

-----  
AUTHORIZED TRANSLATION  
-----



**MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA  
REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF  
INDONESIA  
NUMBER 45/M-DAG/PER/8/2013**

**CONCERNING  
AMENDMENT TO REGULATION OF MINISTER OF TRADE NUMBER 24/M-  
DAG/PER/5/2013 CONCERNING PROVISIONS ON SOYBEAN IMPORT IN THE  
PROGRAM OF SOYBEAN PRICE STABILIZATION**

**BY THE GRACE OF ALLAH THE ONE SUPREME GOD**

**MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,**

- Considering :
- a. that in order to improve for smooth of goods flow and effectiveness of implementing soybean import in the program of soybean price stabilization, it is necessary to make amendment to some provisions on the Regulation of Minister of Trade Number 24/M-DAG/PER/5/2013 concerning Provisions on Soybean Import in the program of soybean price stabilization;
  - b. that based on the consideration as referred to in item a, it is necessary to stipulate Regulation of Minister of Trade concerning Amendment to Regulation of Minister of Trade Number 24/M-DAG/PER/5/2013 concerning Provisions on Soybean Import in the program of soybean price stabilization;

- In view of : 1. *Bedrijfsreglementerings Ordonnantie* 1934 (State Gazette of 1938 Number 86);
2. Law Number 3 of 1982 concerning Mandatory Company Registration (State Gazette of the Republic of Indonesia of 1982 Number 7, Supplement to State Gazette of the Republic of Indonesia Number 3214);
3. Law Number 16 of 1992 concerning Animal Quarantine, Fish and Plants (State Gazette of the Republic of Indonesia of 1992 Number 56, Supplement to State Gazette of the Republic of Indonesia Number 3482);
4. Law Number 7 of 1994 concerning Ratification of 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);
5. Law Number 10 of 1995 concerning 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 virtue of Law Number 17 of 2006 (State Gazette of the Republic of Indonesia of 2006 (State Gazette of the Republic of Indonesia of 2006 Number 93, Supplement to State Gazette of the Republic of Indonesia Number 4661);
6. Law Number 5 of 1999 concerning Prohibition on Monopoly Practice and Unfair Business Competition (State Gazette of the Republic of Indonesia of 1999 Number 33, Supplement to State Gazette of the Republic of Indonesia Number 3806);
7. Law Number 8 of 1999 concerning Customer's Protection (State Gazette of the Republic of Indonesia of 1999 Number 42, Supplement to State Gazette of the Republic of Indonesia Number 3821);

8. Law Number 39 of 2008 concerning State Ministry (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to State Gazette of the Republic of Indonesia Number 4916);
9. Law Number 13 of 2010 concerning Horticulture (State Gazette of the Republic of Indonesia of 2010 Number 132, Supplement to State Gazette of the Republic of Indonesia Number 5170);
10. Law Number 18 of 2012 concerning Food (State Gazette of the Republic of Indonesia of 2012 Number 227, Supplement to State Gazette of the Republic of Indonesia Number 5360);
11. Government Regulation Number 69 of 1999 concerning Label and Food Advertising (State Gazette of the Republic of Indonesia of 1999 Number 131, Supplement to State Gazette of the Republic of Indonesia Number 3867);
12. Government Regulation Number 14 of 2002 concerning Plant Quarantine (State Gazette of the Republic of Indonesia of 2002 Number 35, Supplement to State Gazette of the Republic of Indonesia Number 4196);
13. Government Regulation Number 68 of 2002 concerning Food Resistance (State Gazette of the Republic of Indonesia of 2002 Number 142, Supplement to State Gazette of the Republic of Indonesia Number 4254);
14. Government Regulation Number 28 of 2004 concerning Security, Quality and Food Nutrition (State Gazette of the Republic of Indonesia of 2004 Number 107, Supplement to State Gazette of the Republic of Indonesia Number 4424);
15. Government Regulation Number 21 of 2005 concerning Biodiversity Safety of Genetically Engineered Products (State Gazette of the Republic of Indonesia of 2005 Number

- 44, Supplement to State Gazette of the Republic of Indonesia Number 4498);
16. Government Regulation Number 38 of 2007 concerning Governmental Job Description between Government, Provincial Government, and Municipal Government (State Gazette of the Republic of Indonesia of 2007 Number 82, Supplement to State Gazette of the Republic of Indonesia Number 4737);
  17. Presidential Decree Number 260 of 1967 concerning Affirmation on Duty and Responsibility of Minister of Trade in the sector of Foreign Trade;
  18. Presidential Decree Number 84/P of 2009 concerning the Establishment of Kabinet Indonesia Bersatu II as already amended by virtue of Presidential Decree Number 59/P of 2011;
  19. Presidential Regulation Number 47 of 2009 concerning Establishment and Organization of State Ministry as already amended several times lastly by virtue of Presidential Regulation Number 91 of 2011;
  20. Presidential Regulation Number 24 of 2010 concerning Position, Duty, and Function of State Ministry and Organizational Structure, Duty and Function of Echelon I of State Ministry as already amended several times lastly by virtue of Presidential Regulation Number 92 of 2011;
  21. Presidential Regulation Number 32 of 2013 concerning Assignment to the Public Company of BULOG for the Safety of Price and Distribution of Soybean;
  22. Regulation of Minister of Trade Number 54/M-DAG/PER/9/2009 concerning General Provisions in the sector of Import;
  23. Regulation of Minister of Trade Number 31/M-

DAG/PER/7/2010 concerning Organization and Working Procedure for the Ministry of Trade as already amended by virtue of Regulation of Minister of Trade Number 57/M-DAG/PER/8/2012;

24. Regulation of Minister of Agricultural Number 88/Permentan/PP.340/12/2011 concerning Food Safety Control towards Importation and Exportation of Fresh Origin Plant Food;
25. Regulation of Minister of Trade Number 27/M-DAG/PER/5/2012 concerning Importer Identification Number (API) as already amended several times lastly by virtue of Regulation of Minister of Trade Number 84/M-DAG/PER/12/2012;
26. Regulation of Minister of Trade Number 23/M-DAG/PER/5/2013 concerning program of soybean price stabilization;
27. Regulation of Minister of Trade Number 24/M-DAG/PER/5/2013 concerning Provisions on Soybean Import in the Program of Soybean Price Stabilization;

**HAS DECIDED:**

To Stipulate

**REGULATION OF MINISTER OF TRADE CONCERNING AMENDMENT TO REGULATION OF MINISTER OF TRADE NUMBER 24/M-DAG/PER/5/2013 CONCERNING PROVISIONS ON SOYBEAN IMPORT IN THE PROGRAM OF SOYBEAN PRICE STABILIZATION**

Article I

Some provisions in the Regulation of Minister of Trade Number 24/M-DAG/PER/5/2013 concerning Soybean Import in the Program of Soybean Price Stabilization shall be amended as follows:

1. Provisions of Article 1 shall be amended and so henceforth

read as follows:

## Article 1

The terms of the Regulation of Minister shall be:

1. Soybean means the crops of soybean (*Glycine max. Merr*) in terms of yellow dry kernel already removed and cleaned from pod husk including classification of Tariff Post/HS Ex. 1201.90.00.00.
2. Program of Soybean Price Stabilization, hereinafter referred to as the Program of SHK (Soybean Price Stabilization) means regulation on the purchase of Soybean from farmer, Soybean import, and sale of Soybean to the tofu/tempe businessman/craftsman.
3. Import means any activity to import goods to the Customs Area.
4. Registered Soybean Importer, hereinafter referred to as Soybean-IT (Registered Importer) means BUMN (State Owned Company), cooperative and/or private carrying out Soybean import for the purpose of business activity by trading and/or taking over to other parties.
5. Soybean Producer Importer, hereinafter referred to as Soybean-IT means BUMN and/or private carrying out Soybean import to be used for the materials or supplementary materials in own production process and
6. Approval of Import means permit of Soybean import.
7. Verification or technical observation means activity of technical inspection for the import product made by surveyor.
8. Surveyor means a survey company obtaining authorization to make technical verification or observation of the import product.
9. State Owned Company, hereinafter referred to as

BUMN means corporate body that in whole or in part of the capital owned by state through direct participating coming from the separated state assets.

10. Logistic Affairs Public Company, hereinafter referred to as the Public Company of BULOG means State Owned Company, in which all capital owned by the State in terms of State assets separated and undivided to the shares.
11. Minister means minister organizing governmental affairs in the sector of trade.
12. Director General means Director General of Foreign Trade, Ministry of Trade.

2. Provisions of Article 2 shall be amended, so as to henceforth read as follows:

#### Article 2

Soybean Import shall be only by Public Company of BULOG, BUMN, cooperative, and/or private participating in the Program of Soybean Price Stabilization.

3. Provisions of Article 4 shall be amended so as to henceforth read as follows:

#### Article 4

- (1) Soybean Import by the Public Company of BULOG may be made after obtaining the assignment from the Minister.
- (2) Soybean Import by BUMN (State Owned Company) and/or private shall be only made after obtaining the stipulation as Soybean-IT or acknowledgment as Soybean-IP from the Minister.
- (3) Soybean Import by cooperative shall only be made after obtaining the stipulation as Soybean-IT from the Minister.
- (4) Minister shall delegate authority of issuing stipulation

as Soybean-IT and ..... (*missing document*)

4. Article 5 paragraph (1) shall be amended so as to Article 5 shall read as follows:

Article 5

- (1) To obtain stipulation as Soybean-IT as referred to in Article 4, BUMN, cooperative and/or private shall submit written application to the Minister in the event that Director General, by attaching the following items:
- a. photocopy of Trade Business Permit (SIUP) or other business permit issued by the competent agency or technical agency;
  - b. photocopy of Company Registration (TDP);
  - c. photocopy of Taxpayer Reference Number (NPWP);
  - d. photocopy of General Importer Identification Number (API-U);
  - e. photocopy of Customs Identity Number (NIK);
  - f. photocopy of evidence of storage control in accordance with the product characteristics;
  - g. proof of experience to conduct import and/or domestic distribution of Soybean for 3 (three) years;
  - h. declaration from foreign exchange bank stating that applicant has financial capability meeting requirement for the banking in support of the issuance of L/C; and
  - i. duly stamped statement declaring to participate in the Program of Soybean Price Stabilization in accordance with the laws and regulation.
- (2) Director General on behalf of Minister shall issue stipulation as Soybean-IT at most 5 (five) business



days after field inspection is made by Team to know the authenticity of document as referred to in paragraph (1).

- (3) Inspection as referred to in paragraph (2) shall be made at most 3 (three) business days as of the full application is received.
  - (4) Team as referred to in paragraph (2) consists of the official stipulated by Director General.
  - (5) In the event that the results of the inspection as referred to in paragraph (3) shall be found improper data, Director General refuses .... (*missing document*)
  - (6) Stipulation as Soybean-IT as referred to in paragraph (2) shall apply for 3 (three) years as of the issuance.
  - (7) Stipulation as Soybean-IT as referred to in paragraph (2) shall be continued online to the portal of Indonesian National Single Window (INSW).
  - (8) In the event that Soybean import through port which is not yet connected to Indonesian National Single Window (INSW), copy of stipulation as Soybean-IT shall be manually submitted to the related agency.
5. Between Article 5 and Article 6 shall be inserted 1 (one) Article, namely Article 5A shall read as follows:

Article 5A

- (1) To obtain acknowledgment as Soybean-IT as referred to in Article 4, BUMN and/or private shall submit written application to the Minister in this case Director General, by attaching the following items:
  - a. photocopy of Industry Business Permit or other similar business permit issued by agency or competent technical office;

- b. photocopy of Company Registration (TDP);
  - c. photocopy of Taxpayer Reference Number (NPWP);
  - d. photocopy of General Importer Identification Number (API-U);
  - e. photocopy of Customs Identity Number (NIK);
  - f. photocopy of evidence of storage control in accordance with the product characteristics;
  - g. declaration from foreign exchange bank stating that applicant has financial capability meeting requirement for the banking in support of the issuance of L/C;
  - h. duly stamped statement declaring to participate in the Program of Soybean Price Stabilization in accordance with the laws and regulation; and
  - i. declaration of Promissory Notes of the soybeans and signed on the stamp.
- (2) Proof of purchasing the Soybean of farmer as contained in Promissory Notes as referred to in paragraph (1) item i shall be legalized by:
- b. Surveyor who has had Surveyor Service Business Permit (SIUJS).
- (3) Director General on behalf of Minister shall issue acknowledgment as Soybean-IP at most 5 (five) business days after field inspection by Team to know the authenticity of document as referred to in paragraph (1).
- (4) Inspection as referred to in paragraph (3) shall be conducted at most 3 (three) business days as of the full application is received.
- (5) Team as referred to in paragraph (3) consists of official stipulated by the Director General.

- (6) In the event that the results of the inspection as referred to in paragraph (4) shall be found improper data, Director General refuses to issue acknowledgment as Soybean-IP.
- (7) Acknowledgment as Soybean-IP as referred to in paragraph (3) shall apply for 1 (one) year as of the issuance.
- (8) Acknowledgment as Soybean-IP as referred to in paragraph (3) shall be submitted to BUMN and/or private as the owner of Soybean-IP and copy is submitted to the related agency.
- (9) Acknowledgment as Soybean-IP as referred to in paragraph (3) shall be continued online to the portal of Indonesian National Single Window (INSW).
- (10) In the event that Soybean import through port which is not yet connected to Indonesian National Single Window (INSW), copy of stipulation as Soybean-IT shall be manually submitted to the related agency.

6. Provisions of Article 6 shall be amended so as to henceforth read as follows:

#### Article 6

- (1) Public Company of BULOG, BUMN, cooperative and/or private as the owner of Soybean-IT, that will conduct Soybean import shall obtain Approval of Import from the Minister.
- (2) Minister shall delegate authority of issuing Approval of Import for BUMN, cooperative and/or private as the owner of Soybean-IT as referred to in paragraph (1) to the Director General.

7. Provisions of Article 7 shall be amended so as to henceforth read as follows:

## Article 7

- (1) To obtain Approval of Import as referred to in Article 6, Soybean-IT shall submit written application to the Minister in this case the Director General by attaching the following items:
  - a. Promissory Notes for the soybean of farmer and signed on the stamp;
  - b. Plan on sale of soybean to the domestic; and
  - c. photocopy of stipulation as Soybean-IT.
- (2) Total purchase of Soybean of farmer as referred to in paragraph (1) item a shall be determined by calculation as further specified by Director General.
- (3) Proof of purchase realization of the Soybean as contained in the Declaration of Promissory Notes as referred to in paragraph (1) item b legalized by:
  - a. Public Company of BULOG; or
  - b. Surveyor who has had Surveyor Service Business Permit (SIUJS).
- (4) In the event that a certain condition resulting from the price of market above Farmer Purchase Price (HBP):
  - a. Farmer can sell in public market with the established market price; and/or
  - b. Farmer can sell to Soybean-IT and/or Public Company of BULOG with Farmer Purchase Price (HBP) as determined by the Government.
- (5) Director General on behalf of Minister shall issue:
  - a. Approval of Import at most 5 (five) business days since the application is completely and properly accepted; or
  - b. refuse of issuing Approval of Import at most 5 (five) business days since the application is accepted in the event that the application is

incomplete and/or improper.

- (6) Application for the Approval of Import as referred to in paragraph (1) shall be stipulated as follows:
    - a. Application for the Approval of Import for the First Semester Period can be submitted within the last 10 (ten) business days in November;
    - b. Application for the Approval of Import for the Second Semester Period can be submitted within the last 10 (ten) business days in May.
  - (7) Approval of Import as referred to in paragraph (5) item a shall be issued at each beginning of the semester.
  - (8) Approval of Import as referred to in paragraph (5) item a shall be submitted to the relevant agency.
  - (9) Approval of Import as referred to in paragraph (5) item a shall be continued online to the portal of Indonesian National Single Window (INSW).
  - (10) In the event that import of Soybean through the port which has not yet been connected to Indonesian National Single Window (INSW), copy to the Approval of Import shall be manually submitted to the related agency.
8. Between Articles 7 and 8 shall be inserted 1 (one) Article, namely Article 7A, then it shall read as follows:

#### Article 7A

Validity of Approval of Import as referred to in Article 7 paragraph (5) item a shall be divided into 2 (two) periods namely:

- a. Approval of Import for the First Semester Period shall apply from January through June.
- b. Approval of Import for the Second Semester Period

shall apply from July through December.

9. Provisions of Article 8 shall be amended so as to henceforth read as follows:

Article 8

Public Company of BULOG and Soybean-IT which has obtained the Approval of Import as referred to in Article 7 shall realize Import of Soybean at least 70% (seventy percent) from the realization at current semester and contract from the remaining Approval of Import which is not yet realized.

10. Provisions of Article 12 shall be amended so as to henceforth read as follows:

Article 12

- (1) Soybean-IT and Soybean-IP shall submit written report for the implementation of import of Soybean through <http://intrade.kemendag.go.id>.
- (2) Report as referred to in paragraph (1) shall be monthly submitted at least 15 (fourteen) in the subsequent month to the Director General.
- (3) Type of report as referred to in paragraph (1) as contained in the Attachment being an integral part thereof.

11. Provisions of Article 14 shall be amended as to henceforth read as follows:

Article 14

- (1) Stipulation as Soybean-IT shall be frozen if it does not realize the import of Soybean as referred to in Article 8.
- (2) Stipulation as Soybean-IT and Soybean-IP shall be frozen if it fails to conduct the obligation of reporting

as referred to in Article 12.

12. Provisions of Article 12 shall be amended so as to henceforth read as follows:

Article 15

Stipulation as Soybean-IT and acknowledgment as Soybean-IP shall be revoked if:

- a. it does not realize the purchase of Soybean as contained in the Declaration of Promissory Notes for the Soybean of farmer as referred to in Article 5A paragraph (1) item i and Article 7 paragraph (l) item a;
  - b. is proved to exchange information as contained in the document of import of Soybean;
  - c. is proved to submit data and/or false information as the requirement to obtain the stipulation as Soybean-IT, acknowledgment as Soybean-IP, and Approval of Import; and/or
  - d. is declared guilty based on the ruling of court which has had permanent force of laws in respect of the criminal action relating to ....
13. Provisions of Article 21 shall be amended so as to henceforth read as follows:

Article 21

- (1) Import of Soybean for:
  - a. purpose of research, testing, and development of science; and/or
  - b. goods of sample which is not for sale, shall obtain the Approval of Import.
- (2) Import of Soybean for the purpose as referred to in paragraph (1) shall not apply to the stipulation as Soybean-IT, acknowledgment as Soybean-IP, and

technical verification or observation of the import.

14. Provisions of Article 25 paragraph (1) shall be amended so as to henceforth read as follows:

Article 25

- (1) LS as supporting document of customs in the settlement of customs in the sector of import as referred to in Article 10 paragraph (2) shall apply as of October 1, 2013.
- (2) LS as referred to in paragraph (1) shall be proved by the document of documents in terms of manifest (BC.1.1).

Article II

Regulation of Minister shall apply as of August 29, 2013, except Article 7 paragraphs (6) and (7), and Article 7A shall apply on November 1, 2013.

For public cognizance, it is ordered to promulgate the Regulation of Minister by publicizing the same in the State Gazette of the Republic of Indonesia.

Stipulated in : Jakarta

Dated : August 28, 2013

**MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,**

*signed*

**GITA IRAWAN WIRJAWAN**

Copy conforms to original

Secretariat General

Ministry of Trade

Head of Legal Bureau,

*signed and sealed*



ATTACHMENT

REGULATION OF MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER

CONCERNING

AMENDMENT TO APPROVAL OF MINISTER OF TRADE NUMBER 24/M-DAG/PER/5/2013

CONCERNING PROVISIONS ON IMPORT OF SOYBEAN IN THE PROGRAM OF SOYBEAN PRICE STABILIZATION

**REPORT ON OPERATION OF IMPORT OF SOYBEAN**

**AS PER .....**

Name of Registered Importer :

Address :

No.	Soybean-IT		Import Supply					Absorption from Farmer				Distribution to Kopti			Final Stock (7+11-15)	Remarks	
	Number and date	Allocation	Port of Entrance	Country of Origin	Date	Volume	Priority Price	Name and Address of Farming Group	Point of Purchase	Volume	Farmer Purchase Price	Name of Kopti	Address	Volume			Selling Price
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

.....

Responsible Person of Company

*signed and sealed*

**MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,**

*signed*

**GITA IRAWAN WIRJAWAN**

Copy conforms to original

Secretariat General

Ministry of Trade

Head of Legal Bureau,

*signed and sealed*

**LASMININGSIH**

---

Translated from Indonesian Language  
Jakarta, December 6, 2013  
Authorized and Sworn Translator,

**FIKRI SAID OBED**