

AUTHORIZED TRANSLATION



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

**REGULATION OF THE MINISTER OF TRADE OF  
THE REPUBLIC OF INDONESIA  
NUMBER 75 OF 2018  
CONCERNING  
IMPORTER IDENTITY NUMBER**

**UPON GRACE OF THE ONE ALMIGHTY GOD**

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

- Considering :
- a. that to implement Government Regulations Number 24 of 2018 concerning Electronic Integrated Business Licensing Services, it is necessary to re-regulate the provisions on the Importer Identity Number;
  - b. that the Regulation of the Minister of Trade No. 70/M-DAG/PER/9/2015 concerning Importer Identity Numbers is considered no longer relevant, thereby it is necessary to replace the same;
  - c. that based on the considerations as referred to in items a and letter b, it is necessary to stipulate a Regulation of the Minister of Trade concerning Importer Identity Numbers;

- In view of :
1. Law Number 3 of 1982 concerning Company Registration (State Gazette of the Republic of Indonesia of 1982 Number 7, Supplement to State Gazette of the Republic of Indonesia Number 3214);

2. 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);
3. Law Number 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia of 1995 Number 75, Supplement Number 3612) as amended by the Law Number 17 of 2006 concerning Amendment to Law Number 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia of 2006 Number 93, Supplement to State Gazette of the Republic of Indonesia Number 4661);
4. Law Number 5 of 1999 concerning Ban on Monopoly Practices 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 3817);
5. Law Number 25 of 2007 concerning Investment (State Gazette of the Republic of Indonesia of 2007 Number 67, Supplement to State Gazette of the Republic of Indonesia Number 4724);
6. Law Number 40 of 2007 concerning Limited Liability Company (State Gazette of the Republic of Indonesia of 2007 Number 106, Supplement to State Gazette of the Republic of Indonesia Supplement Number 4756);
7. Law Number 39 of 2008 concerning State Ministries (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to State Gazette of the Republic of Indonesia Number 4916);
8. Law Number 3 of 2014 concerning Industry (State Gazette of the Republic of Indonesia of 2014 Number 4, Supplement to State Gazette of the Republic of Indonesia Number 5492);
9. Law Number 7 of 2014 concerning Trade (State Gazette of the Republic of Indonesia of 2014 Number 45, Supplement to State Gazette of the Republic of Indonesia Number 5512);

10. Government Regulation Number 24 of 2018 concerning Electronic Integrated Business Licensing Services (State Gazette of the Republic of Indonesia of 2018 Number 90, Supplement to State Gazette of the Republic of Indonesia Number 6215);
11. Regulation of the President Number 27 of 2009 concerning One-Stop Integrated Services in Investment Sector;
12. Regulation of the President Number 7 of 2015 concerning State Ministries Organization (State Gazette of the Republic of Indonesia of 2015 Number 8);
13. Regulation of the President Number 48 of 2015 concerning the Ministry of Trade (State Gazette of the Republic of Indonesia of 2015 Number 90);
14. Regulation of the Minister of Trade Number 28/M-DAG/PER/6/2009 concerning Provisions on Electronic Systems Export and Import Licensing Services via INATRADE in the Indonesian National Single Window Framework,
15. Regulation of the Minister of Trade No.48/M-DAG/PER/7/2015 concerning General Provisions on Import (State Gazette of the Republic of Indonesia of 2015 Number 1006);
16. Regulation of the Minister of Trade Number 08/M-DAG/PER/2/2016 concerning Organization and Work Procedure of the Ministry of Trade (State Gazette of the Republic of Indonesia of 2016 Number 202);

**HAS DECIDED:**

To stipulate : **REGULATION OF THE MINISTER OF TRADE CONCERNING OF IMPORTERS IDENTITY NUMBER.**

**Article 1**

In this Regulation of the Minister the following Terms shall have meaning as follows:

1. Import shall mean any activities of entering goods into Indonesia's customs area.

2. Importer Identity Number, hereinafter abbreviated to API, shall mean the identity token as an importer.
3. Importer shall mean any individual or business entity whether in form of a legal entity or not that carries out import activities.
4. Business Identity Number, hereinafter abbreviated to NIB, shall mean a business identity and used by Business Actors to obtain a Business License and Commercial or Operational Permit, including the fulfillment of the requirements for Business Licenses and Commercial or Operational Permit.
5. Electronic Integrated Business Licensing or Online Single Submission, hereinafter abbreviated to OSS, shall mean Business Licensing issued by OSS Institutions for and on behalf of the ministers, heads of institutions, governors, or regents / mayors to Business Actors through integrated electronic systems.
6. OSS Management Institution and Administrator, hereinafter referred to as OSS Institutions, shall mean non-ministerial government institutions that administer the government affairs in the investment coordination.
7. Bank Indonesia shall mean central bank of the Republic of Indonesia as set forth in the Law on Bank Indonesia
8. Foreign Banknotes shall mean banknotes in foreign currencies officially issued by any countries outside Indonesia, and recognized as legal payment instrument in the relevant country.
9. Minister shall mean the minister of trade.
10. Director General shall mean the Director General of Foreign Trade, Ministry of Trade.

## **Article 2**

Import may only be conducted by importers who have API.

## **Article 3**

API as referred to in Article 2 shall consist:

- a. General API (API-U); and
- b. Manufacturer API (API-P).

#### **Article 4**

API-U as referred to in Article 3 item a shall only be issued to companies that import certain goods for trading purposes.

#### **Article 5**

- (1) API-P as referred to in Article 3 item b shall only be issued to the companies importing goods for their own use as capital goods, raw materials, auxiliary materials, and / or materials to support the production process.
- (2) It is prohibited to trade or transfer the goods imported as referred to in paragraph (1) to any other parties.

#### **Article 6**

In the event that the imported goods as referred to in Article 5 are goods provided with import duty exemption facilities and have been used for own use for at least 2 (two) years as of the date of import customs notification, then they may be transferred to another party.

#### **Article 7**

- (1) Each importer may only have 1 (one) type of API.
- (2) API shall be applicable to every import activity in entire Indonesian territory.

#### **Article 8**

API shall be valid as long as importer still carries out its business activities.

#### **Article 9**

NIB issued by the OSS Institution shall also serve as an API.

#### **Article 10**

- (1) Any importers being API owner in conducting import shall

comply with the provisions as follows:

- a. goods import ban set forth by legislation;
  - b. imported goods shall be in brand-new condition, unless stipulated otherwise according to the Regulation of the Minister
  - c. import restrictions and / or provisions on verification or technical examination of the goods import set forth under Regulation of the Minister; and
  - d. import trade system outside the customs area (post border).
- (2) Ownership of API by importers shall not release the importers from their obligations that shall be fulfilled based on the provisions of legislation on import.

#### **Article 11**

- (1) The Minister shall grant the mandate of authority to issue API-U as referred to in Article 3 item a to the Director General, to the importers conducting import of foreign banknotes as stipulated in regulation of Bank Indonesia.
- (2) The Minister shall grant the mandate of authority to issue API-U as referred to in Article 3 item b to the Director General, to the business entities or contractors of energy, oil and gas, minerals and other natural resource management that carry out business activities based on joint operation agreement with the Government of the Republic of Indonesia.
- (3) Issue of API-U as referred to in paragraph (1) and API-P as referred to in paragraph (2) shall be signed for and on behalf of the Minister.
- (4) The API-U issue service as referred to in paragraph (1) and API-P as referred to in paragraph (2) shall be carried out until stipulation thereof in the OSS institution in accordance with the provisions of the legislation.

## Article 12

- (1) Any Importers conducting import of foreign banknotes as referred to in Article 11 paragraph (1) intending to submit an application for API-U shall fill out the form as set forth in Appendix I forming an integral part hereof, to the Minister in this case the Director General, by attaching:
  - a. photocopy of Business License from the competent authority;
  - b. photocopy of the Taxpayer's Identification Number (TIN);
  - c. the recent photograph with red background of each Company's Management or Board of Directors, (two) pieces, 3x4 (three times four) cm; and
  - d. photocopy of identity card/ passport of each Company's Management or Board of Directors.
- (2) Business entities or contractors of energy, oil and natural gas, minerals and other natural resource management that carry out business activities, based on the joint operation agreement with the Government of the Republic of Indonesia as referred to in Article 11 paragraph (2) intending to application for AP1-P shall fill out the form as set forth in Appendix II forming an integral part hereof, to the Minister in this case the Director General, by attaching:
  - a. copy of the Cooperation Contract with the Government or special executive body / work unit established by the Government to carry out control to the business activities in the energy, oil and gas, minerals and other natural resource management;
  - b. original recommendation from the Government or the special executive body / work unit as referred to in item a;
  - c. photocopy of Taxpayer Identification Number (TIN) of business entity or contractor;
  - d. the recent photograph with red background of each

- person in charge of the Cooperation Contract contractor,  
2 (two) pieces of 3x4 (three times four) cm; and
- e. photocopy of identity card/ passport of each person in charge.
- (3) The applications as referred to in paragraph (1) and paragraph (2) maybe made:
- a. via website <http://inatrade.kemendag.go.id>-,
  - b. through courier services; or
  - c. submitted directly to the Minister c.q the Director General.

### **Article 13**

- (1) The Director General shall issue API within not later than 5 (five) business days after the receipt of application as referred to in Article 12 in complete and correctly.
- (2) In the event that the application for API as referred to in Article 12 is incomplete and incorrect, the Director General shall submit a letter of denial of the application to the applicant within not later than 5 (five) business days as of the receipt of the application furnished with the reason of denial.

### **Article 14**

- (1) Any importer being NIB owner serving API and importer being NIB owner as referred to in Article 12 shall report the realization of imports, whether realized or not, quarterly to the Director General.
- (2) The import realization report, whether realized or not, as referred to in paragraph (1), shall also be submitted via website <http://api.kemendag.go.id>.

### **Article 15**

Any Importers without having API may only import items as follows:

- a. temporary imported goods;
- b. promotional goods;



- c. goods for the purposes of research and development of science;
- d. consignment goods;
- e. goods as grants, rewards or gifts for public, charitable, social, cultural or for natural disaster prevention purposes.
- f. goods being medicines and health instrument financed by the government budget;
- g. goods already exported for repairs and testing purposes that are re-imported at the quantity at most the same as the quantity when being exported in accordance with the Goods Export Notification (PEB);
- h. exported goods declined by overseas purchaser that are then re-imported with the maximum quantity in accordance with the Goods Export Notification (PEB);
- i. sample goods not for sale;
- j. goods for use by the government agencies / other state institutions imported by the relevant agency / institution;
- k. goods for use by representatives of foreign countries and their officials assigned in Indonesia;
- l. goods for use by international agencies and their officials in Indonesia; and
- m. moving goods.

#### **Article 16**

Any importers being NIB owner serving as API as referred to in Article 9, importers being API owners as referred to in Article 12, or importers conducting imports without having API as referred to in Article 15 shall be fully responsible for the implementation of their imports in accordance with the provisions of legislation.

#### **Article 17**

- (1) In the framework of monitoring and evaluating to the import policies, the Directorate General of Foreign Trade  
The Ministry of Commerce may carry out supervision to :

- a. imports conducted by the importers being the owner of NIB as API and importers being the owner of API; and
  - b. import without API.
- (2) Supervision as referred to in paragraph (1) shall be carried out by post audit to:
- a. truth of reports on import realization;
  - b. conformance of goods imported with data mentioned in the import document and its designation; and
  - c. compliance with legislation on import.
- (3) Post audit as referred to in paragraph (2) shall be carried out periodically and incidentally.
- (4) (4) Post audit as referred to in paragraph (2) shall be carried out in coordination with the Directorate General of Customs, Ministry of Finance, and OSS Institutions.
- (5) For the implementation of post audit as referred to in paragraph (2), the Director General may establish an Integrated API Monitoring Team.

#### **Article 18**

API shall be subjected suspension if the importer being owner of NIB serving as API, importer being the owner of API, and / or Management / Board of Directors of importers being the owner of API:

- a. fail to perform the obligation to report import realization as referred to in Article 14;
- b. provide untrue information or data in the API application document;
- c. are not responsible for imported goods;
- d. breach the provisions of laws and regulations on import; and
- e. abuse import documents and letters related to imports.

#### **Article 19**

API already subjected to suspension as referred to in Article 18, may be reactivated if:

- a. importers breaching the provisions referred to in Article 18 item a have performed the obligation to report import realization as referred to in Article 14; and / or
- b. importers breaching the provisions referred to in Article 18 item b to item e have been suspended for 1 (one) year.

#### **Article 20**

NIBs serving as API and API are shall be revoked if Importers being the owner of API and / or Management / Board of Directors of Importers being the owner of API:

- a. the importers carry out businesses and / or activities not in accordance with the NIB servings as API and API; and / or
- b. declared null and void based on the final court's judgment.

#### **Article 21**

In the event that API is revoked as referred to in Article 20, the company may only submit application for new API after 2 (two) years as of the date of revocation of API.

#### **Article 22**

The Director General for and on behalf of the Minister shall submit the proposal to suspend or revoke NIB serving as an API to OSS Institutions.

#### **Article 23**

Suspension, reactivation, and revocation of API-U and API-P as referred to in Article 18, Article 19, and Article 20, shall be carried out by:

- a. The OSS Institution for NIB serving as API; or
- b. Director General for API as referred to in Article 12.

#### **Article 24**

Further provisions on the implementation hereof may be stipulated by the Director General.

### **Article 25**

Any importers already having API-U and API-P based on the Regulation of the Minister of Trade Number 70 / M-DAG / PER / 9/2015 concerning Importer Identity Number, as long as API owned is set forth in OSS institutions in accordance with the provisions of the legislation, shall submit the application for registration to OSS Institution to obtain NIB serving as API 6 within not later than ( six) months after effectiveness hereof.

### **Article 26**

Upon effectiveness hereof, the Regulation of the Minister of Trade No. 70 / M-DAG / PER / 9/2015 concerning Importer Identity Numbers (State Gazette of the Republic of Indonesia of 2015 Number 1516), shall be revoked and declared null and void

### **Article 27**

This Regulation of the Minister shall come into effect on the date of promulgation.

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.

Stipulated in Jakarta  
On : July 19, 2018  
MINISTER OF TRADE OF THE REPUBLIC  
OF INDONESIA  
*signed*  
ENGGARTIASTO LUKITA

Enacted in Jakarta  
On : July 20, 2018  
DIRECTOR GENERAL OF LEGISLATIVE REGULATIONS  
MINISTRY OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA  
*signed*  
WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2018 NUMBER 906.

Copy conforms to the original  
Secretariat General  
Ministry of Trade  
Head of Legal Bureau  
*signed and sealed*  
SRI HARIYATI

APPENDIX I

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA  
NUMBER 75 OF 2018  
CONCERNING  
IMPORTER IDENTITY NUMBER

FORM OF APPLICATION FOR  
GENERAL IMPORTER IDENTITY NUMBERS  
(FOREIGN BANK NOTES)

To:

.....

.....

in

Number :

Date :

Re :

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A. COMPANY'S IDENTITY

1. Name / Form of Company :
2. Address of the Head Office :
3. Telephone Number :
4. Facsimile Number :
5. No. banking business permit  
or Non-Bank KUPVA or other  
similar business permit issued  
by the competent authority  
:
6. Company's Tax Payer  
Identification Number (NPWP) :
7. NPWP of Company's  
Managers / Board of Directors  
:
8. Type of business permit :

B. COMPANY'S/ BOARD OF DIRECTORS' IDENTITY

1. Name :  
Home address :  
Position :  
KTP / Passport No. :  
NPWP :
  
  2. Name :  
Home address :  
Position :  
KTP / Passport No. :  
NPWP :
  
  3. Name :  
Home address :  
Position :  
KTP / Passport No. :  
NPWP :
  
  4. Name :  
Home address :  
Position :  
KTP / Passport No. :  
NPWP :
-

C. APPENDIX OF REQUIREMENTS

- a. Photocopy of banking business permit or Non-Bank KUPVA or other similar business permit issued by the competent authority;
- b. Photocopy of Taxpayer Identification Number (TIN) of the business entity;
- c. the recent photograph with red background of each of Management or Directors of the Company, 2 (two) pieces, 3x4 cm; and
- d. Photocopy of identity card/ passport of each Management or Directors of the Company.

We, the undersigned are willing to be subjected to all legal sanctions as individual and corporate, if the above information is in fact untrue.

.....  
Revenue stamp of Rp. 6000,00

(Company's Director)

\*) Delete as appropriate

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

signed

ENGGARTIASTO LUKITA

Copy conforms to the original

Secretariat General

Ministry of Trade

Head of Legal Bureau

*signed and sealed*

SRI HARIYATI

APPENDIX II

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER 75 OF 2018

CONCERNING

IMPORTER IDENTITY NUMBER

FORM OF APPLICATION FOR

MANUFACTURER IMPORTERS IDENTITY NUMBER

(for business entities or contractors of energy, oil and gas, minerals and other natural resource management)

To:

.....  
.....

in

Number :

Date :

Re :

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A. IDENTITY

1. Name :
2. Office / site address :
3. Telephone No. :
4. Facsimile No. :
5. Taxpayer Identification Number (TIN):
6. Cooperation contract No. :
7. Activity Type :

B. IDENTITY OF PERSON IN CHARGE

1. Name :  
Domicile address :  
Position :  
Identity No. :
2. Name :  
Domicile address :  
Position :  
Identity No. :





3. Name :  
 Domicile address :  
 Position :  
 Identity No. :
4. Name :  
 Domicile address :  
 Position :  
 Identity No. :

C. APPENDIX OF REQUIREMENTS

- a. Copy of the Cooperation Contract with the government / Executive Body;  
 b. Original recommendations from the Government or Executive Body;  
 c. Photocopy of Taxpayer Identification Number (TIN);  
 d. Photograph with red background of each person in charge / management,  
 2 (two) pieces, size 3x4 cm; and  
 e. Photocopy of identity card/ passport of each person in charge.

We, the undersigned are willing to be subjected to all legal sanctions as individual and corporate, if the above information is in fact untrue.

.....  
 revenue stamp of Rp. 6000,00

(Person in charge)

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

*signed*

ENGGARTIASTO LUKITA

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

*signed and sealed*

SRI HARIYATI

I, **Anang Fahkcrudin**, a sworn and authorized translator, practicing in Jakarta, do solemnly and sincerely declare that the foregoing document is a true and faithful translation from **Indonesian into English** of the original version.

Jakarta, July 29, 2019