
AUTHORIZED TRANSLATION



MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

**REGULATION OF THE MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA**

NUMBER 125/M-DAG/PER/12/2015

CONCERNING

PROVISIONS FOR IMPORT OF SALT

UPON GRACE OF THE ONE ALMIGHTY GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering:
- a. that in order to encourage the improvement of the national competitiveness, it is necessary to carry out the simplification of licensing in the trade sector, particularly on the import of salt;
 - b. that the provisions for the import of salt in the Regulation of the Minister of Trade Number 58/M-DAG/PER/9/2012 concerning the Provisions for Import of Salt, as has been amended with the Regulation of the Minister of Trade Number 88/M-DAG/PER/10/2015, is considered as no more relevant;
 - c. that based on the consideration, as meant in letter b, it is necessary to withdraw the Regulation of the Minister of Trade Number 58/M-DAG/PER/9/2012 concerning Provisions for Import of Sal, as has been amended with the Regulation of the

Minister of Trade Number 88/M-DAG/PER/10/2015 and reregulate the provisions for the import of salt.

- d. that based on the considerations, as meant in letter a, letter b, and letter c, it is necessary to determine the Regulation of the Minister of Trade concerning Provisions for Import of Salt.

- In view of:
1. Law Number 25 of 1992 concerning Cooperative (State Gazette of the Republic of Indonesia of 1992 Number 116, Supplement to the State Gazette of the Republic of Indonesia Number 3502);
 2. Law Number 7 of 1994 concerning Ratification of the Agreement Establishing the World Trade Organization (State Gazette of the Republic of Indonesia of 1994 Number 57, Supplement to the State Gazette of the Republic of Indonesia Number 3564);
 3. Law Number 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia of 1995 Number 75, Supplement to the State Gazette of the Republic of Indonesia Number 3612), as has been amended with Law Number 17 of 2006 (State Gazette of the Republic of Indonesia of 2006 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 4661);
 4. Law Number 5 of 1999 concerning Prohibition of Monopoly Practice and Unhealthy Business Competition (State Gazette of the Republic of Indonesia of 1999 Number 33, Supplement to the State Gazette of the Republic of Indonesia Number 3817);
 5. Law Number 8 of 1999 concerning Consumer Protection (State Gazette of the Republic of Indonesia of 1999 Number 42, Supplement to the State Gazette of the Republic of Indonesia Number 3821);

6. Law Number 19 of 2003 concerning State Owned Company (State Gazette of the Republic of Indonesia of 2003 Number 70, Supplement to the State Gazette of the Republic of Indonesia Number 4297);
7. Law Number 39 of 2008 concerning State Ministry (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 4916);
8. Law Number 36 of 2009 concerning Health (State Gazette of the Republic of Indonesia of 2009 Number 144, Supplement to the State Gazette of the Republic of Indonesia Number 5063);
9. Law Number 18 of 2012 concerning Food (State Gazette of the Republic of Indonesia of 2012 Number 227, supplement to the State Gazette of the Republic of Indonesia Number 5360);
10. Law Number 3 of 2014 concerning Industry (State Gazette of the Republic of Indonesia of 2014 Number 4, Supplement to the State Gazette of the Republic of Indonesia Number 5492);
11. Law Number 7 of 2014 concerning Trade (State Gazette of the Republic of Indonesia of 2014 Number 45, Supplement to the State Gazette of the Republic of Indonesia Number 5512);
12. Government Regulation Number 69 of 1999 concerning Label and Food Advertisement (State Gazette of the Republic of Indonesia of 1999 Number 131, Supplement to the State Gazette of the Republic of Indonesia Number 3867);
13. Government Regulation Number 58 of 2001 concerning Guidance and Control on the Implementation of Consumer Protection (State Gazette of the Republic of Indonesia of 2001 Number 103, Supplement to the State Gazette of the Republic of Indonesia Number 4126);

14. Presidential Decree Number 69 of 1994 concerning Procurement of Iodized Salt;
15. Presidential Decree Number 121/P of 2014 concerning Formation of Ministries and Appointment of Ministers of the Working Cabinet for the Period of 2014-2019;
16. Presidential Regulation Number 7 of 2015 concerning State Ministry Organization;
17. Presidential Regulation Number 48 of 2015 concerning Ministry of Trade;
18. Presidential Decree Number 79/P of 2015 concerning Replacement of Several State Ministers of the Working Cabinet for the Period of 2014-2019;
19. Regulation of the Minister of Trade Number 42/M-DG/PER/11/2005 concerning Processing, Packing, and Labeling of Iodized Salt;
20. Regulation of the Minister of Industry Number 134/M-IND/PER/10/2009 concerning Road Map for Development of the Salt Industry Cluster, as has been amended with the Regulation of the Minister of Industry Number 88/M-IND/PER/10/2014;
21. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2010 concerning Organization and Work System of the Ministry of Trade, as has been amended with the Regulation of the Minister of Trade Number 57/M-DAG/PER/8/2012;
22. Regulation of the Minister of Trade Number 46/M-DAG/PER/8/2014 concerning General Provisions for the Verification or Technical Tracing in the Trade Sector;

23. Regulation of the Minister of Trade Number 53/M-DAG/PER/9/2014 concerning Trade Integrated Service;
24. Regulation of the Minister of Trade Number 48/M-DAG/PER/7/2015 concerning General Provisions in the Import Sector;
25. Regulation of the Minister of Trade Number 70/M-DAG/PER/9/2015 concerning Importer Identity Number.

HAS DECREED:

To determine: **THE REGULATION OF THE MINISTER OF TRADE CONCERNING PROVISIONS FOR IMPORT OF SALT.**

Article 1

The meaning of the following in this Regulation of the Minister is:

1. Salt is a chemical compound, which main components contain Sodium Chloride (NaCl) and contain water compound, magnesium, calcium, sulfate and supplementary material of iodine, anti-caking or free-flowing or not, and is included in Tariff Post/HS:
 - a. 2501.00.10.00: - Table salt
 - b. 2501.00.20.00: - Rock salt
 - c. 2501.00.50.00: - Seawater
- Others
 - d. 2501.00.90.10: - Contains sodium chloride of minimum 94.7% calculated from the dry basis
 - e. 2501.00.90.90: - Others

2. Industry Salt is salt that is used as raw material or supporting material for industrial need with the NaCl content of minimum 97% calculated from the dry basis and with the Tariff Post/HS of ex. 2501.00.90.10.
3. Consumption Salt is salt that is used for consumption with the NaCl content of minimum 94.7% until less than 97% calculated from the dry basis and with Tariff Post/HS of ex. 2501.00.90.10.
4. Importer of Industry Salt is the company that carries out the business activities in the industrial sector that uses the Industry Salt raw material or supporting material.
5. Import Approval is the approval that is used as license to import Salt.
6. Verification or technical tracing is the investigation and examination on imported goods, which is carried out by the Surveyor.
7. Surveyor is the survey company that has obtained the authorization to carry out the Verification or technical tracing on imported goods.
8. Trade Integrated Service Unit I, hereinafter referred to as UPTP I is the unit that organizes the trade integrated service.
9. Minister is the minister who organizes the administration affairs in the trade sector.
10. UPTP I Executive Coordinator is the official who is assigned by the Minister to organize the licensing service at UPTP I.

Article 2

Salt that can be imported is Industry Salt and Consumption Salt.

Article 3

The plan for the need of Industry Salt is determined and agreed upon in the coordination meeting among the related ministries/institutions.

Article 4

- (1) The Industry Salt, as meant in Article 2, may only be imported by the company in possession of the Producer Importer Identity Number (API-P), which has obtained the Industry Salt Import Approval from the Minister.
- (2) The Minister provides the mandate for the issuance of the Industry Salt Import Approval, as meant in paragraph (1), to the UPTP I Executive Coordinator.

Article 5

- (1) In order to obtain the Industry Salt Import Approval, as meant in Article 4, the company should electronically submit the request to the UPTP I Executive Coordinator by attaching the following:
 - a. Industrial Business License or other similar types of business license from the technical ministry/non ministry government institution/agency in charge of such business;
 - b. API-P for companies that carry out the business in the industrial sector by using the Industry Salt raw material or supporting material; and
 - c. Statement with sufficient revenue stamp containing the information on the Plan of Import in accordance with the real industry need and certifying not to trade and/or transfer the imported Industry Salt to another party.
- (2) Upon the request, as meant in paragraph (1), the UPTP I Executive Coordinator issue the Industry Salt Import Approval

within not later than 2 (two) working days effective as of the date the request is received completely and correctly.

- (3) In case the request, as meant in paragraph (1), is incomplete and incorrect, then the UPTP I Executive Coordinator submits the notification of rejection within not later than 2 (two) working days effective as of the date the request is received.

Article 6

The Industry Salt Import Approval, as meant in Article 5 paragraph (2), applies for maximum 1 (one) year.

Article 7

The Industry Salt Import Approval, as meant in Article 5 paragraph (2), should minimum contain the information on the following:

- a. Amount of Salt;
- b. Type of Salt and Tariff Post/HS;
- c. Port of loading;
- d. Country of origin;
- e. Port of destination; and
- f. Validity term of the Industry Salt Import Approval.

Article 8

- (1) The port of destination, as meant in Article 7 letter c, should be the nearest port to the location of the factory owned by the Industry Salt Importer.
- (2) The factory location, as meant in paragraph (1), should be in accordance with the location contained in the Industrial Business License or other similar types of business license.

Article 9

- (1) The submission of request to obtain the Industry Salt Import Approval, as meant in Article 5, may only be served with the electronic system through <http://inatrade.kemendag.go.id>.
- (2) In case of force majeure, which causes that the electronic system through <http://inatrade.kemendag.go.id> is not functioning, then the submission of request, as meant in paragraph (1), is submitted manually.

Article 10

The Industry Salt Importer is prohibited to trade and/or transfer its imported Industry Salt to another party.

Article 11

- (1) In case of:
 - a. Big harvest failure that causes the Consumption Salt stock unable to comply with the domestic need; and/or
 - b. The availability of Consumption Salt is unable to comply with the domestic Consumption Salt need, then the Government may assign the State Owned Company, having the activities in the salting business sector, to import Consumption Salt.
- (2) The big harvest failure, as meant in paragraph (1) letter a, and the availability of Consumption Salt, as meant in paragraph (1) letter b, is determined by the Minister who organizes the administration affairs in the marine and fishery sector.

Article 12

The import of Consumption Salt, as meant in Article 1, may only be carried out by the State Owned Company, having the activities in the salting business sector, after obtaining:

- a. The assignment from the Minister who organizes the administration affairs in the state owned company guidance sector; and
- b. The recommendation from the ministry that organizes the administration affairs in the marine and fishery sector.

Article 13

- (1) The State Owned Company that will import Consumption Salt, as meant in Article 11 paragraph (1), should obtain the Consumption Salt Import Approval from the Minister.
- (2) The Minister provides the mandate for issuance of the Consumption Salt import Approval, as meant in paragraph (1), to the UPTP I Executive Coordinator.

Article 14

- (1) The Verification or technical tracing should first be carried out at each implementation of Salt import in the country of the loading of goods.
- (2) The implementation of Verification or technical tracing, as meant in paragraph (1), is carried out by the Surveyor who is determined by the Minister.

Article 15

In order to be determined as implementer of the Salt Import Verification or technical tracing, as meant in Article 14 paragraph (2), the Surveyor should comply with the following requirements:

- a. In possession of the Survey Service Business License (SIUJS);
- b. Has the experience as Surveyor for minimum 5 (five) years;
- c. Has branches or representatives and/or affiliates abroad and has the network to support the effectiveness of the Verification or technical tracing service; and
- d. In possession of good track records in the sector of import Verification or technical tracing activity management.

Article 16

- (1) The Verification or technical tracing, as meant in Article 14 paragraph (1), is carried out on the Import of Industry Salt and Consumption Salt, which covers minimum the data or information concerning:
 - a. Type and volume;
 - b. Specification;
 - c. Tariff Post/HS and description of goods;
 - d. Country and port of loading;
 - e. Time of shipment; and
 - f. Port of destination.
- (2) The result of Verification or technical tracing, as meant in paragraph (1), is entered into the form of Surveyor Report (LS) in order to be used as the customs complementary document at the customs clearance in the Import sector.
- (3) The Surveyor Report (LS), as meant in paragraph (2), should contain the statement of correctness on the result of Verification or technical tracing and is the full responsibility of the Surveyor.
- (4) The Surveyor collects the service reward from the Industry Salt Importer and State Owned Company for the implementation of the Verification or technical tracing, as meant in paragraph (1), which amount is determined by taking account of the benefit principle.

Article 17

- (1) The Industry Salt Importer is required to submit the report on the implementation of the Industry Salt import to the Director General of Foreign Trade, in this case the Director of Import, Ministry of Trade, every month not later than the 15th day of the following month, with copies submitted to:
 - a. Director General of Chemical, Textile and Diverse Industry, Ministry of Industry; and
 - b. Director General of Marine Space Management, Ministry of Marine and Fishery.
- (2) The report as meant in paragraph (1) is submitted online through <http://inatrade.kemendag.go.id> by attaching the scan result of the Import Realization Control Card, which is initialed and sealed by the Customs officer.

Article 18

The Surveyor, as meant in Article 4 paragraph (2), is required to monthly submit the written report on the implementation of the Salt import Verification or technical tracing to the Director General of Foreign Trade within not later than the 15th day o the following month.

Article 19

- (1) The Industry Salt Import Approval is frozen in case the Industry Salt Importer:
 - a. Does not carry out the obligation of submitting the report, as meant in Article 17, during 2 (two) times; and/or
 - b. Is in the investigation process for being suspected as conducting the criminal act related to the misuse of the Industry Salt Import approval.
- (2) The freezing of the Industry Salt Import Approval may be reactivated after the Industry Salt Importer:

- a. Has complied with the obligation of submitting the report, as meant in Article 17 within 2 (two) months as of the date the Industry Salt Import Approval is frozen; and/or
- b. Is not proven as conducting the criminal act related to the misuse of the Industry Salt Import Approval.

Article 20

The Industry Salt import Approval is withdrawn in case the Industry Salt Importer:

- a. Breaches the provision of prohibition to trade and/or transfer the Industry Salt to another party, as meant in Article 10;
- b. Does not carry out the obligation of submitting the report, as meant in Article 17, after exceeding the time limit of 2 (two) months as of the date the Industry Salt Import Approval is frozen;
- c. Is proven as submitting incorrect data and/or information in the request for the Industry Salt Import Approval, after the Industry Salt Import Approval has been issued;
- d. Amends, adds, and/or replaces the contents indicated in the Industry Salt Import Approval; and/or
- e. Is declared guilty by the court for the criminal act related to the misuse of the Industry Salt Import Approval.

Article 21

The freezing and reactivation of the Industry Salt Import Approval, as meant in Article 19, and the withdrawal of the Industry Salt Import Approval, as meant in Article 20, is carried out by the UPTP I Executive Coordinator on behalf of the Minister.

Article 22

The determination of the Surveyor as implementer of the Verification or technical tracing on the import of Salt, as meant in Article 14 paragraph (2), is withdrawn in case the Surveyor:

- a. Does not implement the obligation of submitting the report, as meant in Article 18, during 2 (two) times; and/or
- b. Conducts violation in the implementation of the Verification or technical tracing for the import of Salt.

Article 23

The withdrawal of the determination as Surveyor to implement the Verification or technical tracing for Salt Import, as meant in Article 22, is determined by the Minister.

Article 24

The violation on the provisions in this Regulation of the Minister may be imposed other sanctions based on the legislative regulations.

Article 25

- (1) The control on the import of Industry Salt is carried in accordance with the provisions of the legislative regulations.
- (2) The Minister may establish the integrated team, consisting of representatives from the related agencies in order to carry out the following:
 - a. Control on the Industry Salt Import; and
 - b. Evaluation on the implementation of the Industry Salt Import policy.
- (3) The Directorate General of Foreign Trade may at any time carry out the obedience assessment (post audit) on the API-P owner company that carries out the Industry Salt Import.

Article 26

- (1) The provisions in this Regulation of the Minister do not apply on the import of Salt that is:

- a. Goods for the need of research and technology development;
 - b. Sample that is not for trade; and
 - c. Seawater with the Tariff Post/HS of 2501.00.50.00 that is used as raw material or industry supporting material, as long as it is not able yet to be produced domestic.
- (2) The Salt Import, as meant in paragraph (1) letter c, should obtain the seawater import clarification from the UPTP I Executive Coordinator.

Article 27

Exceptions from the provisions that are regulated in this Regulation of the Minister are determined by the Minister by considering the availability and need of Salt as the raw material or supporting material for the industry.

Article 28

- (1) The recognition as the Industry Salt IP, the recognition as the Consumption Salt IP, the determination as Salt IT, and Industry Salt PI, which are issued based on the Regulation of the Minister of Trade Number 58/M-DAG/PER/9/2012 concerning the Provisions for Import of Salt, as has been amended with the Regulation of the Minister of Trade Number 88/M-DAG/PER/10/2015, are declared as still applicable until expiration of the validity term.
- (2) The Surveyor Report (LS), which has been issued base on the Regulation of the Minister of trade Number 58/M-DAG/PER/9/2012 concerning the Provisions for Import of Salt, as has been amended with the Regulation of the Minister of Trade Number 88/M-DAG/PER/10/2015, is declared as still applicable until settlement of the customs clearance on the implementation of Salt import by the Industry Salt IP, Consumption Salt IP, and Salt IT.

Article 29

At the time this Regulation of the Minister commences applicable, the Regulation of the Minister of trade Number 58/M-DAG/PER/9/2012 concerning the Provisions for Import of Salt, as has been amended with the Regulation of the Minister of Trade Number 88/M-DAG/PER/10/2015 is withdrawn and declared as not applicable.

Article 30

This Regulation of the Minister commences applicable on 1 April 2016. So that it is known by everyone, the enactment of this Regulation of the Minister is instructed with its placement in the State Gazette of the Republic of Indonesia.

Enacted in Jakarta

On 29 December 2015

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

signed

THOMAS TRIKASIH LEMBONG

Copy conforms to the original
Secretariat General
Ministry of Trade
Head of Legal Bureau,

signed and sealed

LASMININGSIH

Translated from Indonesian Language
Jakarta, September 30, 2016
Authorized and Sworn Translator,

FIKRI SAID OBED