

ABSTRACT

Surya Lung (010532100103)

***Analysis of Legal Protection for Owners and Captains of Fishing Vessels for Carrying Diesel Fuel at the Nizam Zachman Ocean Fishing Port
(Case Study: Putusan Nomor 1305/Pid.Sus/2020/PN. Jkt Utr)
(xv + 115 pages; 14 Appendices)***

The fishing industry plays an essential role in national economic progress. Nizam Zachman Ocean Fishing Port is one of the major ports, significantly contributing to expanding national economic growth. To promote the fisheries industry, the government must offer legal protections for the owners and captains of fishing vessels in transporting diesel fuel. This research aims to reveal legal issues related to the transportation of diesel fuel by fishing vessels. This research uses empirical normative legal research methods or applied law research because it deals with statutory regulations and empirical facts. Diesel fuel is classified as flammable solids, thus it must adhere to Article 46 of the Shipping Law Number 17 of 2008. Provisions for shipping dangerous materials/goods in Indonesia must comply with the resolution of the international convention, specifically the International Maritime Dangerous Goods (IMDG). However, fishing vessels are exempted because they are categorized as Non-Conventional Vessel Standards (NCVS). So far, there are no restrictions for carrying dangerous goods by fishing vessels, particularly in cargo holds. This situation creates a vacuum of law concerning diesel fuel carriage by fishing vessels. This research provides an example of a case related to diesel fuel carriage by a fishing vessel, Putusan Nomor 1305/Pid.Sus/2020/PN, Jakarta Utr. The case involved a fishery cargo vessels carrying diesel fuel in its cargo holds, which was found guilty. There is a legal conflict between the panel of judges' decision and the existing facts because all the fishing vessels at the Nizam Zachman Ocean Fishing Port carry diesel fuel in the cargo holds to meet operational needs. Therefore, the government must enact a law to fill this law vacuum so the ship owners and captains will get prospective legal protection.

References : 64 (1978 – 2024)

Keywords : *Legal protection, Fishing Vessels, Transportation of Dangerous Goods*