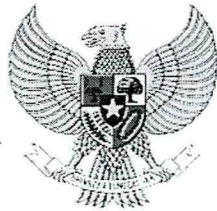

AUTHORIZED TRANSLATION



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

NUMBER : 38/M-DAG/PER/10/2010

REGARDING

AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE
NUMBER 24/M-DAG/PER/6/2006 REGARDING PROVISIONS FOR IMPORT OF
OZONE LAYER DEPLETING SUBSTANCES

BY THE GRACE OF ALLAH THE ONE SUPREME GOD

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that in order to support the effectiveness of the policy implementation in the sector of import of the Ozone Layer Depleting Substances, it is necessary to amend the Regulation of the Minister of Trade Number 24/M-DAG/PER/6/2006 regarding the Provisions for Import of Ozone Layer Depleting Substances;
 - b. that based on the consideration, as meant in letter a, it is necessary to enact the Regulation of the Minister of Trade.
- In view of :
- 1. *Bedrijfsreglementering Ordonnantie* of 1934 (State Gazette of 1938 Number 86);
 - 2. Law Number 5 of 1984 regarding Industrial Affairs



- (State Gazette of the Republic of Indonesia of 1984 Number 22, Supplement of the State Gazette of the Republic of Indonesia Number 3274);
3. Law Number 7 of 1994 regarding Ratification Agreement Establishing The World Trade Organization (State Gazette of the Republic of Indonesia of 1994 Number 57, Supplement to the State Gazette of the Republic of Indonesia Number 3564);
 4. Law Number 10 of 1995 regarding Customs (State Gazette of the Republic of Indonesia of 1995 Number 75, Supplement to the State Gazette of the Republic of Indonesia Number 3612), as has been amended with Law Number 17 of 2006 (State Gazette of the Republic of Indonesia of 2006 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 4661);
 5. Law Number 8 of 1999 regarding Consumer Protection (State Gazette of the Republic of Indonesia of 1999 Number 42, Supplement to the State Gazette of the Republic of Indonesia Number 3821);
 6. Law Number 39 of 2008 regarding 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);
 7. Law Number 32 of 2009 regarding Environment Protection and Management (State Gazette of the Republic of Indonesia of 2009 Number 140, Supplement to the State Gazette of the Republic of Indonesia Number 5050);
 8. Law Number 36 of 2009 regarding Health (State Gazette of the Republic of Indonesia of 2009 Number 144, Supplement to the State Gazette of the Republic of Indonesia Number 5063);



9. Government Regulation Number 7 of 1973 regarding Control on the Distribution, Storage and Use of Pesticide (State Gazette of the Republic of Indonesia of 1973 Number 12);
10. Government Regulation Number 74 of 2001 regarding Management of Hazardous and Toxic Materials (State Gazette of the Republic of Indonesia of 2001 Number 138);
11. Presidential Decree Number 260 of 1967 regarding Affirmation of the Duties and Responsibilities of the Minister of Trade in the Foreign Trade Sector;
12. Presidential Decree Number 23 of 1992 regarding the Ratification of the Vienna Convention for the Protection of the Ozone Layer and Montreal Protocol on Substances that Deplete the Ozone Layer as Adjusted and Amended by the Second Meeting of the Parties, London, 27-29 June 1990;
13. Presidential Decree Number 92 of 1998 regarding Ratification of the Montreal Protocol on Substances that Deplete the Ozone Layer, Copenhagen, 1992;
14. Regulation of the President Number 33 of 2005 regarding Ratification of the Beijing Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer;
15. Regulation of the President Number 47 of 2009 regarding Formation and Organization of the State Ministry;
16. Presidential Decree Number 84/P of 2009 regarding Formation of the United Indonesia Cabinet I;
17. Regulation of the President Number 24 of 2010 regarding Status, Duties and Functions of the State Ministry and Organization Structure Duties and Functions of Echelon 1 of the State Ministry;



18. Regulation of the Minister of Trade Number 24/M-DAG/PER/6/2006 regarding the Provisions for Import of Ozone Layer Depleting Substances;
19. Regulation of the Minister of Trade Number 45/M-DAG/PER/9/2009 regarding Importer Identification Number, as has been amended with the Regulation of the Minister of Trade Number 17/M-DAG/PER/3/2010;
20. Regulation of the Minister of Trade Number 54/M-DAG/PER/10/2009 regarding General Provisions in the Import Sector;
21. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2010 regarding Organization and Work Method of the Ministry of Trade.

HAS DECIDED:

To stipulate : **REGULATION OF THE MINISTER OF TRADE REGARDING AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE NUMBER 24/M-DAG/PER/6/2006 REGARDING PROVISIONS FOR IMPORT OF OZONE LAYER DEPLETING SUBSTANCES.**

Article 1

The Provisions of Article 2 of the Regulation of the Minister of Trade Number 24/M-DAG/PER/6/2006 regarding Provisions of Import of Ozone Layer Depleting Substances are amended as follows:

Article 2

- (1) The Ozone Layer Depleting Substances that are regulated in this Regulation of The Minister are as contained in Appendix I, Appendix II and Appendix III, which are inseparable parts of this Regulation of the Minister.
- (2) The Ozone Layer Depleting Substances, as contained



in Appendix I, are prohibited to be imported, except Carbon Tetrachloride (CTC) for use at the laboratory and for analysis.

- (3) The Ozone Layer Depleting Substances. As contained in Appendix II and Appendix III and as meant in paragraph (1) may only be imported:
 - a. by companies that have already obtained the recognition as IP-Ozone Layer Depleting Substances or appointment as IT-Ozone Layer Depleting Substances;
 - b. from countries included in the list issued by the State Ministry of Environment.
- (4) The import of Ozone Layer Depleting Substances, as meant in paragraph (3), may only be through the following ports:
 - a. Belawan Port, Medan;
 - b. Tanjung Priok Port, Jakarta;
 - c. Merak Port, Cilegon;
 - d. Tanjung Mas Port, Semarang;
 - e. Tanjung Perak Port, Surabaya;
 - f. Sukarno Hatta Port, Makassar; and
 - g. Batu Ampar Port, Batam.
- (5) The Ozone Layer Depleting Substance, as contained in Appendix II and as meant in paragraph (3), which may be imported into the customs areas of Indonesia, is only Methyl Bromide needed for quarantine and pre-shipment.
- (6) The Ozone Layer Depleting Substances, as meant in paragraph (5) and Appendix III and as meant in paragraph (3), which are imported through Batu Ampar port, Batam, may only be carried out by the IP-Ozone Layer Depleting Substances.



Article II

This Regulation of the Minister commences effective on the date of enactment.

To be known by all men, instruct the enactment of this Regulation of the Minister with its placement in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On 1 October 2010

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

signed

MARI ELKA PANGESTU

Copy according to original

Secretariat General

Ministry of Trade

Head of Legal Bureau

signed

WIDODO

Translated from Indonesian Language
Jakarta, September 5, 2011
Authorized and Sworn Translator,

FIKRI SAID OBED

