
AUTHORIZED TRANSLATION



**MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
REGULATION OF THE MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA
NUMBER 05/M-DAG/PER/1/2014**

CONCERNING

**AMENDMENT ON THE REGULATION OF THE MINISTER OF TRADE
NUMBER 11/M-DAG/PER/4/2008 CONCERNING VERIFICATION OF
INTERISLAND TRANSPORTATION OF THE OIL PALM COMMODITY AND
ITS DERIVATIVE PRODUCTS**

UPON GRACE OF THE ONLY GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that in the framework of constantly maintaining the availability of supply of oil palm and its derivative products in order to fulfill the domestic need as well as to improve the awareness of business actors on the importance of the verification of inter island transportation for their business certainty;
 - b. that with regard to letter a, it is necessary to complete the provisions for the verification of inter island transportation of the oil palm commodity and its derivative products as regulated in the Regulation of the Minister of Trade Number 11/M-DAG/PER/4/2008;

- c. that based on the considerations as meant in letter a and letter b, it is necessary to enact the Regulation of the Minister of Trade concerning the Amendment on the Regulation of the Minister of Trade Number 11/M-DAG/PER/4/2008 concerning Verification of the Interisland Transportation of the Oil Palm Commodity and its Derivative Products.

- In view of :
1. *Bedrijfsreglementerings Ordonnantie* of 1934 (State Gazette of 1938 Number 86);
 2. Law of the Republic of Indonesia Number 17 of 2008 concerning Shipping (State Gazette of the Republic of Indonesia of 2008 Number 64, Supplement to the State Gazette of the Republic of Indonesia Number 4849);
 3. 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);
 4. 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);
 5. Presidential Decree Number 84/P of 2009 concerning Formation of the United Indonesia Cabinet II, as has been amended with the Presidential Decree Number 59/P of 2011;
 6. Presidential Regulation Number 47 of 2009 concerning the Formation and Organization of the State Ministry, as has been amended several times and latest with the Presidential Regulation Number 55 of 2013;

7. Presidential Regulation Number 24 of 2010 concerning the Position, Duties and Functions of the State Ministry and the Organization Structure, Duties and Functions of Echelon I of the State Ministry, as has been amended several times and latest with the Presidential Regulation Number 56 of 2013;
8. Regulation of the Minister of Trade Number 14/M-DAG/PER/3/2006 concerning the Provisions and Procedure of Issuance of the Survey Service Business License;
9. Government Regulation Number 36/M-DAG/PER/9/2007 concerning Issuance of the Trade Business License, as has been amended several times and latest with the Regulation of the Minister of Trade Number 39/M-DAG/PER/12/2011;
10. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2010 concerning the Organization and Work Procedure of the Ministry of Trade, as has been amended with the Regulation of the Minister of Trade Number 57/M-DAG/PER/8/2012.

HAS DECREED:

To enact: **THE REGULATION OF THE MINISTER OF TRADE CONCERNING THE AMENDMENT ON THE REGULATION OF THE MINISTER OF TRADE NUMBER 11/M-DAG/PER/4/2008 CONCERNING VERIFICATION OF THE INTERISLAND TRANSPORTATION OF THE OIL PALM COMMODITY AND ITS DERIVATIVE PRODUCTS.**

Article I

Several provisions in the Regulation of the Minister of Trade Number 11/M-DAG/PER/4/2008 concerning the Verification of the Interisland

Transportation of the oil Palm Commodity and its Derivative Products are amended as follows:

1. The provision of Article 3 is amended and reads as follows:

Article 3

- (1) The request for verification of the oil palm commodity and its derivative products, as meant in Article 2, is submitted to the Surveyor by the business actor, as owner of the oil palm commodity and/or its derivative products, within not later than 2 (two) days prior to shipment.
- (2) The verification is carried out by the Surveyor at the time of loading and unloading covering the type and total of the commodity that is transported interisland.
- (3) The verification, as meant in paragraph (2), is carried out by the Surveyor appointed by the business actor as owner of the oil palm commodity and/or its derivative products.

2. The provision of Article 4 is amended and reads as follows:

Article 4

The Surveyor appointed by the business actor as owner of oil palm commodity and/or its derivative products, as meant in Article 3 paragraph (3), should comply with the following requirements:

- a. experienced as surveyor in the sector of survey of the oil palm commodity and its derivative products for minimum 5 (five) years;
- b. has obtained the accreditation as Inspection Institute from the National Accreditation Committee (KAN);
- c. has branch offices and operation service offices in the central area of oil palm production and has an information network in order to support the effectiveness of the verification service; and

- d. in possession of testing laboratory facilities to implement the verification activities at major ports within the area of Indonesia.
3. 1 (one) Article is inserted between Article 4 and Article 5, namely Article 4A, which reads as follows:

Article 4A

- (1) The business actor as owner of the oil palm commodity and/or its derivative products, who carries out the interisland transportation activities, should submit the notification in writing on the amount, type, origin, and transportation destination as well as the appointed Surveyor to the Director General of Domestic Trade, Ministry of Trade, in this case the Director of Logistics and Distribution Means.
 - (2) The format of the notification letter, as meant in paragraph (1), is indicated in Appendix I, which is an inseparable part of this Regulation of the Minister.
4. The provision of Article 6 is amended and reads as follows:

Article 6

The Surveyor should submit the LVMBB and LMTB, as meant in Article 5 paragraph (6) and paragraph (7) to the Director General of Domestic Trade, Ministry of Trade, in this case the Director of Logistics and Distribution Means.

5. The provisions of Article 7 paragraph (4) and paragraph (5) are deleted, so that Article 7 reads as follows:

Article 7

- (1) The interisland transportation of the oil palm commodity and its derivative products, which is not completed with the HPL

of goods unloading, is prohibited to unload at the port of unloading by the Head of Port Administrator (Adpel).

(2) The carrier of the interisland transportation, as meant in paragraph (1), should return to the port of origin after the verification is carried out by the Surveyor at the port of unloading with the shipping license from the Head of Port Administrator (Adpel).

(3) The interisland transportation, as meant in paragraph (2), should be re-verified by the Surveyor at the port of origin.

(4) Deleted.

(5) Deleted.

6. 1 (one) Article is inserted between Article 7 and Article 8, namely Article 7A which reads as follows:

Article 7A

(1) The business actor as owner of the oil palm commodity and/or its derivative products, as meant in Article 3 paragraph (1), should submit the realization report of the interisland transportation of the oil palm commodity and its derivative products once every 1 (one) month to the Director General of Domestic Trade, Ministry of Trade, in this case the Director of Logistics and Distribution Means.

(2) The report, as meant in paragraph (1), is submitted not later than the 10th day of the following month.

(3) The format of Report, as meant in paragraph (1), is indicated in Appendix II, which is an inseparable part of this Regulation of the Minister.

7. The provision of Article 8 is amended and reads as follows:

Article 8

- (1) The business actor as owner of the oil palm commodity and/or its derivative products, who violates the provisions as meant in Article 2 paragraph (1) and Article 7A paragraph (1), is imposed the administrative sanction in form of withdrawal of the Trade Business License (SIUP).
 - (2) The withdrawal of the Trade Business License (SIUP), as meant in paragraph (1), is carried out by the issuance official.
 - (3) The Surveyor who violates the provisions, as meant in Article 4 and Article 6, is imposed the administrative sanction in form of withdrawal of the Survey Service Business License (SIUJS) by the authorized official.
8. Article 9 is deleted.
 9. The provision of Article 10 is amended and reads as follows:

Article 10

The costs spent for the implementation of the verification of the interisland transportation of the oil palm commodity and its derivative products are charged to the business actor as owner of the oil palm commodity and/or its derivative products by taking account of the benefit principle.

10. 1 (one) Article is inserted between Article 10 and Article 11, namely Article 10A, which reads as follows:

Article 10A

- (1) The Director General of Domestic Trade or the appointed official carries out at any time the control on the interisland

transportation verification activities of the oil palm commodity and its derivative products.

- (2) The coordination may be made with the related Ministry or Non Ministry Government Institution in the implementation of control as meant in paragraph (1).

Article II

This Regulation of the Minister commences effective on 15 January 2015.

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 : January 11, 2014

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

signed

GITA IRAWAN WIRJAWAN

Copy conforms to the original

Secretariat General

Ministry of Trade of the

Republic of Indonesia

Head of Legal Bureau

signed and sealed

LASMININGSIH

APPENDIX I

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

NUMBER 05/M-DAG/PER/1/2014

CONCERNING

**AMENDMENT ON THE REGULATION OF THE MINISTER OF TRADE
NUMBER 11/M-DAG/PER/4/2008 CONCERNING THE VERIFICATION OF
INTERISLAND TRANSPORTATION OF THE OIL PALM COMMODITY AND
ITS DERIVATIVE PRODUCTS**

**FORMAT OF THE LETTER OF NOTIFICATION ON THE INTERISLAND
TRANSPORTATION ACTIVITIES OF OIL PALM AND ITS DERIVATIVE
PRODUCTS**

(COMPANY LETTERHEAD)

LETTER OF NOTIFICATION

The undersigned

Name : _____

Position : _____

Acting for and on behalf of the Company

Name of Company : _____

Address : _____

Phone/Fax No. : _____

notifies that the oil palm commodity and its derivative products will be interisland
transported with the following details:

1. Data of Commodity

a. Type of Commodity : _____

b. Amount : _____

c. Ship : _____

d. Port of Loading : _____

e. Port of Unloading : _____

2. Data of Receiver

a. Name of Company : _____

b. Address of Company : _____

c. Phone/Fax No. : _____

3. Data of Surveyor

a. Name of Company : _____

b. Address of Company : _____

c. Phone/Fax No. : _____

The above details are submitted and should there be incorrect information in this letter of notification, then we are willing to be imposed sanctions according to the applicable provisions.

...(name of city, date, month, year)...

signed upon company seal

.....(complete name).....

.....(position).....

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

signed

GITA IRAWAN WIRJAWAN

Copy conforms to the original

Secretariat General

Ministry of Trade of the

Republic of Indonesia

Head of Legal Bureau,

signed and sealed

LASMININGSIH

APPENDIX II

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER 05/M-DAG/PER/1/2014

CONCERNING

AMENDMENT ON THE REGULATION OF THE MINISTER OF TRADE NUMBER 11/M-DAG/PER/4/2008 CONCERNING VERIFICATION OF INTERISLAND TRANSPORTATION OF THE OIL PALM COMMODITY AND ITS DERIVATIVE PRODUCTS

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FORMAT OF THE REALIZATION REPORT OF THE INTERISLAND TRANSPORTATION ACTIVITIES OF THE OIL PALM COMMODITY AND ITS DERIVATIVE PRODUCTS

(COMPANY LETTERHEAD)

=====

REALIZATION REPORT OF THE INTERISLAND TRANSPORTATION ACTIVITIES OF THE OIL PALM COMMODITY AND ITS DERIVATIVE PRODUCTS

Period...(month)...(year)...

No.	Date of Request	Receiver	Type of Commodity	Amount (MT)	Name of Ship	Date of Departure	Port of Origin	Port of Destination	Date of Arrival
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Instructions to fill in:

Column (1) sequence number

Column (5) amount of commodity interisland
Transported (unit of ton)

Column (9) port of destination

Column (2) date of preparing request

Column (6) name of ship

Column (10) arrival date at
port of destination

Column (3) name of receiver

Column (7) departure date of ship from port

Column (4) type of commodity (oil palm and/or
its derivative products)

Column (8) port of origin

...(place, date)...

...(name of company)...

signature and company seal

(...clear name and position...)

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

signed

GITA IRAWAN WIRJAWAN

Copy conforms to the original

Secretariat General
Ministry of Trade of the
Republic of Indonesia
Head of Legal Bureau,
signed and sealed
LASMININGSIH

Translated from Indonesian Language

Jakarta, June 18, 2015

Authorized and Sworn Translator,

FIKRI SAID OBED