

**PRESIDENT**  
**REPUBLIC OF INDONESIA**  
**THE GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA**  
**NUMBER 14 OF 2002**  
**CONCERNING PLANT QUARANTINE**

**THE STATE GAZETTE OF RI YEAR 2002 NUMBER 35**  
**THE SUPPLEMENTAL STATE GAZETTE OF RI NUMBER 4196**

**DEPARTMENT OF AGRICULTURE**  
**AGRICULTURAL QUARANTINE AGENCY**

**2002**

**CABINET SECRETARY  
REPUBLIC OF INDONESIA**

Jakarta, 24<sup>th</sup> April 2002

Number : B-/34/Setkab/Dep-HP/4/2002 Nature : Immediate Attachment : 2 (Two) Re : Submission of copy of the Government Regulation Number 14 and 15 Year 2002 -----	To. 1. Secretariat General of Department of Agriculture 2. Secretariat General of Department of Marine and Fishery Affairs 3. Head of Quarantine Agency, Department of Agriculture. in Jakarta
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We herewith submit respectfully :

1. Copy of the Government Regulation Number 14 Year 2002 on Plant Quarantine;
2. Copy of the Government Regulation Number 15 Year 2002 on Animal Quarantine, which were successively issued on 23rd day Year 2002.

Thus, this is duly made, I hope you are understanding.

**Deputy Cabinet Secretary**

**Law and Legislation Field**

**(signed & stamped)**

**Lambock V. Nahattands**

**Copies sent to :**

- 1. State Secretary**
- 2. Deputy Cabinet Secretary**

**THE GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA  
NUMBER 14 YEAR 2002  
CONCERNING PLANT QUARANTINE**

**PRESIDENT OF  
REPUBLIC OF INDONESIA**

- Considering :
- a. That in the framework to provide a strong legal foundation for the implementation of the quarantine of animal, fish and plant, The Law Number 16 year 1992 on Quarantine of Animal, Fish and Plant have been issued.
  - b. That to implement the provision of the said Law in performing activities of the plant quarantine, it is imperative to stipulate a Government Regulation on The Plant Quarantine .

- Referring to :
1. Article 5 point (2) of 1945 Constitution which has been modified with Second Amendment of 1945 Constitution;
  2. Law Number 12 year 1992 on Plant Cultivation System (The State Gazette of The Republic of Indonesia of 1992 Number 46, Supplementary to State Gazette Number 3478);
  3. Law of Republic of Indonesia Number 16 year 1992 on Animal Quarantine, Fish and Plants (State Gazette of Republic of Indonesia year 1992 Number 56, Supplementary to State Gazette Number 3482);

HEREBY DECIDES :

To enact : THE GOVERNMENT REGULATION ON PLANT QUARANTINE

**CHAPTER I  
GENERAL PROVISIONS  
Article 1**

In this Government Regulation, the interpretation of :

1. Plant is all kinds of vegetable natural resources in the living or dead state, either before or after being processed;
2. Plant Quarantine is the activity as an effort to prevent entering and Spreading the Plant Destruction Organisms from abroad and from one Area to another Area domestically or the excretion from the territory of the Republic of Indonesia ;
3. Area covers the region in one island, or island, or a group of islands in the territory of the Republic of Indonesia that is related to preventing the Spread of the Plant Destruction Organisms;
4. Plant Quarantine Installation, further referred to as Quarantine Installation, is the place and all its existing facilities utilized to implement the activities of Plant Quarantine;
5. Plant Destruction Organisms on Plant are all organisms that can destroy , hinder the life or cause the death of plant;
6. The Quarantined Plant Destruction Organisms are all Plant Destruction Organisms issued by the Minister to be prevented for entering into and spreading them in the territory of the Republic of Indonesia;

7. The Quarantined Plants Destruction Organisms of Group I are The Destructive Organisms on the Quarantined Plants that cannot be freed from its Carrier Media by processing;
8. The Quarantined Plant Destruction Organisms of Group II are all Destructive Organisms on the Quarantined Plants that can be freed from its Carrier Media by processing;
9. The Important Plant Destruction Organisms are the Plant Destruction Organisms besides the Quarantined Plant Destruction Organisms, of which existences are in the trafficked plant seeds, can caused a damaging impact on the economy against the purpose of using such seeds and issued by the Minister to be subject to the Plant Quarantine activity;
10. The Carrier Media of the Plant Destruction Organisms, further referred to as the Carrier Media, are plant or its part and/or other goods which can carry the Quarantined Plant Destruction Organisms;
11. The Risk Analysis of the Plant Destruction Organisms is a process to determine that a Plant Destruction Organisms is a Quarantined Plant destruction Organisms or the Important Plant Destruction Organisms and to determine the terms and the Plant Quarantine actions suitable to the prevention of entering and spreading the Plant Destruction Organisms;
12. The transportation means of the Carrier Media are all kinds of land, water and air transportation used to traffic the Carrier Media;
13. The Owner of the Carrier Media, further referred to as the Owner, are persons or legal bodies owning the Carrier Media and/or that are responsible for its entry, excretion or transit of the Carrier Media ;
14. The responsible parties for a transportation means are the persons or legal bodies responsible for the arrival, departure or transit of the transportation means;
15. Transit of the Carrier Media , equipment or wrapping are temporary stays and unloaded from the transportation vehicles of the Carrier Media, equipment or wrapping in the territory of the Republic of Indonesia, before the Carrier Media, equipment or wrapping arrived at the country or Area of destination;
16. Transit of the transportation means is the temporary stay of the transportation means in the territory of the Republic of Indonesia or in an Area in the territory of the Republic of Indonesia, before the transportation means arrived at the country or Area of destination;
17. Plant Health Certificate is a certificate prepared/made by the authorized officials in the country or Area of origin/sender/transit stating that the plant or parts of the plant listed in it are free from the Plant Destruction Organisms, the Quarantined Plant Destruction Organisms of Group I, the Quarantined Plant Destruction Organisms of Group II and/or The Important Plant Destruction Organisms and has fulfilled the stipulated requirements for Plant Quarantine and /or stating other information required;
18. An epidemic or an explosion is the attack of the Plant Destruction Organisms of which sudden nature and population develop very fast and spread widely at a fast rate;
19. The Country or Area of origin with high risks are the countries or areas of origin with a great potential as the place that is the source of spread of the Plant Destruction Organisms;
20. Minister is the Minister in charge of implementation of animal quarantine.

**CHAPTER II**  
**QUARANTINE REQUIREMENTS**  
**Article 2**

Carrier media entered into the territory of Republic of Indonesian must :

- a. Be completed with a Plant Health Certificate from the country of origin or country of transit for plant and parts of plant, except for Carrier Media grouped in other goods;
- b. Pass through the stipulated importation places;
- c. Be reported and delivered to the quarantine official at the entry place as referred to in point c for the quarantine action.

**Article 3**

- (1) Carrier media brought in or that is delivered from one area to other area in the territory of Republic of Indonesia must :
  - a. Be completed with a Plant Health Certificate from the Area of origin for plant and its parts, except for Carrier Media classified in other goods;
  - b. Pass through the stipulated entry and exit places ;
  - c. Be reported and submitted to the Plant Quarantine officials at the entry and exit places for a purpose of Plant Quarantine actions.
- (2) The obligation as meant in point (1) is applied to any Carrier Media brought or sent from one Area that is not free to another Area free of the Quarantined Plant Destruction Organisms.
- (3) The determination of the Area as meant in par (2) is done by the Minister based on the survey results and monitoring of the spreading region and by considering the results of the risk analysis of the Quarantined Plant Destruction Organisms.

**Article 4**

Any Carrier Media that will be taken out from the territory of the Republic of Indonesia, when required by the destination country is obligated to :

- a. Be completed with a Plant Health Certificate from the excretion/exit place for plant and its parts, except for Carrier Media classified in other goods;
- b. Pass through the stipulated exit places ;
- c. Be reported and submitted to the Plant Quarantine officials at the exit places for Plant Quarantine actions.

**Article 5**

- (1) Besides the requirements obligated as meant in Article 2, Article 3 and article 4, in certain cases the Minister can issue additional obligations,
- (2) The additional obligations as meant in point (1) is in the form of technical requirements and/or completion of documents issued based on the analysis of the Plant Destruction Organisms ;

- (3) Further conditions regarding the additional obligations as meant in point (1) are regulated by a Ministerial Decree.

## **CHAPTER III QUARANTINE ACTION**

### **Part One**

#### **General**

#### **Article 6**

- (1) Any Carrier Media entered into the territory of the Republic of Indonesia shall be subject to Plant Quarantine actions.
- (2) Any Carrier Media brought or sent from one Area that is not free to another Area and free in the territory of the Republic of Indonesia shall be subject to Plant Quarantine actions.
- (3) Any Carrier Media that will be brought outside the territory of the Republic of Indonesia shall be subject to Plant Quarantine actions if required by the destination country

#### **Article 7**

The Plant Quarantine actions as meant in Article 6 shall be performed by the Plant Quarantine officials in the form of inspections, isolation, observation, processing, detention, rejection, destruction and releasing.

#### **Article 8**

- (1) The inspection as meant in Article 7 covers:
  - a. Administrative inspection to know the completeness, the accuracy and legality of the required documents; and
  - b. Health inspection to detect the possibility of the existence of the Plant Destruction Organisms and/or the Quarantined Plant Destruction Organisms.
- (2) The health inspection as meant in point (1) letter b can be done visually or in laboratory.
- (3) The owner shall assist in facilitating the implementation of the inspection as meant in point (1) letter b.

#### **Article 9**

- (1) The isolation and observation as meant in Article 7 is intended to detect the possibility of the existence of the Plant Destruction Organisms and/or the Quarantined Plant Destruction Organisms that because of its nature need a long time , special facilities and special conditions.

- (2) The isolation and observation as meant in point (1) is done in an isolated place during the time required for the incubation of the relevant Plant Destruction Organisms and or the quarantined plant Destruction Organisms.

### **Article 10**

The treatment as meant in article 7 shall be done to free the Carrier Media , persons, transportation means, equipment, and wrapping from the Plant Destruction Organisms and or the Quarantined Plant Destruction Organisms.

The treatment as meant in point (1) can be done physically as well as chemically.

### **Article 11**

The detention as meant in article 7 is intended to save the Carrier Media by placing it under the control and supervision of the Plant Quarantine officials for a certain time because the quarantine terms are not fully met.

### **Article 12**

- (1) The rejection as meant in Article 7 is intended for the relevant Carrier Media to be immediately brought to the country or Area of origin or another Area to avoid the occurrence of spread of the Plant Destruction Organisms and /or the quarantined Plant Destruction Organisms from the Carrier Media to the environment.
- (2) The dispatch of the Carrier Media subject to the action of rejection to the country or Area of origin or another Area shall be performed by the Owner under the supervision of the Plant Quarantine officials.

### **Article 13**

- (1) The destruction as meant in Article 7 shall be done by burning, destroying, burying, and other appropriate destructive methods so that the Carrier Media cannot become the source of the spread of the quarantined plant Destruction Organisms anymore.
- (2) The implementation of the destruction as meant in point (1) becomes the responsibility of the Owner and shall be performed under the supervision of the Plant Quarantine officials.
- (3) In case the relevant Carrier Media is contaminated with the Quarantined Plant Destruction Organisms or is not send back to the country or area of origin or another Area by the Owner after rejection of its entry or exit, then the destruction will be done to all the shipment of the Carrier Media .
- (4) In case the relevant Carrier Media is in a rotten or damaged condition, then the destruction will only be done on the rotten or damaged Carrier Media.
- (5) The implementation of the destruction as meant in point (1), point (2), point (3) and point (4) shall be declared in a minute.

## **Article 14**

The release as meant in Article 7 is done if the relevant Carrier Media :

- a. Is free from the Plant Destruction Organisms and/or the Quarantined Plant Destruction Organisms; and
- b. All stipulated requirements for entry or exit of the said Carrier Media are fulfilled.

## **Part 2**

### **Entering the Carrier Media from Abroad into the Territory of the Republic of Indonesia**

## **Article 15**

The reporting and the delivery of the Carrier Media as meant in Article 2 letter c shall be done with the following conditions:

- a. For cargoes, the importation of which are subject to isolation and observation , the import report shall be performed by the Owner at the latest five (5) days before the arrival of the Carrier Media at the entry place and the delivery shall be done on arrival at the entry place.
- b. For cargoes which are not subject to isolation and observation or for carried goods, the report on importation and the delivery of the carrier Media shall be done by the Owner on arrival of the Carrier Media at the entry place;
- c. For postal delivery, the delivery/submission of the Carrier Media shall be performed by the postal officials to the Plant Quarantine officials on arrival of the Carrier Media at the entry place while the import report shall be done by the Owner at the latest three (3) days after the receipt of a notice from the postal officials.

## **Article 16**

- (1) If the Owner does not fulfill the conditions as meant in Article 15, then on arrival of the Carrier Media at the entry place, then the Carrier Media will be detained for a maximum of fourteen (14) days.
- (2) While the Carrier Media is under detention as meant in point (1), the Owner shall report the entry of the Carrier Media to the local Plant Quarantine officials
- (3) If after the period of detention as meant in point (1) , the Owner does not fulfill the conditions as meant in point (2), then the Carrier Media will be rejected.

## **Article 17**

If the conditions as meant in Article 2, Article 15 and Article 16 point (2) can be fulfilled, then the Carrier Media shall be inspected as meant in Article 8.

## **Article 18**

The inspection as meant in Article 17 on the Carrier Media can be done:



- a. After the Carrier Media is unloaded from the transportation means; and/or
- b. On the transportation means.

### **Article 19**

- (1) If after the inspection as meant in Article 18 letter a, is found that the Carrier Media :
  - a. Is a Carrier Media of which importation is subject to the action of isolation and observation, then the Carrier Media will be isolated and put under observation
  - b. Is not free from the Quarantined Plant Destruction Organisms of Group II, then the Carrier Media shall be subject to actions;
  - c. Is not completed with a Plant Health Certificate as meant in Article 2 letter a and the additional obligation in the form of documents as meant in Article 5 point (2), then the Carrier Media shall be detained for a maximum of fourteen (14) days and while the Carrier Media is under detention, the Owner should be able to complete the Plant Health Certificate and other required documents;
  - d. Does not pass through the designated entry points and/or does not fulfill the technical condition required as meant in Article 5 point (1), then the Carrier Media will be subject to rejection;
  - e. Is kinds of Carrier Media prohibited to be entered through the related entry place, then the Carrier Media will be subject to rejection;
  - f. Is not free from the Quarantined Plant Destruction Organisms of Group II, rotten, damaged or is the kinds prohibited for its entry, then the Carrier Media will be subject to destruction;
  - g. Is free from the Quarantined Plant Destruction Organisms, then the Carrier Media is subject to release.
- (2) If after the expiration of the detention period, the owner cannot complete the Plant Health Certificate and/or the other documents required as meant in point (1) letter c, then the Carrier Media will be subject to rejection.

### **Article 20**

- (1) The period for isolation and observation as meant in Article 19 point (1) letter a shall be adjusted to the incubation period of the Quarantined Plant Destruction Organisms that will be detected;
- (2) If after isolation and observation as meant in point (1) , the Carrier Media is :
  - a. Not free from the Quarantined Plant Destruction Organisms of Group I, rotten or damaged , then the Carrier Media shall de destroyed;
  - b. Not free from the Quarantined Plant Destruction Organisms of Group II, then the Carrier Media shall be subject to actions;
  - c. Free from the Quarantined Plant Destruction Organisms then the Carrier Media shall be released.

### **Article 21**

If after undergoing the actions as meant in Article 19 point (1) letter b and Article 20 point (2) letter b, the Carrier Media is :

- a. Not free from the Quarantined Plant Destruction Organisms of Group II, then the Carrier Media shall be destroyed ;
- b. Free from The Quarantined Plant Destruction Organisms of Group II, then the Carrier Media shall be released.

### **Article 22**

The inspection to the Carrier Media on the transportation means as mentioned in Article 18 letter b shall be performed when:

- a. The Carrier Media is from a country or transit in a country or area contaminated with an epidemic;
- b. The transportation means derives from a country or area contaminated with an epidemic;
- c. The Carrier Media derives from a country or transit in a country with high risks; or
- d. Based on the considerations of the Plant Quarantine officials the inspection of the Carrier Media should be done on the transportation means.

### **Article 23**

If after the inspection as meant in Article 22, the Carrier Media is :

- a. Not free from the Quarantined Plant Destruction Organisms of Group II, then the Carrier Media should undergo actions on the transportation means
- b. Not free from The Quarantined Plant Destruction Organisms of Group I, rotten, damaged or is the kind prohibited to be imported, then the Carrier Media will be subject to rejection and prohibited to be unloaded from the carrying transportation means;
- c. Free from the Quarantined Plant Destruction Organisms, then the Carrier Media can be unloaded from the carrying transportation means by still applying the conditions stipulated in Article 18 to Article 21.

### **Article 24**

1. If after the treatment as meant in Article 23 letter a, the Carrier Media is :

- a. Not free from The Quarantined Plant Destruction Organisms of Group II , then the Carrier Media will be rejected and prohibited to be unloaded from the carrying transportation means;
- b. Free from The Quarantined Plant Destruction Organisms of Group II, then the Carrier Media can be unloaded from the carrying transportation means by still applying the conditions stipulated in Article 18 to Article 21.

2. If, the Carrier Media as meant in point (1) letter a or Article 23 letter b is unloaded from the carrying transportation means, without the approval of the Plant Quarantine officials, then the Carrier Media is subject to be destroyed..

### **Article 25**

In the case of treatment as meant in Article 23 letter a is impossible to be implemented on the transportation means, then the Carrier Media will be rejected and will be prohibited to be unloaded from the carrying transportation means.

### **Article 26**

- (1) Any Carrier Media rejected for entering into the territory of the Republic of Indonesia, should be taken out from the Territory of the Republic of Indonesia by the Owner, at the latest within fourteen (14) days after receipt of the rejection notice by the Owner.
- (2) If after the period mentioned as meant in point (1) above the Carrier Media is still/not yet taken out from the territory of the Republic of Indonesia by the Owner, then the Carrier Media shall be destroyed.

### **Article 27**

Further conditions on the implementation procedures for Plant Quarantine actions against the entry of Carrier Media into the territory of the Republic of Indonesia shall be issued with a Ministerial Decree.

## **Part Three**

### **Exit and Entry of Carrier Media from One Area to Another Area within the Territory of the Republic of Indonesia**

### **Article 28**

Reporting and delivery of the Carrier Media as meant in Article 3 point (1) letter c is done in the following conditions:

- a. At the exit place, the reporting and delivery of the Carrier Media shall be done by the Owner to the Plant Quarantine officials at the exit place before the Carrier Media is loaded on the carrying transportation means;
- b. At the entry place for cargo and carried goods, the import report shall be done by the Owner at the latest, at the time the Carrier Media arrives at the entry place and the delivery is done upon the arrival at the entry place;
- c. At the entry place for postal dispatch, the delivery of the Carrier Media to the Plant Quarantine officials shall be done by the postal officials at the time the Carrier Media arrives at the entry place while the report of the entry is done by the Owner at the latest three (3) days after the relevant party received the notification from the post office.

### **Article 29**

- (1) If the Owner does not fulfill the conditions as meant in Article 28 letter b and c, then the Carrier Media shall be detained for a maximum period of fourteen (14) days.
- (2) While the Carrier Media is under detention as meant in point (1), the Owner should report the entry of the Carrier Media to the local Plant Quarantine officials.
- (3) If after the expiration of the detention period as meant in point (1), the Owner does not fulfill the conditions as meant in point (2), then the Carrier Media shall be rejected.

- (4) If the conditions as meant in Article 28 letter a can be fulfilled, then the Carrier Media that will be taken out from one Area to another Area shall be inspected.
- (5) If the conditions as meant in Article 3, Article 5 point (1), Article 28 letter b and letter c can be fulfilled, then the Carrier Media that will be imported from one Area to another Area can be released.
- (6) If the conditions as meant in Article 3 point (1) letter a cannot be fulfilled, then the Carrier Media shall undergo a health inspection.

### **Article 30**

If after the inspection took place as meant in Article 29 point (4) and point (6) the Carrier Media is :

- a. A Carrier Media of which entry and exit is subject to isolation and observation, then the Carrier Media shall undergo isolation and observation;
- b. Not free from the Quarantined Plant Destruction Organisms of Group II, then the Carrier Media shall undergo treatment :
- c. Not free from The Quarantined Plant Destruction Organisms of Group I, is rotten or damaged and/or is the kinds of Carrier Media of which entry and exit are prohibited through the relevant entry and exit places or taken out from the relevant Area or entered into the destination area and/or does not fulfill the administrative requirements and/or technical requirements regulated in Article 5, then the Carrier Media shall be rejected.
- d. Free from the Quarantined Plant Destruction Organisms, then the Carrier Media shall be released.

### **Article 31**

- (1) The period of isolation and observation as meant in Article 30 letter a, shall be adjusted to the incubation period of the Quarantined Plant Destruction Organisms to be detected.
- (2) If during the period of isolation and observation as meant in Article 30 letter a, the Carrier Media is :
  - a. Not free from the Quarantined Plant Destruction Organisms of Group I, is rotten or damaged, then the Carrier Media shall be rejected;
  - b. Not free from the Quarantined Plant Destruction Organisms of Group II, is rotten or damaged, then the Carrier Media shall undergo treatment;
  - c. Free from the Quarantined Plant Destruction Organisms, then the Carrier Media shall be released.

### **Article 32**

If after the treatment as meant in Article 30 letter b or Article 31 point (2) letter b, the Carrier Media is :

- a. not free from the Quarantined Plant Destruction Organism of Group II, then the Carrier Media shall be rejected;
- b. free from The Quarantined Plant Destruction Organism of Group II, then the Carrier Media shall be released.

### **Article 33**

The inspection on the Carrier Media entered from one Area to another Area in the territory of the Republic of Indonesia can be done on the transportation means, if:

- a. The said Carrier Media derives from one Area or transit in the Area contaminated with an epidemic;
- b. The said carrying transportation means derives from one Area or transit in the Area contaminated with an epidemic;
- c. The said Carrier Media derives from an Area or transit in an Area with high risks;
- d. Based on the consideration of the Plant Quarantine officials, the inspection of the Carrier Media shall be done on the transportation means.

#### **Article 34**

If after the inspection as meant in Article 33, the Carrier Media is :

- a. Not free from the Quarantined Plant Destruction Organisms of Group II, then the Carrier Media will be subject to treatment on the transportation means;
- b. Not free from the Quarantined Plant Destruction Organisms of Group I, is rotten or damaged and/or is the kinds of the Plant Destruction Organisms of which entry/import is prohibited then the Carrier Media shall be rejected and not allowed to be unloaded from the carrying transportation means;
- c. Free from the Quarantined Plant Destruction Organisms, then the Carrier Media can be unloaded by still applying the conditions regulated in Article 28 up to Article 32.

#### **Article 35**

(1) If after been given treatment as meant in Article 34 letter a, the Carrier Media is :

- a. Not free from the Quarantined Plant Destruction Organisms of Group II, then the Carrier Media shall be subject to rejection and shall be prohibited to be unloaded from the carrying transportation means;
- b. Free from the Quarantined Plant Destruction Organisms of Group II, by still applying the conditions regulated in Article 28 up to Article 32, the Carrier Media may be unloaded from the carrying transportation means.

(2) If after fourteen (14) days since the receipt of the reject notice by the Owner, the Carrier Media as meant in point (1) letter a or Article 34 letter b is not/not yet taken out then the Carrier Media shall be unloaded from the carrying transportation means to be destroyed.

(3) If without the approval of the Plant Quarantine officials, the Carrier Media as meant in point (1) letter a or Article 34 letter b, because of reasons not based on the technical considerations of the Plant Quarantine officials, shall be unloaded from the carrying transportation means then the Carrier Media shall be destroyed.

#### **Article 36**

In the case of treatment as meant in Article 34 letter a is not possible to be performed on the transportation means, then the Carrier Media shall be rejected and the Carrier Media shall be not allowed to be unloaded from the carrying transportation means.

#### **Article 37**

- (1) Any Carrier Media rejected for its entry or exit from one Area to another Area in the territory of the Republic of Indonesia, shall be taken out by the Owner from the entry or exit place at the latest within fourteen (14) days after the receipt of the rejection notice.
- (2) If after the time period as meant in point (1) the Carrier Media is not/ not yet taken out from the relevant entry or exit place by the Owner then the Carrier Media shall be destroyed.

### **Article 38**

Further conditions on the implementation procedures for Plant Quarantine actions on the entry and exit of Carrier Media from one Area to another Area in the territory of the Republic of Indonesia shall be issued with a Ministerial Decree.

## **Part Four**

### **Excretion from the Territory of the Republic of Indonesia**

#### **Article 39**

The reporting on the Carrier Media as meant in Article 4 letter c shall be done by the Owner to the Plant Quarantine officials at the exit place before the Carrier Media is loaded on the transportation means that will carry it.

#### **Article 40**

If the conditions as meant in article 39 can be fulfilled, then the Carrier Media shall undergo inspection as meant in article 8.

#### **Article 41**

If after the inspection meant in Article 40, the Carrier Media is :

- a. A form of Carrier Media of which exit is subject to isolation and observation, then the Carrier Media shall be isolated and observed;
- b. Not free from the Plant Destruction Organisms, then the Carrier Media shall be subject to treatment;
- c. Rotten or damaged and/or the kinds of Carrier Media of which exit is not allowed through the relevant exit place or is exported from the territory of the Republic of Indonesia or entered/imported to the destination country, and/or does not meet the technical requirements as regulated in Article 5 point (1), then the Carrier Media shall be rejected.
- d. Free from the Plant Destruction Organisms, then the Carrier Media is released.

#### **Article 43**

If after the treatment as meant in Article 41 letter b or Article 42 letter b, the Carrier Media is :

- a. Not free from the Plant Destruction Organisms, then the Carrier Media shall be rejected;
- b. Free from the Plant Destruction Organisms, then the Carrier Media shall be released.

#### **Article 44**

- (1) Any Carrier Media rejected for exit from the territory of the Republic of Indonesia , shall be taken out from the exit place by the Owner at the latest within fourteen (14) days after the receipt of the rejection notice by the Owner.
- (2) If after the time period as meant in point (1) the Carrier Media is not yet taken out from the exit place by the Owner, then the Carrier Media shall be destroyed.

#### **Article 45**

Further conditions on the implementation procedures for Plant Quarantine actions on the exit of Carrier Media from the territory of the Republic of Indonesia shall be issued with a Ministerial Decree.

### **Part Five**

#### **Quarantine Installation**

#### **Article 46**

- (1) For the purpose of implementing the Plant Quarantine actions, the Government established Quarantine Installations at the entry and exit points or other places.
- (2) The Quarantine Installation as meant in point (1) is equipped with inspection facilities, isolation facilities, observation facilities, treatment facilities, detention facilities, destruction facilities, and its supporting facilities.

#### **Article 47**

- (1) The minister or the official appointed by him can decide a location owned privately or by a legal entity as the Quarantine Installation upon the request of the owner of said location.
- (2) The Quarantine Installation as meant in point (1) should meet the technical criteria to implement the Plant Quarantine actions in accordance with the purpose.
- (3) The Minister can revoke the decision as meant in point (1) upon the request of the Owner of the location or if from the evaluation result done, in the future the Quarantine Installation is apparently considered not meeting the technical criteria as meant in point (2).
- (4) Further conditions on the Quarantine Installation owned privately or by a legal entity as meant in point (1) shall be issued with a Ministerial Decree.

## **Part Six**

### **Plant Quarantine Actions Outside the Entry and Exit Places**

#### **Article 48**

- (1) The implementation of the Plant Quarantine action may be done outside the entry and/or exit place, inside as well as outside the Quarantine Installation.
- (2) Based on the risk analysis of the Plant Destruction Organisms, the implementation of the Plant Quarantine actions may be done at the country of origin.
- (3) All facilities required in the implementation of the Plant Quarantine actions as meant in point (1) and point (2) shall be the responsibility of the Owner.

#### **Article 49**

In implementing the Plant Quarantine actions as meant in Article 48 point (1), any Carrier Media, other Carrier Media equipment and packaging subject to the Plant Quarantine action after being received by the Plant Quarantine officials from the Owner or tax and duties officials or postal officials, shall be transported directly to the Quarantine Installation under the supervision of the Plant Quarantine officials.

#### **Article 50**

- (1) In case the Plant Quarantine action as meant in Article 48 point (1), is implemented at another place outside the Quarantine Installation, then that place should fulfill the requirements to be used as the place for implementing the Plant Quarantine action.
- (2) Further conditions on the implementation of Plant Quarantine outside the entry and exit places shall be issued with a Ministerial Decree.

## **Part Seven**

### **Plant Quarantine Action on Persons, Transportation Means, Equipment and Wrapping**

#### **Article 51**

Persons, transportation, equipment, or wrapping known or suspected of carrying the Quarantined Plant Destruction Organisms may be subject to Plant Quarantine actions.

#### **Article 52**

Any transportation means that will arrive at the entry place should be reported on its arrival by the responsible party to the local Plant Quarantine officials.

#### **Article 53**



- (1) The reporting as meant in Article 52 shall be performed in the following conditions:
  - a. For ships or air planes, the report on the arrival is done at the port of entry before the arrival of the ship or airplane;
  - b. For land transportation means that arrives from one Area in the territory of the Republic of Indonesia and is specially used to carry the Carrier Media or that derives /passes through an epidemic area, the report of its arrival shall be done at the place of entry.
  - c. For land transportation as meant in letter b coming from abroad, the report of its arrival shall be done at the entry Place upon arrival of the said transportation.
- (2) Upon arrival of the said transportation means as meant in point (1) at the entry place, the Owner of the transportation means is obliged to submit a list/explanation on the cargo of the transportation and other documents/declarations considered necessary to the local Plant Quarantine officials.

#### **Article 54**

At the time the transportation means as meant in Article 52 arrives at the point of entry, the transportation means is inspected by the Plant Quarantine officials after coordinating with the relevant authorities in the following conditions :

- a. For ships, the inspection shall be done before or at the time the ship is berthing ;
- b. For airplanes, the inspection shall be done at the time of arrival of the airplane;
- c. For land transportation, the inspection shall be done at the time of arrival of the land transportation.

#### **Article 55**

- (1) If after the inspection as meant in Article 54, it is found or there is an indication of the existence of the Quarantined Plant Destruction Organisms then against the transportation means shall be subject to treatment and/or other Plant Quarantine actions.
- (2) By still considering the provisions of Article 22, Article 23, Article 24, Article 25, Article 33, Article 34, Article 35 and Article 36, the cargo except persons found on the transportation means/vehicle as meant in (1) are only allowed to be unloaded from the transportation means after undergoing treatment and/or other Plant Quarantine actions.
- (3) The Plant Quarantine actions on persons as meant in point (2) is in the form of treatment and can be done on the transportation means or after the persons disembark from the transportation means.

#### **Article 56**

The conditions as meant in Article 55, is also applied when the transportation means :

- a. Comes from, or during the voyage to the territory of the Republic of Indonesia or the Area of destination, transit in a country or Area with high risks or being contaminated by an epidemic; or
- b. Transports the Carrier Media deriving from a country or Area with high risks or being contaminated by an epidemic;

#### **Article 57**

Any equipment or packaging as meant in Article 51 entered into the territory of the Republic of Indonesia or from one Area to another Area in the territory of Republic of Indonesia should be reported and submitted to the Plant Quarantine officials at the time the equipment or wrapping arrives at the port of entry to be inspected and/or other Plant Quarantine actions.

### **Article 58**

If after the inspection as meant in Article 57 the equipment and wrapping are apparently :

- a. Not free from the Quarantined Plant Destruction Organisms of Group I, and the equipment and packaging/wrapping are still on the transportation means, then the equipment and wrapping shall be rejected;
- b. Not free from the Quarantined Plant Destruction Organisms of Group I, then the equipment and wrapping shall be subject to undergo treatment;
- c. Not free from the Quarantined Plant Destruction Organisms of Group I, and the equipment or wrapping are unloaded, then the equipment or packaging shall be rejected or destroyed;
- d. Free from the Quarantined Plant Destruction Organisms, then the equipment or packaging is released.

### **Article 59**

- (1) If after being given the treatment as meant in Article 58 letter b and the equipment and wrapping are still on the transportation means, it seems that :
  - a. The equipment and wrapping are not free from the Quarantined Plant Destruction Organisms of Group II, then the equipment and wrapping shall be rejected and prohibited to be unloaded from the carrying transportation means ;
  - b. The equipment and wrapping are free from the Quarantined Plant Destruction Organisms of Group II.
- (2) If after being treated as meant in Article 58 letter b and the equipment and wrapping were unloaded from the carrying transportation means, it seems that :
  - a. The equipment and wrapping are not free from the Quarantined Plant Destruction Organisms of Group II, then the equipment and wrapping shall be rejected or destroyed;
  - b. Such equipment and wrapping are free from the Quarantined Plant Destruction Organisms of Group II, then the equipment and wrapping shall be released.
- (3) The equipment and wrapping of which entry are rejected should be taken out from the territory of the Republic of Indonesia or sent back to the Area of origin by the Owner, at the latest within fourteen (14) days after the receipt of the rejection notice by the owner.
- (4) If within the period as meant in point (3) such equipment and wrapping are not or not yet taken out from the territory of the Republic of Indonesia or sent back to the Area of origin by the Owner then the equipment and wrapping shall be destroyed.
- (5) If without the approval of the Plant Quarantine official the equipment or wrapping as meant in point (1) letter a has been unloaded from the carrying transportation means then the equipment or wrapping shall be destroyed.

### **Article 60**

The goods wrapped with the packaging as meant in Article 58 letter b shall be subject to the Plant Quarantine action as follows :

- a. Is given treatment and after being treated, such goods shall be released;
- b. If the treatment as meant in letter a is not possible to be performed , then such goods will be rejected and destroyed.

### **Article 61**

Further provision on the process of implementing the Plant Quarantine actions on persons, transportation means, instrument and wrapping shall be issued with a Ministerial Decree

## **Part Eight**

### **Transit of Carrier Media**

#### **Article 62**

The transit of the Carrier Media is only allowed if passing through the designated entry and exit places.

#### **Article 63**

Upon arrival of the Carrier Media as meant in Article 62, the Owner is obligated to report and submit the Carrier Media to the local Plant Quarantine officials.

#### **Article 64**

- (1) While in transit, the Carrier Media shall be under the supervision of the Plant Quarantine officials.
- (2) If required by the country or the destination area or upon the consideration of the Plant Quarantine officials, then the Carrier Media as meant in point (1) shall undergo inspection.

#### **Article 65**

- (1) If after the result of the inspection as meant in Art 64 point (2) the Carrier Media is not free from the Quarantined Plant Destruction Organisms and can not be released by treatment or is in a rotten or damaged condition, or is the kinds of Carrier Media prohibited for entering into the territory of the Republic of Indonesia or the relevant Area, then the Carrier Media is rejected and shall be immediately taken out from the territory of the Republic of Indonesia or the relevant transit Area.
- (2) If within a period of fourteen (14) days after receipt of the rejection notice by the Owner as meant in point (1) is not taken out from the territory of the Republic of Indonesia or the relevant transit Area by the Owner, then the Carrier Media shall be destroyed.

#### **Article 66**

- (1) A Plant Health Certificate may be issued by the Plant Quarantine officials for Carrier Media

while in transit at the place of transit, if :

- a. It is requested by the Owner of the Relevant Carrier Media or required by the destination country or the next transit Area, for the Carrier Media that will be sent abroad; or
  - b. Required as additional obligations, for the Carrier Media intended to be sent to another Area in the territory of the Republic of Indonesia.
- (2) The Plant Health Certificate as meant in point (1) is issued if after inspection it is found that the Carrier Media is:
- a. Completed with a Plant Health Certificate from the country/Area of origin/sender or previous country/Area of transit;
  - b. Free from the Quarantined Plant Destruction Organisms;
  - c. Not free from the Plant Destruction Organisms and/or the Quarantined Plant Destruction Organisms, but after being treated, it may be freed from the Plant Destruction Organisms and/or the Quarantined Plant Destruction Organisms.

## **Part Nine**

### **Transit of Transportation means**

#### **Article 67**

The transit of the transportation means carrying the Carrier Media in the territory of the Republic of Indonesia may only be done at the entry and exit points.

#### **Article 68**

The responsible party for the transportation means shall be obliged to report the arrival of the transportation means as meant in Article 67 to the local Plant Quarantine officials before the arrival of the transportation means.

#### **Article 69**

The responsible party for the transportation means as meant in Article 68 shall be prohibited to unload the Carrier Media from the transportation means while in transit.

## **Part Ten**

### **Plant Quarantine Actions in an Emergency Situation**

#### **Article 70**

- (1) If a ship or an airplane containing Carrier Media, because of an emergency, berthed or landed not at the place of destination, the responsible party for the transportation means shall immediately report such matter to the nearest Plant Quarantine officials.
- (2) Except for force majeure, the Carrier Media, equipment, and other Carrier Media found on the ship or airplane and those directly related to the Carrier Media above, shall not be allowed to be discharged or unloaded before it is inspected or permitted by the Plant Quarantine officials.
- (3) In case the ship or airplane berthing or landing in an emergency cannot continue the voyage, then the Carrier Media shall undergo the conditions regarding the entry as regulated in Point

Two or Point Three of this Chapter.

- (4) In case the ship or airplane berthing or landing in an emergency can continue the voyage, then the Carrier Media shall undergo the provisions regarding the transit as regulated in Point Eight and/or Point Nine of this Chapter.

## **Part Eleven**

### **Plant Quarantine Actions on Diplomatic Goods**

#### **Article 71**

The provisions in this Government Regulation shall be also applicable for the entry, exit and transit of the Carrier Media brought or sent as diplomatic goods.

## **Part Twelve**

### **Plant Quarantine Actions by the Third Part**

#### **Article 72**

- (1) Plant Quarantine actions may be done by the third party under the supervision of the Plant Quarantine officials.
- (2) The Plant Quarantine actions as meant in point (1) are physical inspection, isolation, observation, actions and/or destruction.
- (3) Further provisions on the terms and procedures of implementing the Plant Quarantine actions by the third party shall be issued with a Ministerial Decree.

## **Carrier Media Under the Control of Another Agency**

#### **Article 73**

The Carrier Media of which status is controlled by another agency may be subject to Plant Quarantine actions as regulated in this Chapter.

## **Part Fourteen**

### **The Entry of Carrier Media Rejected by the Country or Area of Destination**

#### **Article 74**

- (1) The re-entry of a Carrier Media rejected by the country or Area of destination will be subject to the Plant Quarantine actions, except for rejection..
- (2) The re-entry of a Carrier Media as meant in point (1) shall be completed by the rejection declaration from the country or Area of destination.

- (3) The Plant Health Certificate accompanying the Carrier Media upon the excretion may be treated as the Plant Quarantine Requirements.

### **Part Fifteen**

#### **Plant Quarantine Action on the Carrier Media of The Important Plant Destruction Organisms**

#### **Article 75**

- (1) The Carrier Media of the Important Plant Destruction Organisms entered into the territory of the Republic of Indonesia or carried from one Area to another Area in the territory of the Republic of Indonesia is subject to Plant Quarantine actions.
- (2) The Plant Quarantine actions as meant in point (1) shall be executed by considering the provisions of the legal regulations on the certification of seeds.
- (3) Further provisions on the Plant Quarantine Actions on Carrier Media of the Important Plant Destruction Organisms shall be issued with a Ministerial Decree.

### **Part Sixteen**

#### **Documents of Plant Quarantine Actions**

#### **Article 76**

- (1) For every Plant Quarantine action is issued a Plant Quarantine Action document by the Plant Quarantine officials.
- (2) The Plant Quarantine Action document as meant in point (1) is obliged to be submitted to the Owner and./or other relevant parties.
- (3) Further provisions on the kinds, forms and procedures for the issuance of the Plant Quarantine Action document shall be issued with a Ministerial Decree.

### **CHAPTER IV**

#### **SERVICE TAX FOR PLANT QUARANTINE**

#### **Article 77**

- (1) Every Owner utilizing the government services or facilities in implementing the Plant Quarantine is levied with service tax for the Plant Quarantine .
- (2) The service tax levied for the Plant Quarantine as meant in point (1) consists of fee for using the facilities at the Government-Owned Quarantine Installation, and the service fee for implementing the Plant Quarantine done by the Plant Quarantine officials.

#### **Article 78**

- (1) All receipts originating from the tax as meant in Article 77 are from Non-Tax State Income and shall be deposited with the State Treasury.
- (2) The procedures and amount of the service tax for Plant Quarantine shall be issued further in a separate regulation in accordance with the legal regulations prevailing for Non-Tax State

Income.

## **CHAPTER V**

### **PLANT QUARANTINE ZONE**

#### **Article 79**

- (1) If it is found or there is an indication of an attack of the Quarantined Plant Destruction Organisms in one zone previously known to be free from the Quarantined Plant Destruction Organisms, the Minister may decide the zone as a Plant Quarantine zone.
- (2) The decision of the Plant Quarantine zone as meant in point (1) shall be done by the Minister based on the study of the area attacked by the Plant Destruction Organisms and after reviewing the considerations of the Head of the Local Region.
- (3) While awaiting the decision of the Plant Quarantine zone as meant in point (1) , The Head of the local Region may take steps and actions required to prevent the spread and/or eradication of the Quarantined Plant Destruction Organisms that is the basis for deciding the Plant Quarantine zone.

#### **Article 80**

In case a zone is declared as a Plant Quarantine zone, then:

- a. the prevention of the spread and eradication of the Quarantined Plant Destruction Organisms in the Plant Quarantine zone becomes the authority and responsibility of the Minister;
- b. The local Governor shall coordinate the implementation of the tasks as meant in letter a.

#### **Article 81**

- (1) The determination of a Plant Quarantine zone as meant in Article 79 is a temporary nature and will be revoked if the Quarantined Plant Destruction Organism that is the basis for such determination can have been eradicated or cannot be eradicated.
- (2) The revocation of the status of the Plant Quarantine zone as meant in point (1) shall be done by the Minister after considering the opinion of the Head of the local Region.

#### **Article 82**

Further provisions on the terms and procedures for the determination and revocation of the Plant Quarantine zone shall be issued with a Ministerial Decree.

## **CHAPTER VI**

### **KINDS OF PLANT DESTRUCTION ORGANISMS AND ITS CARRIER MEDIA**

#### **Article 83**

The Minister decides the kinds of the Quarantined Plant Destruction Organisms of Group I, the Quarantined Plants Destruction Organisms of Group II, The Important Plant Destruction

Organisms and its Carrier Media based on the risk analysis of the Plant Destruction Organisms and its spreading area.

#### **Article 84**

The Minister decides the kinds of Carrier Media of the Quarantined Plant Destruction Organisms as meant in Article 83, prohibited to:

- a. be imported into or exported from the territory of the Republic of Indonesia ;
- b. exported from or imported to one Area to another Area in the territory of the Republic of Indonesia.

#### **Article 85**

- (1) To know the existence and/or the spread of the Quarantined Plant Destruction Organisms in the territory of the Republic of Indonesia, a monitoring activity of the Quarantined Plant Destruction Organisms shall be undertaken.
- (2) The monitoring activities on the Quarantined Plant Destruction Organisms as meant in point (1) shall be done by the Plant Quarantine officials by involving the relevant parties related with the Plant protection activities.
- (3) Further provisions on the monitoring of the Quarantined Plant Destruction Organisms as meant in point (1) shall be issued with a Ministerial Decree.

### **CHAPTER VII**

#### **OTHER CARRIER MEDIA**

#### **Article 86**

Other Carrier Media unloaded from the transportation means at the entry place, shall be destroyed by the responsible party for the relevant transportation means under the supervision of the Plant Quarantine officials.

#### **Article 87**

The responsible party for the entry place shall be obliged to provide facilities for the accommodation or destruction for other Carrier Media as meant in Article 86.

### **CHAPTER VIII**

#### **ENTRY AND EXIT PLACES**

#### **Article 88**

- (1) By considering the risks of entry and spread of the Quarantined Plant Destruction Organisms and the smoothness and development of transportation, trade and the national development, the Minister decides the entry places for Carrier Media.
- (2) In deciding the entry and exit places of the Carrier Media as meant in point (1), the



Minister coordinates with the relevant ministers.

## **CHAPTER IX**

### **CONSTRUCTION/ESTABLISHMENT**

#### **Article 89**

- (1) The Minister undertakes construction to improve the awareness and participation of the community in plant quarantine.
- (2) The construction as meant in point (1) shall be organized through planned and continued educational activities, training, explanations, extension of information.
- (3) In organizing the construction activities as meant in point (1), the Minister may involve professional organizations or other institutions.

## **CHAPTER X**

### **INTER-COUNTRY COOPERATION ON PLANT QUARANTINE**

#### **Article 90**

- (1) The Minister may undertake mutually beneficial cooperation with other countries on Plant Quarantine .
- (2) The cooperation as meant in point (1) may be done in the form of a bilateral, regional and/or multilateral cooperation.

## **CHAPTER XI**

### **PLANT QUARANTINE OFFICIALS**

#### **Article 91**

- (1) The implementation of the Plant Quarantine actions is done by the Plant Quarantine officials.
- (2) The Plant Quarantine officials as meant in point (1) are Functional Officials Controlling the Destruction Organisms working at the Plant Quarantine agency.

#### **Article 92**

- (1) In the execution of their duties, the Plant Quarantine officials are authorized to ;

- a. Enter and inspect the transportation means, warehouse, berth, apron, passenger departure and arrival rooms or other places at the entry and exit points/places to know if there are or there are no Carrier Media to be trafficked.
  - b. Take samples of the Carrier Media to be trafficked;
  - c. Open or instruct other persons to open the package, wrapping or parcel of the Carrier Media, container or baggage, holds to know if there are or there are no Carrier Media to be or being trafficked.
  - d. Prohibit persons not authorized to enter the Quarantine Installation, transportation means or other places in which Plant Quarantine actions are taking place.
  - e. Prohibit the unloading from the transportation means or removal of the Carrier Media while under observation by the Plant Quarantine officials ;
  - f. Enter places of storage/accommodation of Carrier Media for the purpose of Plant Quarantine actions on the Carrier Media in case the Plant Quarantine action is done outside the entry and exit places; and/or
  - g. Decide the way of treatment and maintenance of the Carrier Media while undergoing the Plant Quarantine action.
- (2) In executing the duties and authority as meant in point (1) , the Plant Quarantine officials coordinates with the related agencies.

### **Article 93**

Investigation of criminal acts in the field of Plant Quarantine can be done by the Plant Quarantine officials specially authorized as a civil servant investigator pursuant to the relevant legal regulations.

## **CHAPTER XII**

### **TRANSITIONAL PROVISIONS**

#### **Article 94**

All execution regulations under the Government Regulations related to the Plant Quarantine is still in effect as long as it is not contrary to this Government Regulation.

## **CHAPTER XIII**

### **CLOSING PROVISIONS**

#### **Article 95**

This Government Regulation shall come into effect as of the date of enactment.

For public awareness this Government Regulation shall be announced by publishing it in the State Gazette of the Republic of Indonesia.

Issued in Jakarta

on 23rd April 2002

PRESIDENT REPUBLIC OF  
INDONESIA

**MEGAWATI SOEKARNOPUTRI**

Enacted in Jakarta  
on 23rd April 2002  
THE STATE SECRETARY OF THE REPUBLIC OF INDONESIA

**BAMBANG KESOWO**

THE STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2002 NUMBER 35  
Copy in accordance with the original

Deputy Cabinet Secretary  
Law and Legislation Field

**Lambock V. Nahattands**

This Document is translated from Indonesian into English  
by the Sworn and Authorized Translator in Jakarta, 28<sup>th</sup> July 2003

**PRESIDENT  
REPUBLIC OF INDONESIA  
EXPLANATORY MEMORANDUM**

**ON  
GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA  
NUMBER 14 OF 2002**

**CONCERNING  
PLANT QUARANTINE**

**GENERAL**

With the enactment of Law Number 16 year 1992 on Animal Quarantine, Fish and Plant dated 8th day of June 1992, implementation of animal quarantine, activity of animal, fish and plant has obtained the new complete legal basis and in accordance with the development of the needs. In general, a Law, Law Number 16 of 1992 contain provisions of a general nature that should be elaborated further in provisions of a more operational nature in a Government regulation as well as other regulations of a lower order.

There are two matters in the Law number 16 year 1992, that specifically are conveyed to be elaborated further in a Government Regulation, that is the problem of levies for quarantine services and the problem of transit of the transportation means carrying the Carrier Media. However, this does not close the possibility to regulate further other problems besides the two problems above in a Government Regulation, considering that the problem that will be regulated has a wide implication on the general interest or involves the competency of several departments. Besides that, some of the problems are new materials or not clearly regulated in the Law Number 16 year 1992 so it need to be regulated further in a Government Regulation to maintain the integrity of the system and simultaneously completing the provisions regulated in the said law. The further regulation of those problems in a Government Regulation is also done considering the hierarchy of the legal regulations in Indonesia so that it is seen to be imperative to first cast the material for regulating problems in other previous Government Regulation before regulating it further in other regulations of a lower level.

Based on the considerations as mentioned above, beside the problem of levies on quarantine service fees and the transit of transportation means, in this Government Regulation it is regulated further on the problem of Plant Quarantine actions, Plant Quarantine Zones, the mechanism to decide the entry and exit places, Quarantine Installation, development of the community point ticipation, Plant Quarantine officials and other problems considered necessary.

**ARTICLE PER ARTICLE**

**Article 1**

Numeral 1

The understanding of plant includes:

- (1) Seeds and seedlings of plants, namely plants or its parts in whatever condition and

form, intended to be cultivated and/or to be multiplied. An example of this plant seed, among others are living plants in complete condition like potted plants and bonsai, cuttings, seeds, bulbs, roots, tubers and pollen.

Products of plant are plant and its parts in life condition but not meant or not possible to be cultivated or used for multiplying the plants. Examples are fresh fruit and vegetables, tubers, cut flowers, cereals, and leaves.

- (2) Unprocessed products of dead plant, namely plant and its parts in dead condition but not yet undergoing a process which changes the original form or nature. Examples are: logs, straw, fruits, vegetables or dried flowers, rattan and cotton.
- (3) Processed products of dead plants, namely plants and its parts in dead condition and has undergone a process that caused a change of the original form or nature as long as it is still possible to become a Carrier Media of the Quarantined Plant Destruction Organisms included in this meaning are semi-processed products of plants. Examples are : cake of pressed peanuts, rice, rice bran, plywood, boards, pulp, flour, gunny sacks, rice husks and manioc chips.

Included in the understanding of plants above the following are protected plants like natural orchids, amorphophallus and cactus.

Numeral 2

Self-explanatory

Numeral 3

Self-explanatory

Numeral 4

Self-explanatory

Numeral 5

Self-explanatory

Numeral 6

Self-explanatory

Numeral 7

Cannot be released means that the Plant Destruction Organisms because of its nature really cannot be released, or there is no method known to free it or the method to free it cannot yet be done in Indonesia. Examples of the Quarantined Plant destruction Organisms of Group I are several kinds of viruses, microplasma, and bacterium like organism (BLO) causing plant diseases.

Numeral 8

Self-explanatory

Numeral 9

The understanding of the Important Plant Destruction Organisms includes the existing Plant Destruction Organisms, in certain areas as well as spread widely in Indonesia and does not

have the potential to harm the economy nationally, therefore it is not included in the category of the Quarantined Plant Destruction Organisms. However, its existence in the plant seeds can cause a damaging effect to the purpose of utilizing the said seed, example *Phytium* sp.

Numeral 10

Included in the understanding of other matters are among others : facilities for biological control, cultivated organism , soil, compost, or other growth media and vectors.

Numeral 11

Self-explanatory

Numeral 12

Self-explanatory

Numeral 13

Self-explanatory

Numeral 14

Except the Owner of the transportation means or agent, the understanding of responsible party of the transportation means is the pilot, the ships captain, or driver of the land vehicle.

Numeral 15

Self-explanatory

Numeral 16

Self-explanatory

Numeral 17

The Plant Health Certificate for the entry and exit to and the territory of the Republic of Indonesia is prepared in accordance with the example attached to the International Plant protectionConvention.

Numeral 18

Self-explanatory

Numeral 19

Self-explanatory

Numeral 20

Self-explanatory

**Article 2**

Character a

Other Carrier Media grouped in other goods, although excepted from the obligation to complete the Plant Health Certificate, but is not free from the other relevant Plant Quarantine conditions applicable for it.

Character b

Self-explanatory

Character c

Self-explanatory

**Article3**

Numeral (1)

Character a

See explanation of Article 2 Character a.

Character b

Self-explanatory

Character c

Self-explanatory

Numeral(2)

This condition means that the obligation as meant in point (1) is only applicable to any Carrier Media brought or sent from one area not free to another area free from the Quarantined Plant Destruction Organisms. While the Carrier Media brought from one free area to another free area, from one not-free area to another not-free area and from an area not free from the Quarantined Plant Destruction Organisms in the territory of the Republic of Indonesia then it is not subject to the obligations as meant in point (1)

Numeral(3)

Survey and monitoring of the spread region of the Plant Destruction Organisms are intended to know the existence of Plant Destruction Organisms in one area, while the risk analysis on the Plant Destruction Organisms is meant to determine whether a Plant Destruction Organism can be categorized as a Quarantined Plant Destruction Organism and the terms and quarantine actions suitable to prevent its spreading. The following factors shall be studied in the risks analysis on the Plant Destruction Organisms :

- a. The possibility of the natural spreading of the Plant Destruction Organisms ;
- b. The impact of the terms and quarantine actions to be implemented to prevent the spreading on the smoothness of trading and personnel and goods traffic;

- c. The amount of the expenses required and the benefits obtained from the effort to be done (cost benefit analysis);
- d. The capability of the Government to undertake the effort to prevent the spread of the Plant Destruction Organisms

Based on the results of the survey and the observation and the risk analysis, the Minister shall decide if the spreading area of a Plant Destruction Organisms is still limited to certain parts of an island, all parts of the island or group of islands.

#### **Article 4**

Character a

See explanation of Article 2 Character a.

Character b

Self-explanatory

Character c

Self-explanatory

#### **Article5**

Numeral (1)

Meant with certain case is a situation, based on the results of the risk analysis of the Plant Destruction Organisms, evaluated as having a big potential to cause the spread of the Plant Destruction Organisms through the traffic of the Carrier Media so that to overcome it are required additional requirements besides the requirements regulated in Article 2, Article 3 and

Article4

Numeral(2)

An example of a technical requirement is a requirement that the Carrier Media should originate from an area free from certain Quarantined Plant Destruction Organisms or the provision of certain treatments at the Country of origin before the Carrier Media is sent to the destination country.

While an example of the requirement of the documents completeness are the obligation to attach the fumigation certificate or certificate of origin.

Numeral (3)

Self-explanatory

#### **Article 6**

Numeral (1)

Self-explanatory



Numeral (2)

This conditions means that the Plant Quarantine action is only applicable to any Carrier Media brought or sent from one no-free area to another free area from the Quarantined Plant Destruction Organisms. While Carrier Media brought from one free area to another free area, from one no-free area to another no-free area and from a free area to another no-free area from the Quarantined Plant Destruction Organisms in the territory of the Republic of Indonesia shall not be subject to plant Quarantine actions.

Numeral (3)

Self-explanatory

**Article 7**

Self-explanatory

**Article 8**

Numeral (1)

Self-explanatory

Numeral (2)

Visual inspection is done by using the eyes or with the help of simple equipment like a loupe. While a laboratory inspection is done in the laboratory using laboratory equipment like microscopes, centrifuges, incubation rooms or autoclaves.

Numeral (3)

The understanding of Owner assists including to prepare equipment and materials which cannot be provided by the Government.

**Article 9**

Self-explanatory

**Article 10**

Numeral (1)

Self-explanatory

Numeral (2)

Examples of physical treatments are dipping in warm water, hot steam treatment and cooling. While examples of chemical treatments are fumigation with certain fumigants, soaking in a pesticide solutions and spraying with pesticides.

**Article 11**

Self-explanatory

**Article 12**

Numeral (1)

Self-explanatory

Numeral(2)

The supervision by the Plant Quarantine officials is done at the time the Carrier Media is re-loaded on the transportation equipment.

**Article 13**

Numeral (1)

Self-explanatory

Numeral(2)

The responsibility of the Owner in performing the destruction covers all process of activities done since the preparation until the completion of the destructive process.

Numeral (3)

Self-explanatory

Numeral (4)

Self-explanatory

Numeral (5)

Self-explanatory

**Article 14**

Self-explanatory

**Article15**

Charactera

The time required to report is at least five (5) days before the Carrier Media subject to isolation and observation has arrived at the entry place, in order that the Plant Quarantine officials have adequate time to prepare the Quarantine Installation for the implementation of the isolation and observation.

Character b

Self-explanatory

Character c

Self-explanatory

**Article 16**

Numeral (1)

Self-explanatory

Numeral(2)

Self-explanatory

Numeral(3)

This condition is meant in order that the Carrier Media is not detained too long at the entry place because it can become a source for spreading of the Plant Destruction Organisms .

**Article 17**

Self-explanatory

**Article 18**

Character a

Self-explanatory

Character b

The inspection on the transportation means is done if the relevant transportation means is only loaded with the Carrier Media and/or the said Carrier Media has a very high risk to spread the Quarantined Plant Destruction Organisms

**Article 19**

Numeral (1)

Character a

Self-explanatory

Character b

Self-explanatory

Character c

Self-explanatory

Character d

Self-explanatory

Character e

This provision is basically the same as the condition in Character d but is of a more specific nature that is applicable only to the kinds of certain Carrier Media. Those Carrier Media can only be entered in the appointed/designated entry places and is not valid for other entry places. This specialization is done with the consideration of a technical nature, for instance the unavailability of facilities to detect certain Plant Destruction Organisms.

Character f  
Self-explanatory

Character g  
Self-explanatory

Numeral (2)  
Self-explanatory

**Article 20**

Self-explanatory

**Article 21**

Self-explanatory

**Article 22**

Character a  
Self-explanatory

Character b  
Self-explanatory

Character c  
Self-explanatory

Character d

Based on the considerations of the Plant Quarantine officials, for instance the ship cannot immediately anchor alongside the docks.

**Article 23**

Self-explanatory

**Article 24**

Self-explanatory

**Article 25**

The matters that cause the impossibility of implementing the action on the transportation means shall be fully decided based on the technical considerations of the Plant Quarantine officials for instance among others:

1. The Carrier Media is in close proximity to other goods sensitive to the chemicals used for the treatment; or
2. The transportation means carrying the Carrier Media is in such a condition that it does not allow the implementation of the treatment.

**Article 26**

Self-explanatory

**Article 27**

Self-explanatory

**Article 28**

Self-explanatory

**Article 29**

Numeral (1)  
Self-explanatory

Numeral (2)  
Self-explanatory

Numeral(3)

This condition is meant in order that the Carrier Media is not detained too long at the entry place because it can become a source for spreading of the Plant Destruction Organisms .

Numeral (4)  
Self-explanatory

Numeral(5)

The Carrier Media is released because it has undergone Plant Quarantine actions at the area of origin or the transit area and has fulfilled the Plant Quarantine requirements at the entryplace.

Numeral (6)  
Self-explanatory

**Article 30**

Self-explanatory

**Article 31**

Self-explanatory

**Article 32**

Self-explanatory

**Article 33**

Character a  
Self-explanatory

Character b  
Self-explanatory

Character c  
Self-explanatory

Character d

Based on the considerations of the Plant Quarantine officials among others that the ship cannot immediately anchor alongside the berth.

**Article 34**

Self-explanatory

**Article 35**

Self-explanatory

**Article 36**

Please see the explanation of Article 25

**Article 37**

Self-explanatory

**Article 38**

Self-explanatory

**Article 39**

Considering the variety of time period required for reporting the Carrier Media in accordance with the kind of the Carrier Media and the process or method of the Plant Quarantine action to be implemented, determining such time period definitively is better contained in a more technical regulation, namely a Ministerial Decree.

**Article 40**

Self-explanatory

**Article 41**

Self-explanatory

**Article 42**

Self-explanatory

**Article 43**

Self-explanatory

**Article 44**

Self-explanatory

**Article 45**

Self-explanatory

**Article 46**

Numeral(1)

The construction of a Quarantine Installation at another place, is caused among other by the unavailability of land at the entry and exit points.

Numeral (2)

Self-explanatory

**Article 47**

Numeral (1)

Self-explanatory

Numeral (2)

The technical feasibility covers the aspects of utilities, facilities, maintenance, security, power and administration/recording the activities of the said Quarantine Installation

Numeral (3)

Self-explanatory

Numeral (4)

Self-explanatory

**Article 48**

Numeral (1)

Self-explanatory

Numeral (2)

Self-explanatory

Numeral(3)

The understanding of facilities are among others accommodation, consumption and transportation facilities required to go to the location.

**Article 49**

Self-explanatory

**Article 50**

Self-explanatory

**Article 51**

Self-explanatory

**Article 52**

Self-explanatory

**Article 53**

Self-explanatory

**Article 54**

The relevant transportation means may become the media for spreading the Plant Destruction Organisms.

**Article 55**

Numeral (1)

Self-explanatory

Numeral (2)

Self-explanatory

Numeral (3)

The said treatment for instance the relevant person is obligated to take a bath by using soap, and his clothes should immediately be washed.

**Article 56**

Self-explanatory

**Article 57**

Meant with the equipment is all equipment made of plants or non-plants that can carry the Plant Destruction Organisms, because of contamination. Examples are for instance household equipment, handicrafts and used farming tools. While meant with wrapping are plant found together or accompanying other goods used as wrapping, filler, binder, coating, closure and humidity protection. Examples are straw, husks, pallets, fibers, palm leave stems, gunny, boards and saw dust.

**Article 58**

Character a

Self-explanatory

Character b

Self-explanatory

Character c

The rejection is applied to equipment that cannot be destroyed. Examples are vehicles and machines.

Character d

Self-explanatory

**Article 59**

Self-explanatory

**Article 60**

Self-explanatory

**Article 61**

Self-explanatory

**Article 62**

Self-explanatory

**Article 63**

Self-explanatory

**Article 64**

Self-explanatory

**Article 65**

Self-explanatory



**Article 66**

Self-explanatory

**Article 67**

Self-explanatory

**Article 68**

Self-explanatory

**Article 69**

Self-explanatory

**Article 70**

Numeral (10 )

Self-explanatory

Numeral (2)

Force majeure, among others, are that the Carrier Media is a Carrier Media easily damaged, so it should be immediately be unloaded from the transportation equipment, the ship carrying it suffers grave damage so it is feared that it will sink, or the safety of the Carrier Media is not assured if still on the transportation equipment.

Numeral (3)

Self-explanatory

Numeral (4)

Self-explanatory

**Article 71**

Self-explanatory

**Article 72**

Numeral (1)

Meant with the third point ties, among others, are research institutions, universities and fumigators.

Numeral (2)

Self-explanatory

Numeral (3)

Self-explanatory

**Article 73**

Self-explanatory

**Article 74**

Numeral(1)

The rejection action is not right to be applied in this case because the Carrier Media derives from the territory of the Republic of Indonesia.

Numeral (2)

Self-explanatory

Numeral (3)

Self-explanatory

#### **Article 75**

Numeral(1)

In accordance with the relevant international conditions, meant as a Carrier Media of Important Plant Destruction Organisms are seeds or seedlings of plants.

Numeral(2)

Meant with legal regulations in the field of seed certification are the legal regulations related to the supervision of the quality standard of the seeds distributed/traded. The provisions of the legal regulations also covers the aspects of health of the seeds distributed, namely the provision regulating that the seeds should be free from certain Plant Destruction Organisms or can only be contaminated / infected in the stipulated limits (maximum pest limit). The provisions on the health aspects of the seeds should be focused on the implementation of the Plant Quarantine actions on seeds. The application of the provisions in the field of seed certification for the seeds entered into the territory of the Republic of Indonesia or transported inter area in the territory of the Republic of Indonesia, will not diminish the applicability of the provisions in the field of Plant Quarantine generally, especially those regulated in CHAPTER III Part two and Part Three of this Government Regulation, because besides being a Carrier Media of Important Plant Destruction Organisms, seeds are also Carrier Media of the Quarantined Plant Destruction Organisms.

Numeral (3)

Self-explanatory

#### **Article 76**

Numeral (1)

Plant Quarantine action documents are documents issued by the Plant Quarantine officials as a result of the implementation of a Plant Quarantine action.

Numeral (2)

The Plant Quarantine action documents that are obliged to be submitted to the Owner and/or other relevant point ties are among others:

1. Certificate for Being Quarantined
2. Foreign Plant Quarantine Release Certificate
3. Domestic Plant Quarantine Release Certificate
4. Domestic Plant Quarantine certificate
5. Phytosanitary Certificate
6. Phytosanitary Certificate for re-export
7. Fumigation Certificate
8. Minutes of Destruction
9. Detention Notice
10. Rejection Notice

11. Ship Inspection Report
12. Inspection Results Certificate

Numeral (3)

Self-explanatory

**Article 77**

Numeral (1)

Self-explanatory

Numeral (2)

Cost for the use of the facilities that can be charged to the Owner of the Carrier Media among others, are rent for warehouse, glass house and incinerator.

**Article 78**

Self-explanatory

**Article 79**

Numeral (1)

Self-explanatory

Numeral (2)

In case the Plant Quarantine zone is in the territory of a Regency (Kabupaten)/City (Kota) then the consideration to decide the Plant Quarantine zone is given by the local Regent/Mayor. However, if the Plant Quarantine zone is located in two (2) or more Regencies/Cities, then the consideration is given by the Governor.

Numeral (3)

Meant with the Head of the region is in line with the explanation of point (2).

**Article 80**

Self-explanatory

**Article 81**

Self-explanatory

**Article 82**

Self-explanatory

**Article 83**

Self-explanatory

**Article 84**

Self-explanatory

**Article 85**

Self-explanatory

**Article 86**

Included in the meaning of other Carrier Media are waste , among other waste of food containing matters from plants.

**Article 87**

The responsible party of the entry place is the institution responsible for the management of the entry place , for instance PT. Pelindo, PT. Angkasa Pura and PT. Pos and Giro

**Article 88**

Self-explanatory

**Article 89**

Self-explanatory

**Article 90**

Self-explanatory

**Article 91**

Numeral (1)

Self-explanatory

Numeral (2)

There are the Functional Officials Controlling the Plant Destruction Organisms who also work at another agency like the food crop protection agency, plantation or horticulture, either as officials of the Central Government or as Officials of the Regional Government . However they are not Plant Quarantine officials.

**Article 92**

Numeral (1)

Character a

Self-explanatory

Character b

The Plant Quarantine officials have the authority to inspect all the batch of Carrier Media and taking samples shall be done for further investigation at the laboratory.

Character c

For the opening of baggage, point cels, wrapping. and other should be done in the presence of the Owner or its attorney.

Character d

Self-explanatory

Character e

Self-explanatory

Character f

Self-explanatory

Character g

Self-explanatory

Numeral (2)

Self-explanatory

**Article 93**

Self-explanatory

**Article 94**

Self-explanatory

**Article 95**

Self-explanatory

**ADDENDUM TO THE STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 4196**

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