



Marine Inspector Authority in Ship Safety Inspections: An Administrative Law and Ultra Vires Analysis

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ABSTRACT

The authority of Marine Inspectors in conducting ship safety inspections constitutes a fundamental component of maritime governance and administrative law enforcement in Indonesia. However, overlapping institutional mandates and unclear regulatory boundaries have created legal uncertainty regarding the scope of Marine Inspectors' authority, raising concerns over potential ultra vires actions. This study aims to analyze the legal basis and limits of Marine Inspectors' authority from the perspectives of administrative law and the ultra vires doctrine. The research employs a normative juridical method using statutory, conceptual, and comparative approaches. Primary legal materials consist of Indonesian legislation on shipping and state administrative law, while secondary materials include legal doctrines, scholarly publications, and international maritime instruments. The findings demonstrate that Marine Inspectors primarily exercise administrative authority through preventive supervision, compliance verification, certification, and ship safety inspections. Nevertheless, regulatory inconsistencies and overlapping institutional competencies create ambiguity regarding the exercise of inspection powers, potentially leading to actions beyond legally delegated authority. Such conditions weaken legal certainty, administrative accountability, and effective maritime governance. The study concludes that harmonizing maritime regulations, clarifying institutional authority, and strengthening adherence to the principle of legality are essential to preventing ultra vires practices and ensuring an effective, accountable, and legally certain ship safety inspection system.

ABSTRAK

Kewenangan Marine Inspector dalam pemeriksaan keselamatan kapal merupakan bagian penting dari tata kelola maritim dan penegakan hukum administrasi di Indonesia. Namun, tumpang tindih kewenangan antarinstansi serta belum jelasnya batas pengaturan menimbulkan ketidakpastian hukum mengenai ruang lingkup kewenangan Marine Inspector dan berpotensi memunculkan tindakan ultra vires. Penelitian ini bertujuan menganalisis dasar hukum dan batas kewenangan Marine Inspector dalam pemeriksaan keselamatan kapal berdasarkan perspektif hukum administrasi negara dan

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doktrin ultra vires. Penelitian menggunakan metode yuridis normatif dengan pendekatan peraturan perundang-undangan, konseptual, dan perbandingan. Bahan hukum primer berupa peraturan perundang-undangan di bidang pelayaran dan hukum administrasi negara, sedangkan bahan hukum sekunder meliputi doktrin, literatur ilmiah, dan instrumen hukum maritim internasional. Hasil penelitian menunjukkan bahwa kewenangan Marine Inspector pada dasarnya bersifat administratif melalui pengawasan preventif, verifikasi kepatuhan, sertifikasi, dan pemeriksaan keselamatan kapal. Namun, inkonsistensi regulasi dan tumpang tindih kompetensi kelembagaan menyebabkan ketidakjelasan pelaksanaan kewenangan sehingga berpotensi menimbulkan tindakan yang melampaui kewenangan yang diberikan oleh peraturan perundang-undangan. Penelitian ini menyimpulkan bahwa harmonisasi regulasi, penegasan pembagian kewenangan antarinstansi, serta penguatan penerapan prinsip legalitas diperlukan untuk mewujudkan sistem pemeriksaan keselamatan kapal yang efektif, akuntabel, dan memberikan kepastian hukum.

A. INTRODUCTION

1. Background

The geographical configuration of Indonesia places maritime transportation at the center of the country's economic, social, and territorial connectivity. With more than seventeen thousand islands separated and connected by extensive maritime areas, the movement of passengers and goods depends heavily on safe and reliable shipping services. This geographical reality is reinforced by Indonesia's location along major international shipping routes, giving maritime transportation a significance that extends beyond domestic mobility to international trade and navigation.¹ The effectiveness of maritime governance depends not only on adequate infrastructure but also on a legal framework capable of ensuring navigation safety, protecting marine resources, and maintaining legal certainty in shipping activities. Within this framework, ship safety inspection functions as a preventive administrative mechanism designed to verify compliance with technical, operational, and environmental standards before and during

¹ AA Abdulameer, "The Liability of Maritime Carrier under the Iraqi Transport Law and International Conventions," *Pakistan Journal of Criminology*, no. Query date: 2026-04-26 18:14:19 (2024), https://www.academia.edu/download/115900630/%D8%A7%D9%84%D8%A8%D8%AD%D8%AB_%D8%A7%D9%84%D9%85%D9%86%D8%B4%D9%88%D8%B1_%D9%85%D8%B3%D9%88%D9%88%D9%84%D9%8A%D8%A9_%D8%A7%D9%84%D9%86%D8%A7%D9%82%D9%84_%D8%A7%D9%84%D8%A8%D8%AD%D8%B1%D9%8A.pdf.

vessel operations.² The implementation of this function is entrusted to Marine Inspectors, who possess specialized administrative authority to assess vessel seaworthiness, examine statutory certificates, evaluate compliance with maritime safety regulations, and recommend administrative measures where legal requirements are not fulfilled. Consequently, Marine Inspectors play an essential role in safeguarding public interests by ensuring that shipping activities comply with national and international maritime safety standards.

Ideally, the authority exercised by Marine Inspectors should be clearly limited by statutory provisions and implemented in accordance with the principle of legality, which requires every governmental action to be based on lawful authority. However, the practical implementation of maritime law enforcement in Indonesia demonstrates a different reality. Various institutions including the Harbourmaster (Syahbandar), the Indonesian Sea and Coast Guard (*Kesatuan Pengawasan Laut dan Pelayaran*), the Indonesian Navy, the Maritime Security Agency (Bakamla), and the Water Police exercise supervisory or enforcement powers within maritime jurisdictions.³ The coexistence of multiple authorities has generated overlapping institutional mandates, inconsistent administrative practices, and uncertainty regarding the precise legal competence of Marine Inspectors in conducting ship safety inspections. Such conditions increase the possibility that administrative officials may exercise powers beyond those expressly conferred by legislation, thereby raising concerns regarding ultra vires administrative actions and weakening legal certainty within maritime governance.⁴

From the perspective of administrative law, governmental authority derives exclusively from statutory attribution, delegation, or mandate. Public officials are prohibited from exercising powers outside the scope prescribed by legislation because every administrative decision must satisfy the principles of legality, proportionality, accountability, and legal certainty. The ultra vires doctrine, originally developed within

² F. Feriansyah, S. Irawan, and ..., "Analisis Proses Perizinan Terhadap Awak Kapal/Crew Asing Di PT. Pelayaran Batam Samudra," *Kalao's Maritime* ..., no. Query date: 2026-06-11 12:35:21 (2025), <https://jurnal.poltekpelsulut.ac.id/index.php/kalaos/article/view/134>.

³ Tahegga Primananda Alfath and Riyo Lian Nugroho, "Diplomasi Soft Power Asimetris Berbasis Sumber Daya Kelautan Lintas Batas dalam Penyelesaian Sengketa Laut Cina Selatan," *Jurnal Ilmiah Hukum LEGALITY* 24, no. 2 (February 2017): 157, <https://doi.org/10.22219/jihl.v24i2.4267>.

⁴ IGDD Darmawan and K. Apriliani, "Peran Ditpolairud Polda Bali Dalam Pelaksanaan Patroli Laut Guna Mencegah Terjadinya Tindak Pidana Di Wilayah Perairan Provinsi Bali," *Jurnal Hukum Mahasiswa*, no. Query date: 2026-07-17 01:41:00 (2026), <https://e-journal.unmas.ac.id/index.php/jhm/article/view/14399>.

common law jurisdictions and subsequently recognized in comparative administrative law scholarship, provides an important analytical framework for determining whether administrative authorities have exceeded their lawful competence. The doctrine serves not merely as a procedural limitation upon governmental discretion but also as a constitutional safeguard against arbitrary administrative action.⁵ Accordingly, examining the authority of Marine Inspectors through the ultra vires doctrine contributes to understanding whether existing maritime administrative practices remain consistent with the rule of law and the principles of good governance.

Normatively, the authority of Marine Inspectors is principally regulated under Law Number 17 of 2008 concerning Shipping, as amended by Law Number 66 of 2024 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation into Law, together with implementing regulations governing ship safety inspections, seaworthiness certification, and maritime administration. These regulations establish Marine Inspectors as administrative officials responsible for ensuring compliance with statutory safety requirements rather than exercising criminal investigative powers.⁶ Nevertheless, practical implementation frequently reveals ambiguities concerning the distinction between administrative supervision and maritime law enforcement, particularly where inspection activities intersect with coercive enforcement measures undertaken by other maritime agencies. Such regulatory ambiguity potentially creates institutional conflicts and exposes administrative decisions to judicial review where actions exceed legally delegated authority.

Previous scholarship concerning Marine Inspectors has largely approached ship inspection through operational and technical perspectives rather than through the legality of administrative authority. Setiyantara et al. examined ship inspections conducted by Marine Inspectors at KSOP Class IV Probolinggo, focusing on the inspectors' role in determining seaworthiness through the assessment of ship

⁵ MPW Modo, H. Amalo, and DA Kian, "Penerapan Hukum Pidana Terhadap Tindak Pidana Dalam Pelayanan Angkutan Laut Di Pelabuhan Bolok Kupang Ditinjau Dari Undang-Undang Nomor 17 Tahun ...," *... Ilmu Hukum Dan ...*, no. Query date: 2026-07-17 01:41:00 (2024), <https://journal-stiayappimakassar.ac.id/index.php/Eksekusi/article/view/1075>.

⁶ LJ Tallaut and A. Adhari, "Kepastian Hukum Penerapan Kriteria Kewenangan Penyidikan Perkara Tindak Pidana Korupsi Oleh Komisi Pemberantasan Korupsi Republik Indonesia," *Jurnal Analisis Hukum*, no. Query date: 2026-03-15 20:45:06 (2022), <https://journal.undiknas.ac.id/index.php/JAH/article/view/3426>.

construction, stability, safety equipment, and other technical requirements.⁷ Latifah et al. subsequently investigated the relationship between Marine Inspector competence, education and training, inspection performance, and ship seaworthiness, demonstrating that professional capacity and inspection performance constitute important determinants of maritime safety.⁸ Kusumawati and Lestari adopted another perspective by examining the professionalism of Marine Inspectors in promoting maritime safety and achieving a zero-accident objective at Tanjung Perak Main Port, including the practical constraints affecting the performance of inspection duties.⁹ Although these studies provide important insights into inspection effectiveness, professional competence, and maritime safety, their analytical orientation remains predominantly concerned with the performance of inspection functions rather than the juridical limits within which such functions may lawfully be exercised.

This study approaches the issue from a fundamentally different legal perspective. Ship safety inspection is not merely a technical activity because a Marine Inspector exercises public authority capable of producing legal consequences for shipowners, operators, and the operational status of vessels. The relevant question is therefore not limited to whether an inspection is technically effective, but extends to whether the inspector possesses a valid legal basis for each exercise of authority, whether the action remains within its prescribed statutory boundaries, and what legal consequences arise when those boundaries are exceeded. This dimension introduces administrative-law principles into the analysis and places the doctrine of *ultra vires* at its center. An inspection undertaken in the interest of maritime safety does not automatically acquire legal legitimacy merely because it pursues a legitimate regulatory objective. Administrative authority must remain traceable to a lawful source and must be exercised consistently with its substantive and procedural limitations. In this respect, the present research fills a gap left by previous studies, which have not systematically conceptualized Marine Inspector activities as exercises of governmental power subject

⁷ Yudhi Setiyantara et al., "Analisis Pemeriksaan Kapal Oleh Marine Inspector Pada KSOP Kelas IV Probolinggo," *Majalah Ilmiah Gema Maritim* 24, no. 2 (2022): 114–22.

⁸ Alfi Latifah et al., "Kompetensi Kerja Dan Kinerja Pemeriksaan Kapal: Bukti Empiris Kelaiklautan Kapal Di Indonesia," *Jurnal Manajemen Bisnis Transportasi Dan Logistik* 10, no. 1 (2024): 58–67.

⁹ Elly Kusumawati and Elise Dwi Lestari, "Profesionalisme Marine Inspector Dalam Mewujudkan Keselamatan Pelayaran Menuju Zero Accident Di Pelabuhan Kelas Utama Tanjung Perak," *Zona Laut: Jurnal Inovasi Sains Dan Teknologi Kelautan* 5, no. 3 (2024).

to administrative-law controls.

The novelty of “Marine Inspector Authority in Ship Safety Inspections: An Administrative Law and Ultra Vires Analysis” therefore lies in repositioning ship safety inspection from a predominantly technical and professional issue into a question concerning the legality, boundaries, and accountability of administrative power. The study aims to identify the legal foundations, nature, scope, and limitations of Marine Inspector authority and to establish juridical parameters for distinguishing lawful inspection measures from administrative actions that may constitute ultra vires. Rather than assessing inspectors primarily through competence or inspection performance, this research examines whether regulatory objectives concerning maritime safety are pursued through legally authorized means. Its contribution is consequently directed toward constructing an administrative-law framework that reconciles the technical discretion necessary for effective ship safety supervision with the principles of legality, legal certainty, procedural accountability, and protection against excessive governmental intervention.

2. Research Questions

The legal authority of Marine Inspectors in conducting ship safety inspections remains an important issue within Indonesia's maritime administrative system due to the existence of overlapping institutional mandates and the absence of clear jurisdictional boundaries among maritime enforcement agencies. Although Indonesian shipping legislation provides the legal basis for Marine Inspectors to perform administrative supervision over vessel safety and seaworthiness, the practical implementation of such authority frequently raises questions concerning its legal scope, institutional competence, and conformity with the principle of legality. These conditions create uncertainty regarding whether the exercise of inspection authority remains within the limits prescribed by legislation or potentially constitutes ultra vires administrative action. Furthermore, regulatory inconsistencies and fragmented institutional arrangements may weaken legal certainty, administrative accountability, and the effectiveness of maritime governance. Based on these considerations, this study focuses on examining the legal basis and scope of Marine Inspectors' authority in ship safety inspections, analyzing the extent to which such authority complies with the

principles of administrative law and the ultra vires doctrine, and identifying legal as well as institutional measures required to strengthen legal certainty, administrative accountability, and effective maritime governance within Indonesia's maritime administration. These issues constitute the analytical framework for evaluating whether the current legal regime adequately regulates the authority of Marine Inspectors while ensuring compliance with the rule of law and the principles of good governance.

3. Research Methods

This study employs a normative juridical research method to examine the legal authority of Marine Inspectors in conducting ship safety inspections from the perspectives of Indonesian administrative law and the ultra vires doctrine.¹⁰ The research applies a statutory approach, conceptual approach, and comparative approach. The statutory approach is used to analyze the legal framework governing Marine Inspectors' authority, particularly Law Number 17 of 2008 concerning Shipping, as amended by Law Number 66 of 2024, together with relevant implementing regulations and legislation concerning state administrative law. The conceptual approach examines legal doctrines relating to administrative authority, the principle of legality, attribution, delegation, mandate, administrative discretion, good governance, and the ultra vires doctrine, while the comparative approach evaluates Indonesian legal arrangements in light of internationally recognized principles of maritime governance and administrative accountability.

The research utilizes primary, secondary, and tertiary legal materials collected through comprehensive library research. Primary legal materials consist of statutory legislation, implementing regulations, and relevant judicial decisions concerning maritime administration and administrative authority. Secondary legal materials include scholarly books, peer-reviewed journal articles, legal commentaries, and academic publications addressing administrative law, maritime law, and ship safety governance, whereas tertiary legal materials comprise legal dictionaries, encyclopedias,

¹⁰ Geofani Milthree Saragih, "A Judges' Role in Pursuing Justice: Oliver Wendell Holmes' Sociological Jurisprudence Perspective," *International Journal of Law Society Services* 3, no. 2 (January 2024): 58, <https://doi.org/10.26532/ijlss.v3i2.34990>.

and other supporting references.¹¹ All legal materials are analyzed qualitatively through statutory interpretation, legal reasoning, and doctrinal analysis to evaluate the scope and limitations of Marine Inspectors' authority, identify potential ultra vires administrative actions, and formulate normative recommendations for strengthening legal certainty, administrative accountability, and effective maritime governance in Indonesia.

B. DISCUSSION/ ANALYSIS

1. Legal Basis and Administrative Authority of Marine Inspectors in Ship Safety Inspections

Ship safety inspection operates through a framework of public authority in which Marine Inspectors are entrusted with verifying whether vessels satisfy the legal and technical requirements necessary for safe navigation. The exercise of this authority serves not only to prevent maritime accidents but also to safeguard the marine environment and maintain conformity with applicable domestic regulations and international maritime obligations.¹² As the world's largest archipelagic state, Indonesia depends heavily upon maritime transportation to facilitate economic development, territorial integration, and international trade. Consequently, the State bears a constitutional obligation to establish an effective legal framework capable of guaranteeing that every vessel operating within Indonesian waters satisfies statutory seaworthiness and safety requirements. Within this administrative framework, Marine Inspectors perform preventive supervisory functions rather than criminal law enforcement, reflecting the fundamental distinction between administrative regulation and penal enforcement under the rule of law.¹³

The constitutional foundation of maritime administration derives primarily from Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which provides that natural resources, including maritime resources, are controlled by the State and utilized for the greatest prosperity of the people. This constitutional mandate

¹¹ Elisabeth Nurhaini Butar-Butar, *Metode Penelitian Hukum, Langkah-Langkah Untuk Menemukan Kebenaran Dalam Ilmu Hukum* (Bandung: PT. Refika Aditama, 2018).

¹² J. Choi and S. Lim, "Legal Challenges and Regulatory Improvements Regarding Ammonia as an Alternative Marine Fuel or Cargo," ... *Journal of Shipping and Transport Logistics*, no. Query date: 2026-04-26 18:14:19 (2026), <https://doi.org/10.1504/IJSTL.2026.151317>.

¹³ M. Ahmed, "Harnessing the ELI/Unidroit Model European Rules of Civil Procedure in Promoting 'judicial ADR Activism' in the English Civil Justice System," *Uniform Law Review* 30, no. 1 (2025): 69–84, Scopus, <https://doi.org/10.1093/ulr/unaf014>.

obliges the Government to establish an effective administrative system capable of regulating maritime activities, ensuring public safety, protecting the marine environment, and maintaining orderly navigation. Furthermore, Article 28D paragraph (1) of the Constitution guarantees the right to legal certainty, requiring every governmental authority to exercise its powers strictly within the limits prescribed by legislation.¹⁴ Consequently, every administrative action undertaken by Marine Inspectors must be grounded in statutory authority and comply with the constitutional principles of legality, legal certainty, accountability, and good governance.

The primary statutory framework governing Marine Inspectors is contained in Law Number 17 of 2008 concerning Shipping, as subsequently amended by Law Number 66 of 2024 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation into Law. The Shipping Law establishes a comprehensive legal regime governing maritime transportation, vessel registration, seaworthiness, navigation safety, port administration, environmental protection, and governmental supervision of shipping activities. The legislation emphasizes that every vessel operating within Indonesian waters must comply with statutory requirements relating to construction, machinery, equipment, stability, crew qualifications, safety management, pollution prevention, and operational standards before being permitted to sail. These statutory obligations reflect Indonesia's commitment to implementing internationally recognized maritime safety principles while maintaining effective governmental supervision over shipping activities.

Within this statutory framework, Marine Inspectors function as administrative officials responsible for verifying compliance with legal and technical safety standards before certificates of seaworthiness or other statutory approvals are issued. Their authority encompasses inspections of vessel construction, hull integrity, propulsion systems, navigation equipment, lifesaving appliances, firefighting equipment, radio communication systems, pollution prevention facilities, crew certification, and compliance with mandatory international conventions incorporated into Indonesian law. Accordingly, the role of Marine Inspectors is fundamentally preventive in nature, focusing upon administrative supervision and regulatory compliance rather than

¹⁴ Saiful Rohman Firmansyah and Nyoman Ardiana Listriawati, "Penerapan Aturan P2TL pada Saat Dinas Jaga Laut Guna Menunjang Keselamatan Pelayaran di MV. Meratus Palembang," *Ocean Engineering: Jurnal Ilmu Teknik dan Teknologi Maritim* 3, no. 3 (2024).

punitive enforcement. The legal consequences arising from inspection activities generally consist of administrative measures such as the issuance or suspension of certificates, recommendations for corrective actions, administrative sanctions, or restrictions upon vessel operations until statutory deficiencies have been rectified.

The legal basis for administrative authority should also be understood through the theoretical framework of Indonesian Administrative Law (*Hukum Administrasi Negara*). According to classical administrative law doctrine, governmental authority originates exclusively from attribution (*atribusi*), delegation (*delegasi*), or mandate (*mandat*).¹⁵ Attribution refers to original authority directly granted by legislation, delegation involves the transfer of authority from one governmental organ to another accompanied by legal responsibility, whereas mandate permits subordinate officials to exercise authority on behalf of superior officials without transferring legal responsibility. These principles are explicitly recognized under Law Number 30 of 2014 concerning Government Administration, which provides the general legal framework governing the exercise of administrative authority by public officials. The statute further establishes that every governmental decision and administrative action must be exercised within the limits of legally conferred competence and remain consistent with the General Principles of Good Governance (*Asas-Asas Umum Pemerintahan yang Baik/AAUPB*).¹⁶

Law Number 30 of 2014 significantly reinforces the principle that governmental authority cannot be exercised arbitrarily. Article 17 expressly prohibits public officials from abusing authority, while Articles 18 and 19 distinguish three forms of unlawful administrative conduct, namely exceeding authority (*melampaui wewenang*), mixing authority (*mencampuradukkan wewenang*), and acting arbitrarily (*bertindak sewenang-wenang*). These statutory provisions closely correspond with the *ultra vires* doctrine recognized in comparative administrative law, under which any administrative action exceeding statutory competence is legally invalid. Therefore, although Marine Inspectors possess broad supervisory authority concerning ship safety, such authority

¹⁵ Nuruz Zakiyatul Mufidah, "Disharmonisasi Konsep Hukum Dalam Undang-Undang Administrasi Pemerintahan di Indonesia," *Politica: Jurnal Hukum Tata Negara dan Politik Islam* 11, no. 1 (July 2024): 77–92, <https://doi.org/10.32505/politica.v11i1.8753>.

¹⁶ Khalid Dahlan and Anna Erliyana Chandra, "Kedudukan Peradilan Administrasi Negara Sebagai Upaya Dalam Mendorong Terbentuknya Pemerintahan Yang Baik," *Jurnal Justisia: Jurnal Ilmu Hukum, Perundang-undangan dan Pranata Sosial* 6, no. 1 (August 2021): 10, <https://doi.org/10.22373/justisia.v6i1.10609>.

remains legally restricted by the scope expressly determined by shipping legislation and administrative law principles. Administrative supervision cannot be transformed into investigative, prosecutorial, or coercive law enforcement functions unless expressly authorized by legislation.

The exercise of Marine Inspectors' authority is further supported by various implementing regulations issued by the Ministry of Transportation, particularly those governing vessel surveys, ship certification, safety inspections, and the appointment of Marine Inspectors.¹⁷ These regulations establish detailed technical standards concerning inspection procedures, professional qualifications, competency requirements, reporting mechanisms, and certification processes. Marine Inspectors are therefore required not only to possess legal authority but also professional competence in naval architecture, marine engineering, maritime operations, and international safety standards. Administrative decisions issued by Marine Inspectors consequently represent technical administrative decisions, requiring both legal and scientific justification. Such decisions are subject to administrative review and judicial scrutiny whenever allegations arise that statutory authority has been exercised improperly.

The administrative authority exercised by Marine Inspectors is also inseparable from Indonesia's obligations under international maritime law. Indonesia has ratified numerous conventions adopted by the International Maritime Organization (IMO), including the International Convention for the Safety of Life at Sea (SOLAS) 1974, the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78), the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW 1978), and the International Safety Management (ISM) Code.¹⁸ These international instruments establish minimum global standards concerning ship construction, operational safety, crew competence, environmental protection, and safety management systems. Although these conventions primarily regulate substantive maritime safety standards, their implementation within Indonesian law necessarily

¹⁷ C. Della Giustina, "Book Review: From Utmost Good Faith to Algorithmic Faith in Marine Insurance. A 'Blue IT' Perspective, by Pierre de Gioia Carabellese. (1st Edition. Roma: Studium ..., " *Business Law Review*, no. Query date: 2026-06-03 15:02:06 (2026), <https://kluwerlawonline.com/journalarticle/Business+Law+Review/47.1/BULA2026004>.

¹⁸ SH Lin and YC Wang, "Enhancing Marine Environmental Protection Enforcement in Taiwan: Legal and Policy Reforms in the Context of International Conventions," *Laws*, no. Query date: 2026-04-26 18:14:19 (2025), <https://www.mdpi.com/2075-471X/14/5/60>.

requires competent administrative authorities capable of verifying compliance. Marine Inspectors therefore function as the institutional mechanism through which Indonesia fulfills its international legal obligations under IMO conventions.

Despite the relatively comprehensive statutory framework, practical implementation continues to reveal institutional complexities concerning the precise scope of Marine Inspectors' authority. Indonesia's maritime governance involves multiple governmental institutions exercising supervisory or enforcement functions, including the Harbourmaster (Syahbandar), the Sea and Coast Guard Unit (Kesatuan Pengawasan Laut dan Pelayaran/KPLP), the Maritime Security Agency (Bakamla), the Indonesian Navy, the Water and Air Police (Polairud), and various sectoral regulatory authorities. While each institution possesses distinct statutory mandates, overlapping jurisdiction frequently occurs during vessel inspections, maritime safety supervision, and law enforcement activities.¹⁹ Such overlap creates uncertainty regarding institutional competence, administrative responsibility, and the legal consequences of inspection decisions. Consequently, clear differentiation between administrative supervision and maritime law enforcement becomes essential to prevent institutional conflict and preserve legal certainty.

From an administrative law perspective, the authority of Marine Inspectors should therefore be interpreted according to the principle of specialization (*specialiteitsbeginsel*), under which every governmental authority may exercise only those powers specifically assigned by legislation to achieve designated administrative objectives. Ship safety inspections primarily serve preventive administrative functions aimed at ensuring compliance with statutory requirements before navigational risks materialize. Accordingly, Marine Inspectors should not perform investigative or coercive law enforcement functions that properly belong to criminal investigators or maritime enforcement agencies unless legislation expressly provides otherwise. Such interpretation not only reinforces the constitutional principle of legality but also preserves institutional accountability, prevents abuse of authority, and strengthens public confidence in Indonesia's maritime administrative system.

The legal basis governing Marine Inspectors demonstrates that their authority

¹⁹ Darmawan and Apriliani, "Peran Ditpolairud Polda Bali Dalam Pelaksanaan Patroli Laut Guna Mencegah Terjadinya Tindak Pidana Di Wilayah Perairan Provinsi Bali."

constitutes administrative regulatory authority rather than criminal enforcement authority. The constitutional framework, the Shipping Law, Law Number 30 of 2014 concerning Government Administration, implementing ministerial regulations, and Indonesia's international maritime obligations collectively establish a comprehensive legal foundation for ship safety inspections. Nevertheless, the effectiveness of this legal framework ultimately depends upon regulatory harmonization, institutional coordination, and strict adherence to administrative law principles governing the exercise of public authority. Only through clearly defined statutory competence and consistent application of the principle of legality can Marine Inspectors effectively perform their preventive supervisory role while avoiding administrative actions that risk being characterized as *ultra vires*, thereby ensuring legal certainty, administrative accountability, and sustainable maritime governance in Indonesia.

2. Application of the Ultra Vires Doctrine to Marine Inspectors' Authority in Indonesian Maritime Administration

The doctrine of *ultra vires* constitutes one of the most fundamental principles of administrative law for controlling the exercise of governmental authority. The doctrine requires that every administrative action undertaken by a public authority must remain strictly within the limits of powers conferred by legislation. Any action exceeding statutory competence is considered legally invalid because administrative authority originates exclusively from law rather than from governmental discretion or institutional necessity. Within Indonesia's administrative legal system, although the term *ultra vires* is not explicitly employed in statutory legislation, its substantive principles are reflected in the constitutional doctrine of legality and in Law Number 30 of 2014 concerning Government Administration, particularly the provisions governing abuse of authority (*penyalahgunaan wewenang*).²⁰ Consequently, the doctrine provides an appropriate analytical framework for evaluating whether the authority exercised by Marine Inspectors in ship safety inspections remains consistent with the legal limits established by Indonesian maritime legislation.

²⁰ T. V. Aguilar and J. Chávez-Fernández Postigo, "Power and Constitution: The Argumentation of the Doctrine of Unconstitutional Constitutional Amendments in the Peruvian Constitutional Tribunal Case-Law and Its Problems," *Derecho PUCP*, no. 93 (2024): 9–53, Scopus, <https://doi.org/10.18800/derechopucp.202402.001>.

From the perspective of administrative law, the legality of governmental authority depends upon three cumulative elements: competence (*bevoegdheid*), procedure (*procedure*), and substance (*substantie*). Competence determines whether a public official possesses lawful authority to perform a particular administrative act; procedural legality requires compliance with statutory administrative procedures; while substantive legality concerns whether the content of an administrative decision corresponds with the objectives prescribed by legislation. These three elements collectively ensure that public administration operates according to the rule of law rather than administrative expediency. Accordingly, even where a governmental objective appears beneficial from a policy perspective, administrative actions remain unlawful whenever they exceed statutory competence or disregard mandatory legal procedures.

The authority of Marine Inspectors illustrates the importance of these principles within Indonesia's maritime administration. Under the Shipping Law and its implementing regulations, Marine Inspectors are entrusted with administrative responsibilities relating to ship safety verification, technical inspections, seaworthiness assessments, certification, and compliance monitoring.²¹ Their principal objective is preventive rather than punitive. Administrative inspections are intended to ensure that vessels satisfy statutory technical requirements before navigation occurs, thereby minimizing risks to human life, marine environmental protection, and maritime transportation. Consequently, Marine Inspectors exercise regulatory supervision, not criminal investigation or prosecutorial authority.

However, practical implementation frequently reveals institutional overlap between Marine Inspectors and other maritime agencies. Indonesia's maritime governance involves multiple authorities possessing supervisory or enforcement jurisdiction, including the Harbourmaster (*Syahbandar*), the Sea and Coast Guard Unit (KPLP), the Maritime Security Agency (Bakamla), the Indonesian Navy, Water Police (*Polairud*), Customs, and other specialized agencies. Although each institution possesses distinct statutory functions, inspection activities often occur simultaneously within ports

²¹ L. Fatima, R. Green, and M. Irfan, "Beyond Algorithmic Due Process: Constitutional Delegation, Non-Delegation Doctrine, and Digital Constitutionalism in AI Governance," *International Journal of Law, Policy and ...*, no. Query date: 2026-06-24 14:38:06 (2025), <https://ijlpsr.com/index.php/ijlpsr/article/view/5>.

and territorial waters. Such overlapping authority creates uncertainty regarding institutional competence, particularly where administrative inspection develops into investigative or coercive enforcement measures.²² The absence of explicit jurisdictional boundaries consequently increases the possibility that administrative officials may unintentionally exercise powers beyond those legally delegated.

From the standpoint of the ultra vires doctrine, the most significant legal issue is not merely whether Marine Inspectors conduct inspections, but whether the scope of inspection activities remains confined to administrative supervision. Administrative inspection should terminate once statutory compliance has been verified and appropriate administrative measures have been imposed. When administrative officials begin collecting criminal evidence, conducting criminal investigations, detaining individuals, confiscating property without legal authority, or exercising coercive enforcement powers reserved for criminal investigators, such conduct potentially exceeds statutory competence. Therefore, the legality of administrative authority must always be assessed according to the legal source conferring that authority rather than the practical necessity perceived by the administrative agency.

The relevance of Law Number 30 of 2014 concerning Government Administration becomes particularly significant in this context. Article 17 expressly prohibits abuse of authority, while Articles 18 and 19 classify unlawful administrative conduct into three categories: exceeding authority (*melampaui wewenang*), mixing authority (*mencampuradukkan wewenang*), and arbitrary action (*bertindak sewenang-wenang*). These statutory provisions substantially reflect the principles embodied within the ultra vires doctrine. Accordingly, if Marine Inspectors undertake administrative actions extending beyond technical inspection and certification into functions legally assigned to criminal investigators or maritime enforcement officers, such conduct may constitute an unlawful administrative act capable of judicial review before the Administrative Court (*Pengadilan Tata Usaha Negara*).²³

²² JM Pandin, "Antara Eksplorasi Dan Konservasi: Pendekatan HAM Dalam Tanggung Jawab Negara Terhadap Kerusakan Laut Sebagai Pelanggaran HAM," *Jurnal Hukum Lex Generalis*, no. Query date: 2026-07-17 01:41:00 (2026), <https://ojs.rewangrencang.com/index.php/JHLG/article/view/3799>.

²³ Ahmad Bilaldzy and Relys Sandi Ariani, "Tinjauan Kritis Urgensi Pembentukan Pengadilan Agraria : Upaya Menangani Inefektivitas Penyelesaian Konflik Agraria pada Peradilan Tata Usaha Negara dan

In comparative administrative law, the ultra vires doctrine has evolved from a narrow jurisdictional concept into a broader mechanism for controlling administrative discretion. Modern administrative law no longer limits judicial review solely to explicit jurisdictional excess but also evaluates whether administrative decisions comply with proportionality, procedural fairness, legitimate expectation, and rationality. Consequently, even where Marine Inspectors formally possess statutory authority, the exercise of that authority may still be challenged if inspection procedures disregard due process, fail to provide adequate legal reasoning, or impose administrative sanctions without proportional justification. This evolution demonstrates that legality concerns not only the existence of authority but also the lawful manner in which authority is exercised.

Table 1. Indicators for Assessing Ultra Vires in the Exercise of Marine Inspectors' Authority

Legal Indicator	Administrative Law Principle	Application to Marine Inspectors	Potential Ultra Vires Risk
Legal Competence	Principle of Legality	Conducting statutory ship safety inspections	Exercising powers not expressly authorized by legislation
Administrative Procedure	Due Process and Good Governance	Performing inspections according to prescribed administrative procedures	Ignoring mandatory procedural requirements or inspection protocols
Scope of Authority	Principle of Specialization	Verifying technical compliance and seaworthiness	Performing criminal investigative or coercive functions
Administrative Decision	Accountability	Issuing inspection reports,	Imposing sanctions beyond

Peradilan Umum,” *Jurnal Hukum Lex Generalis* 3, no. 9 (September 2022): 688–711, <https://doi.org/10.56370/jhlg.v3i9.311>.

		recommendations, and certificates	administrative competence
Institutional Coordination	Legal Certainty	Coordinating with Syahbandar, KPLP, Bakamla, and other agencies	Institutional overlap causing jurisdictional conflict

Table 1 demonstrates that the legality of Marine Inspectors' authority cannot be assessed solely by reference to the existence of statutory authorization. Rather, legality depends upon compliance with several cumulative administrative law principles, including competence, procedural legality, specialization of authority, accountability, and institutional coordination. The table further illustrates that potential ultra vires actions generally arise not because Marine Inspectors lack legal authority to conduct ship safety inspections, but because inspection activities may extend beyond administrative supervision into areas reserved for other governmental institutions. Consequently, preventing ultra vires requires both clear statutory boundaries and effective institutional coordination.

Another important issue concerns institutional fragmentation within Indonesian maritime governance. Multiple governmental institutions exercise partially overlapping authority based upon sectoral legislation enacted over different periods. Such fragmentation often encourages each institution to interpret its statutory mandate expansively, thereby increasing the likelihood of duplicated inspections, inconsistent administrative decisions, and inefficient regulatory enforcement. From an administrative law perspective, overlapping authority undermines the principles of legal certainty and administrative effectiveness because regulated entities cannot easily determine which institution possesses final administrative competence. Consequently, the ultra vires doctrine should also be understood as an instrument for maintaining institutional balance by ensuring that each administrative body performs only those functions assigned by legislation.

The application of the ultra vires doctrine also strengthens administrative accountability. Administrative officials are accountable not merely for achieving regulatory objectives but also for respecting legal limitations upon governmental power. Accountability therefore requires transparency, reasoned decision-making, procedural fairness, and judicial review of administrative actions. In the maritime sector, administrative accountability enhances public confidence in ship safety inspections because regulated entities understand that inspection decisions are subject to objective legal standards rather than discretionary institutional preferences. Such accountability simultaneously protects Marine Inspectors themselves by providing clear legal guidance concerning the lawful limits of their professional authority.

Furthermore, the doctrine contributes significantly to the realization of good maritime governance. Modern maritime governance emphasizes not only maritime security and navigational safety but also legal certainty, institutional coordination, transparency, efficiency, and public trust. These governance objectives cannot be achieved where multiple institutions exercise overlapping authority without clear statutory boundaries. Therefore, applying the ultra vires doctrine promotes governance reforms by encouraging legislative harmonization, clarifying institutional competence, strengthening inter-agency coordination, and reinforcing compliance with constitutional principles governing the exercise of public authority.

Overall, the application of the ultra vires doctrine demonstrates that the authority of Marine Inspectors must always remain within the legal boundaries established by the Constitution, Law Number 17 of 2008 concerning Shipping as amended by Law Number 66 of 2024, Law Number 30 of 2014 concerning Government Administration, and relevant implementing regulations. The doctrine functions not merely as a limitation upon governmental power but as an essential mechanism for safeguarding the rule of law, legal certainty, administrative accountability, and good governance within Indonesia's maritime administration. Accordingly, preventing ultra vires requires not only comprehensive statutory regulation but also institutional harmonization, consistent administrative interpretation, and effective judicial oversight to ensure that ship safety inspections continue to fulfill their preventive administrative purpose without exceeding legally delegated authority.

3. Strengthening Legal Certainty and Institutional Governance in Ship Safety Inspection

Legal certainty constitutes one of the fundamental principles of a democratic state governed by the rule of law (*rechtsstaat*). In the context of maritime administration, legal certainty requires that every governmental institution exercise only those powers expressly conferred by legislation, while regulated entities are able to clearly understand the scope of authority, applicable procedures, and legal consequences arising from administrative decisions. Within Indonesia's maritime governance system, legal certainty assumes particular importance because maritime administration involves numerous institutions performing supervisory, regulatory, and law enforcement functions over the same maritime domain.²⁴ Consequently, ensuring legal certainty in ship safety inspections requires not only comprehensive legislation but also coherent institutional governance capable of preventing overlapping authority, conflicting administrative decisions, and inconsistent enforcement practices. Without clear legal boundaries, the effectiveness of ship safety inspections may be undermined by institutional competition rather than strengthened through coordinated public administration.

The principle of legal certainty is closely connected with the constitutional principle of legality embodied in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which establishes Indonesia as a state governed by law. This constitutional principle requires every governmental action to derive its legitimacy from statutory authority rather than administrative discretion or institutional practice. Furthermore, Article 28D paragraph (1) guarantees every individual the right to recognition, protection, and legal certainty before the law. Accordingly, the exercise of authority by Marine Inspectors must remain fully consistent with legislative mandates established under Law Number 17 of 2008 concerning Shipping, as amended by Law Number 66 of 2024, together with Law Number 30 of 2014 concerning Government

²⁴ WA Prawira, WRY Maulidina, and DA Puannandini, "Urgensi Pengadilan Maritim Untuk Integrasi Pengadilan Perikanan Dan Mahkamah Pelayaran Guna Mencegah Politisasi Hukum," *Pemuliaan Hukum*, no. Query date: 2026-07-17 01:41:00 (2026), <https://ojs.uninus.ac.id/Pemuliaan/article/view/3312>.

Administration.²⁵ These legal instruments collectively require that administrative authority be exercised according to the principles of legality, accountability, transparency, proportionality, and good governance.

Despite this comprehensive legal framework, Indonesia's maritime governance continues to experience institutional fragmentation resulting from the existence of multiple governmental agencies possessing maritime supervisory and enforcement functions. Harbourmasters (*Syahbandar*), Marine Inspectors, the Sea and Coast Guard Unit (*Kesatuan Pengawasan Laut dan Pelayaran/KPLP*), the Maritime Security Agency (*Bakamla*), the Indonesian Navy, Water Police (*Polairud*), Customs authorities, and environmental agencies all perform specific statutory responsibilities within maritime administration. Although such institutional diversity reflects the multidimensional nature of maritime governance, sectoral legislation enacted at different periods has produced overlapping jurisdictions and fragmented administrative competence. Consequently, ship operators frequently encounter multiple inspections conducted by different institutions addressing similar regulatory objectives.²⁶ Such duplication increases administrative burdens, delays commercial operations, and reduces regulatory efficiency while simultaneously creating uncertainty regarding which institution possesses final administrative authority.

From the perspective of administrative law, effective institutional governance requires a clear distinction between administrative supervision, administrative enforcement, and criminal law enforcement. Marine Inspectors perform preventive administrative functions by verifying compliance with statutory safety standards before vessels operate. Their authority primarily concerns technical inspections, certification, compliance monitoring, and recommendations for administrative corrective measures. Criminal investigations concerning maritime offences, however, remain within the competence of criminal investigators specifically authorized by legislation. Maintaining this distinction is essential because administrative supervision and criminal

²⁵ IN Fatiha, A. Fadhlina, and KP Wardani, "Konstruksi Hukum Deep Seabed Mining Di Indonesia: Strategi Pembangunan Ekonomi Menuju Poros Maritim Dunia," *Anthology: Inside Intellectual ...*, no. Query date: 2026-06-11 12:35:21 (2024), <https://ojs.uph.edu/index.php/Anthology/article/view/7553>.

²⁶ MGA Wirasisya and AA Kusuma, "Indonesia Dalam Poros Maritim Dunia Dan Kapal Induk Sebagai Kunci Dari Diplomasi Maritim," *Madani: Jurnal Politik Dan ...*, no. Query date: 2026-07-17 01:41:00 (2025), <https://ejournal.unisda.ac.id/index.php/MADANI/article/view/12657>.

investigation pursue different legal objectives, employ different procedural safeguards, and produce different legal consequences. Blurring these functions not only increases the risk of ultra vires administrative actions but also weakens procedural fairness and legal certainty within maritime administration.

The strengthening of institutional governance therefore requires comprehensive regulatory harmonization. Although Indonesia possesses extensive maritime legislation, inconsistencies remain among sectoral statutes, ministerial regulations, and institutional mandates governing maritime administration. Harmonization should ensure that every governmental institution performs complementary rather than competing functions. Clear legislative provisions defining the authority of Marine Inspectors, Harbourmasters, KPLP, Bakamla, and other maritime agencies would significantly reduce jurisdictional disputes while enhancing institutional accountability. Such harmonization should also integrate the principles contained in Law Number 30 of 2014 concerning Government Administration, thereby ensuring that all maritime administrative actions comply with the General Principles of Good Governance (*Asas-Asas Umum Pemerintahan yang Baik*).

Institutional governance should also be strengthened through the development of integrated maritime administrative coordination. Contemporary public administration increasingly emphasizes collaborative governance rather than fragmented institutional performance. Within ship safety inspections, coordination mechanisms should include integrated inspection planning, unified reporting systems, interoperable digital databases, and standardized inspection procedures applicable across maritime institutions. Such coordination would enable each institution to perform its statutory responsibilities without duplicating inspections or generating contradictory administrative decisions. Moreover, integrated governance enhances efficiency by reducing administrative costs while simultaneously improving transparency and public confidence in maritime regulation.

Digital transformation further represents an important mechanism for strengthening legal certainty and administrative governance.²⁷ The implementation of an integrated electronic ship inspection system would allow Marine Inspectors, Harbourmasters, and other competent authorities to access the same inspection records, certification data, compliance histories, and administrative decisions through a unified digital platform. Digitalization minimizes administrative inconsistency, prevents repetitive inspections, improves document verification, and strengthens traceability of administrative decisions. At the same time, electronic administrative systems increase transparency because regulated entities are able to monitor inspection results, administrative recommendations, and certification status through accessible digital services. Consequently, digital governance contributes not only to administrative efficiency but also to greater legal certainty and accountability.

Professional competence constitutes another essential element of institutional governance. The authority exercised by Marine Inspectors requires multidisciplinary expertise encompassing maritime engineering, ship construction, international safety standards, environmental protection, administrative law, and maritime regulatory compliance. Therefore, strengthening institutional governance requires continuous professional education, competency certification, ethical supervision, and specialized legal training concerning administrative authority and the principle of legality. Administrative officials possessing both technical expertise and legal understanding are less likely to exceed statutory authority or issue legally defective administrative decisions. Capacity building therefore functions as an important preventive mechanism against potential *ultra vires* actions while simultaneously improving the quality of maritime administration.

International maritime governance also provides valuable guidance for strengthening Indonesia's institutional framework. The International Maritime Organization (IMO) emphasizes that effective maritime administration depends upon competent maritime authorities capable of implementing international conventions consistently and transparently. Instruments such as the International Convention for the

²⁷ AA Farsani and SM Mousavi, "The Transformation of Criminal Evidence in Light of Forensic Sciences and Emerging Biometric Technologies: From Theory to Application," *Legal Studies in Digital Age*, no. Query date: 2026-05-19 15:00:01 (2025).

Safety of Life at Sea (SOLAS) 1974, the International Safety Management (ISM) Code, and the Code for Recognized Organizations (RO Code) encourage Member States to establish clear institutional responsibilities, objective inspection standards, professional competence, and administrative accountability within maritime safety systems. Aligning Indonesia's institutional governance with these international standards would strengthen regulatory credibility while facilitating greater recognition of Indonesia's maritime administration within the international shipping community.

Table 2. Strategies for Strengthening Legal Certainty and Institutional Governance in Ship Safety Inspection

Governance Aspect	Current Challenge	Recommended Reform	Expected Impact	Legal
Regulatory Framework	Overlapping legislation and institutional mandates	Harmonization of maritime legislation and implementing regulations	Greater certainty and reduced jurisdictional conflicts	legal and
Institutional Authority	Fragmented administrative competence	Clear statutory delineation of institutional functions	Prevention of ultra vires administrative actions	
Administrative Coordination	Multiple inspections by different agencies	Integrated inter-agency inspection mechanism	Increased efficiency and consistent administrative decisions	
Digital Governance	Fragmented inspection records	Integrated electronic ship inspection database	Transparency, accountability, and improved regulatory compliance	

Human Resources	Uneven administrative and technical competence	Continuous professional training and competency certification	Improved quality of administrative decisions
Administrative Accountability	Limited oversight of inspection decisions	Strengthened internal supervision and judicial review mechanisms	Enhanced public trust and rule of law

Table 2 demonstrates that strengthening legal certainty in ship safety inspections requires reforms extending beyond legislative amendment alone. Institutional governance should simultaneously address regulatory harmonization, organizational coordination, digital administrative systems, professional competence, and accountability mechanisms. These reforms are mutually reinforcing because effective maritime governance depends upon both clear legal norms and competent administrative institutions capable of implementing those norms consistently. The table further illustrates that institutional strengthening contributes directly to preventing ultra vires administrative actions while improving transparency, legal certainty, and public confidence in maritime administration.

Another important aspect concerns the enhancement of administrative accountability through judicial oversight. Administrative decisions issued by Marine Inspectors should remain subject to review under Indonesia's administrative justice system whenever allegations arise that authority has been exercised unlawfully or beyond statutory competence. Judicial review functions not merely as a corrective mechanism but also as an institutional safeguard reinforcing the constitutional principle that governmental authority remains subordinate to law.²⁸ The availability of effective judicial remedies therefore encourages administrative officials to exercise authority cautiously and consistently with statutory limitations while simultaneously protecting regulated entities from arbitrary administrative action.

²⁸ Mira Aurelita and Handoyo Prasetyo, "Strategi Penegakan Hukum Internasional Dalam Menanggulangi Perdagangan Narkotika Lintas Negara Melalui Jalur Maritim," *Media Hukum Indonesia (MHI)* 2, no. 3 (June 2024), <https://doi.org/10.5281/ZENODO.12526244>.

Ultimately, strengthening legal certainty and institutional governance in ship safety inspections requires a comprehensive legal reform combining regulatory harmonization, institutional restructuring, digital governance, professional capacity building, and administrative accountability. Such reforms should not be understood merely as administrative modernization but as constitutional obligations arising from the principles of legality, the rule of law, and good governance. A coherent governance framework would enable Marine Inspectors to perform their preventive administrative responsibilities effectively while avoiding institutional overlap and potential ultra vires actions. Consequently, Indonesia's maritime administration would become more transparent, accountable, efficient, and capable of fulfilling both domestic constitutional mandates and international maritime obligations, thereby supporting sustainable maritime governance and enhancing navigational safety within Indonesian waters.

C. CONCLUSIONS

The authority of Marine Inspectors in conducting ship safety inspections constitutes an administrative authority derived from the principle of legality as regulated under Law Number 17 of 2008 concerning Shipping, as amended by Law Number 66 of 2024, in conjunction with Law Number 30 of 2014 concerning Government Administration. Such authority is preventive in nature, encompassing ship safety inspections, seaworthiness verification, certification, and compliance monitoring rather than criminal law enforcement. Nevertheless, overlapping institutional mandates, fragmented maritime regulations, and the absence of clearly defined jurisdictional boundaries continue to create legal uncertainty regarding the limits of administrative competence, thereby increasing the potential for ultra vires actions when administrative officials exercise powers beyond those expressly conferred by legislation. The application of the ultra vires doctrine demonstrates that the legality of Marine Inspectors' authority depends not only on statutory authorization but also on strict compliance with the principles of legality, institutional competence, procedural fairness, accountability, and good governance. Harmonization of maritime legislation, clearer delineation of institutional authority, integrated inter-agency coordination, digitalization of ship safety inspection systems, and continuous enhancement of the professional competence of Marine Inspectors are therefore essential to strengthen legal

certainty, prevent abuse of administrative authority, reinforce institutional accountability, and establish a more effective, transparent, and legally coherent maritime governance system that is consistent with both the rule of law and internationally recognized standards of maritime administration.

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