



**MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
REGULATION OF THE MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA
NUMBER 02 OF 2018
CONCERNING
DELEGATION OF AUTHORITY FOR THE ISSUANCE OF LICENSE IN THE
TRADE SECTOR TO THE ADMINISTRATOR OF
THE SPECIAL ECONOMIC AREA OF SEI MANGKEI
UPON GRACE OF THE ONE ALMIGHTY GOD**

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that the provision on the delegation of authority to issue the license in the trade sector to the Administrator of the Special Economic Area of Sei Mangkei in the Regulation of the Minister of Trade Number 68/M-DAG/PER/10/2014 concerning the Delegation of Authority to Issue the License in the Trade Sector to the Administrator of the Special Economic Area of Sei Mangkei needs to be adjusted to the legal condition and need;
 - b. That in order to implement the provision of Article 24 letter a of Law Number 39 of 2009 concerning Special Economic Area and the provision of Article 44 paragraph (2) letter a and paragraph (3) of Government Regulation Number 2 of 2011 concerning Special Economic Area Organizer, as has been amended with Government

Regulation Number 100 of 2012 concerning Amendment of Government Regulation Number 2 of 2011 concerning Special Economic Area Organizer, and to support the acceleration of the business development and activities in the Special Economic Area, it is necessary to delegate the authority to issue the license in the trade sector to the Administrator of the Special Economic Area of Sei Mangkei;

- c. that based on the considerations, as meant in letter a and letter b, it is necessary to determine the Regulation of the Minister of Trade concerning the Delegation of Authority to Issue the License in the Trade Sector to the Administrator of the Special Economic Area of Sei Mangkei.

- In view of : 1. Law Number 7 of 1994 concerning Ratification of the 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);
2. Law Number 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia of 1995 Number 75, Supplement to the State Gazette of the Republic of Indonesia of Number 3612), as has been amended with Law Number 17 of 2006 concerning Amendment of Law No. 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia of 2006 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 4661);
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 39 of 2009 concerning Special Economic Area (State Gazette of the Republic of Indonesia of 2009 Number 147, Supplement to the State Gazette of the Republic of Indonesia Number 5066);
5. Law Number 7 of 2014 concerning Trade (State Gazette of the Republic of Indonesia of 2014 Number 45, Supplement to the State Gazette of the Republic of Indonesia Number 5512);
6. Government Regulation Number 2 of 2011 concerning Organizing of the Special Economic Area (State Gazette of the Republic of Indonesia of 2011 Number 3, Supplement to the State Gazette of the Republic of Indonesia Number 5186), as has been amended with Government Regulation Number 100 of 2012 concerning Amendment of Government Regulation Number 2 of 2011 concerning Organizing of the Special Economic Area (State Gazette of the Republic of Indonesia of 2012 Number 263, Supplement to the State Gazette of the Republic of Indonesia Number 5186).;
7. Government Regulation Number 29 of 2012 concerning Special Economic Area of Sei Mangkei (State Gazette of the Republic of Indonesia of 2012 Number 54, Supplement to the State Gazette of the Republic of Indonesia Number 5287);
8. Presidential Regulation Number 97 of 2014 concerning Organizing of the One Door Integrated Service (State Gazette of the Republic of Indonesia of 2014 Number 221);

9. Presidential Regulation Number 33 of 2010 concerning National Council and Special Economic Area Council, as has been amended with the Presidential Regulation Number 124 of 2012 concerning Amendment of the Presidential Regulation Number 33 of 2010 concerning National Council and Special Economic Area Council (State Gazette of the Republic of Indonesia of 2012 Number 289);
10. Presidential Regulation Number 7 of 2016 concerning State Ministry Organization (State Gazette of the Republic of Indonesia of 2015 Number 8);
11. Presidential Regulation Number 48 of 2015 concerning Ministry of Trade (State Gazette of the Republic of Indonesia of 2015 Number 90);
12. 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 DECREED:

To determine : THE REGULATION OF THE MINISTER OF TRADE CONCERNING DELEGATION OF AUTHORITY TO ISSUE THE LICENSE IN THE TRADE SECTOR TO THE ADMINISTRATOR OF THE SPECIAL ECONOMIC AREA OF SEI MANGKEI.

Article 1

The meaning of the following in this Regulation of the Minister is :

1. Special Economic Area of Sei Mangkei, hereinafter referred to as KEK Sei Mangkei, is the Area with certain

boundaries within the jurisdiction of the Unitary State of the Republic of Indonesia, which is determined to organize the economic function and obtains certain facilities.

2. Zone is the area in KEK Sei Mangkei with certain boundaries, which utilization is in accordance with its allocation.
3. Delegation of Authority is the delegation of authority from the higher Agency and/or Government Official to the lower Agency and/or Government Official, where the responsibility and accountability are fully transferred to the receiver of delegation.
4. KEK Sei Mangkei Area Council, hereinafter referred as Area Council is the council that is established at the provincial level in order to assist the National Council in organizing KEK Sei Mangkei.
5. Head of the KEK Sei Mangkei Area Council is hereinafter referred to as Head of Sei Mangkei Special Economic Area Council.
6. KEK Sei Mangkei Administrator, hereinafter referred to as Administrator, is a section of the Area Council that is established in order to assist the Area Council in organizing KEK Sei Mangkei.
7. Head of the KEK Sei Mangkei Administrator, hereinafter referred as Head of Administrator, is the Head of Administrator of the Special Economic Area of Sei Mangkei.
8. Minister is the minister who organizes the administration affairs in the trade sector.

Article 2

KEK Sei Mangkei consists of 3 (three) Zones, namely:

- a. Industrial Zone;
- b. Logistics Zone; and
- c. Tourism Zone.

Article 3

- (1) The Minister delegates the authority to issue the license in the trade sector to the Head of Administrator.
- (2) The license in the trade sector, as meant in paragraph (1), is provided to the business actor who establishes, implements, and develops the trade business activities at KEK Sei Mangkei.

Article 4

- (1) The type of license in the trade sector, as meant in Article 3 paragraph (1), is adjusted to the zone as meant in Article 2.
- (2) The type of license in the trade sector, as meant in Article 3 paragraph (1) and the basis of its arrangement are contained in Appendix 1, which is an inseparable part of this Regulation of the Minister.

Article 5

The implementation of the Delegation of Authority, as meant in Article 3 paragraph (1), is carried out by considering the national interest and based on the provisions of the legislative regulations in the trade sector.

Article 6

- (1) The Administrator should obey the provisions of the norms, standards, procedures and criteria that are contained in the basis of arrangement of the issuance of license as meant in Article 4 paragraph (2) and other

legislative regulations in the trade sector.

- (2) The Head of Administrator is responsible to the Minister for the implementation of authority, as meant in Article 3 paragraph (1).

Article 7

- (1) The Head of Administrator should submit the report of recapitulation on the issuance of license, as meant in Article 4 paragraph (2), to the Minister with copy to the Head of Area Council.
- (2) The report, as meant in paragraph (1), is electronically submitted through <http://inatrade.kemendag.go.id>, every 3 (three) months within not later than the 15th (fifteenth) day of the first month of the following quarter.
- (3) In case the electronically reporting system is not available or not functioning, then the report as meant in paragraph (1) is submitted in the original text form.
- (4) The form of report, as meant in paragraph (1), is contained in Appendix II, which is an inseparable part of this Regulation of the Minister.

Article 8

The Minister carries out the guidance and supervision jointly with the Head of Area Council on the implementation of the authority to issue the license in the trade sector by the Administrator.

Article 9

The Administrator that does not implement the obligation, as meant in Article 7, is considered not capable to implement the authority that has been delegated.

Article 10

The authority, as meant in Article 3 paragraph (1), may be withdrawn by the Minister, partially or entirely, if:

- a. The Administrator proposes to withdraw his authority partially or entirely;
- b. The Administrator is valued as not capable to implement the authority that has been delegated;
- c. The Area Council proposes to withdraw the authority partially or entirely; and/or
- d. The Administrator cannot implement the authority due to the amendment of the legislative regulation in the trade sector that is the authority of the Minister.

Article 11

In the framework of the effectiveness of organizing the issuance of license in the trade sector by the Administrator, the Minister may appoint the liaison with the Administrator.

Article 12

In case of any amendment of the basis of arrangement that is contained in Appendix I, which is an inseparable part of this Regulation of the Minister, then the provision for the issuance of license follows the new basis of arrangement.

Article 13

At the time this Regulation of the Minister commences applicable, the license in the trade sector that has been issued to the business actor who is domiciled and carries out the business activities at KEK Sei Mangkei based on the Regulation of the Minister of Trade Number 68/M-DAG/PER/10/2014 concerning Delegation of Authority to Issue the License in the Trade Sector to the Administrator of the Special Economic Area of Sei Mangkei (State Gazette of the

Republic of Indonesia of 2014 Number 1525), is declared still applicable until the expiration of its validity term.

Article 14

At the time this Regulation of the Minister commences applicable, the Regulation of the Minister of Trade Number 68/M-DAG/PER/10/2014 concerning Delegation of Authority to Issue the License in the Trade Sector to the Administrator of the Special Economic Area of Sei Mangkei (State Gazette of the Republic of Indonesia of 2014 Number 1525), is revoked and declared not applicable.

Article 15

This Regulation of the Minister commences applicable 30 (thirty) days as of the date of enactment.

For public cognizance, it is instructed to promulgate this Regulation of Minister by inserting the same in the State Gazette of the Republic of Indonesia.

Stipulated in : Jakarta
On : 5 January 2018

MINISTER TRADE OF REPUBLIC OF INDONESIA,

signed

ENGGARTIASTO LUKITA

Enacted in Jakarta
On : 11 January 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 61

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Secretariat General
Ministry of Trade
Head of Legal Bureau,
signed and sealed
SRI HARTATI

APPENDIX I

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

NUMBER 02 OF 2018

CONCERNING

**DELEGATION OF AUTHORITY TO ISSUE THE LICENSE IN THE TRADE
SECTOR TO THE ADMINISTRATOR OF THE SPECIAL ECONOMIC AREA
OF SEI MANGKEI.**

**TYPE OF LICENSE IN THE TRADE SECTOR THAT IS DELEGATED TO THE
ADMINISTRATOR OF THE SPECIAL ECONOMIC AREA OF SEI MANGKEI**

No.	TYPE OF LICENSE	LEGAL BASIS
1.	Producer Importer Identity Number (API-P)	Regulation of the Minister of Trade Number 70/M-DAG/PER/9/2015 concerning Importer Identity Number
2.	Approval for Import of Iron or Steel, Alloy Steel, and their Derivative Products	As has been amended several times and latest with the Regulation of the Minister of Trade Number 71/M-DAG/PER/9/2017 concerning Second Amendment of the Regulation of the Minister of Trade Number 82/M-DAG/PER/12/2016 concerning Provisions for Import of Iron or Steel, Alloy Steel and their Derivative Products.
3.	Approval for Import of Capital Goods in Not New Condition	Regulation of the Minister of Trade Number 127/M-DAG/PER/12/2015 concerning Provisions for Import of Capital Goods in Not New Condition.
4.	Approval for Import of Oil and Gas	Regulation of the Minister of Trade Number 03/M-DAG/PER/1/2015 concerning Export and Import of Oil,

		Gas, and Other Fuel.
5.	Approval for Import of the Ozone Depleting Substances (BPO)	Regulation of the Minister of Trade Number 83/M-DAG/PER/10/2015 concerning Provisions for Import of Ozone Depleting Substances.
6.	Producer Importer for Chloro-3, 5-Dimethylphenol (IP-PCMX)	Decree of the Minister of Industry and Trade Number 417/MPP/Kep/6/2003 concerning Amendment of the Decree of the Minister of Industry and Trade Number 230/MPP/Kep/7/1997 concerning Goods Which Import Trade Order is Regulated.
7.	Producer Importer of Hazardous Materials (IP-B2)	As has been amended several times and latest with the Regulation of the Minister of Trade Number 75/M-DAG/PER/10/2014 concerning Second Amendment of the Regulation of the Minister of Trade Number 44/M-DAG/PER/9/2016 concerning Procurement, Distribution and Control of Hazardous Materials.

MINISTER TRADE OF REPUBLIC OF INDONESIA,

signed

ENGGARTIASTO LUKITA

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Secretariat General
Ministry of Trade
Head of Legal Bureau,

signed and sealed

SRI HARTATI

APPENDIX II
REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF
INDONESIA
NUMBER 02 OF 2018
CONCERNING
DELEGATION OF AUTHORITY TO ISSUE THE LICENSE IN THE TRADE
SECTOR TO THE ADMINISTRATOR OF THE SPECIAL ECONOMIC AREA OF
SEI MANGKEI.

REPORT ON THE REALIZATION OF THE LICENSE ISSUANCE						
No.	DATE OF ISSUANCE	NAME OF COMPANY	TYPE OF LICENSE	TARIFF POST	ALLOCATION	REMARKS

....., date

Head of Administrator
Special Economic Area of Sei Mangkei

Signature and seal
(Clear Name)

MINISTER TRADE OF REPUBLIC OF INDONESIA,
signed

ENGGARTIASTO LUKITA

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Secretariat General

Ministry of Trade

Head of Legal Bureau,

signed and sealed

SRI HARTATI

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, June 25, 2019