

REGULATION OF THE MINISTER OF TRADE No. 57/M-
DAG/PER/12/2010

CONCERNING PROVISION FOR
IMPORT OF CERTAIN PRODUCTS
BY THE GRACE OF ALMIGHTY GOD,
THE MINISTER OF TRADE OF THE
REPUBLIC OF INDONESIA,

[Attachment](#)

Considering:

- a. that fair trade and conducive business atmosphere is not achieved yet to maximum, so that it is necessary to improve discipline on import administration;
- b. that based on the consideration as intended in paragraph a, it is necessary to make policy in import sector on some certain products;
- c. that based on the consideration as intended in paragraphs a and b, it is necessary to stipulate Regulation of the Minister of Trade;

In view of:

1. Trade Ordinance 1934 (Statute Book No. 86/1938);
2. Law No. 3/1982 concerning Company Obligatory Registration (Statute Book of the Republic of Indonesia No.

- 7/1982, Supplement to Statute Book of the Republic of Indonesia No. 3214);
3. Law No. 7/1994 concerning Approval for Establishing The World Trade Organization (Statute Book of the Republic of Indonesia No. 57/1994, Supplement to Statute Book of the Republic of Indonesia No. 3564);
 4. Law No. 10/1995 concerning Customs (Statute Book of the Republic of Indonesia No. 75/1995, Supplement to Statute Book of the Republic of Indonesia No. 3612) as amended by Law No. 17/2006 (Statute Book of the Republic of Indonesia No. 93/2006, Supplement to Statute Book of the Republic of Indonesia No. 4661);
 5. Law No. 7/1996 concerning Food (Statute Book of the Republic of Indonesia No. 99/1996, Supplement to Statute Book of the Republic of Indonesia No. 3656);
 6. Law No. 36/2000 concerning Stipulation of Government Regulation in Lieu of Law No. 1/2000 concerning Free Trade Zone and Free Port (Statute Book of the Republic of Indonesia No. 251/2000, Supplement to Statute Book of the Republic of Indonesia No. 4053) as amended by Law No. 44/2007 concerning Stipulation of Government Regulation in Lieu of Law No. 1/2007 to become Law (Statute Book of the

- Republic of Indonesia No. 130/2007, Supplement to Statute Book of the Republic of Indonesia No. 4775);
7. Law No. 39/2008 concerning State Ministry (Statute Book of the Republic of Indonesia No. 166/2008, Supplement to Statute Book of the Republic of Indonesia No. 4916);
 8. Law No. 25/2009 concerning Public Service (Statute Book of the Republic of Indonesia No. 112/2009, Supplement to Statute Book of the Republic of Indonesia No. 5038);
 9. Law No. 36/2009 concerning Health (Statute Book of the Republic of Indonesia No. 144/2009, Supplement to Statute Book of the Republic of Indonesia No. 5063);
 10. Government Regulation No. 102/2000 concerning National Standardization (Statute Book of the Republic of Indonesia No. 199/2000, Supplement to Statute Book of the Republic of Indonesia No. 4020);
 11. Presidential Decree No. 260/1967 concerning Confirmation of Duty and Responsibility of the Minister of Trade on Overseas Trade;
 12. Presidential Decree No. 47/2009 concerning Establishment and Organization of the State Ministry;
 13. Presidential Decree No. 84/P/2009 concerning Establishment of Unity Indonesia Cabinet II;

14. Presidential Decree No. 24 Year 2010 concerning Capacity, Duty, and Function of State Ministry and Organizational Structure, Duty, and Function of Echelon I of State Ministry;
15. Decision of the Minister of Industry and Trade No. 141/MPP/Kep/3/2002 concerning Special Importer's Identification Number (NPIK) as amended by Regulation of the Minister of Trade No. 7/M-DAG/PER/3/2008;
16. Regulation of the Minister of Trade No. 28/M-DAG/PER/6/2009 concerning Provision on Export and Import Permits Service with Electronic system through INATRADE in the Framework of Indonesia National Single Window;
17. Regulation of the Minister of Trade No. 45/M-DAG/PER/9/2009 concerning Importer's Identification Number (API) as amended by Regulation of the Minister of Trade No. 17/M-DAG/PER/3/2010;
18. Regulation of the Minister of Trade No. 54/M-DAG/PER/10/2009 concerning General Provision on Import Sector;
19. Regulation of the Minister of Trade No. 31/M-DAG/PER/7/2010 concerning Organization and Work

Procedure of the Ministry of Trade;

HAS DECIDED:

To stipulate:

REGULATION OF THE MINISTER OF TRADE
CONCERNING PROVISION FOR IMPORT OF CERTAIN
PRODUCTS

Article 1

In this Ministerial Regulation:

1. Import is activity to import goods into the customs area.
2. Certain Product is product subject to the provision on import based on this Ministerial Regulation that covers food and beverage products, finished garment, footwear, electronics, toys, traditional remedy and herbal as well as cosmetics.
3. Registered Importer of Certain Product hereinafter called as Certain IT-Product is company that exercises import activity of Certain Products.
4. Import Technical Verification or Inquiry is technical examination activity on Certain Products conducted at the port of loading of goods by a Surveyor.
5. Surveyor is survey entity that has obtained authorization to conduct technical verification or inquiry imported product.
6. Minister is minister conducting governmental affairs in trade

sector.

7. Director General is Director General of Overseas Trade of the Ministry of Trade.

8. Director is Director of Import of the Directorate General of Overseas Trade of the Ministry of Trade.

Article 2

(1) Certain Products that are governed in this Regulation of the Minister as specified in the Attachment that constitutes integral part of this Regulation of the Minister.

(2) Import of Certain Products as intended paragraph (1) may only be conducted by any company duly decided as Certain IT-Products.

(3) To obtain decision as Certain IT-Products as intended in paragraph (2), the company must submit written application to the Director by attaching the documents:

- a. photocopy of Importer's Identification Number (API);
- b. photocopy of Company Registration Number (TDP);
- c. photocopy of Taxpayer Identification Number (NPWP);
- d. photocopy of Special Importer's Identification Number (NPIK) for Certain Products which import is subject to the provision on obligatory NPIK;

- e. photocopy of Customs Identification Number (NIK); and
- f. import plan for 1 (one) year covering the total number, type of goods, post tariff/HS 10 (ten) digits and port of destination.

(4) The Director on behalf of the Minister shall issue decision as Certain IT-Products within 7 (seven) working days at the latest effective as of the application is completely and correctly received.

Article 3

The decision as Certain IT-Products as intended in Article 2 prevails up to expiry of this Regulation of the Minister.

Article 4

(1) Any company that has obtained decision as Certain IT-Products shall be obliged to submit written report on the import of Certain Products.

(2) The report as intended in paragraph (1) shall be submitted if import thereof has been realized or not yet realized.

(3) The report as intended in paragraph (1) must be submitted to the Director once every three (3) months by the 15 of the following month at the latest through <http://inatrade.kemendag.go.id>.

Article 5

(1) Each Certain Products by Certain IT-Product may only be

imported through the port of destination:

- a. sea ports: Belawan in Medan, Tanjung Priok in Jakarta, Tanjung Emas in Semarang, Tanjung Perak in Surabaya, Soekarno Hatta in Makassar, Dumai in Dumai, and Jayapura in Jayapura; and/or
- b. all international airports.

(2) Import of Certain Products by Certain IT-Product shall be conducted through Dumai seaport in Dumai and seaport in Jayapura in Jayapura only for food and beverage products.

(3) Import of Certain Products for necessity of Free Trade Zone and Free Port shall be governed according to the provisions in the statutory regulation concerning Free Trade Zone and Free Port.

Article 6

(1) Any import of Certain Products by Certain IT-Products must be technically verified or inquired first by the Surveyor in the country of port of loading prior to shipment.

(2) The result of Import Technical Verification or Inquiry by Surveyor as intended in paragraph (1) shall be specified in the form of Surveyor Report (LS) for use as supporting document for customs in customs clearance on import.

(3) All charges for Import Technical Verification or Inquiry

conducted by the Surveyor as intended in paragraph (1) and paragraph (2) shall be borne by the Certain fl-Product concerned.

Article 7

(1) The Import Technical Verification or Inquiry as intended in Article 6 paragraph (1) shall be conducted by the Surveyor duly assigned by the Minister.

(2) The assigned Surveyor as intended in paragraph (1) shall be obliged to comply with the requirements below:

- a. has Business License Certificate for Survey Service (SIUJS);
- b. is experienced as Surveyor for at least 5 (five) years;
- c. has branch or representative and/or affiliate overseas and has network to support effective service for verification; and
- d. has tract records in the field of management of import verification activity.

(3) The Surveyor as intended in paragraph (1) shall be obliged to submit written report on recapitulation of Import Technical Verification or Inquiry of Certain Products to the Director General in this case the Director each month by the 15 of the following month.

Article 8

The provisions in this Regulation of the Minister do not apply

to import:

- a. of Certain Products as intended in Article 25 paragraph (1) and Article 26 paragraph (1) of Law No. 10/1995 concerning Customs as amended by Law No. 17/2006;
- b. Certain Products in the form of goods delivery and/or personnel effect of a value of maximum FOB US\$ 1,500 (one thousand five hundred US Dollar) each person travelling by aircraft;
- c. Certain Products for upstream oil and natural gas, geothermal and mineral and other energy necessity;
- d. Certain Products imported by producer importer used as capital goods and/or basic material that are relevant to its industry;
- e. Certain Products imported by importer that is included in Importer Priority Channel;
- f. Certain Products that are temporarily imported; and
- g. Certain Products that are processed at Bonded Storage Place from Bonded Storage Place to other places within the customs area.

Article 9

Obligatory law stipulated based on other statutory regulation prevailing on import of Certain Products survives.

Article 10

(1) Decision as Certain IT-Products shall be revoked if:

- a. the company fails to fulfil its obligation to submit report as intended in Article 4 twice;
- b. the company is not importing Certain Products within 6 (six) months consecutively; and/or
- c. the presence of recommendation from the Directorate General of Customs and Excise of the Ministry of Finance, that the company committed violation on customs matter.

(2) Any company which decision has been revoked as Certain IT-Products as intended in paragraph (1) may submit application as new Certain IT-Products after 6 (six) months effective as of the date of revocation.

Article 11

Any Importer importing Certain Products not complying with the provisions in this Regulation of the Minister is subject to penalty based on the provisions in the statutory regulation.

Article 12

Any Surveyor that fails to fulfil its obligation as intended in Article 7 paragraph (3) is subject to revocation of the decision as Surveyor of Certain Products.

Article 13

- (1) If the validity of the importer that possesses decision as Certain IT-Products expires on December 31, 2010, the Director on behalf of the Minister may issue renewed decision as Certain IT-Products.
- (2) The decision as Certain IT-Products as intended in paragraph (1) shall be made by January 1, 2011 at the latest and such issue must be notified to the importer as intended in paragraph (1).
- (3) The decision as Certain IT-Products may be made by the importer as intended in paragraph (1) accompanied by decision making as Certain IT-Products which validity has been expired.
- (4) The decision as Certain IT-Products as intended in paragraph (1) shall be valid until this Regulation of the Minister expires.

Article 14

Any Certain Products imported by Certain IT-Products which provision will expire on December 31, 2010, may be imported up to February 28, 2011, as proven by the date of registration of notification by the customs in the form of Manifest (BC.1.1) in accordance with the provisions in the statutory regulation on customs matter.

Article 15

(1) Provision for obligatory Import Technical Verification or Inquiry as intended in Article 6 does not apply to imported cosmetics.

(2) Provision for LS as customs supporting document in customs clearance on import as intended in Article 6 paragraph (2) for traditional medicinal products and herbal shall take effect on March 1, 2011.

Article 16

Implementation of this Regulation of the Minister shall be evaluated within 1 (one) year effective as of this Regulation of the Minister comes to force.

Article 17

Further provisions for this Regulation of the Minister shall be stipulated by the Director General as required.

Article 18

This Regulation of the Minister takes effect on January 1, 2011 and shall expire on December 31, 2012.

For public cognizance, enactment of this Regulation of the Minister shall be announced by placing it in State Gazette of the Republic of Indonesia.

Stipulated in Jakarta, on December 29, 2010, MINISTER OF

TRADE signed, MARI ELKA PANGESTU
