

MoT Reg 7/2024:

# Harmonization of the Inspection and Certification System for Indonesian-Flagged Vessels

## BACKGROUND

In response to feedback from pertinent stakeholders, the Ministry of Transportation (“**MoT**”) has promulgated Regulation No. PM 7 of 2024 regarding the Harmonization of the Inspection and Certification System for Indonesian-Flagged Ships (“**MoT Reg 7/2024**”), effective from 21 September 2024.

The harmonization of the ship safety inspection and certification system provides a framework for standardizing inspection procedures and certification types. This regulation establishes uniformity in inspection schedules and certificate validity periods for Indonesian-flagged boats.

MoT Reg 7/2024 serves as a harmonization measure by revoking and refining certain provisions from prior regulations, including MoT Regulation No. PM 39 of 2016 regarding Vessel Load Line and Loading, MoT Regulation No. PM 57 of 2021 regarding Procedures for Inspection, Examination, and Certification of Vessels, and MoT Regulation No. PM 11 of 2023 regarding the Implementation of the International Convention for the Safety of Life at Sea and its Amendments.

Nonetheless, please be advised that the following vessels are exempt from compliance with MoT Reg. 7/2024: warships, troop transport ships, non-commercial state vessels, traditionally constructed wooden ships, non-commercial tourist cruise ships and fishing vessels.

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### I Ketut Dharma Putra Yoga, S.H., LL.M

Partner

M: +62 823 7828 7888

E: [yoga@rahayuandpartners.com](mailto:yoga@rahayuandpartners.com)

### Tanisha Zharfa Maharani, S.H.

Associate

M: +62 817 260 401

E: [tanishazharfa@rahayuandpartners.com](mailto:tanishazharfa@rahayuandpartners.com)

Plaza Asia 18th Floor Jl. Jend Sudirman Kav. 59  
Jakarta Selatan 12190 Indonesia  
T: +62 21 515 2477  
E: [contact@rahayuandpartners.com](mailto:contact@rahayuandpartners.com)

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## TYPE OF INSPECTIONS

The inspection for the issuance or endorsement (the process of validating/restoring an existing certificate that has been suspended due to the failure to conduct a re-inspection of the ship within a three-month period before or after the date specified on the previous existing certificate) of ship certificates is conducted concurrently and includes the scope of:

- a. Ship safety inspection
- b. Ship loading line inspection
- c. Ship pollution prevention inspection
- d. Ship ballast water management inspection
- e. Inspection according to the code
- f. Inspection of ships changing flags from another country
- g. Inspection for ships operating in polar waters

Upon completion of the inspection, the certificate will be issued in accordance with the pertinent evaluation. In the context of fulfilling the criteria for cargo ship safety inspection, the Cargo Ship Safety Equipment Certificate, the Cargo Ship Construction Equipment Certificate, and the Cargo Ship Safety Radio Certificate shall be issued. In the context of passenger ship safety inspection, the Passenger Ship Certificate shall be granted.

## ISSUANCE OF CERTIFICATES

The MoT Reg 7/2024 delineates the parties authorized to do the ship inspection. The parties involved are the ship safety inspection officer or surveyor from accredited organizations. The ship safety inspection officer is a government official appointed by the Ministry of Transportation who possesses qualifications and expertise in Ship Safety. In contrast, the surveyor is an officer certified to perform inspections and tests, serving within an organization or classification institution authorized by the MoT through a formal written agreement to conduct ship surveys and certification on behalf of the Indonesian government in compliance with international regulations.

Subsequent to inspection conducted by ship safety inspection officer or surveyor, the Director General of Sea Transportation, may grant or endorse ship certifications, whether temporary or permanent—as briefly explained below:

- a. Temporary certificates:  
issued following the initial inspection, valid for a maximum of 3 months, with a potential 3-month extension.
- b. Permanent certificates:
  - Cargo vessels: valid for a maximum of 5 years, renewable for an additional 5 years following inspection.
  - Passenger vessels: valid for a maximum of 12 months, renewable for another 12 months upon meeting inspection requirements.

## CERTIFICATE RENEWALS

Upon the expiration of a certificate's validity period, renewal inspections will ascertain the validity of the new certificate under the following conditions:

- a. The renewal of passenger vessels will be valid for 12 months from the expiration date of the previous certificate if completed within 3 months of that date, or for 12 months from the completion date of the renewal inspection if conducted more than 3 months prior to the expiration date.
- b. Cargo vessel certifications will be renewed for 5 years from the expiration date of the previous certificate if the renewal is completed within 3 months of that date, or 5 months from the completion date of the renewal inspection if the renewal occurs more than three months prior to the expiration date of the old certificate.

In exceptional circumstances, the Director General of the Directorate General of Sea Transportation may issue a fresh certificate with a validity period independent of the expiration date of the prior certificate for the following cases:

- a. Vessels that cease operation and are placed in a special location for up to 36 months;
- b. Vessels detained by court order; and/or
- c. Vessels out of service for extended periods due to major repairs or modifications.



## LOST OR DAMAGED CERTIFICATES

In the event that a ship certificate is lost, destroyed, or damaged, a police report must be provided as evidence. The Director General may subsequently issue a fresh certificate with a same validity term to the previous one.

## SANCTIONS

MoT Reg 7/2024 does not explicitly outline sanctions for violations. Therefore, to administer sanctions in case of violation is to apply previous regulations of MoT Regulation No. 57 of 2021 and MoT Regulation No. 39 of 2016. While they do not specify the specific sanction for specific violation, both of those regulations have laid out the administrative measure and actions that could be sanctioned upon parties that violate the regulations. Such actions include:

- a. a. Written warnings that could be given 3 (three) times with 14 (fourteen) days interval;
- b. Suspension of ship safety certificate for 30 (thirty) days in a case where the certificate holder does not act in restoring the given warnings as mentioned in point (a); or
- c. Revocation of the ship safety certificate in a case where the certificate holder does not do an act of restoration within the time of ship safety certificate suspension as mentioned in point (b).

## CONCLUSION

MoT Reg. 7/2024 represents a significant step towards standardizing and harmonizing the inspection and certification process for Indonesian-flagged vessels. By repealing and amending old regulations, this new framework assures better uniformity in inspection schedules and certificate validity periods, improving overall safety and regulatory compliance in Indonesia's maritime sector. While the regulation establishes clear guidelines and procedures for inspections and certifications, it also allows for the application of consequences under previous regulations, ensuring that noncompliance is treated effectively. As the regulation goes into effect on 21 September 2024, stakeholders in the maritime industry must familiarize themselves with the new requirements to ensure smooth operations and adherence to the updated standards.

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