

## ABSTRACT

### THE INTER REGIONAL COOPERATION IN LICENSE ISSUANCE SERVICE AND LAW ENFORCEMENT ON FISHERY IN THE SEA TERRITORIES

Legal issues studied in this dissertation are (1) legal form of interregional cooperation; (2) the format of cooperation in license issuance service in fishery; and (3) the format of cooperation in law enforcement. This study is a normative study, in which it studies positive laws and general principles of law. This study employs statute approach, case approach, and conceptual approach. Both primary and secondary legal materials are referred to in this study.

This study finds that firstly, perceived from statute, theoretical and prevailing law aspects, Jointly Issued-Regulation may be justified as a legal basis for interregional cooperation. Secondly, it shows that due to efficiency and effectiveness reasons, in the framework of interregional cooperation, only enforcement of administrative measure is not in the format of interregional cooperation; instead, it is carried out by respective region. Then, license issuance service in fishery and supervision on the fishery are carried out in an integrative format under coordination and on the basis of policy of Interregional Cooperation Agency.

Based on the findings, it is recommended that (a) Article 195 paragraph (2) of Act No. 32 of 2004 on Local Government prescribing Joint Decision be changed into Joint Regulation and the legal form of Joint Approval be no longer provided; (b) some provisions of Decree of Minister of Marine and Fishery No. KEP.13/MEN/2004 concerning license issuance service policy for non-resident fishermen be revised and revoked (c) Article 69 of Fishery Law be revised to avoid two different norms confusion; (d) in order that government act performed by the Management Council on behalf of Interregional Cooperation Agency does not violate principles of carefulness and good administration, advisory opinion of Technical and Scientific Advisor be taken into account.

#### Key words:

- legal form
- interregional cooperation
- license issuance service
- law enforcement