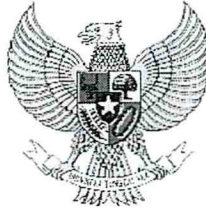


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AUTHORIZED TRANSLATION  
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**Minister of Trade of the Republic of Indonesia**

**REGULATION OF THE MINISTER OF TRADE OF  
THE REPUBLIC OF INDONESIA  
NUMBER : 12/M-DAG/PER/3/2009**

**REGARDING**

**THE DELEGATION OF AUTHORITY TO ISSUE LICENSES IN FOREIGN TRADE  
SECTOR TO THE ENTERPRISING AGENCY OF BATAM FREE TRADE AND  
FREE HARBOR ZONE, THE ENTERPRISING AGENCY OF BINTAN FREE  
TRADE AND FREE HARBOR ZONE, AND THE ENTERPRISING AGENCY OF  
KARIMUN FREE TRADE AND FREE HARBOR ZONE**

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

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

- Considering :
- a. that in the context of facing the development and challenge of global competition, the spirit of regional autonomy, and encouraging the international trade activity which can bring effect and benefits for the national economy, it needs to accelerate the progress of Batam Free Trade and Free Harbor Zone, Bintan Free Trade and Free Harbor Zone and Karimun Free Trade and Free Harbor Zone Construction;
  - b. that in the context of supporting the acceleration on construction progress and business activity at Batam



Free Trade and Free Harbor Zone, Bintan Free Trade and Free Harbor Zone and Karimun Free Trade and Free Harbor Zone, it needs to delegate the authority for issuing licenses in foreign trade sector to the Enterprising Agency of Batam Free Trade and Free Harbor Zone, the Enterprising Agency of Bintan Free Trade and Free Harbor Zone, and the Enterprising Agency of Karimun Free Trade and Free Harbor Zone;

- c. that based on such consideration as referred to in letter and letter a and letter b, it needs to stipulate a Regulation of the Minister of Trade.

- In view of :
1. *Bedrijfsreglementerings Ordonantie* 1934 (State Gazette of 1938 Number 86);
  2. Law Number 8 of 1962 regarding the Trade of Controlled Goods (State Gazette of the Republic of Indonesia of 1962 Number 42, Supplement to the State Gazette of the Republic of Indonesia Number 2469);
  3. Law Number 7 of 1994 regarding the Ratification on the Agreement on the Establishment of 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 36 of 2000 regarding the Stipulation on Law Substituting Government Regulation Number 1 of 2000 Regarding the Free Trade and Free Harbor Zone to become Law (State Gazette of the Republic of Indonesia of 2000 Number 251, Supplement to the State Gazette of the Republic of Indonesia Number 4053) as amended by Law Number 44 of 2007 (State Gazette of the Republic of Indonesia of 2007 Number 130, Supplement to the State Gazette of the Republic of Indonesia Number 4775);
  5. Government Regulation Number 1 of 1982 regarding the Implementation of Export, Import and Foreign Exchange



- Traffic (State Gazette of the Republic of Indonesia of 1982 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 3210) as amended by Law Number 24 of 1985 (State Gazette of the Republic of Indonesia of 1985 Number 33, Supplement to the State Gazette of the Republic of Indonesia Number 3291);
6. Government Regulation Number 38 of 2007 regarding the Division of Governmental Affairs between the Government, Regional Government of Province, and Regional Government of Regency / Municipality (State Gazette of the Republic of Indonesia of 2007 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 4737);
  7. Government Regulation Number 46 of 2007 Regarding Batam Free Trade and Free Harbor Zone (State Gazette of the Republic of Indonesia of 2007 Number 107, Supplement to the State Gazette of the Republic of Indonesia Number 4757);
  8. Government Regulation Number 47 of 2007 Regarding Bintan Free Trade and Free Harbor Zone (State Gazette of the Republic of Indonesia of 2007 Number 108, Supplement to the State Gazette of the Republic of Indonesia Number 4758);
  9. Government Regulation Number 48 of 2007 regarding Karimun Free Trade and Free Harbor Zone (State Gazette of the Republic of Indonesia of 2007 Number 109, Supplement to the State Gazette of the Republic of Indonesia Number 4759);
  10. Presidential Decree number 260 of 1967 regarding the Confirmation on the Duties and responsibilities of the Trade Minister in foreign trade sector
  11. Presidential Decree Number 187/M of 2004 regarding the Establishment of the Cabinet of United Indonesia as





- amended several times lastly by Presidential Decree Number 58/M of 2007;
12. Presidential Regulation Number 9 of 2005 regarding the Position, Duties, Functions, Authorities, Composition of Organization and Working Procedure of the State Ministries of the Republic of Indonesia as amended lastly by the Presidential Regulation Number 20 of 2008;
  13. Presidential Regulation Number 10 of 2005 regarding the Organization Unit and Duties of Echelon I of the State Ministries of the Republic of Indonesia as amended several times lastly by the Presidential Regulation Number 21 of 2008;
  14. Presidential Decree Number 9 of 2008 regarding the Board of Batam Free Trade and Free Harbor Zone;
  15. Presidential Decree Number 10 of 2008 regarding the Board of Bintan Free Trade and Free Harbor Zone;
  16. Presidential Decree Number 11 of 2008 regarding the Board of Karimun Free Trade and Free Harbor Zone;
  17. Decree of Industry and the Minister of Trade Number 229/MPP/Kep/7/1997 regarding the General Provisions in Import Sector;
  18. Decree of Industry and the Minister of Trade Number 558/MPP/Kep/12/1998 regarding the General Provisions in Export Sector as amended several times lastly by Regulation of the Minister of Trade number 01/M-DAG/PER/1/2007;
  19. Decree of Industry and the Minister of Trade Number 141/MPP/Kep/3/2002 regarding the Special Importer Identity Number (NPIK) as amended lastly by Regulation of the Minister of Trade Number 07/M-DAG/PER/3/2008;
  20. Regulation of the Minister of Trade 01/M-DAG/PER/3/2005 regarding the Organization and Working Procedure of the Ministry of Trade as lastly amended by



the regulation of the Minister of Trade of the Republic of Indonesia Number 34/M-DAG/PER/8/2007;

21. Regulation of the Minister of Finance Number 47/PMK.04/2009 regarding the Procedure of Importing and Exporting Goods To And From Those Areas Already Designated as Free Trade and Free Harbor Zones;

**HAS DECIDED:**

To stipulate : **THE REGULATION OF THE MINISTER OF TRADE REGARDING THE DELEGATION OF AUTHORITY TO ISSUE LICENSES IN FOREIGN TRADE SECTOR TO THE ENTERPRISING AGENCY OF BATAM FREE TRADE AND FREE HARBOR ZONE, THE ENTERPRISING AGENCY OF BINTAN FREE TRADE AND FREE HARBOR ZONE, AND THE ENTERPRISING AGENCY OF KARIMUN FREE TRADE AND FREE HARBOR ZONE.**

**Article 1**

In this Regulation of the Minister, what's meant by:

1. Batam Free Trade and Free Harbor Zone, Bintan Free Trade and Free Harbor Zone, and Karimun Free Trade and Free Harbor Zone which hereinafter shall be referred to as KPBPB-BBK, are areas located within the territory of the Republic of Indonesia Unitary State which are separated from customs area therefore free from any imposition of import duty, value added tax, sales tax on luxurious goods and excise duty.
2. Board of Batam Zone, Board of Bintan Zone, and Board of Karimun Zone which hereinafter shall be referred to as Boards of Zone are Board of Batam Free Trade and Free Harbor Zone, Board of Bintan Free Trade and Free Harbor Zone, Board of Karimun Free Trade and Free Harbor Zone.
3. Chairpersons of the Board of Batam Free Trade and Free



Harbor Zone, Bintan Free Trade And Free Harbor Zone, Karimun Free Trade and Free Harbor Zone, who hereinafter shall be referred to as Chairpersons of the Boards of Zones are Chairperson of the Board of Batam Free Trade and Free Harbor Zone, Chairperson of the Board of Bintan Free Trade and Free Harbor Zone, and Chairperson of the Board of Karimun Free Trade and Free Harbor Zone.

4. Enterprising Agency of Batam Zone, Enterprising Agency of Bintan Zone, and Enterprising Agency of Karimun Zone which hereinafter shall be referred to as BP of BBK Zone are the Enterprising Agency of Batam Free Trade and Free Harbor Zone, the Enterprising Agency of Bintan Free Trade and Free Harbor Zone, and the Enterprising Agency of Karimun Free Trade and Free Harbor Zone.
5. Chairperson of the Enterprising Agency of Batam Zone, Chairperson of the Enterprising Agency of Bintan Zone, and Chairperson of the Enterprising Agency of Karimun Zone who hereinafter shall be referred to as Chairpersons of BP of BBK Zones are Chairperson of the Enterprising Agency of Batam free trade and free harbor zone, Chairperson of the Enterprising Agency of Bintan Free Trade and Free Harbor Zone, and Chairperson of the Enterprising Agency of Karimun Free Trade and Free Harbor Zone.
6. Minister is the Minister whose duties and responsibilities is trade sector.

## Article 2

- (1) Minister delegates the licenses issuing authority in foreign trade sector to the BP of BBK Zones.
- (2) Such authority as referred to in section (1) is contained in Attachment I and Attachment II which constitute an inseparable part of this Regulation of the Minister.





### **Article 3**

The implementation of licenses issuance as referred to in Article 2 shall be carried out by considering the national interest and based on the provisions of statutory regulation in foreign trade sector.

### **Article 4**

Chairpersons of BP of BBK Zones shall be responsible for the implementation of such licenses issuance authority as referred to in Article 2.

### **Article 5**

Such authority as referred to in Article 2 is subject to a revocation by the Minister, party or wholly, in the event of:

- a. BP of BBK Zones suggest to revoke a part or the whole of authority;
- b. BP of BBK zones are judged as not capable of performing the delegated authority;
- c. The Boards of Zones suggest to revoke a part or the whole of authority; and/or;
- d. BP of BBK Zones are unable to perform the authority due to a change in Minister's policy.

### **Article 6**

- (1) Each activity of goods import and/or export to and from KPBPB-BBK as contained in Attachment I and Attachment II of this Regulation of the Minister must be performed by a company holding an import and/or export license from the BP of BBK Zone.
- (2) Such company as referred to in section (1) shall only be able to perform the activity of goods import and/or export to and from KPBPB-BBK in respect of its business activity.
- (3) Such company as referred to in section (1) in performing the import activity for such certain goods as referred to in



Attachment III of this Minister's regulation is not required to hold a Special importer identity number (NPIK).

#### **Article 7**

The Minister together with the Chairpersons of Boards of Zones shall conduct nurturing and supervision on such implementation of authority as referred to in Article 2 by BP of BBK Zones.

#### **Article 8**

- (1) BP of BBK Zones shall periodically submit the report of accountability on such issuance of licenses as referred to in Article 2 in writing to the Minister with a cc to the Chairpersons of Boards of zones.
- (2) Such report as referred to in section (1) shall be submitted once in 3 (three) months at the latest on the 15<sup>th</sup> day of each month.

#### **Article 9**

An import and/or export license already issued to a company domiciled in KPBPB-BBK prior to the enactment of this Minister's regulation, is declared as remaining in force until the expiry of its validity period.

#### **Article 10**

The implementing provisions and technical matters shall be stipulated further by the Chairpersons of Boards of zones after having coordinated with the Director General of Foreign trade.

#### **Article 11**

For the purpose of effectiveness in the administration of licenses issuance in foreign trade sector by BP of BBK Zones, the Chairpersons of Boards of Zones may establish a team consisting of the Boards of Zones and Ministry of Trade elements.





**Article 12**

This Regulation of the Minister shall be in effect as of April 1, 2009.

In order to let everyone be aware of, instructing the announcement of this Regulation of the Minister by posting it in the State gazette of the republic of Indonesia.

Stipulated in Jakarta

Dated March 27, 2009

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

*signed*

**MARI ELKA PANGESTU**

Copy corresponds with the original



Secretariat General

Ministry of Trade

Head of Legal Bureau,

*signed*

**WIDODO**



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

**NUMBER : 12/M-DAG/PER/3/2009**

**DATED : March 27, 2009**

**THE DELEGATED AUTHORITY TO ISSUE IMPORTING LICENSES**

No	License Type	Legal Base
1.	Iron or Steel Import: a. Recognition as Producing Importer (IP) of Iron or Steel; and b. Stipulation as Registered Importer (IT) of Iron or Steel	Regulation of the Minister of Trade Number 08/M-DAG/PER/2/2009 regarding the Provisions of Iron or Steel Import.
2.	Import of Used Capital Goods: Approval on the Import of Used Capital Goods	Regulation of the Minister of Trade Number 57/M-DAG/PER/12/2008 regarding the Provisions of Used Capital Goods Import
3.	Optical Disc Import: a. Appointment as Registered Importer (IT) of Optical Disc; and b. Approval on the Import of Optical Disc	Regulation of the Minister of Trade Number 05/M-DAG/PER/4/2005 regarding the Provisions of Machine, Machine Equipment, Raw Material, and Optical Disc Import
4.	Textile and Textile Products Import: Recognition as Producing Importer (IP) of Textile and Textile Products	Regulation of the Minister of Trade Number 15/M-DAG/PER/5/2008 regarding the Provisions of Textile and Textile Products Import
5.	Alcohol-contained Beverages Import: Appointment as Registered Importer (IT) of Alcohol-contained Beverages	The Decree of the Minister of Industry and Trade Number 230/MPP/Kep/7/1997 regarding those Goods with Arranged Import Procedure.
6.	Agricultural Equipment and Machinery Import: Appointment as registered Importer (IT) of Agricultural Equipment and Machinery	The Decree of the Minister of Industry and Trade Number 230/MPP/Kep/7/1997 regarding those Goods with Arranged Import Procedure.
7.	Salt Import: a. Appointment as Registered Importer (IT) of Salt; and	Regulation of the Minister of Trade Number 44/M-DAG/PER/10/2007 regarding Amendment on Permendag Number 20/M-



- b. Recognition as Producing Importer (IP) of Iodized and Non-iodized Salts DAG/PER/9/2005 regarding the Provisions of Salt Import.
8. Plastic Import: Recognition as Producing Importer (IP) of Plastics The Decree of the Minister of Industry and Trade Number 230/MPP/Kep/7/1997 regarding those Goods with Arranged Import Procedure.
9. Import of Color Multi-function Machine, Color Photocopy Machine, and Color Printer Regulation of the Minister of Trade Number 15/M-DAG/PER/3/2007 regarding the Provisions of Color Multi-function Machine, Color Photocopy Machine, and Color Printer
- a. Appointment as Registered Importer (IT) of Color Multi-function Machine, Color Photocopy Machine, and Color Printer Color Photocopy Machine, and Color Printer Import.
- b. Approval on the Import of Color Multi-function Machine, Color Photocopy Machine, and Color Printer

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

*signed*

**MARI ELKA PANGESTU**

Copy corresponds with the original



Secretariat General  
Ministry of Trade  
Head of Legal Bureau,

*signed and sealed*

**WIDODO**





ATTACHMENT II OF REGULATION OF THE MINISTER OF TRADE OF THE  
REPUBLIC OF INDONESIA

NUMBER : 12/M-DAG/PER/3/2009

DATED : March 27, 2009

THE DELEGATED AUTHORITY TO ISSUE EXPORTING LICENSES

No	License Type	Legal Base
1.	Coffee export:	Regulation of the Minister of Trade
	a. Stipulation as Registered Exporter of Coffee	Number 27/M-DAG/PER/7/2008 regarding the Provisions of Coffee Export
	b. Approval on coffee export	
2.	Forestry Industrial Products Export:	1. Regulation of the Minister of Trade Number 57/M-DAG/PER/12/2008 regarding the provisions of used capital goods import
	Stipulation as Registered Exporter of Forestry Industrial Products (ETPIK)	2. The Decree of the Minister of Industry and Trade Number 558/MPP/Kep/12/1998 regarding the General Provisions in Export Sector as amended several times lastly by Regulation of the Minister of Trade Number 01/M-DAG/PER/1/2007

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

*signed*

MARI ELKA PANGESTU

Copy corresponds with the original



Secretariat General  
Ministry of Trade  
Head of Legal Bureau,  
*signed and sealed*  
WIDODO



ATTACHMENT III OF REGULATION OF MINISTER OF TRADE OF THE  
REPUBLIC OF INDONESIA

NUMBER : 12/M-DAG/PER/3/2009

DATED : March 27, 2009

IMPORT OF CERTAIN GOODS THAT ARE NOT REQUIRED TO HAVE A  
SPECIAL IMPORTER'S IDENTITY NUMBER (NPIK)

No.	Certain Type of Goods
1.	Corn
2.	Rice
3.	Soybean
4.	Sugar
5.	Textile and Textile Products
6.	Electronic and its Components
7.	Shoes and Other Foot Wears
8.	Children's Toys

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

*signed*

MARI ELKA PANGESTU



Copy corresponds with the original  
Secretariat General  
Ministry of Trade  
Head of Legal Bureau,  
*signed and sealed*  
**WIDODO**

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

FIKRI SAID OBED

