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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 10/M-DAG/PER/1/2015**

**CONCERNING**

**AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE NUMBER  
96/M-DAG/PER/12/2014 CONCERNING THE DELEGATION OF AUTHORITY TO  
ISSUE THE INVESTMENT LICENSE IN THE TRADE SECTOR TO THE HEAD  
OF THE INVESTMENT COORDINATION AGENCY IN THE FRAMEWORK  
OF IMPLEMENTING THE ONE DOOR INTEGRATED SERVICE**

**UPON GRACE OF THE ONLY GOD**

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

Considering : a. that in order to support the issuance of the investment license in the trade sector through the One Door Integrated Service, it is necessary to amend several provisions of the Regulation of the Minister of Trade Number 96/M-DAG/PER/12/2014 concerning the Delegation of Authority to Issue the Investment License in the Trade Sector to the Head of the Investment Coordination Agency in the Framework of Implementing the One Door Integrated Service;

- b. that based on the consideration. As meant in letter a, it is necessary to determine the Regulation of the Minister of Trade concerning the amendment of the Regulation of the Minister of Trade Number 96/M-DAG/PER/12/2014 concerning the Delegation of Authority to Issue the Investment License in the Trade Sector to the Head of the Investment Coordination Agency in the Framework of Implementing the One Door Integrated Service.

In view of

- : 1. Law Number 25 of 2007 concerning Investment (State Gazette of the Republic of Indonesia of 2007 Number 67, Supplement to the State Gazette of the Republic of Indonesia Number 4724);
- 2. Law Number 25 of 2009 concerning Public Service (State Gazette of the Republic of Indonesia of 2009 Number 112, Supplement to the State Gazette of the Republic of Indonesia Number 5083);
- 3. 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);
- 4. Law Number 23 of 2014 concerning Local Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587);
- 5. Law Number 30 of 2014 concerning Government Administration (State Gazette of the Republic of Indonesia of 2014 Number 292, Supplement to the State Gazette of the Republic of Indonesia Number 5601);

6. Presidential Regulation Number 90 of 2007 concerning Investment Coordination Agency, as has been amended with the Presidential Regulation Number 13 of 2014
7. Presidential Regulation Number 47 of 2009 concerning Formation and Organization of the State Ministry, as has been amended several times and latest with the Presidential Regulation Number 13 of 2014;
8. Presidential Regulation Number 24 of 2010 concerning the Position, Duties and Function of the State Ministry as well as the Organization Structure, Duties and Function of Echelon I of the State Ministry, as has been amended several times and latest with the Presidential Regulation Number 135 of 2014;
9. Presidential Regulation Number 39 of 2014 concerning List of Closed Business Sectors and Open Business Sectors with requirements in the Investment Sector;
10. Presidential Regulation Number 97 of 2014 concerning Implementation of the One Door Integrated Service;
11. Presidential Decree Number 121/P of 2014 concerning Formation of Ministries and Appointment of Ministers of the Working Cabinet for the Period of 2014 – 2010
12. Regulation of the Minister of Trade Number 10/M-DAG/PER/3/2006 concerning the Provisions and Procedure for the Issuance of the Foreign Trade Representative Business License, as has been amended with the Regulation of the Minister of Trade Number 28/M-DAG/PER/6/2010;
13. Regulation of the Minister of Trade Number 32/M-DAG/PER/8/2008 concerning the Implementation of

Trade Business Activities with the Direct Sales System, as has been amended with the Regulation of the minister of \trade Number 47/M-DAG/PER/9/2009;

14. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2010 concerning the Organization and Work Procedure of the Ministry of Trade, as has been amended with the Regulation of the Minister of Trade Number 57/M-DAG/PER/8/2012;
15. Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012 concerning Provisions for the Importer Identity Number (API), as has been amended several times and latest with the Regulation of the Minister of Trade Number 84/M-DAG/PER/12/2012
16. Regulation of the Minister of Trade Number 96/M-DAG/PER/12/2014 concerning the Delegation of Authority to Issue the Investment License in the Trade Sector to the Head of the Investment Coordination Agency in the Framework of Implementing the One Door Integrated Service.

**HAS DECREED:**

To enact: THE REGULATION OF THE MINISTER OF TRADE CONCERNING THE AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE NUMBER 96/M-DAG/PER/12/2014 CONCERNING THE DELEGATION OF AUTHORITY TO ISSUE THE INVESTMENT LICENSE IN THE TRADE SECTOR TO THE HEAD OF THE INVESTMENT COORDINATION AGENCY IN THE FRAMEWORK OF IMPLEMENTING THE ONE DOOR INTEGRATED SERVICE.

## **Article I**

Several provisions of the Regulation of the Minister of Trade Number 96 /M-DAG/PER/1/2014 concerning the Delegation of Authority to Issue the Investment License in the Trade Sector to the Head of the Investment Coordination Agency in the Framework of Implementing the One Door Integrated Service are amended as follows:

1. 1 (one) point is inserted between Article 1 point 3 and point 4, namely point 3A, so that Article 1 reads as follows:

### **Article 1**

1. The Investment License in the Trade Sector, hereinafter referred to as License, is all forms of approval issued by the Minister to implement the business activities in the trade sector.
  2. The One Door Integrated Service, hereinafter abbreviated PTSP is the integrated service in one process unit, commencing from the application phase until the service product settlement phase through one door.
  3. Under Operation Control, hereinafter abbreviated BKO, is the form of assignment to the official of the Ministry of Trade in the framework of implementing the One Door Integrated Service at the Investment Coordination Agency.
  - 3A. The Central Government, hereinafter referred to as Government, is the President of the Republic of Indonesia who holds the administration power of the Unitary State of the Republic of Indonesia, as meant in the State Constitution of the Republic of Indonesia of 1945.
  4. Minister is the minister who organizes the administration affairs in the trade sector.
2. The provision of Article 2 is amended and reads as follows:

### **Article 2**

The Minister delegates the authority to issue the License, which is the authority of the Government, to the Head of the Investment Coordination Agency as the organizer of PTSP with the substitution right.

3. The provisions of Article 3 are amended and read as follows:

### **Article 3**

(1) The delegation of authority to issue the License, as meant in Article 2, includes the License that:

- a. contains foreign capital; and/or
- b. is based on the legislative regulations as the authority of the Government.

(2) The type of License that contains foreign capital, as meant in paragraph (1) letter a, consists of:

- a. Trade Business License for the exporter, importer and distributor;
- b. Trade Business License for Warehousing Service, including cold storage;
- c. Trade Business License for the Business Management Consultant Service; and
- d. Trade Business License for the Building/Apartment (Property) Management Service.

(3) The type of License, which is based on the legislative regulations. is the authority of the Government, as meant in paragraph (1) letter b, and consists of:

- a. Trade Business License for the Machine Rental Service;
- b. Foreign Trade Company Representative Business License;
- c. Direct Sales Business License;
- d. General Importer Identity Number (API-U) for foreign investment companies and domestic investment companies, for which the issuance of the business license is the authority of the Government; and
- e. Producer Importer Identity Number (API-P) for foreign investment companies and domestic investment companies, for which the

issuance of the business license is the authority of the Government, except the API-P for business entities or contractors in the sectors of energy, oil and gas, minerals and management of other natural resources, which carry out the business activities based on the cooperation contract agreement with the Government of the Republic of Indonesia.

4. The provisions of Article 4 are amended and read as follows:

#### **Article 4**

- (1) In case the issuance of License, as meant in Article 3 paragraph (2) and paragraph (3), needs the technical recommendation, then the official of the Ministry of Trade, who is assigned by the Minister with the BKO status, is provided the authority to process the technical recommendation.
- (2) The assignment to the official of the Ministry of Trade with the BKO status, as meant in paragraph (1), is determined by the Minister.
- (3) The official of the Ministry of Trade with the BKO status, as meant in paragraph (2):
  - a. is administratively, including the salary, positional allowance and performance allowance, still within the Ministry of Trade;
  - b. obtains other performance allowances from the Investment Coordination Agency; and
  - c. is under the operation control according to the provisions at the Investment Coordination Agency.
- (4) The type of License that needs the technical recommendation, as meant in paragraph (1), is the Direct Sales Business License.

5. The provisions of Article 11 are amended and read as follows:

#### **Article 11**

- (1) In case it is needed, then the Head of the Investment Coordination Agency may determine the technical instructions for the implementation of the issuance of License that is delegated in this Regulation of the Minister.

(2) In preparing the technical instructions, as meant in paragraph (1), the official of the Investment Coordination Agency should coordinate with the official of the Ministry of Trade.

## **Article II**

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

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 29 January 2015

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

signed

**RACHMAT GOBEL**

Copy conforms to the original

Secretary General

Ministry of Trade of the Republic of Indonesia

Head of Legal Bureau,

signed and sealed

**LASMININGSIH**

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Translated from Indonesian Language  
Jakarta, March 28, 2016  
Authorized and Sworn Translator,

**FIKRI SAID OBED**