
AUTHORIZED TRANSLATION



Minister of Trade of the Republic of Indonesia

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

NUMBER: 24/M-DAG/PER/6/2008

REGARDING

**PROVISIONS ON EXPORT OF BANANA AND PINEAPPLE TO JAPAN FOR
IJ-EPA (INDONESIA JAPAN-ECONOMIC PARTNERSHIP AGREEMENT)**

**BY THE GRACE OF ALLAH THE ONE SUPREME GOD
THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,**

Considering : a. that by the signing of the Agreement Between the Republic of Indonesia and Japan for an Economic Partnership, then it is necessary to regulate the export of banana and pineapple to Japan;

b. that the regulation as referred to in item a is required to utilize maximally the facility of import duty tariff preference in Japan;

c. that in this respect, it is necessary to stipulate the Regulation of the Minister of Trade;

In view of : 1. *Bedrijfsreglementerings Ordonantie* 1934 (State Gazette of 1938 Number 86);



2. Law Number 7 of 1994 regarding Ratification of the Agreement Establishing the World Trade Organization (State Gazette of the Republic of Indonesia of 1994 Number 57, Supplement to State Gazette of the Republic of Indonesia Number 3564);
3. Law Number 10 of 1995 regarding Customs (State Gazette of the Republic of Indonesia of 1995 Number 75, Supplement to State Gazette of the Republic of Indonesia Number 3612) as already amended by the Law of the Republic of Indonesia Number 17 of 2006 (State Gazette of the Republic of Indonesia of 2006 Number 1993, Supplement Number 4661);
4. Decree of the President of the Republic of Indonesia Number 260 of 1967 regarding Confirmation of Tasks and Responsibilities of the Minister of Trade in Foreign Trade Sector;
5. Decree of the President of the Republic of Indonesia Number 187/M of 2004 regarding Establishment of Indonesia Bersatu Cabinet, as already several times recently amended by the Decree of the President of the Republic of Indonesia Number 171/M of 2005;
6. Regulation of the President of the Republic of Indonesia Number 9 of 2005 regarding Position, Task, Function, Organizational Composition and Work System of the Ministry of the Republic of Indonesia as already amended several times recently by the Regulation of President of the Republic of Indonesia Number 94 of 2006;
7. Regulation of the President of the Republic of Indonesia Number 10 of 2005 regarding Organization Unit and Task of Echelon I of State Ministries of the Republic of Indonesia as already amended several times recently by the Regulation of the President of the Republic of Indonesia Number 17 of 2007;



8. Regulation of the President Number 36 Of 2008 regarding the Agreement Between the Republic of Indonesia and Japan for an Economic Partnership;
9. Decree of the Minister of Trade Number 225/Kp/X/1995 regarding Export of Goods Overseas Beyond the General Provisions on Export as already amended several times, recently by the Decree of Industry and Trade Number 317/MPP/Kep/9/1997;
10. Decree of Minister of Industry and Trade Number 558/MPP/Kep/ 12/1998 regarding General Provisions in Export Sector as already amended several times, recently by the Regulation of the Minister of Trade Number 01/M-DAG/PER/1/2007;

HAS DECIDED:

To Stipulate : **REGULATION OF THE MINISTER OF TRADE REGARDING PROVISIONS ON EXPORT OF BANANA AND PINEAPPLE TO JAPAN.**

Article 1

In this Regulation of the Minister, by:

1. Fresh Banana shall mean the banana with the tariff post/HS 0803.00.10.00.
2. Fresh Pineapple shall mean the pineapple with the tariff post/ HS 0804.30.00.00.
3. Agreement shall mean the Agreement Between the Republic of Indonesia and Japan on An Economic Partnership as contained in the Regulation of President Number 36 of 2008 regarding Ratification of Agreement Between the Republic of Indonesia and Japan for an Economic Partnership.



4. National Quota shall mean the quantity of banana or pineapple that can be exported to Japan by annually that based on the Agreement is subjected to import duty tariff of preference of 0% (zero percent).
5. Export Quota shall mean the allocation limit of maximum quantity of banana or pineapple provided to the exporter.
6. Quota Certificate shall mean the certificate containing information on identity of the exporter and importer, tariff post, quantity of banana or pineapple exported.
7. Director General shall mean the Director General of Foreign Trade, the Ministry of Trade of the Republic of Indonesia.

Article 2

- (1) The export of banana and/or pineapple by the exporter shall be made based on the Export Quota.
- (2) Export Quota as referred to in paragraph (1) shall be stipulated by the Director General based on the National Quota.
- (3) In carrying out the export of banana and/or pineapple, the exporter shall have the Quota Certificate.

Article 3

- (1) National Quota for banana and pineapple shall be stipulated as per Attachment I hereto.
- (2) National Quotas as referred to in paragraph (1) per annum shall be effective as of the period of 1st April of the current year until 31st March of the next year.

Article 4

- (1) Export Quota as referred to in Article 2 paragraph (1) shall be allocated to the exporter of banana and/or pineapple in 2 (two) phases as follows:
 - a. First phase shall be implemented in the period of 1st



April to 30th September of the current year.

- b. Second phase shall be implemented in the period of 1st October to 31st March of the next year.
- (2) National Quota as referred to in Article 3 paragraph (2) for the first phase shall entirely be allocated to the exporter in terms of Export Quota.
- (3) If the National Quota allocated to the exporter as referred to in paragraph (2) cannot be realized according to the Export Quota provided, then the rest of the National Quota of the first phase can be allocated to the exporter as the export allocation of the second phase.

Article 5

- (1) Export Quota of the first phase as referred to in Article 4 paragraph (1) item a can be allocated to exporter by submitting a written application to the Director General and attaching the photocopy of:
 - a. Trade Operation Permit (SIUP);
 - b. Company Registration (TDP);
 - c. Taxpayer Identification Number (TIN); and
 - d. Contract of banana and/or pineapple export to Japan.
- (2) Export Quota of the second phase as referred to in Article 4 paragraph (1) item b can be allocated to the exporter as referred to in paragraph (1) by re-submitting the written application to the Director General and attaching the photocopy of the contract of banana and/or pineapple export to Japan.
- (3) In addition, the exporter as referred to in paragraph (2) is able to submit the application for Export Quota with the requirements as referred to in paragraph (1).



Article 6

- (1) In every shipment or implementation of export of banana and/or pineapple, the exporter shall complete the Quota Certificate as a requirement to obtain the preference facility for delivery to Japan.
- (2) Quota Certificate as referred to in paragraph (1) can be provided to the exporter already obtaining the allocation of Export Quota.
- (3) Quota Certificate shall be issued by the Director General or official so appointed by the Director General.
- (4) Quota Certificate can be obtained by the exporter for every shipment by submitting a written application to the Director General or official so appointed, by:
 - a. attaching the photocopy of Proforma Invoice of banana and/or pineapple export as well as showing the original thereof; and
 - b. filling out the form of Quota Certificate as per Attachment II hereto.

Article 7

- (1) The Exporter already obtaining Quota Certificate shall report the export realization within not later than 10 (ten) business days after the export implementation date.
- (2) The report on export realization of banana or pineapple as referred to in paragraph (1) shall be submitted to the Director General or official so appointed.

Article 8

- (1) The breach of Article 7 shall be subjected to sanction in terms of denial of the application for Quota Certificate of banana or pineapple for the next shipment.



- (2) The imposition of sanctions as referred to in paragraph (1) shall be made by the Director General or official so appointed.

Article 9

- (1) Especially for Quota National for 2008, its effectiveness term shall be commenced on period of 1st July 2008 to 31st March 2009.
- (2) The application for Export Quota Allocation as referred to in paragraph (1) shall be received within not later than 30 (thirty) business days after the effectiveness date hereof.

Article 10

The exporter already implementing the export of banana and/or pineapple to Japan and will arrive in the period of 1st July to 1st August, 2008 may submit the application for Export Quota to the Director General.

Article 11

Further regulation on procedures of the allocation of Export Quota shall be stipulated by the Director General.

Article 12

This Regulation of the Minister shall become as of July 1, 2008.
For public cognizance, it is instructed to promulgate this Regulation of Minister by inserting the same in the State Gazette of the Republic of Indonesia.



NATIONAL QUOTA OF FRESH BANANA AND FRESH PINEAPPLE

1. FRESH BANANA (Tariff Post/HS No. 0803.00.10.00)

No.	Year	Volume (metric ton)
1.	2008	1000
2.	2009	1000
3.	2010	1000
4.	2011	1000
5.	2012	1000

2. FRESH PINEAPPLE (Tariff Post/HS No. 0804.30.00.00)

No.	Year	Volume (metric ton)
1.	2008	100
2.	2009	150
3.	2010	200
4.	2011	250
5.	2012	300

Stipulated in Jakarta

on June 27, 2008

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

signed

MARI ELKA PANGESTU

Copy corresponds with the original

Secretariat General of
the Ministry of Trade
Head of Legal Bureau,

signed

WIDODO



**AGREEMENT BETWEEN INDONESIA AND JAPAN
 FOR AN ECONOMIC PARTNERSHIP**

[logo]

MINISTRY OF TRADE OF THE REPUBLIC OF INDONESIA

QUOTA CERTIFICATE

EXPORTER		CERTIFICATE NUMBER
FULL LEGAL NAME AND ADDRESS		
IMPORTER		DESCRIPTION OF GOODS
FULL LEGAL NAME AND ADDRESS		
REMARKS		
TARIFF ITEM NUMBER	QUANTITY OF GOODS	MEASUREMENT UNIT
ISSUED IN		STAMP
VALID		
FROM	UNTIL	
SIGNATURE OF AUTHORITY		

THIS CERTIFICATE IS NOT VALID IF EXHIBITS ERASURES, DELETIONS, CROSSING OUT OR ANY SIGN OF ALTERATION

ORIGINAL

Translated from Indonesian Language
 Jakarta, October 1, 2010
 Authorized and Sworn Translator,

FIKRI SAID OBED

