

REGULATION OF THE PRESIDENT OF THE REPUBLIC OF INDONESIA
NUMBER 79 OF 2011
CONCERNING
FOREIGN YACHT VISITS TO INDONESIA

BY THE GRACE OF GOD ALMIGHTY
THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that Indonesia constitutes the largest archipelago country in the world that has got biological and cultural diversities as the basic capital to develop the marine tourism industry;
 - b. that in order to develop the marine tourism industry and improve the economy of communities in the coastal areas, small islands and inland waters, it is necessary to facilitate foreign yachts visiting Indonesia;
 - c. that based on the considerations as referred to in letter a and letter b above, it is necessary to stipulate a Presidential Regulation concerning Foreign Yacht Visits to Indonesia;
- In view of :
1. Article 4 paragraph (1) of the 1945 Constitution of the Republic of Indonesia;
 2. Law No. 1 of 1962 concerning Sea Quarantine (State Gazette of the Republic of Indonesia Number 2 of 1962, Supplementary to the State Gazette of the Republic of Indonesia Number 2373);
 3. Law Number 4 of 1984 concerning Contagious Epidemic Disease (State Gazette of the Republic of Indonesia Number 20 of 1984, Supplementary to the State Gazette of the Republic of Indonesia Number 3273);
 4. Law No. 16 of 1992 concerning Animal, Fish and Plant Quarantine (State Gazette of the Republic of Indonesia Number 56 of 1992, Supplementary to the State Gazette of the Republic of Indonesia Number 3482);
 5. Law Number 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia Number 75 of 1995, Supplementary to the State Gazette of the Republic of Indonesia Number 3612) as has amended for several times with the most recent amendment through Law Number 17 of 2006 (State Gazette of the Republic Indonesia Number 93 of 2006, Supplementary to the State Gazette of the Republic of Indonesia Number 4661);
 6. Law Number 6 of 1996 concerning Waters (State Gazette of the Republic of

Indonesia Number 73 of 1996, Supplementary to the State Gazette of the Republic of Indonesia Number 3647);

7. Law Number 17 of 2008 concerning Shipping (State Gazette of the Republic of Indonesia Number 64 of 2008, Supplementary to the State Gazette of the Republic of Indonesia Number 4849);
8. Law Number 10 of 2009 concerning Tourism (State Gazette of the Republic of Indonesia Number 11 of 2009, Supplementary to the State Gazette of the Republic of Indonesia Number 4966);
9. Law Number 6 of 2011 concerning Immigration (State Gazette of the Republic of Indonesia Number 52 of 2011, Supplementary to the State Gazette of the Republic of Indonesia Number 5216);

HAS DECIDED:

To lay down : PRESIDENTIAL REGULATION CONCERNING FOREIGN YACHT VISITS TO INDONESIA

Article 1

The terms in this Presidential Regulation shall mean as follows:

1. Tourism means various tourism activities supported with other facilities and services provided by the community members, business entities, state and local government.
2. A vessel means a water transportation mean in a certain form and type driven by wind power, mechanical power and other energies, being pulled or towed, including vessel having a dynamic support, underwater transportation mean, and floating equipment and floating building that does not move around.
3. A foreign yacht means a water transportation mean having a foreign flag and used by holidaying or racing tourists driven by wind power and/or mechanical power and used for noncommercial purposes only.
4. A harbor means a place consisting of land and/or water with certain limitations as a government and business activity center that is used as a venue of mooring vessels, passengers embarking and disembarking, cargos loading and unloading, terminal and anchoring vessels equipped with sailing safety facilities and other port supporting activities as well as the transportation transfers of the same or different kinds.

5. An entry or exit port means a port or marina that has been determined as a foreign yacht entry or exit port.
6. A foreign yacht visit organizer means a business entity, association, sport organization and the similar marine tourism activity organizer.
7. A general agent means a national seawater transportation company or national company specializing in carrying out the vessel agency businesses nominated by a foreign seawater transportation company to take care of its ship's interests during its visit to Indonesia.
8. The government means the President of the Republic of Indonesia holding the government authority of the State of the Republic of Indonesia as contemplated in the 1945 Constitution of the Republic of Indonesia.
9. A local government means Governor, Regent, or Mayor, and the local authorities as regional government administrators.
10. Relevant agencies mean all government agencies related to the efforts of enhancing foreign yacht visits.
11. Minister means the minister taking care of the government affairs related to tourism.

Article 2

- (1) A foreign yacht along with its crews and/or passengers including their personal effects and/or vehicles that will enter the Indonesian territorial waters for holidaying purposes shall be provided with facilities in forms of the Clearance and Approval for Indonesian Territory (CAIT), seaport, customs, immigration and quarantine.
- (2) The facilities for a foreign yacht along with its crews and/or passengers including their personal effects and/or vehicles as referred to in paragraph (1) above shall only be given at the entry and exit ports as specified in this Presidential Regulation.
- (3) An application for the Clearance and Approval for Indonesian Territory (CAIT) and application for the permits related to seaport, customs, immigration and quarantine as referred to in paragraph (1) above may be lodged electronically.

Article 3

A foreign yacht along with its crews intending to visit Indonesia for holidaying purposes shall be provided with the application and approval process facilities for the Clearance Approval for Indonesian Territory (CAIT).

Article 4

(1) A foreign yacht intending to visit Indonesia for holidaying purposes are provided with facilities of seaport affairs if it enters or exits through the seaports as follows:

- a. Sabang Seaport, Sabang, Nanggroe Aceh Darussalam;
- b. Belawan Seaport, Medan, North Sumatra;
- c. Teluk Bayur Seaport, Padang, West Sumatra;
- d. Nongsa Point Marina, Batam, Riau Islands;
- e. Bandar Bintan Telani Seaport, Bintan, Riau Islands;
- f. Tanjung Pandan Seaport, Belitung, Bangka Belitung;
- g. Sunda Kelapa Seaport and Marina Ancol, Jakarta Special Capital Region;
- h. Benoa Seaport, Badung, Bali:
- i. Tenau Seaport, Kupang, East Nusa Tenggara
- j. Kumai Seaport, West Kotawaringin, Central Kalimantan
- k. Tarakan Seaport, Tarakan, East Kalimantan;
- l. Nunukan Seaport, Bulungan, East Kalimantan;
- m. Bitung Seaport, Bitung, North Sulawesi;
- n. Ambon Seaport, Ambon, Maluku;
- o. Saumlaki Seaport, Maluku Tenggara Barat (West Southeast Maluku), Maluku;
- p. Tual Seaport, Southeast Maluku, Maluku;
- q. Sorong Seaport, Sorong, West Papua, and
- r. Biak Seaport, Biak, Papua.

(2) The entry and exit ports as referred to in paragraph (1) above may be changed by taking into account:

- a. the increasing number of foreign yacht visits;
- b. the facilities and infrastructures readiness to provide such services; and
- c. the regional development.

(3) The entry and exit ports as referred to in paragraph (2) above may be changed through a Regulation of the Minister of Transportation after coordinating with relevant government agencies.

Article 5

- (1) A foreign yacht along with its crew's personal effects and/or vehicles entering Indonesia for holidaying purposes shall comply with the customs regulations concerning temporary import.
- (2) To obtain a temporary import permit as referred to in paragraph (1) above, a foreign yacht owner or through a general agent and/or foreign yacht visit organizer shall lodge an application to the Director General of Customs and Excise.
- (3) A foreign yacht visit may be organized by the government and/or a foreign yacht visit organizer.
- (4) The Government and/or foreign yacht visit organizer as referred to in paragraph (3) above shall be responsible for organizing activities and shall become the guarantor of the customs duties for the goods and/or vehicles carried by the concerned yacht's crews.

Article 6

- (1) An entry foreign yacht along with its crew's personal effects and/or vehicles shall be provided with a guaranteeing facility.
- (2) The guaranteeing facility as referred to in paragraph (1) above shall be provided in a written guarantee.
- (3) A written guarantee as referred to in paragraph (2) above may be proposed by:
 - a. an Echelon I Central Government Official or equivalence;
 - b. an Echelon II Local Government Official or equivalence acting as a foreign yacht visit organizer in the area;
 - c. a foreign yacht visit organizer; or
 - d. a general agent.

Article 7

- (1) A foreign yacht's crews and/or passengers visiting Indonesia are required to have residential permits.
- (2) The residential permits as referred to in paragraph (1) above are in form of certain period visit permits granted to foreign nationals as foreign yacht's crews, namely:
 - a. Visit Visa issued by the Representative of the Republic of Indonesia;
 - b. Visa on Arrival issued upon their arrivals in the territory of the Republic Indonesia; or
 - c. Free Visa for Short Visit for certain foreign countries.

- (3) The Certain Period Visit Visa as referred to in paragraph (2) letter a and letter b above can be extended according to the prevailing rules and regulations.
- (4) The certain period visit visa as referred to in paragraph (3) above may be applied for extension at the nearest Immigration Office where a foreign yacht moors, by submitting:
- a. the relevant application letter and the guarantee letter from the guarantor;
 - b. Photocopy of passport and such passport is still valid at least 6 (Six) months ahead; and
 - c. Photocopy of the existing residential permit.
- (5) A foreign yacht's crews as referred to in paragraph (2) are not required to report to the foreign national registration.

Article 8

- (1) A foreign yacht and its crews including their personal effects entering Indonesia for holidaying purposes are subject to a quarantine inspection.
- (2) The quarantine inspection as referred to in paragraph (1) above shall be carried out according to the prevailing rules and regulations.

Article 9

The seaport, customs, immigration and quarantine inspections and the issuance of Sailing Approval Letter (SPB) shall be carried out under one stop service system at an entry and exit seaport.

Article 10

A foreign yacht along with its crews including their personal effects and/or vehicles that will come out of the Indonesian territorial waters are obliged to comply with all obligations related to customs, immigration, quarantine and seaport.

Article 11

A foreign yacht visiting the Indonesian territorial waters are prohibited to be used for commercial purposes and/or to be rented out to any other party.

Article 12

- (1) In the efforts of ensuring the safety of foreign yacht visits, the Government shall develop a vessel monitoring system.
- (2) The vessel monitoring system as referred to in paragraph (1) above shall be developed based on the prevailing rules and regulations.

Article 13

- (1) In order to increase foreign yacht visits, the State and/or Local Government can provide supporting facilities for foreign yacht visits.
- (2) Supporting facilities as referred to in paragraph (1) above are in forms of:
 - a. preparing foreign yacht sailing lanes;
 - b. facilitating the developments of marina or special foreign yacht terminal;
 - c. pier developments;
 - d. installing sailing navigation supports;
 - e. facilitating maintenances and repairs for foreign yachts, and
 - f. providing other facilities and infrastructures as necessary.
- (3) The facilities as referred to in paragraph (1) and paragraph (2) above shall be provided according to the prevailing rules and regulations.

Article 14

- (1) In order to guarantee the effective implementation of this Presidential Regulation, it is necessary to coordinate with the relevant government agencies and/or other parties.
- (2) The coordination as referred to in paragraph (1) above may involve as follows:
 - a. the Ministry of Foreign Affairs;
 - b. the Ministry of Defense;
 - c. the Ministry of Justice and Human Rights;
 - d. the Ministry of Finance;
 - e. the Ministry of Transportation;
 - f. the Ministry of Health;
 - g. the Ministry of Maritime Affairs and Fisheries;
 - h. the Ministry of Culture and Creative Economy;
 - i. the Indonesian National Armed Forces Headquarters, and
 - j. general agents and/or organizers of foreign yacht visits.

Article 15

Any foreign yachts violating the provisions as referred to in Article 5 paragraph (1), Article 7 paragraph (1), Article 8 paragraph (1), Article 10 and Article 11 above are subject to sanctions according to the prevailing rules and regulations.

Article 16

Any further regulations that are required to implement this Presidential Regulation shall be regulated by the Minister, the related Ministers and Heads of Government Agencies either jointly or severally according to their respective duties and authorities by observing and complying with the prevailing rules and regulations.

Article 17

This Presidential Regulation shall come into effect on its promulgation date.

Stipulated in : Jakarta
on : 31 October 2011

PRESIDENT OF THE REPUBLIC OF INDONESIA,
signed
DR. H. SUSILO BAMBANG YUDHOYONO

This copy is in accordance with its original.

Deputy Minister for People's Welfare
Cabinet Secretariat,
signed
Agus Sumartono, SH., MH.