

## THE REPUBLIC OF INDONESIA

## PRESIDENTIAL REGULATION OF THE REPUBLIC OF INDONESIA

## NUMBER 45 OF 2023

## **CONCERNING**

## INDONESIAN QUARANTINE AGENCY

### BY THE GRACE OF GOD ALMIGHTY

## PRESIDENT OF THE REPUBLIC OF INDONESIA

## Considering

that in order to implement the provisions of Article 336 of Government Regulation Number 29 of 2023 concerning Implementing Regulations of Law Number 21 of 2019 concerning Animal, Fish and Plant Quarantine, it is necessary to enact a Presidential Regulation concerning the Indonesian Quarantine Agency;

## In view of

- : 1. Article 4 paragraph (1) of the 1945 Constitution of the Republic of Indonesia;
  - 2. Law Number 21 of 2019 concerning Animal, Fish and Plant Quarantine (State Gazette of the Republic of Indonesia Year 2019 Number 200, Supplement to the State Gazette of the Republic of Indonesia Number 6411);
  - 3. Government Regulation Number 29 of 2023 concerning Implementing Regulations of Law Number 21 of 2019 concerning Animal, Fish and Plant Quarantine (State Gazette of the Republic of Indonesia of 2023 Number 73, Supplement to the State Gazette of the Republic of Indonesia Number 6878);

## DECIDE:

Stipulate

: PRESIDENTIAL REGULATION CONCERNING THE INDONESIAN QUARANTINE AGENCY

<u>Unoffical Translation by Office of Agricultural Affairs Jakarta</u>



## PRESIDENT OF THE REPUBLIC OF INDONESIA

## CHAPTER I General provisions

## Article 1

In this Presidential Regulation what is meant by:

- 1. The Indonesian Quarantine Agency is a government agency that carries out government duties in the field of animal, fish and plant quarantine.
- 2. Animal, Fish and Plant Quarantine, hereinafter referred to as Quarantine, is a system for preventing the entry, exit and spread of quarantine animal pests and diseases, quarantine fish pests and diseases, and quarantine plant pest organisms, as well as monitoring and/or controlling food safety and food quality, feed safety and feed quality, genetically modified food, genetic resources, biological agents, invasive alien species, wild plants and animals, and rare plants and animals that are introduced into, spread from one area to another area, and/or removed from the territory of the Republic of Indonesia.

## CHAPTER II POSITION, DUTIES AND FUNCTIONS

Part One Position

- (1) The Indonesian Quarantine Agency is a government agency that is under and responsible to the President.
- (2) The Indonesian Quarantine Agency is led by the Head.



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## Part Two Duties and Function

## Article 3

Indonesian Quarantine Agency has the duty of carrying out government duties in the field of Quarantine.

## Article 4

In carrying out the duties as intended in Article 3, the Indonesian Quarantine Agency carries out the following functions:

- a. formulating and establishing technical policies in the Quarantine sector;
- b. implementation of technical policies in the Quarantine sector;
- c. coordination of task implementation, guidance and administrative support to all organizational elements within the Indonesian Quarantine Agency;
- d. management of state property which is the responsibility of the Indonesian Quarantine Agency;
- e. implementation of substantive support to all organizational elements within the Indonesian Quarantine Agency; and
- f. supervision over the implementation of duties within the Indonesian Quarantine Agency.

## CHAPTER III ORGANIZATION

## Part One Organization structure

## Article 5

The organizational structure of the Indonesian Quarantine Agency consists of:

- a. Head:
- b. Main Secretariat;
- c. Deputy for Animal Quarantine;
- d. Deputy for Fish Quarantine; and
- e. Deputy for Plant Quarantine.

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Part Two Head

#### Article 6

The Head has the task of leading and being responsible for the implementation of the duties and functions of the Indonesian Quarantine Agency.

## Part Three Main Secretariat

## Article 7

- (1) The Main Secretariat is subordinate to and responsible to the Head.
- (2) The Main Secretariat is led by the Main Secretary.

## Article 8

The Main Secretariat has the duty of coordinating the implementation of duty, coaching and providing administrative support to all organizational elements within the Indonesian Quarantine Agency.

## Article 9

In carrying out the duties as intended in Article 8, the Main Secretariat carries out the functions:

- a. coordinating activities within the Indonesian Quarantine Agency;
- b. coordinating and preparing plans, programs and budgets for the Indonesian Quarantine Agency;
- c. coaching and providing administrative support covering administration, staffing, finance, housekeeping, cooperation, public relations, archives and documentation within the Indonesian Quarantine Agency;
- d. coaching and structuring organization and management;
- e. coordination and preparation of legislative regulations and implementation of legal advocacy;



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- f. administering the management of state property/wealth and service of government goods/services procurement; and
- g. implementation of other functions assigned by the Head.

## Part Four Deputy for Animal Quarantine

## Article 10

- (1) The Deputy for Animal Quarantine is subordinate to and responsible to the Head.
- (2) The Deputy for Animal Quarantine is led by the Deputy.

## Article 11

The Deputy for Animal Quarantine has the duty of carrying out the formulation and implementation of technical policies in the field of animal quarantine.

## Article 12

In carrying out the duties as intended in Article 11, the Deputy for Animal Quarantine carries out the functions:

- a. formulation of technical policies in the field of animal quarantine;
- b. implementation of technical policies in the field of animal quarantine;
- c. implementation of monitoring, evaluation and reporting in the field of animal quarantine; and
- d. implementation of other functions assigned by the Head.

## Part Five Deputy for Fish Quarantine

- (1) The Deputy for Fish Quarantine is subordinate to and responsible to the Head.
- (2) The Deputy for Fish Quarantine is led by the Deputy.



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## Article 14

The Deputy for Fish Quarantine has the duty of carrying out the formulation and implementation of technical policies in the field of fish quarantine.

### Article 15

In carrying out the duties as intended in Article 14, the Deputy for Fish Quarantine carries out the following functions:

- a. formulation of technical policies in the field of fish quarantine;
- b. implementation of technical policies in the field of fish quarantine;
- c. implementation of monitoring, evaluation and reporting in the field of fish quarantine; And
- d. implementation of other functions assigned by the Head.

## Part Six Deputy for Plant Quarantine

## Article 16

- (1) The Deputy for Plant Quarantine is subordinate to and responsible to the Head.
- (2) The Deputy for Plant Quarantine is led by the Deputy.

## Article 17

The Deputy for Plant Quarantine has the duty of carrying out the formulation and implementation of technical policies in the field of plant quarantine.

## Article 18

In carrying out the duties as intended in Article 17, the Deputy for Plant Quarantine carries out the functions:

a. formulation of technical policies in the field of plant quarantine;



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- b. implementation of technical policies in the field of plant quarantine;
- c. implementation of monitoring, evaluation and reporting in the field of plant quarantine; and
- d. implementation of other functions assigned by the Head

## Part Seven Supervisory Element

## Article 19

- (1) The Inspectorate was formed within the Indonesian Quarantine Agency as a supervisory element.
- (2) The Inspectorate as intended in paragraph (1) is subordinate to and responsible to the Head and is administratively coordinated by the Main Secretary.
- (3) The Inspectorate is led by an Inspector.

## Article 20

The Inspectorate has the duty of carrying out internal supervision within the Indonesian Quarantine Agency.

## Article 21

In carrying out the duties as intended in Article 20, the Inspectorate carries out the functions:

- a. preparation of technical policies for internal supervision;
- b. implementation of internal supervision of performance and finances through audits, reviews, evaluations, monitoring and other supervisory activities;
- c. implementation of supervision for specific purposes on assignment of the Head;
- d. preparation of monitoring results reports;
- e. implementation of Inspectorate administration; and
- f. implementation of other functions assigned by the Head.

## Part Eight Supporting Elements Article 22

(1) The Center can be established within the Indonesian Quarantine Agency as a supporting element of the duties and functions of the Indonesian Quarantine Agency.

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- (2) The Center as intended in paragraph (1) is under and responsible to the Head through the Main Secretary.
- (3) The Center is led by the Head of the Center.

### Article 23

- (1) A maximum of 3 (three) centers can be formed.
- (2) The formation of the center as intended in paragraph (1) is based on an analysis of the organization and workload.

## Part Nine Organization Size

## Article 24

- (1) The Main Secretariat consists of a maximum of 4 (four) Bureaus.
- (2) The Bureau as intended in paragraph (1) consists of Functional Position Groups.
- (3) In the event that the duties and functions of the Bureau cannot be carried out by the Functional Position Group as intended in paragraph (2), a maximum of 3 (three) Divisions can be formed.
- (4) The Division as intended in paragraph (3) consists of Functional Position Groups and/or a maximum of 3 (three) Subdivisions.
- (5) The provisions as intended in paragraph (4) are excluded for the Division that handles leadership administrative functions consisting of Functional Position Groups and/or a number of Subdivisions as needed.

- (1) The Deputy consists of a maximum of 3 (three) Directorates.
- (2) The Directorate as intended in paragraph (1) consists of Functional Position Groups.
- (3) In the event that the duties and functions of the Directorate cannot be carried out by the Functional Position Group as intended in paragraph (2), a maximum of 3 (three) Subdirectorates can be formed.



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(4) The Sub-directorate as intended in paragraph (3) consists of a Functional Position Group and/or a maximum of 3 (three) Sections.

## Article 26

- (1) The Inspectorate consists of Functional Position Groups.
- (2) In carrying out administrative functions, the Inspectorate as intended in paragraph (1) is assisted by Functional Position Groups and/or Subdivisions that handle administrative functions.

## Article 27

- (1) The Center as intended in Article 22 paragraph (1) consists of Functional Position Groups.
- (2) In the event that the central duties and functions as intended in paragraph (1) cannot be carried out by the Functional Position Group, a maximum of 2 (two) Sector and Subdivisions that handle administrative functions can be formed.
- (3) The Sector as intended in paragraph (2) consists of a Functional Position Group and/or a maximum of 2 (two) Subsector.
- (4) Centers which are located separately from the head office, in carrying out administrative functions consist of Functional Position Groups and/or Divisions can be formed.
- (5) The Division as intended in paragraph (4) consists of a Functional Position Group and/or a maximum of 2 (two) Subdivisions.

## Part Ten Technical Implementation Unit

- (1) To carry out operational technical duties and/or supporting technical duties within the Indonesian Quarantine Agency, a Technical Implementation Unit can be formed.
- (2) The Technical Implementation Unit is led by the Head of the Technical Implementation Unit.



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## Article 29

The formation of the Technical Implementation Unit as intended in Article 28 paragraph (1), is determined by the Head after obtaining written approval from the minister who administers government affairs in the field of state apparatus.

## Part Eleven Functional Positions

## Article 30

Certain functional positions can be determined within the Indonesian Quarantine Agency in accordance with needs, the implementation of which is carried out in accordance with the provisions of the laws and regulations

## CHAPTER IV WORKING PROCEDURE

## Article 31

In carrying out its duties and functions, the Indonesian Quarantine Agency coordinates other government agencies and regional governments related to the implementation of Quarantine.

#### Article 32

In carrying out his duties and functions, the head must implement a government agency performance accountability system.

- (1) The Indonesian Quarantine Agency must develop business processes that describe effective and efficient working relationships between organizational units within the Indonesian Quarantine Agency.
- (2) Business processes between organizational units within the Indonesian Quarantine Agency as intended in paragraph (1) are determined by the Head.



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### Article 34

The Indonesian Quarantine Agency must prepare a positions analysis, position map, workload analysis and job descriptions for all positions within the Indonesian Quarantine Agency.

### Article 35

Every element within the Indonesian Quarantine Agency in carrying out its duties must apply the principles of coordination, integration and synchronization both within the Indonesian Quarantine Agency itself, as well as in inter-institutional relations with other related institutions.

## Article 36

The Head submits reports to the President regarding the results of the implementation of government duties in the field of Quarantine periodically or at any time as needed.

## Article 37

Each element within the Indonesian Quarantine Agency must implement the government's internal control system in their respective environments in accordance with the provisions of statutory regulations.

## Article 38

- (1) Each organizational unit leader is responsible for leading and coordinating subordinates and providing direction and instructions for carrying out duties in accordance with the assigned job description.
- (2) The directions and instructions as intended in paragraph (1) must be followed and obeyed by subordinates responsibly and reported periodically in accordance with the provisions of the laws and regulations.

## Article 39

In carrying out their duties, each organizational unit leader must provide guidance and supervision of the organizational units under them.



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## CHAPTER V POSITION, APPOINTMENT AND DISMISSAL

## Article 40

- (1) The head is the main high leadership position or structural position of the echelon I.a.
- (2) Main Secretary and Deputy are intermediate high leadership positions or structural position of the echelon I.a.
- (3) Head of Bureau, Inspector, Director and Head of Center are pratama high leadership positions or structural position of the echelon II.a.
- (4) Head of Division, Head of Subdirectorate, and Head of Sector are administrator positions or structural positions of the echelon III.a.
- (5) Head of Subdivision, Head of Section, and Head of Subsector are supervisory positions or structural positions at echelon IV.a.

## Article 41

- (1) The Head is appointed and dismissed by the President.
- (2) The Main Secretary, Deputy and Main Expert Functional Officer are appointed and dismissed by the President on the recommendation of the Head in accordance with the provisions of the laws and regulations.
- (3) Pratama high leadership officer, administrator officials, supervisory officials, and intermediate expert functional officer and below are appointed and dismissed by the Head in accordance with the provisions of the laws and regulations.

## CHAPTER VI FUNDING

## Article 42

The funding required to carry out the duties and functions of the Indonesian Quarantine Agency comes from the State Budget.



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## Article 43

- (1) The head is designated as the budget user.
- (2) The head as budget user can appoint the attorney of budget user.

# CHAPTER VII DETAILS OF DUTIES, FUNCTIONS, ORGANIZATIONAL STRUCTURE, AND WORK PROCEDURES

## Article 44

Further provisions regarding the duties, functions, organizational structure and work procedures of the Indonesian Quarantine Agency are regulated in the Regulations of Indonesian Quarantine Agency after obtaining written approval from the minister who administers government affairs in the field of state apparatus.

## CHAPTER VIII TRANSITIONAL PROVISIONS

## Article 45

When this Presidential Regulation comes into force, the implementation of the duties and functions of agricultural quarantine and biological safety monitoring carried out by the Indonesian Agricultural Quarantine Agency of the Ministry of Agriculture as regulated in Presidential Regulation Number 117 of 2022 concerning the Ministry of Agriculture (State Gazette of the Republic of Indonesia of 2022 Number 188), will be integrated is the duties and function of the Indonesian Quarantine Agency.



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### Article 46

When this Presidential Regulation comes into force:

- a. fish quarantine and fish biosecurity implemented by the Ministry of Marine Affairs and Fisheries; and
- b. supervision and/or control of genetically modified food, genetic resources, biological agents, invasive alien species, wild plants and animals, and rare plants and animals at entry and exit points carried out by the Director General Natural Resources and Ecosystem Conservation Ministry of Environment and Forestry is based on collaboration with the Indonesian Agricultural Quarantine Agency of the Ministry of Agriculture,

integrated with the duties and functions of the Indonesian Quarantine Agency.

- (1) State civil servants who carry out duties and functions in the field of agricultural quarantine and biological safety monitoring within the Indonesian Agricultural Quarantine Agency of the Ministry of Agriculture, will change to become state civil servants within the Indonesian Quarantine Agency.
- (2) State civil servants who carry out fish quarantine and fish biosecurity within the Ministry of Marine Affairs and Fisheries, will change to become state civil servants within the Indonesian Quarantine Agency.
- (3) State civil servants who carry out supervision and/or control of genetically modified food, genetic resources, biological agents, invasive alien species, wild plants and animals, and rare plants and animals at entry and exit points within the Ministry of Environment and Forestry can be transferred to become state civil servant employees within the Indonesian Quarantine Agency.



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- (4) Equipment, funding and documents in the field of agricultural quarantine and biological safety monitoring within the Indonesian Agricultural Quarantine Agency of the Ministry of Agriculture, are transferred to equipment, funding and documents for the Indonesian Quarantine Agency.
- (5) Equipment, funding and documents in the areas of:
  - a. fish quarantine and fish biosecurity within the Ministry of Marine Affairs and Fisheries; and
  - b. supervision and/or control of genetically modified food, genetic resources, biological agents, invasive alien species, wild plants and animals, and rare plants and animals at entry and exit points within the Ministry of Environment and Forestry, transferred to equipment, funding, and documents from the Indonesian Quarantine Agency.
- (6) The transfer of state civil apparatus employees, equipment, funding and documents for implementing Quarantine as intended in paragraph (1), paragraph (2), paragraph (3), paragraph (4) and paragraph (5) is carried out within the latest period. 1 (one) year after this Presidential Regulation comes into effect and coordinate with the ministry that carries out government affairs in the field of state apparatus, the ministry that handles government affairs in the financial sector, and related ministries/institutions.

## Article 48

To ensure that the implementation of the Quarantine program in 2023 can run, the Head of the Indonesian Quarantine Agency uses state civil servants, equipment, funding and documents on:

- a. Indonesian Agricultural Quarantine Agency of the Ministry of Agriculture;
- b. Ministry of Marine Affairs and Fisheries which implements fish quarantine and fish biosecurity; and



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c. The Ministry of Environment and Forestry carries out supervision and/or control of genetically modified food, genetic resources, biological agents, invasive alien species, wild plants and animals, and rare plants and animals at the point of entry and exit,

up to the transfer as intended in Article 47 paragraph (6) has been completed.

## Article 49

State civil servant employees as referred to in Article 47 are still given financial rights and other facilities as received in accordance with the provisions of the laws and regulations in the ministry of origin, until the amount of financial rights and other facilities are determined for state civil servant employees within the Indonesian Quarantine Agency.

## Article 50

When this Presidential Regulation comes into force, all existing positions and officials holding positions within the Indonesian Agricultural Quarantine Agency of the Ministry of Agriculture, will continue to carry out their duties and functions until new positions are created and new officials are appointed based on this Presidential Regulation.

## Article 51

When this Presidential Regulation comes into force, all existing positions and the officials who carry them out:

a. fish quarantine and fish biosecurity within the Ministry of Marine Affairs and Fisheries; and



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b. supervision and/or control of genetically modified food, genetic resources, biological agents, invasive alien species, wild plants and animals, and rare plants and animals at entry and exit points carried out by the Director General Natural Resources and Ecosystem Conservation Ministry of Environment and Forestry, based on cooperation with the Indonesian Agricultural Quarantine Agency of the Ministry of Agriculture,

will continue to carry out its duties until new positions are created and new officials are appointed based on this Presidential Regulation.

## Article 52

When this Presidential Regulation comes into force, all implementing provisions of Presidential Regulation Number 117 of 2022 concerning the Ministry of Agriculture (State Gazette of the Republic of Indonesia of 2022 Number 188) relating to the Indonesian Agricultural Quarantine Agency, still valid as long as it do not conflict with this Presidential Regulation.

## CHAPTER IX CLOSING

## Article 53

When this Presidential Regulation comes into force, the provisions governing the Indonesian Agricultural Quarantine Agency as regulated in Presidential Regulation Number 117 of 2022 concerning the Ministry of Agriculture (State Gazette of the Republic of Indonesia Year 2022 Number 188), are revoked and declared invalid.

## Article 54

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



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In order that every person may know hereof, this Presidential Regulation is ordered to be promulgated by placing it in the State Gazette of the Republic of Indonesia.

> Stipulated in Jakarta On 20 July 2023

PRESIDENT OF THE REPUBLIC OF INDONESIA,

Signed.

JOKO WIDODO

Promulgated in Jakarta on 20 July 2023

MINISTER OF STATE SECRETARIAT OF THE REPUBLIC OF INDONESIA,

Signed.

**PRATIKNO** 

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2023 NUMBER 97

Original copy
MINISTRY OF STATE SECRETARIAT OF
THE REPUBLIC OF INDONESIA,
Deputy Secretary on Legislations and Legal Administration

Signed.

Lydia Silvanna Djaman

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