Self-explanatory

Article 16

Section (1)

Self-explanatory

Section (2)

This provision confirms that the execution of destruction exempts the ministry or the official responsible for animal, fish, and plant quarantine from all legal actions.

Article 17

Self-explanatory

Article 18

Self-explanatory

Article 19

Section (1)

Certificate of release are issued by quarantine officers belonging to their respective fields. As for the issuance of certificates of release in the field of animal quarantine, this is performed by the quarantine veterinarian only.

Section (2)

Certificates of health are issued by quarantine officers belonging to their respective fields. As for the issuance of certificates of health in the field of animal quarantine, this is performed by the quarantine veterinarian only.

Article 20

Section (1)

Quarantine actions at the places of entry and export outside the quarantine establishments are performed among others in the cow-sheds, stables, warehouses, owners go downs, on board the means of conveyance, at the wharves of seaports, river ports, ferry ports, at airports, in the post offices, and at border posts.

Section (2)

Self-explanatory

Section (3)

Self-explanatory

Article 21

Self-explanatory

Article 22

Section (1)

Animal, fish, and plant quarantine administration and operations require considerable funds, and therefore it is deemed necessary that the persons who make use of the services rendered and the facilities made available by the Government be required to take a share in the funding of quarantine activities.

Section (2)

Self-explanatory

Article 23

Section (1)

Self-explanatory

Section (2)

Self-explanatory

Article 24

Self-explanatory

Article 25

The term "other carrier" includes garbage which consist of among others food wastes derived from material of animal origin, fish, plants, wastes of animal feed, and dung

Article 26

Self-explanatory

Article 27

Self-explanatory

Article 28

Self-explanatory

Article 29

Self-explanatory

Article 30

Section (1)

Self-explanatory

Section (2)

Self-explanatory

Section (3)

Self-explanatory

Section (4)

Self-explanatory

Article 31

Section (1)

Self-explanatory

Section (2)

Self-explanatory

Section (3)

Self-explanatory

Article 32

Self-explanatory

Article 33

Self-explanatory

Article 34

Self-explanatory

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No. 3482