



ARMA Update: 11 July 2022

(English Version)

MoT Reg 8/2022: Inaportnet as a Centralized System for Ship Services in Port

Overview

On April 28th 2022, the Ministry of Transportation of the Republic of Indonesia (“**MoT**”) issued Minister of Transportation Regulation No. PM 8 of 2022 concerning Procedure for Ships Service through Inaportnet (“**MoT Reg 8/2022**”). Inaportnet itself is a single service system for Ships and other ship-related activities that is implemented in an electronic and standardized manner. Although Inaportnet has been established since 2015 through MoT Reg No. PM 157 of 2015 concerning Implementation of Inaportnet for Ships and Goods Service at Ports as amended by MoT Reg No. 192 of 2015, the substance in previous regulations is deemed to be insufficient for the growing need for digitalization in ship services. Thus, MoT Reg 8/2022 contains a more comprehensive regulation regarding Inaportnet and is expected to answer the urgent need to optimize ship services, as well as to improve competitiveness in ports throughout Indonesia.

Scope of Inaportnet

Inaportnet is intended for services requested from ships¹, except warships and state ships operated for non-commercial activities. The Ships services are implemented in several sites, as follows:²

1. Ports and its anchorage areas that have not been commercialized;
2. Terminals and its anchorage areas;
3. Specific Terminals and its anchorage areas;
4. Terminals for Own-Purpose;
5. Specific Areas in Waters functioning as Ports; and
6. Utilization of Coastline.

Furthermore, the Ships services itself include:³

1. Incoming Ship;
2. Extention of mooring or anchoring period;
3. Change of mooring or anchoring area;
4. Outcoming Ship; and
5. Cancellation.

¹ Ships are water vehicles of certain types, which are propelled by wind power, mechanical power, other energy, towed or towed, including vehicles with dynamic support capacity, under the water surface, as well as floating equipment and immovable floating buildings.

² Article 2 (4) of MoT Reg 8/2022

³ Article 2 (5) of MoT Reg 8/2022



The application request for the port operator to do the above services is now centralized through the Inaportnet. In order to use Inaportnet for Ships services, the users, comprise of Business Entity or individuals, must have access rights (*bak akses*).⁴ Such right can be obtained through applying registration application to port operators through Inaportnet or the domain address of the National Single Window Institution. Moreover, each type of user has different procedures to obtain the access right.

Registration of Inaportnet for Business Entity

Parties that can be qualified as Business Entity in MoT Reg 8/2022 are as follows:⁵

1. National shipping company;
2. Executor of specific shipping activities;
3. Traditional shipping company (*pelayaran rakyat*);
4. National Ship's agency company;
5. Stevedoring company;
6. Port Business Entity that manages terminals and its anchoring area;
7. Port Business Entity that has been delegated the authority to carry out guiding and/or towage of ships;
8. Management of Specific Terminal;
9. Management of Terminal for Own Purpose;
10. Management of Certain Areas in Waters functioning as Ports;
11. Management of Shoreline Utilization Activities;
12. Other Business Entity operating in Ports to support ship activities.

For Business Entity, there are two steps that must be done in order to acquire access right to Inaportnet. The first step is to do notification of conducting business activities registration. In this step, Business Entity must submit their data to port operators to be used as a database on Inaportnet through the Online Single Submission (OSS) System. However, if Inaportnet is still unable to pull data from the OSS System, then the data filling and uploading can be done straight through Inaportnet.⁶

The second step is user registration where can be done in two options: after Business Entity has done the first step or in conjunction with the first step. For this registration, Business Entity must fill and upload data as well. The data required to be uploaded include stamped appointment letter from the Business Entity and the identity card of the head of the Business Entity or employee.⁷ Subsequently, the port operator will again conduct verification for the user registration within 1 x

⁴ Article 5 (1) of MoT Reg 8/2022

⁵ Article 5 (3) of MoT Reg 8/2022

⁶ Article 6 of MoT Reg 8/2022

⁷ Article 9 (4) of MoT Reg 8/2022



24 hour and if the Business Entity meets the requirements, the port operators will send the access right within 1 hour.⁸

Registration of Inaportnet for Individuals

Individuals can obtain access right through user registration. In doing this registration, Individuals must fill data required in the OSS. Apart from that, Individuals must upload Identity Card or passport as well.⁹ Afterwards, the port operator will verify the application within 1 x 24 hours. If the Individuals meet the requirement, the access right to Inaportnet will be sent within 1 hour.¹⁰

Obligations and Sanctions for Users

After obtaining the right access to Inaportnet, the access right holder is obligated to use the access right to apply for services or provide services at least one time for one year, re-register notification of conducting business activities for one time in one year or if there is a change in the company's data, and extend or renew business license of the Business Entity.¹¹

If Inaportnet users do not comply with the above obligations, administrative sanctions can be imposed on the users. Such sanctions will be done gradually, starting from written notice, freezing of access rights, and revocation of access rights.¹² Lastly, Inaportnet access right holder is also prohibited to abuse their access right.¹³ Any abuse of Inaportnet access rights can be sanctioned with freezing of access rights and revocation of access rights.¹⁴

Please contact Aryo Baskoro (aryo.baskoro@arma-law.com) for further information.

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⁸ Article 10 of MoT Reg 8/2022

⁹ Article 12 (3) of MoT Reg 8/2022

¹⁰ Article 13 of MoT Reg 8/2022

¹¹ Article 57 (1) of MoT Reg 8/2022

¹² Article 59 (2) of MoT Reg 8/2022

¹³ Article 58 of MoT Reg 8/2022

¹⁴ Article 60 (1) of MoT Reg 8/2022