



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

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

**NUMBER 82 OF 2017**

**CONCERNING**

**PROVISIONS FOR THE UTILIZATION OF NATIONAL MARITIME**

**TRANSPORTATION AND INSURANCE**

**FOR EXPORT AND IMPORT OF CERTAIN GOODS**

**BY THE GRACE OF THE ALMIGHTY GOD**

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

- Considering :
- a. that to give chances of transportation and insurance of exported and imported goods for national shipping companies and insurance companies, it is necessary to regulate provisions for the utilization of national maritime transportation and insurance for export and import of certain goods;
  - b. that based on consideration as intended in letter a, it is necessary to stipulate Regulation of the Minister of Trade concerning Provisions for the Utilization of National Maritime Transportation and Insurance for Export and Import of Certain Goods;

- In view of :
1. Law Number 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia Year 1995 Number 75, Supplementary State Gazette of the Republic of Indonesia Number 3612), as amended with Law Number 17 of 2006 concerning Amendment on Law Number 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia of



- 2006 Number 93, Supplementary State Gazette of the Republic of Indonesia Number 4661);
2. Law Number 17 of 2008 concerning Voyage (State Gazette of the Republic of Indonesia of 2008 Number 64, Supplementary 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, Supplementary State Gazette of the Republic of Indonesia Number 4916);
  4. Law Number 7 of 2014 concerning Trade (State Gazette of the Republic of Indonesia of 2014 Number 45, Supplementary State Gazette of the Republic of Indonesia Number 5512);
  5. Law Number 40 of 2014 concerning Insurance System (State Gazette of the Republic of Indonesia of 2014 Number 337, Supplementary State Gazette of the Republic of Indonesia Number 5618);
  6. Governmental Regulation Number 20 of 2010 concerning Foreign Maritime Transportation (State Gazette of the Republic of Indonesia of 2010 Number 26, Supplementary State Gazette of the Republic of Indonesia Number 5108);
  7. Governmental Regulation Number 29 of 2017 concerning Goods Payment Method and Goods Transfer Method in Export and Import Activity (State Gazette of the Republic of Indonesia of 2017 Number 167);
  8. Presidential Regulation Number 7 of 2015 concerning Organization of State Ministry (State Gazette of the Republic of Indonesia of 2015 Number 8);
  9. Presidential Regulation Number 48 of 2015 concerning Trade Ministry (State Gazette of the Republic of Indonesia of 2015 Number 90);
  10. Regulation of the Minister of Trade Number 13/M-DAG/PER/3/2012 concerning General Provisions in the Field of Export (State Gazette of the Republic of Indonesia of 2012 Number 395);
  11. Regulation of the Minister of Trade Number 08/M-DAG/PER/2/2016 concerning Organization and Administration of the Trade Ministry (State Gazette of the Republic of Indonesia of 2016 Number 202);



12. Regulation of the Minister of Trade Number 36/M-DAG/PER/5/2016 concerning Administrative Sanction Imposition Procedure for Exporter and Importer (State Gazette of the Republic of Indonesia of 2016 Number 798);

HAS DECIDED:

To stipulate : REGULATION OF THE MINISTER OF TRADE CONCERNING PROVISIONS FOR THE UTILIZATION OF NATIONAL MARITIME TRANSPORTATION AND INSURANCE FOR EXPORT AND IMPORT OF CERTAIN GOODS.

Article 1

In this Regulation of Minister referred to:

1. Export shall be activity to take Goods out of Customs Area.
2. Import shall be activity to insert goods into customs area.
3. Maritime Transportation shall be transportation activity pursuant to its activity serves maritime transportation activity.
4. Insurance shall be agreement between two parties, namely insurance company and policy holder, to be the bases for premium acceptance by insurance company as repayment to:
  - a. give replacement to the insured or policy holder because of the arising loss, damage, expenses, profit loss, or legal responsibility to the third party that might be suffered by the insured or policy holder for the uncertain incident; or
  - b. give payment which is based on the death of the insured or payment which is based on the insured's life with the amount of benefits stipulated and/or is based on fund management result.
5. National Maritime Transportation Company shall be Indonesian corporate maritime transportation company conducting maritime transportation activity in the territory of Indonesian waters and/or from and to foreign harbor.
6. Insurance System Company shall be insurance company, Islamic insurance company, reinsurance company, Islamic reinsurance



company, insurance broker company, reinsurance broker company, and company for loss appraisal.

7. Coal shall be carbon organic compound sediment which is naturally formed of remaining plants with Tariff Post/HS 27.01, 27.02, 27.03, 27.04, 27.05, 27.06, 27.07, and 27.08.
8. Crude Palm Oil hereinafter referred to CPO shall be crude palm oil obtained from extraction result or pressing process of oil palm flesh and does not experience purifying with Tariff Post/HS 1511.10.00.
9. Rice shall be grains either skinned, not skinned, processed or unprocessed deriving from oryza sativa species with Tariff Post/HS 10.06.
10. Minister shall be the minister administering governmental affairs in the field of trade.
11. Director General shall be Director General of Foreign Trade of the Trade Ministry.

#### Article 2

- (1) Exporter and Importer can use Maritime Transportation controlled by National Maritime Transportation Company and/or Maritime Transportation controlled by foreign maritime transportation company to transport Exported and Imported Goods.
- (2) Exporter and Importer can use Insurance from national Insurance System Company and/or Insurance from foreign Insurance System Company to insure Exported and Imported goods.

#### Article 3

- (1) Exporter that exporting Coal and/or CPO, its freight shall be obliged to use Maritime Transportation controlled by National Maritime Transportation Company.
- (2) Importer that importing Rice, its freight shall be obliged to use Maritime Transportation controlled by National Maritime Transportation Company.



- (3) Importer that importing goods for governmental goods procurement, its freight shall be obliged to use Maritime Transportation controlled by National Maritime Transportation Company.

#### Article 4

- (1) Exporter in insuring Exported goods as intended in Article 3 paragraph (1) shall be obliged to use Insurance from national Insurance Company.
- (2) Importer in insuring Imported goods as intended in Article 3 paragraph (2) and/or paragraph (3) shall be obliged to use Insurance from national Insurance Company.

#### Article 5

- (1) In the case of Maritime Transportation controlled by National Maritime Transportation Company its availability remains limited or unavailable, Exporter and Importer as intended in Article 3 can use Maritime Transportation controlled by National Maritime Transportation Company and/or foreign maritime transportation company.
- (2) In the case of insurance from national Insurance Company its availability remains limited or unavailable, Exporter and Importer as intended in Article 4 can use Insurance from national Insurance Company and/or foreign Insurance Company.

#### Article 6

- (1) Exporter that exporting Coal and/or CPO shall be obliged to deliver report concerning the utilization of Maritime Transportation controlled by National Maritime Transportation Company and/or the utilization of Maritime Transportation controlled by foreign maritime transportation company.
- (2) Importer that importing Rice shall be obliged to deliver report concerning the utilization of Maritime Transportation controlled by National Maritime Transportation Company and/or the utilization of Maritime Transportation controlled by foreign maritime transportation company.
- (3) Importer that importing goods for governmental goods procurement shall be obliged to deliver report concerning the utilization of Maritime



Transportation controlled by National Maritime Transportation Company and/or the utilization of Maritime Transportation controlled by foreign maritime transportation company.

#### Article 7

- (1) Exporter that exporting Coal and/or CPO shall be obliged to deliver report concerning the utilization of Insurance from national Insurance Company and/or Insurance from foreign Insurance Company.
- (2) Importer that importing Rice shall be obliged to deliver report concerning the utilization of Insurance from national Insurance Company and/or the utilization of Insurance from foreign Insurance Company.
- (3) Importer that importing goods for governmental goods procurement shall be obliged to deliver report concerning the utilization of Insurance from national Insurance Company and/or the utilization of Insurance from foreign Insurance Company.

#### Article 8

- (1) Report as intended in Article 6 and Article 7 is delivered to Director General at the latest on 15 of the upcoming month.
- (2) Report as intended in paragraph (1) is delivered electronically through <http://inatrade.kemendag.go.id>.
- (3) Report format for the utilization of Maritime Transportation and National Insurance for Coal and/or CPO Export as intended in Article 6 paragraph (1) and Article 7 paragraph (1) is attached in Appendix I which is inseparable part of this Regulation of Minister.
- (4) Report format for the utilization of Maritime Transportation and Insurance for Rice Import and/or Export for governmental goods procurement as intended in Article 6 paragraph (2) and paragraph (3), and Article 7 paragraph (2) and paragraph (3) is attached in Appendix II which is inseparable part of this Regulation of Minister.

#### Article 9



- (1) Exporter that violating provisions of Article 3 paragraph (1) and/or Article 4 paragraph (1) shall be imposed administrative sanction in the form of license freezing or license revocation.
- (2) Exporter that violating provisions of Article 6 paragraph (1) and/or Article 7 paragraph (1) shall be imposed administrative sanction in the form of written warning, license freezing, or license revocation.
- (3) Importer that violating provisions of Article 3 paragraph (2), paragraph (3), and/or Article 4 paragraph (2) shall be imposed administrative sanction in the form of license freezing or license revocation.
- (4) Importer that violating provisions of Article 6 paragraph (2), Article 6 paragraph (3), Article 7 paragraph (2) and/or Article 7 paragraph (3) shall be imposed administrative sanction in the form of written warning, license freezing, or license revocation.
- (5) Administrative sanction imposition as intended in paragraph (1) to paragraph (4) is conducted in accordance with provisions of laws and legislations.

#### Article 10

- (1) Supervision towards the implementation of the utilization of Maritime Transportation controlled by National Maritime Transportation Company and Insurance from national Insurance Company in Goods Export and Import activity as intended in Article 3 and Article 4 is conducted by Minister, the minister administering governmental affairs in the field of transportation, and the minister administering governmental affairs in the field of finance.
- (2) Supervision as intended in paragraph (1) can be conducted individually or jointly.
- (3) Jointly supervision as intended in paragraph (2) is coordinated by Minister.

#### Article 11

Exception from provisions of this Regulation of Minister is stipulated by Minister after obtaining consideration from minister/head of non ministerial governmental institution/ leader of institution.



Article 12

Technical instruction of the implementation of this Regulation of Minister can be stipulated by Director General.

Article 13

This Regulation of Minister shall come into effect after 6 (six) months as from its stipulation date.

For public cognizance, ordering the promulgation of this Government Regulation in the Official Gazette of the Republic of Indonesia.

Stipulated in Jakarta

on 26 October 2017

THE MINISTER OF TRADE OF RI,

sgd.

ENGGARTIASTO LUKITA

Stipulated in Jakarta

on 31 October 2017

DIRECTOR GENERAL

LAWS AND LEGISLATIONS

THE MINISTRY OF LAW AND HUMAN RIGHTS

THE REPUBLIC OF INDONESIA,

sgd.

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2017 NUMBER 1520

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Secretariat General

The Trade Ministry

Head of Legal Bureau,

M. SYIST





APPENDIX I

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER 82 OF 2017

CONCERNING

PROVISIONS FOR THE UTILIZATION OF NATIONAL MARITIME TRANSPORTATION AND  
INSURANCE FOR EXPORT AND IMPORT OF CERTAIN GOODS

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REPORT FOR THE UTILIZATION OF MARITIME TRANSPORTATION AND INSURANCE FOR COAL AND/OR CPO EXPORTATION

PT/CV .....

MONTH.....

NO.	NO OF PEB BC 3.0	PEB DATE	TARIFF POST/HS, DESCRIPTION, NUMBER & TYPE OF GOODS	NUMBER & TYPE OF UNIT, NET WEIGHT,	FOB/CIF VALUE	NAME OF SHIPPING COMPANY	NAME & FLAG OF TRANSPORTA TION FACILITY (SHIP)	NO OF TRANSPORTA TION (VOYAGE)	FREIGHT	NAME OF INSURANCE COMPANY (DN)	TYPE OF INSURANCE

THE MINISTER OF TRADE OF RI,

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Secretary General

The Ministry of Trade

Head of Legal Bureau,

M. SYIST

sgd.

ENGGARTIASTO LUKITA



APPENDIX II

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER 82 OF 2017

CONCERNING

PROVISIONS FOR THE UTILIZATION OF NATIONAL MARITIME TRANSPORTATION AND  
INSURANCE FOR EXPORT AND IMPORT OF CERTAIN GOODS

REPORT FOR THE UTILIZATION OF MARITIME TRANSPORTATION AND INSURANCE FOR  
RICE IMPORTATION AND/OR IMPORTATION FOR GOVERNMENTAL GOODS PROCUREMENT

PT/CV .....

MONTH.....

NO.	NO OF PIC BC 2.0	PEB DATE	TARIFF POST/HS, DESCRIPTION, NUMBER & TYPE OF GOODS	NUMBER & TYPE OF UNIT, NET WEIGHT,	FOB/CIF VALUE	NAME OF SHIPPING COMPANY	NAME & FLAG OF TRANSPORTA TION FACILITY (SHIP)	NO OF TRANSPORTA TION (VOYAGE)	FREIGHT	NAME OF INSURANCE COMPANY (DN)	TYPE OF INSURANCE

THE MINISTER OF TRADE OF RI,

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Secretary General

The Ministry of Trade

Head of Legal Bureau,

M. SYIST

sgd.

ENGARTIASTO LUKITA

<p>AFFIDAVIT</p> <p>This is to certify that I have translated the foregoing from Indonesian to English, that is true and complete, and I am competent in both languages.</p> <p>Jakarta, February 12, 2018</p> <p></p> <p></p> <p>SOESILO</p> <p>Decree of Governor of DKI Jakarta No. 527/1995</p>
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