
AUTHORIZED TRANSLATION



Minister of Trade of the Republic of Indonesia
REGULATION OF THE MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA
NUMBER : 37/M-DAG/PER/9/2008

REGARDING

CERTIFICATE OF ORIGIN OF IMPORTED GOODS SUBJECTED TO
SAFEGUARDS ACT

BY THE GRACE OF ALLAH THE ONE SUPREME GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that by the increase in import causing the domestic industrial experiencing the loss, it is necessary to carry out an effort to more secure the success of remedial act against such loss, then the evidence the truth of originality of imported goods subjected to the safeguards act is required;
 - b. that in relation to the matters as referred to in item a, it is necessary to regulate the obligation to attach the Certificate of Origin to imported goods subjected to safeguards act;
 - c. that in this respect, it is deemed necessary to stipulate the Regulation of Minister of Trade;



In view of

1. *Bedrijfsreglementerings Ordonantie* 1934 (State Gazette of 1938 Number 86);
2. Law of the Republic of Indonesia Number 7 of 1994 regarding Ratification of the Agreement Establishing the World Trade Organization (State Gazette of the Republic of Indonesia of 1004 Number 57, Supplement of State Gazette Number 3564);
3. Law of the Republic of Indonesia Number 10 of 1995 regarding Customs (State Gazette of the Republic of Indonesia of 1995 Number 75, Supplement 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 State Gazette of the Republic of Indonesia 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 (State Gazette of the Republic of Indonesia of 2002 Number 133);
5. Decree of the President of the Republic of Indonesia Number 84 of 2002 regarding Safeguards Act of Domestic Industry as the Consequence Increase in Import;
6. 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;
7. 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 20 of 2008;

8. 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 21 of 2008;
9. Regulation of the Minister of Trade of the Republic of Indonesia Number 01/M-DAG/PER/3/2005 regarding Organization and Work System of the Ministry of Trade as amended several times recently by the Regulation of Ministry of Trade Republic of Indonesia Number 34/M-DAG/PER/8/2007;
10. Regulation of the Minister of the Finance of the Republic of Indonesia Number 161/PMK.04/2007 regarding Supervision of Prohibited and/or Restricted Goods Import or Export;

Taking into account : Presidential Instruction on the Number 5 of 2008 regarding of Focus of Economic Program of 2008-2009;

HAS DECIDED:

To Stipulate : REGULATION OF MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA REGARDING CERTIFICATE OF ORIGIN OF IMPORTED GOODS SUBJECTED TO SAFEGUARDS ACT



Article 1

In this Regulation of the Minister, by:

1. Certificate of Origin shall mean a letter of particulars stating the country of origin of goods, issued by the agency/institution authorized by the government of the exporting country.
2. Safeguards Act shall mean the action taken by the government to recover the serious losses and/or prevent the threat of serious loss from the domestic industry as the consequence of increase in import of similar goods or goods directly constituting the competitor of domestic industry results with the objective that the domestic industry suffering from serious loss and/or threat of serious loss is able to make the structural adjustment.

Article 2

- (1) The importer importing the goods from the countries excluded from the imposition of additional import duty of safeguards and/or quota shall furnish the Certificate of Origin in every import of goods subjected to Safeguards Act.
- (2) The Certificate of Origin as referred to in paragraph (1) shall be issued according to the provisions on originality of goods in the exporting country.
- (3) The Importer failing to fulfill the provisions as referred to in paragraph (1) will be treated as Importer of goods subjected to Safeguards Act in terms of imposition of additional import duty and/or quota.

Article 3

The Importer failing to fulfill the provisions as referred to in Article 2 paragraph (1) and paragraph (3) together with the goods imported shall be subjected to action according to the



Legislation.

Article 4

This Regulation of Minister shall become effective 60 (sixty) calendar days as of the stipulation date.

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.

Stipulated in : Jakarta

On : September 22, 2008

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

signed

MARI ELKA PANGESTU

Copy corresponds with the original



Secretariat General of
Ministry of Trade
Head of Legal Bureau,

signed
WIDODO

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

FIKRI SAID OBED

