
AUTHORIZED TRANSLATION



**MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
REGULATION OF THE MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA
NUMBER 44/M-DAG/PER/7/2014
CONCERNING
PROVISIONS OF TIN EXPORT**

**UPON BLESSINGS OF THE ONLY GOD
THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,**

Considering : a. That in the framework of creating the legal certainty, conducive business climate, supporting the fluency of tin export, fulfillment of the tin standard material need for the domestic industry, improvement of the added value and competitiveness as well as control on tin export, it is necessary to deregulate the provisions of tin export;

b. That base don the consideration, as meant in letter a, it is necessary to determine the Regulation of the Minister of Trade concerning Provisions of Tin Export.

In view of : 1. Law Number 7 of 1994 concerning the 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 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);
3. Law Number 32 of 1997 concerning Commodity Trade (State Gazette of the Republic of Indonesia of 1997 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 3720), as has been amended with Law Number 10 of 2011 (State Gazette of the Republic of Indonesia of 2011 Number 79, Supplement to the State Gazette of the Republic of Indonesia Number 5232);
 4. 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);
 5. Law Number 4 of 2009 concerning Mineral and Coal Mining (State Gazette of the Republic of Indonesia of 2009 Number 4, Supplement to the State Gazette of the Republic of Indonesia Number 4959);
 6. Law Number 32 of 2009 concerning Environmental 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 5059);
 7. Law Number 3 of 2014 concerning Industry (State Gazette of the Republic of Indonesia of 2014 Number 4, Supplement to the State Gazette of the Republic of Indonesia Number 5492);
 8. 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);
 9. Government Regulation Number 1 of 1982 concerning

- Implementation of Foreign Exchange Export, Import and 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 has been amended with the Government Regulation 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);
10. Government Regulation Number 22 of 2010 concerning Mining Area (State Gazette of the Republic of Indonesia of 2010 Number 28, Supplement to the State Gazette of the Republic of Indonesia Number 5110);
 11. Government Regulation Number 23 of 2010 concerning Implementation of Mineral and Coal Mining Business Activities (State Gazette of the Republic of Indonesia of 2010 Number 29, Supplement to the State Gazette of the Republic of Indonesia Number 5111), as has been amended several times and latest with the Government Regulation Number 1 of 2014 (State Gazette of the Republic of Indonesia of 2014 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 5489);
 12. Government Regulation Number 55 of 2010 concerning Guidance and Control on the Implementation of Mineral and Coal Mining Business Activities Management (State Gazette of the Republic of Indonesia of 2010 Number 85, Supplement to the State Gazette of the Republic of Indonesia Number 5142);
 13. Government Regulation Number 9 of 2012 concerning Type and Tariff on Type of Non Tax State Revenue that Apply at the Ministry of Energy and Mineral Resources (State Gazette of the Republic of Indonesia of 2012 Number 16, Supplement to the State Gazette of the Republic of Indonesia Number 5276);

14. Presidential Regulation Number 10 of 2008 concerning Use of Electronic System in the framework of Indonesia National Single Windows;
15. Presidential Decree Number 84/P of 2009 concerning Formation of the United Indonesia Cabinet II as has been amended with the Presidential Decree Number 8P of 2014;
16. Presidential Regulation Number 47 of 2009 concerning Formation and Organization of the State Ministry, as has been amended several times and latest with Presidential Regulation Number 13 of 2014;
17. 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 14 of 2014 (State Gazette of the Republic of Indonesia of 2014 Number 25);
18. Regulation of the Minister of Finances Number 145/PMK.04/2007 concerning Customs Provision in the Export Sector, as has been amended with the Regulation of the Minister of Finances Number 148/PMK.04/2011;
19. Regulation of the Minister of Trade Number 28/M-DAG/PER/6/2009 concerning Provisions for Service of Export and Import Licensing with the Electronic System through INATRADE in the Framework of Indonesia National Single Window;
20. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2010 concerning Organization and Work System of the Ministry of Trade, as has been amended with the Regulation of the Minister of Trade Number 57/M-DAG/PER/8/2012;
21. Regulation of the Minister of Trade Number 13/M-DAG/PER/3/2012 concerning General Provisions in the

Export.

HAS DECREED:

To enact : **REGULATION OF THE MINISTER OF TRADE CONCERNING PROVISIONS OF TIN EXPORT**

Article 1

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

1. Tin is a silvery white metal with low hardness, specific gravity of 7.3 g/cm³ and has a heat and electricity conductive characteristic.
2. Tin Ore is unpurified Tin and is still in ore form or Tin concentrate sand.
3. Pure Tin Bar is pure Tin with the contents of Stannum (Sn) of minimum 99.9% which is the product of the Tin Ore processing and refinery activity by the Smelter.
4. Non Bar White Tin is pure Tin with minimum Stannum (Sn) contents of 99.93% in form of other than bar or in other forms with Pure Tin Bar standard material.
5. Solder Tin is alloy Tin with Stannum (Sn) contents of maximum 99.7% in bar form or other forms that is used to solder or weld.
6. Non Solder Alloy Tin is alloy Tin with maximum Stannum (Sn) contents of 96% in bar form or other forms that is not used to solder or weld.
7. Tin export is the activity of taking out Tin from the customs area.
8. The Pure Tin Bar Registered Exporter, hereinafter referred to as ET-Pure Tin Bar, is the company that has obtained the recognition to carry out the Export of Pure Tin Bar.
9. The Industry Tin Registered Exporter, hereinafter referred to as ET-Industry Tin, is the company that has obtained the recognition to carry out the Export of Non Bar Pure Tin,

Solder Tin and/or Non Solder Alloy Tin.

10. The Mining Business License, hereinafter abbreviated IUP, is the license to implement the mining business.
11. The Production Operation Mining Business License, hereinafter referred to as IUP Operation Production, is the business license provided after completing the implementation of the IUP Exploration in order to implement the production operation activity phase.
12. The People's Mining License, hereinafter abbreviated IPR (Izin Pertambangan Rakyat) is the license used to carry out the mining business in the people's mining area with limited area extent and investment.
13. The Production Operation Special Mining Business License, hereinafter referred to as Production Operation IUPK, is the business license provided after completing the implementation of the Exploration IUPK in order to carry out the production operation activity phase in the special mining business license area.
14. The Special Production Operation Mining Business License for transportation and sales, hereinafter referred to as Special Production Operation IUP for transportation and sales, is the business license provided to the company in order to buy, transport and sell mineral mine or coal commodities.
15. The Special Production Operation Mining Business License for processing and/or refinery, hereinafter referred to as Special Production Operation IUP for processing and/or refinery, is the business license provided to the company for buying, transporting, processing and refining including selling mineral mining or coal processing product commodities.
16. Work Contract, hereinafter referred to as KK (Kontrak Karya), is the agreement between the Government of the Republic of Indonesia and the Indonesian legal entity in the framework of Foreign Investment in order to implement the mineral mining

- business, not including oil, natural gas, geothermal energy, radioactive and coal.
17. The Industrial Business License, hereinafter abbreviated IUI, is the business license provided to the company to implement the Tin processing industry business activities.
 18. The Cooperation Agreement is the agreement containing the consensus between the Production Operation IUP and the holder of the Special Production Operation IUP for the processing and/or refinery, and/or Special Operation IUP for transportation and sales and the IUP holder, which is legalized by the issuing official according to his/her authority.
 19. Smelter is the location of Tin Ore processing and refinery activities.
 20. Tin Stock Exchange is the international tin market in Indonesia, which is an organized market and part of the stock exchange.
 21. Verification or Technical Tracing is the investigation and examination of exported goods carried out by the Surveyor.
 22. Surveyor is the survey company that obtains the authority to carry out the Verification and Technical Tracing on Tin Export.
 23. The Indonesia National Single Window, hereinafter abbreviated INSW, is the Indonesian national system that enables the implementation of the single submission of data and information, single and synchronous submission of data and information, and single decision-making for customs release and clearance of cargoes).
 24. The INSW Portal is the system that will make the information integration related to the process of customs document handling and release of cargoes, which ensures the data and information security and automatically combines the inter internal system information flow and process, which includes the systems of customs, licensing, seaport/airport affairs, and

other systems related to the process of customs document handling and release of cargoes.

25. Mandatory Port is the port determined as the port to fully apply the export National Single Window (NSW).
26. Minister is the minister who organizes the administration affairs in the trade sector.
27. Director General is the Director General of Foreign Trade, Ministry of Trade.

Article 2

Tin, which export is limited, includes Pure Tin Bar, Pure Tin Non Bar, Solder Tin, and Non Solder Alloy Tin, as contained in Appendix I, which is an inseparable part of this Regulation of the Minister.

Article 3

- (1) Tin, as meant in Article 2, may be exported if the technical requirements have been fulfilled, as contained in Appendix II, which is an inseparable part of this Regulation of the Minister.
- (2) Tin that does not comply with the technical requirements, as meant in paragraph (1), is prohibited to be exported.

Article 4

- (1) The Pure Tin Bar, as meant in Article 2, may be exported if the following provisions have been complied:
 - a. Using the Tin Ore standard material originating from the holder of the IUP Production Operation, IPR, IUPK Production Operation and/or KK; and
 - b. Has been completed with the evidence of payment settlement of the production contribution/royalty.
- (2) Non Bar Pure Tin may be exported if the following provisions have been complied:
 - a. Using the Pure Tin Bar Standard material originating

- from IUP; and
- b. Has been completed with the photocopy of the payment settlement evidence of the production contribution/royalty of the Tin standard material that has been used.
- (3) The Solder Tin and Non Solder Alloy Tin may be exported if the following provisions have been fulfilled:
- a. In case of using the Pure Tin Bar standard material as result of the Tin Ore processing and refinery activity by the domestic Smelter, then such Pure Tin Bar should originate from the IUP; and
 - b. Has been completed with the photocopy of the payment settlement evidence of the production contribution/royalty of the Tin standard material that has been used.

Article 5

- (1) The Pure Tin Bar, as meant in Article 2, may only be exported by the company that has obtained the recognition as ET-Pure Tin Bar from the Director General.
- (2) Non Bar Pure Tin, Solder Tin and/or Non Solder Alloy Tin, as meant in Article 2, may only be exported by the company that has obtained the recognition as ET-Industry Tin from the Director General.
- (3) Each company may only have one type of recognition as registered Tin exporter, namely the recognition as meant paragraph (1) or the recognition as ET-Industry Tin as meant in paragraph (2).

Article 6

Tin that is exported by the ET-Pure Tin, as meant in Article 5 paragraph (1), is processed from Tin Ore originating from own IUP and/or cooperation, as contained in the letter of recognition as the ET-Pure Tin Bar.

Article 7

- (1) In order to obtain the recognition as ET-Pure Tin Bar, as meant in Article 5 paragraph (1), the company should submit the written request to the Director General by attaching the following requirements:
 - a. Photocopy of the Production Operation IUP, photocopy of IPR, photocopy of Production Operation IUPK, photocopy of KK, photocopy of Special Production Operation IUP for transportation and sales;
 - b. Photocopy of the Company Registration Identity (TDP);
 - c. Photocopy of the Taxpayer Identity Number (NPWP);
 - d. Photocopy of Cooperation Agreement with the Production Operation IUP, IPR and/or Special Operation Production IUP for transportation and sales for holder of the Special Production Operation IUP for processing and refinery, which is legalized by the license issuing official;
 - e. Photocopy of the Cooperation Agreement with the Production Operation IUP and/or IPR for holder of the Special Production Operation IUP for transportation and sales, which is legalized by license issuing official; and
 - f. Original recommendation from the Governor of the Tin producing Province.
- (2) In order to obtain the recognition as ET-Industry Tin, as meant in Article 5 paragraph (2), the company should submit the written request to the Director General by attaching:
 - a. Photocopy of the Industry Business License (IUI);
 - b. Photocopy of the Company Registration Identity (TDP);
 - c. Photocopy of the Taxpayer Identity Number (NPWP);
and
 - d. Original recommendations from:
 - 1) Director General of Manufacture Industry Basis,

Ministry of Industry, for companies in possession of the IUI issued by the central government, or

- 2) Governor for companies in possession of the IUI issued by the local government.
- (3) The Director General may assign the official of the Ministry of Trade to carry out the field inspection, in order to find out the suitability between the consumer and the field condition.
- (4) The inspection, as meant in paragraph (3), is carried out maximum 3 (three) working days as of the date the request is received completely.

Article 8

- (1) The Director General issues the recognition as ET-Pure Tin Bar and ET-Industry Tin not later than 5 (five) working days effective as of the date of the request, as meant in Article 7 paragraph (1) and paragraph (2), has been completely and correctly received.
- (2) In case the request, as meant in Article 7 paragraph (1) and paragraph (2) is incomplete and incorrect, then the Director General submits the rejection for issuance of the recognition as ET-Pure Tin Bar and ET-Industry Tin not later than 5 (five) working days accompanied by the reason for rejection.
- (3) The recognition as ET-Pure Tin Bar and ET-Industry Tin, as meant in paragraph (1), applies for 3 (three) years.
- (4) The form of recognition as ET-Pure Tin Bar and ET-Industry Tin, as meant in paragraph (1), is contained in Appendix III, which is an inseparable part of this Regulation of the Minister.

Article 9

- (1) In case the recognition as ET-Pure Tin Bar and ET-Industry Tin, which validity term will expire as meant in Article 8 paragraph (3), then the company may submit the request for a new recognition as ET-Pure Tin Bar and ET-Industry Tin.

- (2) The request as ET-Pure TIN Bar and ET-Industry Tin, as meant in paragraph (1), follows the provision for request as meant in Article 7 paragraph (1) and paragraph (2).

Article 10

For each amendment of the Tin IUP area in form of reduction or addition of the Tin IUP, the ET-Pure Tin Bar should submit the request for amendment of the ET-Pure Tin Bar in writing to the Director General by attaching the following documents:

- a. Original Recommendation from the Governor of the Tin producing Province;
- b. Photocopy of IUP that has been legalized by the competent official in case such IUP area is self owned; and/or
- c. Photocopy of the Cooperation Agreement and photocopy of the other party's IUP that has been legalized by the competent official, in case such IUP area is owned by the other party.

Article 11

1. For each amendment of the company data, which is contained in the recognition as ET-Pure Tin Bar and ET-Industry Tin, the owner of ET-Pure Tin Bar and ET-Industry Tin should submit the request for amendment of the ET-Pure Tin Bar and ET-Industry Tin not later than 30 (thirty) days as of the date of such data amendment.
2. The request for amendment of the ET-Pure Tin Bar and ET-Industry Tin, as meant in paragraph (1), is submitted in writing to the Director General by attaching:
 - a. Original document of recognition as ET-Pure Tin Bar and ET-Industry Tin; and
 - b. Photocopy of document as meant in Article 7 paragraph (1) and paragraph (2), which is amended and legalized by the competent official.

Article 12

- (1) The Pure Tin Bar, as meant in Article 2, should be traded through the Tin Stock Exchange before being exported.
- (2) The Tin that is traded through the Tin Stock Exchange, as meant in paragraph (1), should originate from the ET-Pure Tin Bar.
- (3) Tin that is obtained from trade through the Tin Stock Exchange, as meant in paragraph (1), may only be exported by the ET-Pure Tin Bar, as meant in Article 5 paragraph (1).
- (4) With regard to the ET-Pure Tin Bar that has made the Tin transaction at the Tin Stock Exchange but its recognition as ET-Pure Tin Bar is frozen or withdrawn, then the Tin, as meant in paragraph (1), may be exported by the ET-Pure Tin Bar appointed by the Director General by considering the proposal from the Tin Sock Exchange.

Article 13

The price of Tin at the time the transaction of Tin is made at the Tin Stock Exchange may be used as the calculation basis of the production contribution/royalty.

Article 14

- (1) The Verification or Technical Tracing should be carried out on Tin, as meant in Article 2, which will be exported, prior to the loading of goods.
- (2) The Verification or Technical Tracing, as meant in paragraph (1), is carried out by the Surveyor determined by the Minister.
- (3) The Minister delegates the authority to determine the Surveyor, as meant in paragraph (2), to the Director General.
- (4) The Director General issues the determination as Surveyor, as meant in paragraph (2), for and on behalf of the Minister.

Article 15

- (1) In order to be determined as the Verification or Technical Tracing executive, the Surveyor, as meant in Article 14 paragraph (2), should comply with the following requirements:
 - a. In possession of the Survey Service Business License (SIUJS);
 - b. Has the experience in conducting the Verification or Technical Tracing of minimum 5 (five) years;
 - c. Has branch/representative offices in areas with Tin potential in accordance with the type proposed as its scope of work;
 - d. Has certified experts as verifier, drafter, laboratory analyst and geologist;
 - e. Has minimum 1 (one) laboratory accredited by the National Accreditation Committee (KAN) with complete equipments according to the Tin product scope;
 - f. Has in its work area minimum 1 (one) laboratory with complete equipments, which is self owned and/or in cooperation with another laboratory in accordance with the Tin product scope; and
 - g. Has good track records regarding the Verification and Technical Tracing activities management in the export sector.
- (2) In order to determined as the Verification or Technical \tracing executive, the Surveyor, as meant in Article 14 paragraph (2), should submit the written request to the Director General by attaching:
 - a. Photocopy of the Survey Service Business License (SIUJS);
 - b. Photocopy of the Company Registration Identity (TDP);
 - c. Photocopy of the Taxpayer Identity Number (NPWP);
 - d. Information of the work area of the company, at least

- containing the addresses of the head office, branch/representative offices and location of laboratory;
- e. Information on type of Tin in the work area;
 - f. Information on type of Tin verified before;
 - g. List of expert completed with the Curriculum Vitae (CV) and their work locations by using the form as contained in Appendix IVa and Appendix IVb, which are inseparable parts of this Regulation of the Minister;
 - h. Evidence on ownership of laboratory, as meant in paragraph (1) letter e;
 - i. Evidence of cooperation on the utilization of laboratory, as meant in paragraph (1) letter f, in case of any cooperation of laboratory utilization;
 - j. List of complete laboratory equipments according to the scope of Tin Product by using the form as contained in Appendix V, which is an inseparable part of this Regulation of the Minister; and
 - k. List of names of the LS signatory officials, samples of signatures and sample of the company seal by using the form as contained in Appendix VI, which is an inseparable part of this Regulation of the Minister.
- (3) In case the laboratory, as meant in paragraph (1) letter e, is not accredited yet by KAN, then such laboratory may be used for testing of Tin quality by showing the original receipt of the document delivery minutes from KAN including the initial check list.
- (4) The laboratory, as meant in paragraph (3) may be used for testing of Tin quality until 31 December 2016.

Article 16

- (1) In order to be able to carry out the Verification or Technical Tracing, the ET-Pure Tin Bar and ET-Industry Tin should

submit the request for the Verification or Technical Tracing to the Surveyor.

- (2) The Verification or Technical Tracing carried out by the Surveyor, as meant in paragraph (1), includes the:
 - a. Investigation and examination on the data or information concerning the administration legality and in area of origin;
 - b. Type, specification, and Tariff Post/HS through the qualitative and quantitative analysis at the laboratory;
 - c. Amount of Tin; and
 - d. Date of shipment and port of loading.
- (3) The export Verification or Technical Tracing of Pure Tin Bar covers the minimum data or information on the:
 - a. Origin of Tin Ore, which is the Tin standard material;
 - b. Tin Ore at the Smelter as the standard material reserve, and Tin Ore, which is in the processing and refinery process at the Smelter, at the time the Verification or Technical Tracing is carried out;
 - c. Contents of Tin metal (Stannum/Sn) and contamination element;
 - d. Dimension of size, weight, form and packing;
 - e. Amount, type of Tin, and Tariff Post/HS number;
 - f. Evidence of Pure Tin Bar purchase at the Tin Stock Exchange;
 - g. Date of shipment;
 - h. Port of loading;
 - i. Country and port of export destination;
 - j. Payment evidence of production contribution/royalty related to the total amount of exported Tin;
 - k. Tin reserve owned by the ET-Pure Tin and Bar; and
 - l. The Annual Work Plan and Budget (RKAB or Rencana Kerja dan Anggaran Belanja), which is legalized by the local Mining Office, covers the Tin Ore reserve balance

sheet, Tin Ore sales plan, Tin sales plan and balance of Tin Ore reserve.

- (4) The export Verification or Technical Tracing of Non Bar Pure Tin, Solder Tin, and Non Solder Alloy Tin, covers the minimum data or information on the:
 - a. Contents of Tin metal (Stannum/Sn), contamination element and/or additional elements;
 - b. Dimension of size, weight and form;
 - c. Amount, type and Tariff Post/HS number;
 - d. Packing and marking;
 - e. Date of shipment;
 - f. Port of loading;
 - g. Country and port of export destination;
 - h. Evidence of Pure Tin Bar purchase; and
 - i. Payment evidence of production contribution/royalty of tin standard material.

Article 17

- (1) The result of Verification or Technical Tracing carried out by the Surveyor, as meant in Article 16 paragraph (3) and paragraph (4), is entered into the form of Surveyor Report (LS).
- (2) The issuance of LS by the Surveyor should be not later than 1 (one) after inspecting the loading of goods.
- (3) The LS is used as the customs complimentary document required for registration of the Notification of Goods Export (PEB).
- (4) The LS, which is issued by the Surveyor may only be used for 1 (one) time shipment.
- (5) The cost incurred for the implementation of the Tin Export Verification or Technical Tracing, carried out by the Surveyor is charged to the state budget.
- (6) In case the cost needed to implement the Verification or

Technical Tracing, as meant in paragraph (5), is not available yet, then such cost is charged to the ET-Pure Tin Bar and ET-Industry Tin based on the benefit principle.

Article 18

- (1) The ET-Pure Tin Bar and ET-Industry Tin should monthly submit the Tin Export realization report to the Director General, in this case the Director of Industrial and Mining Product Export with copies to:
 - a. Director General of Mineral and Coal, Ministry of Energy and Mineral Resources, in this case the Director of Mineral Development Guidance, Head of the Commodity Trade Control, in this case Head of the Bureau of Market Analysis, and the local Governor, in this case Head of the Provincial Office responsible for the trade of ET-Pure Tin Bar; and
 - b. Director General of Manufacture Industry Basis, Ministry of Industry, in this case the Director of Metal Based Material Industry, and the local Governor, in this case Head of the Provincial Office responsible for the ET-Industry Tin trade sector.
- (2) The Report, as meant in paragraph (1) is submitted not later than the 15th day of the following month.
- (3) The submission of the Tin Export realization report by the ET-Pure Tin Bar and ET-Industry Tin is conducted through <http://inatrade.kemendag.go.id>.
- (4) The form of the Tin Export realization report, as meant in paragraph (1), is contained in Appendix VII, which is an inseparable part of this Regulation of the Minister.

Article 19

- (1) The Surveyor should submit the LS, as meant in Article 17 paragraph (1) through <http://inatrade.kemendag.go.id>.

- (2) In case <http://inatrade.kemendag.go.id>, as meant in paragraph (1) is not functioning due to force majeure, then the LS is manually submitted to the INSW Portal.
- (3) The Surveyor, who issues the LS at the Mandatory Port, should submit the LS immediately after the issuance of such LS.
- (4) The Surveyor who issues the LS at the port other than the Mandatory Port should submit the LS, as meant in Article 17 paragraph (1), not later than 1 (one) week after the issuance.
- (5) The Surveyor is responsible for each LS that has been issued.

Article 20

- (1) The Surveyor should monthly submit the written report on the Verification or Technical Tracing activities not later than the 15th day of the following month to the Director General, in this case the Director of Industrial and Mining Products Export with copies to:
 - a. Director General of Mineral and Coal, Ministry of Energy and Mineral Resources, in this case the Director of Mineral Undertaking Guidance, and the local Governor, in this case Head of the Provincial Office responsible in the trade sector for the Verification or Technical Tracing of Pure Tin Bar; and
 - b. Director General of Manufacture Industry Basis, Ministry of Industry, in this case the Director of Metal Based Material Industry, and the local Governor, in this case Head of the Provincial Office responsible in the trade sector for the Verification and Technical Tracing of Non Bar Pure Tin, Solder Tin, and Non Solder Alloy Tin.
- (2) The Surveyor should monthly submit the LS recapitulation not later than the 15th day of the following month to the Director General, in this case the Director of Industrial and Mining

Products Export.

- (3) The form of LS recapitulation, as meant in paragraph (2), is contained in Appendix VIII, which is an inseparable part of this Regulation of the Minister.

Article 21

- (1) The recognition as ET-Pure Tin Bar and ET-Industry Tin is frozen if the company and/or management of the company\;
- a. Does not carry out the obligation as meant in Article 10 and/or Article 11;
 - b. Does not implement the obligation as meant in Article 18 paragraph (1) for 2 (two) times;
 - c. In investigation for the criminal act related to the misuse of recognition as ET-Pure Tin Bar and ET-Industry Tin; and/or
 - d. Does not implement the Tin Export activities within the period of 6 (six) successively months.
- (2) The recognition as ET-Pure Tin Bar and ET-Industry Tin, which has been frozen, may be reactivated in case the company and/or management of the company:
- a. Had carried out the obligation, as meant in Article 10 and/or Article 11, within the period of 30 (thirty) days as of the date of freezing;
 - b. Has carried out the obligation, as meant in Article 18 paragraph (1) within the period of 30 (thirty) days as of the date of freezing;
 - c. The warrant has been issued for ceasing of investigation by the investigator; and/or
 - d. Is declared not guilty or is exempted from all legal claims based on the court verdict that has permanent legal power.
- (3) The recognition as ET-Pure Tin Bar and ET-Industry Tin is withdrawn in case the company and/or management of the

company:

- a. Exports Tin not according to the technical requirements as meant in Article 3 paragraph (2);
 - b. Does not carry out the obligation, as meant in Article 10 and/or Article 11, within the period of 30 (thirty) days as of the date of freezing;
 - c. Is proven as exporting Pure Tin Bar not traded through the Tin Stock Exchange, as meant in Article 12 paragraph (1);
 - d. Does not carry out the obligation, as meant in Article 18 paragraph (1), within the period of 30 (thirty) days as of the date of freezing;
 - e. Is proven as submitting incorrect information or data at the time of submitting the request for recognition as ET-Pure Tin Bar and ET-Industry Tin;
 - f. Submits incorrect data and information on the origin of Tin Ore for the ET-Pure Tin Bar or origin of Tin standard material for the ET-Industry Tin;
 - g. Is declared guilty by the court for the violation of and criminal act related to misuse of recognition as ET-Pure Tin Bar and ET-Industry Tin based on the permanent legal power; and/or
 - h. Has experienced 2 (two) times freezing of recognition as ET-Pure Tin Bar and ET-Industry Tin and complies with the reason for refreezing.
- (4) The freezing, reactivation, and withdrawal of recognition as ET-Pure Tin Bar and ET-Industry Tin, as meant in paragraph (1), paragraph (2), and paragraph (3) is carried out by the Director General.

Article 22

The determination as the Verification or Technical Tracing executive is withdrawn in case the Surveyor:

- a. Does not implement the obligation as meant in Article 19 and/or Article 20 for 2 (two) times;
- b. LS is not published within a period of six (6) consecutive months;
- c. Issues the LS for goods that are prohibited to be exported;
- d. Issues the LS that is not in accordance with the classification and specification of goods proposed to be exported; and/or
- e. Issues the LS not accompanied by the document of origin of Tin Ore, which is the Tin standard material as meant in Article 16 paragraph (3) letter a.

Article 23

In addition to being imposed the sanction, as meant in Article 21 paragraph (1) and paragraph (3) and Article 22, the violation on the provisions in this regulation may also be imposed other sanctions based on the provisions of the legislative regulations.

Article 24

Technical instructions for the implementation of this Regulation of the Minister may be determined by the Director General.

Article 25

- (1) The recognition as ET-Tin, which is issued based on the Regulation of the Minister of Trade Number 78/M-DAG/PER/2/2012 concerning the Provisions for Tin Export, as has been amended with the Regulation of the Minister of Trade Number 32/M-DAG/PER/6/2013, is declared still applicable until expiration of the validity term.
- (2) The recognition as ET-Tin, as meant in paragraph (1), is treated equal as the ET-Pure Tin Bar and/or ET-Industry Tin in accordance with the type of the exported Tin, as regulated in this Regulation of the Minister.

Article 26

The recognition as ET-Tin, as meant in Article 25 paragraph (1), should be renewed and adjusted to the provisions in this Regulation of the Minister not later than 1 March 2015.

Article 27

At the time this Regulation of the Minister commences applicable, the Regulation of the Minister of Trade Number 78/M-DAG/PER/12/2012 concerning Provisions of Tin Export, as has been amended with the Regulation of the Minister of Trade Number 32/M-DAG/PER/6/2013, is withdrawn and declared inapplicable.

Article 28

This Regulation of the Minister commences applicable on 1 November 2014.

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 24 July 2014

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

signed

MUHAMMAD LUTFI

Copy conforms to the original

Secretariat General

Ministry of Trade

Head of Legal Bureau,

signed and sealed

LASMININGSIH