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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 33/M-DAG/PER/5/2015**

**CONCERNING**

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

**UPON GRACE OF THE ONE ALMIGHTY GOD**

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

- Considering:
- a. That in the framework of maintaining the sustainability of natural resources and conservation of environment, encouraging the value added and economic activities as well as the community welfare, it is necessary to make efforts in order to optimize the benefit of tin export;
  - b. That in the framework of increasing the export value and the role of Indonesia in determining the global tin price, it is necessary to regulate the tin trade mechanism of Indonesia;
  - c. That based on the considerations in letter a and letter b, it is necessary to determine the Regulation of the Minister

of Trade concerning the Amendment of the Regulation of the Minister of Trade Number 44/M-DAG/PER/7/2014 concerning Provisions for Export of Tin.

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 Time Trade of Commodities (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 201 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 Minerals 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 10, 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 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 has been amended with 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 Minerals 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 Government Regulation Number 77 of 2014 (State Gazette of the Republic of Indonesia of 2014 Number 263, Supplement to the State Gazette of the Republic of Indonesia Number 5597);

12. Government Regulation Number 55 of 2010 concerning Guidance and Control on the Implementation of the Minerals and Coal Mining Business 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 Types and Tariffs on Types of Non Tax State Revenue that Apply at the Ministry of Energy and Mineral Resources (State Gazette 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 the Indonesia National Single Window;
15. Presidential Regulation Number 24 of 2010 concerning Position, Duties and Functions of the State Ministry as well as 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 135 of 2014;
16. Presidential Decree Number 121/P of 2014 concerning Formation of Ministries and Appointment of Ministers of the Working Cabinet for the Period of 2014-2019;
17. Presidential Regulation Number 165 of 2014 concerning Structuring of Duties and Functions of the Work Cabinet;

18. Presidential Regulation Number 7 of 2015 concerning Organization of the State Ministry;
19. Regulation of the Minister of Finances Number 145/PMK.04/2007 concerning Provisions for Customs in the Export Sector, as has been amended several times and latest with the Regulation of the Minister of Finances Number 145/PMK.04/2014;
20. Regulation of the Minister of Trade Number 28/M-DAG/PER/6/2009 concerning Provisions for Export and Import Licensing Service with the Electronic System through INATRADE in the Framework of the Indonesia National Single Window;
21. 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;
22. Regulation of the Minister of Trade Number 13/M-DAG/PER/3/2012 concerning General Provisions in the Export Sector;
23. Regulation of the Minister of Energy and Mineral Resources Number 32 of 2013 concerning System of Providing Special License in the Minerals and Coal Mining Sector;
24. Regulation of the Minister of Energy and Mineral Resources Number 1 of 2014 concerning Improvement of Mineral Value Added through the Domestic Mineral Processing and Refinery Activities, as has been amended with the Regulation of the Minister of Energy and Mineral Resources Number 08 of 2015;

25. Regulation of the Minister of Trade Number 44/M-DAG/PER/7/2014 concerning Provisions for Export of Tin.

**HAS DECREED:**

To determine: **THE REGULATION OF THE MINISTER OF TRADE CONCERNING AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE NUMBER 44/M-DAG/PER/7/2014 CONCERNING PROVISIONS FOR EXPORT OF TIN.**

**Article I**

Several provisions and appendixes in the Regulation of the Minister of Trade Number 44/M-DAG/PER/7/2014 concerning Provisions for Export of Tin are amended as follows:

1. The provisions of Article 1 are amended and now read as follows:

**Article 1**

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

1. Tin is a silvery white color metal with low hardness, specific gravity of 7.3 g/cm<sup>3</sup> and has a hot and electricity conductive characteristic.
2. Tin Ore is unrefined Tin and is still in form of Tin concentrate ore or sand.
3. Pure Tin Bar is pure Tin with Stannum (Sn) content of minimum 99.9% in form of bar, which is the result of the Tin Ore processing and refinery activities by the Smelter.
4. Solder Tin is Tin alloy with Stannum (Sn) content of minimum 99.7% in form of wire, solder bar extrude, bar casting/canal, equilateral bar, solder pasta/cream, solder powder, solder ball, solder half ball, and solder tape, which is used for soldering and welding.

5. Other Product from Tin is other product made from Tin with Stannum (Sn) content of maximum 96% in form of plate, sheet, strip, foil, vessel, pipe, vessel or pipe fitting, cigarette place or box, ashtray, other household equipments, and foldable tube.
6. Tin Export is the activity of taking out Tin from the customs area.
7. 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.
8. Industrial Tin Registered Exporter, hereinafter referred to ET-Industrial Tin, is the company that has obtained the recognition to carry out the Export of Solder Tin and/or Other Products from Tin.
9. Pure Tin Bar Export Approval, hereinafter referred to as PE-Pure Tin Bar, is the export license to export Pure Tin Bar.
10. Industrial Tin Export Approval, hereinafter referred to as PE-Industrial Tin, is the export license to carry out the export of Solder Tin and/or Other Products from Tin.
11. Mining Business License, hereinafter abbreviated IUP, is the license to carry out the mining business.
12. Production Operation Mining Business License, hereinafter referred to as IUP Production Operation, is the business license that is provided after completion of the IUP Exploration in order to carry out the production operation activity phases.
13. People's Mining License, hereinafter abbreviated IPR, is the license to carry out the mining business in the people's mining area with limited extent and investment.
14. Production operation Special Mining Business License, hereinafter referred to as IUPK Production Operation, is the business license that is provided after completion of the IUPK Exploration in order to carry out the production operation activity phases in the special mining business license area.
15. Production Operation Mining Business License especially for transportation and sales, hereinafter referred to as IUP Production Operation especially for transportation and sales, is

- the business license provided to the company to purchase, transport and sell mineral or coal mining commodities.
16. Production Operation Mining Business License, especially for processing and/or refinery, hereinafter referred to as IUP Production Operation, especially for processing and/or refinery, is the business license that is provided to the company to purchase, transport, process, and refine, including selling the result of its processed mineral or coal mine commodities.
  17. Work Contract, hereinafter referred to as KK, is the agreement between the Government of the Republic of Indonesia and the Indonesian legal entity company in the framework of Foreign Investment in order to carry out the mineral excavated mining business, not including oil, natural gas, geothermal, radioactive and coal.
  18. Industrial Business License, hereinafter abbreviated IUI, is the business license that is provided to the company in order to carry out the Tin processing industry business activities.
  19. Cooperation Agreement is the agreement containing the agreement between the IUP Production Operation and the holder of the IUP Production Operation especially for processing and/or refinery, and/or between the IUP Production Operation especially for transportation and sales and IUP, which is legalized by the official who issues in accordance with his authority.
  20. Smelter is the location of the Tin Ore processing and refinery activities.
  21. Tin Stock Market is the international tin market in Indonesia, which is an organized market and part of the time stock market.
  22. Verification or Technical Tracing, which is carried out by the Surveyor, is the investigation and inspection of export goods.
  23. Surveyor is the survey company that has obtained the authorization to carry out the Verification and Technical Tracing on the Export of tin.

24. Indonesia National Single Window, hereinafter abbreviated INSW, is the Indonesian national system that enables to carry out the single submission of data and information, single and synchronous processing of data and information, and single decision making for customs release and clearance of cargoes.
  25. INSW Portal is the system that will make the integration of information related to the customs document handling process and clearance of goods, which guarantees the data and information security and automatically integrates the inter internal system information channel and process, which covers customs, licensing, port/airport systems, and other systems that are related to the customs document handling process and clearance of goods.
  26. Mandatory Port is the port determined as the port that fully applies the National Single Window (NSW) of export.
  27. Minister is the Minister who organizes the administration affairs in the trade sector.
  28. Director General is the Director General of Foreign Trade, Ministry of Trade.
2. The provisions of Article 2 are amended and now read as follows:

#### **Article 2**

- (1) Tin that may be exported is only Pure Tin Bar, Solder Tin, and Other Products from Tin, as contained in Appendix I, which is an inseparable part of this Regulation of the Minister.
  - (2) Tin that is not contained in Appendix I, as meant in paragraph (1), is prohibited to be exported.
3. The provisions of Article 3 are amended and now read as follows:

### **Article 3**

- (1) Tin, as meant in Article 2 paragraph (1), may be exported in case it complies with the technical requirements, as contained in Appendix II, which is an inseparable part of this Regulation of the Minister.
  - (2) Tin, as meant in Article 2 paragraph (1), which does not comply with the technical requirements, as contained in Appendix II, is prohibited to be exported.
4. The provisions of Article 4 are amended and now read as follows:

### **Article 4**

- (1) Pure Tin Bar, as meant in Article 2 paragraph (1), may be exported in case the following provisions are complied:
  - a. Using the Tin Ore raw material originating from the holder of IUP Production Operation, IPR, IUPK Production Operation, and/or KK that have obtained the certificate of Clear and Clean (CnC), Work Plan and Budget (RKAB), which is legalized by the official who issues the license in accordance with his authority; and
  - b. Has been completed with the payment settlement evidence of the production/royalty contribution, which has been verified by the Directorate General of Minerals and Coal, Ministry of Energy and Mineral Resources.
- (2) Solder Tin and Other Products from Tin, as meant in Article 2 paragraph (1), may be exported if the following provisions are complied:
  - a. Using the Pure Bar Tin raw material originating from the Tin Stock Market; and
  - b. Has been completed with the evidence of Pure Bar Tin purchase from the Tin Stock Market.

5. The provisions of Article 5 paragraph (1) and paragraph (2) are amended and now read as follows:

#### **Article 5**

- (1) Pure Tin Bar, as meant in Article 2 paragraph (1), may only be exported by the company that has obtained the recognition as ET-Pure Tin Bar from the Director General.
  - (2) Solder Tin and Other Products from Tin, as meant in Article 2 paragraph (), 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 possess one type of Tin Registered Exporter recognition, namely the recognition as ET-Pure Bar Tin, as meant in paragraph (1), or recognition as ET-Industry Tin, as meant in paragraph (2).
6. The provisions of Article 7 paragraph (1) and paragraph (2) are amended and now read as follows:

#### **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 documents:
  - a. Photocopy of IUP Production Operation, photocopy of IPR, photocopy of IUPK production Operation, photocopy of KK, photocopy of IUP Production Operation especially for processing and/or refinery, or photocopy of IUP Production Operation especially for transportation and sales;
  - b. Photocopy of the Company Registration Identity (TDP);

- c. Photocopy of the Taxpayer Registration Number (NPWP);
- d. Photocopy of the *Clear and Clean* (CnC) Certificate for IUP Production Operation, IPR, IUPK Production Operation and KK;
- e. Photocopy of the Cooperation Agreement with IUP Production Operation, IPR, KK that possesses the *Clear and Clean* (CnC) certificate, and/or IUP Production Operation especially for transportation and sales, for holder of IUP Production Operation especially for processing and/or Refinery that has been legalized by the license issuance official;
- f. Photocopy of the Cooperation Agreement with IUP Production Operation and/or IPR in possession of the *Clear and Clean* (CnC) certificate, for holder of IUP Production Operation especially for transportation and sales, which is legalized by license issuance official; and
- g. Original recommendation from the Director General of Minerals and Coal, Ministry of Energy and Mineral Resources, after obtaining the technical consideration 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 the following documents:

- a. Photocopy of the Industrial Business License;
- b. Photocopy of the Company Registration Identity (TDP);
- c. Photocopy of the Taxpayer Registration Number (NPWP);
- d. Original recommendation from the Director General of Industry, Metal, Machine, Transportation Equipment and Electronics, Ministry of Industry.

- (3) The Director General may assign the official from the Ministry of Trade to carry out the field inspection in order to find out the conformity between the documents 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.
7. 2 (two) articles are inserted between Article 8 and Article 9, namely Article 8A and Article 8B, which read as follows:

#### **Article 8A**

- (1) The export of Pure Tin Bar, as meant in Article 2 paragraph (1), may only be carried out by the ET-Pure Tin Bar after obtaining the PE-Pure Tin Bar from the Director General.
- (2) The export of Solder Tin and Other Products from Tin, as meant in Article 2 paragraph (1) may only be carried out by the ET-Industry Tin after obtaining the PE-Industry Tin from the Director General.

#### **Article 8B**

- (1) In order to obtain the PE-Pure Tin Bar, as meant in Article 8A paragraph (1), the ET-Pure Tin Bar should submit the written request to the Director General by attaching the following documents:
  - a. Photocopy of ET-Pure Tin Bar; and
  - b. Original recommendation from the Director General of Minerals and Coal, Ministry of Energy and Mineral Resources.
- (2) The recommendation, as meant in paragraph (1) letter b, should minimum contain the type, Tariff Post/HS and total Tin that may be exported.
- (3) In order to obtain the PE-Industry Tin, as meant in Article 8A paragraph (2), the ET-Industry Tin should submit the written

request to the Director General by attaching the following documents:

- a. Photocopy of ET-Industry Tin; and
- b. Original recommendation from the Director General of Industry, Metal, Machine, Transportation Equipment and Electronics, Ministry of Industry.

(4) The recommendation, as meant in paragraph (3) letter b, should minimum contain the type of Tin, Tariff Post/HS, amount, port of loading and export destination country.

(5) The PE-Pure Tin Bar, as meant in Article 8A paragraph (1) and PE-Industry Tin, as meant in Article 8A paragraph (2), applies for 6 (six) months and may be extended.

(6) In order to obtain the extension of the PE-Pure Tin Bar, as meant in paragraph (5), the ET-Pure Tin Bar should submit the written request to the Director General by attaching the following documents:

- a. Photocopy of ET-Pure Tin Bar;
- b. Photocopy of the previous PE-Pure Tin Bar; and
- c. Photocopy of the export realization Control Card.

(7) In order to obtain the extension of the PE-Industry Tin, as meant in paragraph (5), the ET-Industry Tin should submit the written request to the Director General by attaching the following documents:

- a. Photocopy of ET-Industry Tin;
- b. Photocopy of the previous PE-Industry Tin; and
- c. Photocopy of the export realization Control Card;

8. The provision of Article 10 is amended and now reads as follows:

### **Article 10**

For each change of the IUP Tin area, 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 Director General of Minerals and Coal, Ministry of Energy and Mineral Resources, after obtaining the technical consideration from the Governor of the Tin producing Province.
  - b. Photocopy of IUP that has been legalized by the authorized official in case such IUP area is self owned; and/or
  - c. Photocopy of the Cooperation Agreement and photocopy of IUP of the other party that has been legalized by the Authorized official in case such IUP area is owned by the other party.
9. The provision of Article 12 paragraph (1) is amended, so that Article 12 now reads as follows:

#### **Article 12**

- (1) Pure Tin bar, as meant in Article 2 paragraph (1), that will be exported or sold domestic should be traded through the Tin Stock Market.
  - (2) The Tin that is traded through the Tin Stock Market, as meant in paragraph (1), should originate from the ET-Pure Tin Bar.
  - (3) Tin that is obtained from trade through the Tin Stock Market, as meant in paragraph (1), may only be exported by the ET-Pure Tin Bar, as meant in Article 5 paragraph (1).
  - (4) The ET-Pure Tin Bar that has made the Tin transaction at the Tin Stock Market but is frozen or the recognition as ET-Pure Tin Bar is 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 Stock Market.
10. The provision of Article 14 paragraph (1) is amended, and 1 (one) paragraph is inserted between paragraph (1) and paragraph (2), namely paragraph (1a), so that Article 14 now reads as follows:

#### **Article 14**

- (1) Tin, as meant in Article 2 paragraph (1), which will be exported, should be carried out the Verification or Technical Tracing prior to the loading of the goods.
  - (1a) The Verification or Technical Tracing, as meant in paragraph (1), is carried out by engaging the Government of the Tin producing Province.
  - (2) The implementation of Verification or Technical Tracing, as meant in paragraph (1), is carried out by the Surveyor appointed 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.
11. The provision of Article 15 paragraph (1) and paragraph (2) is amended, so that Article 15 now reads as follows:

#### **Article 15**

- (1) In order to be determined as implementer of the Verification or Technical Tracing, 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. Experienced in performing the Verification or Technical Tracing for minimum 5 (five) years;
  - c. Has branch/representative offices in the area that has the potential of Tin in accordance with the type that is proposed as the work scope;
  - 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 and in accordance with Tin product scope;
  - f. Minimum 1 (one) laboratory should be available in each working area with complete equipments that are self owned; and
  - g. In possession of good track records with regard to the management of the Verification or Technical Tracing activities in the export sector.
- (2) In order to be determined as implementer of the Verification or Technical Tracing, the Surveyor, as meant in Article 14 paragraph (2), should submit the written request to the Director General by attaching the following documents:
- a. Photocopy of the Survey Service Business License (SIUJS);
  - b. Photocopy of the Company Registration Identity (TDP);
  - c. Photocopy of the Taxpayer Registration Number (NPWP);
  - d. Information on the company working area, which minimum contains the address of head office, address of the branch/representative office and location of laboratory;
  - e. Information on type of Tin in the working area;
  - f. Information on type of Tin that has been verified before;
  - g. List of experts, completed with their 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 the ownership of laboratory, as meant in paragraph (1) letter e;
  - i. List of complete laboratory equipments in accordance with 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;

- j. List of the LS signatory officials specimens of signatures and sample of 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 yet accredited by KAN, then such laboratory may be used to carry out the Tin quality test 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), should have been accredited by KAN within not later than 31 December 2016.

- 12. The Provisions of Article 16 paragraph (3) and paragraph (4) are amended, so that Article 16 now reads as follows:

#### **Article 16**

- (1) In order to be able to be carried out the Verification or Technical Tracing, the ET-Pure Tin Bar and ET-Industry Tin should submit the request for Verification or Technical Tracing to the Surveyor.
- (2) The Verification or Technical Tracing by the Surveyor, as meant in paragraph (1), covers the:
  - a. Research and checking on the data or information concerning the administration legality and Tin 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. Time of shipment and port of loading.

- (3) The export Verification or Technical Tracing on Pure Tin Bar covers minimum the data or information on the:
- a. Origin of Tin Ore that is the raw material of Pure Tin Bar;
  - b. Tin Ore at the Smelter, which is the raw material reserve, and the Tin Ore that is in the processing or refinery phase at the Smelter at the time Verification or Technical Tracing is carried out;
  - c. Content of Tin metal (Stannum/Sn) and the polluter element;
  - d. Dimension of size, weight, form, and packing;
  - e. Amount and type of Tin, and number of Tariff Post/HS;
  - f. Evidence of Pure Tin Bar sales from the Tin Stock Market;
  - g. Time of shipment;
  - h. Port of loading;
  - i. Export destination country and port;
  - j. Clear and Clean (CnC) certificate;
  - k. Payment evidence production contribution/royalty that has been verified by the Director General of Minerals and Coal, Ministry of Energy and Mineral Resources, which is related to the exported amount of Tin;
  - l. Stock of Pure Tin Bar in possession of the ET-Pure Tin Bar; and
  - m. Work Plan and Annual Budget legalized by the license issuance official in accordance with his authority, which covers the Tin Ore reserve balance sheet, sales plan of Tin Ore, sales plan of Tin, and remaining Tin Ore reserve.
- (4) The export Verification or Technical Tracing on Solder Tin and Other Products from Tin, covers minimum the data or information on the:
- a. Content of Tin metal (Stannum/Sn), pollutant element and/or supplementary element;
  - b. Dimension of size, weight and form;

- c. Amount, type and number of Tariff Post/HS;
  - d. Packing and marking;
  - e. Time of shipment;
  - f. Port of loading;
  - g. Export destination country and port;
  - h. Evidence of Pure Tin Bar purchase from the Tin Stock Market, which is used as raw material of Solder Tin and Other Products from Tin;
  - i. Evidence of payment settlement of production contribution/royalty that has been verified by the Directorate General of Minerals and Coal, Ministry of Energy and Mineral Resources, on the Tin raw material that is used; and
  - j. Production capacity and stock of Solder Tin and/or Other Products from Tin in possession of the ET-Industry Tin.
13. The provision of Article 21 paragraph (3) is amended, so that Article 21 now reads as follows:

#### **Article 21**

- (1) The recognition as ET-Pure Tin Bar and ET-Industry Tin is frozen in case the company and/or management/directors of the company:
- a. Does not carry out the obligation as meant in Article 10 and/or Article 11;
  - b. Does not carry out the obligation as meant in Article 18 paragraph (1) for 2 (two) times;
  - c. Is in investigation on the criminal act related to the misuse of recognition as ET-Pure Tin Bar and ET-Industry Tin; and/or
  - d. Does not carry out the Tin export activities within the period of 6(six) successive months.

- (2) The frozen recognition as ET-Pure Tin Bar and ET-Industry Tin can be reactivated in case the company and/or management/directors of the company:
- a. Has 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 order to cease the investigation by the investigator has been issued; and/or
  - d. Is declared as not guilty or is exempted from all legal prosecution based on the court sentence 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/directors of the company:
- a. Exports Tin that is not in accordance with the technical requirements as meant in Article 3 paragraph (2);
  - b. Is proven as exporting Solder Tin or Other Products from Tin, which raw materials are not obtained from the Tin Stock Market, as meant in Article 4 paragraph (2);
  - c. 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;
  - d. Is proven as exporting Pure Tin Bar that is not traded through the Tin Stock Market, as meant in Article 12 paragraph (1);
  - e. 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;
  - f. Is proven as providing incorrect information or data at the time of submitting the request for recognition as ET-Pure Tin Bar and ET-Industry Tin;

- g. Submits incorrect data and information concerning the origin of Tin Ore for ET-Pure Tin Bar;
    - h. Is declared guilty by the court for violation and criminal acts related to the misuse of the recognition as ET-Pure Tin Bar and ET-Industry Tin based on the court sentence that has permanent legal power; and/or
    - i. The recognition as ET-Pure Tin Bar and ET-Industry Tin have been frozen 2 (two) times 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), are carried out by the Director General.
- 14. 2 (two) articles are inserted between Article 26 and Article 27, namely Article 26A and Article 26B, which read as follows:

#### **Article 26A**

The recognition as ET-Pure Tin Bar and ET-Industry Bar, which are issued based on the Regulation of the minister of Trade Number 44/M-DAG/PER/7/2014 concerning Provisions for Export of Tin, should be renewed and adjusted to the provisions in this Regulation of the Minister within not later than 1 November 2015.

#### **Article 26B**

- (1) The provisions in this Regulation of the Minister do not apply for the export of Tin in form of:
  - a. Samples that are not for trade;
  - b. Products for the need of research and science development.
- (2) Exception on what are meant in paragraph (1) is provided by the Minister after obtaining the technical consideration from the related agency.

15. Appendix I and Appendix II are amended and become as contained in Appendix I and Appendix II, which are inseparable parts of this Regulation of the Minister.

## **Article II**

This Regulation of the Minister commences applicable on 1 August 2015.

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 12 May 2015

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

*signed*

**RACHMAT GOBEL**

Copy conforms to the original

Secretariat General

Ministry of Trade

Head of Legal Bureau,

signed and sealed

LASMININGSIH

**APPENDIX I  
 REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF  
 INDONESIA  
 NUMBER 33/M-DAG/PER/5 /2015  
 CONCERNING  
 AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE NUMBER  
 44/M-DAG/PER/7/2014 CONCERNING PROVISIONS FOR EXPORT OF TIN**

**TIN THAT MAY BE EXPORTED**

<b>No.</b>	<b>Description of Goods</b>	<b>Tariff Post/HS</b>
1.	Pure Tin Bar	ex. 8001.10.00.00
2.	Solder Tin	ex. 8003.00.10.00 ex. 8003.00.90.00 ex. 8311.30.90.10 ex. 8311.30.90.90 ex. 8311.90.00.00 ex. 3810.10.00.00
3.	Other Products from Tin	ex. 8007.00.20.00 ex. 8007.00.30.00 ex. 8007.00.40.00 ex. 8007.00.91.00 ex. 8007.00.92.00 ex. 8007.00.99.10 ex. 8007.00.99.90

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

*signed*

**RACHMAT GOBEL**

Copy conforms to the original  
 Secretariat General  
 Ministry of Trade  
 Head of Legal Bureau,  
 signed and sealed  
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## APPENDIX II

### REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER 33/M-DAG/PE/5/2015

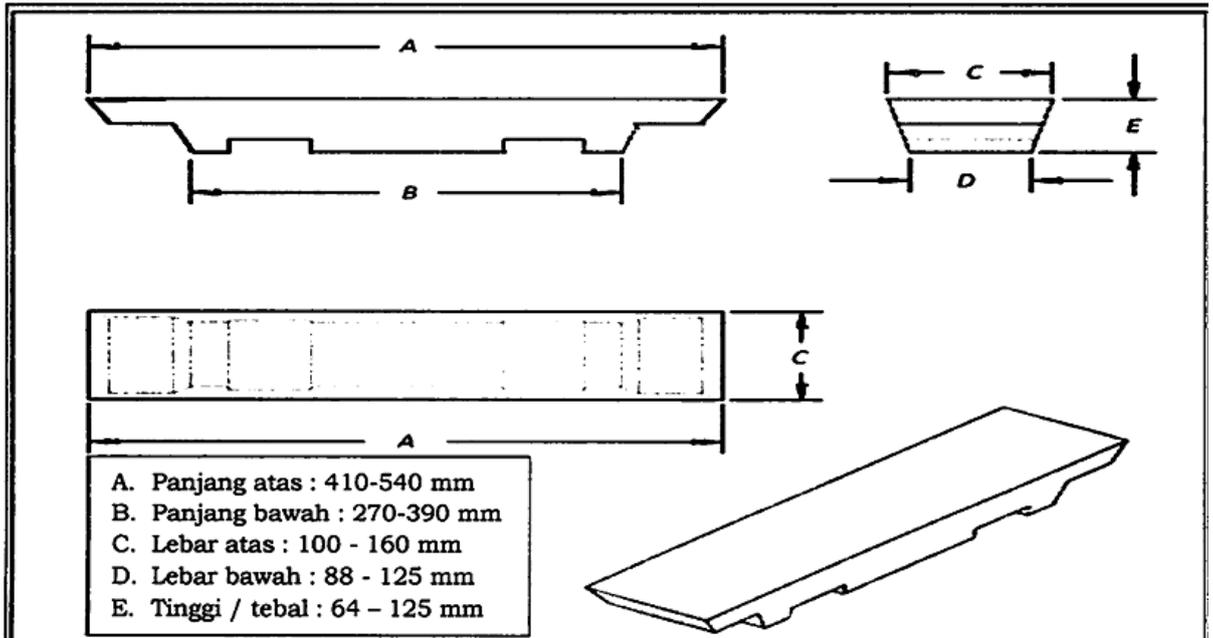
#### CONCERNING

AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE NUMBER 44/M-DAG/PER/7/2014 CONCERNING PROVISIONS FOR EXPORT OF TIN

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#### TECHNICAL REQUIREMENTS OF TIN THAT MAY BE EXPORTED

1. Pure Tin Bar:
  - a. Tariff Post/HS Ex. 8001.10.00.00.
  - b. Stannum (Sn) content minimum 99.9%.
  - c. With total other polluter elements, maximum 0.1% respectively with maximum degree of:
    - 1) Iron (Fe)  $\leq$  0.005% (50 ppm);
    - 2) Aluminum  $\leq$  0.001% (10 ppm);
    - 3) Arsenic (As)  $\leq$  0.03% (300 ppm);
    - 4) Bismuth (Bi)  $\leq$  0.015% (150 ppm);
    - 5) Cadmium (Cd)  $\leq$  0.001% (10 ppm);
    - 6) Copper (Cu)  $\leq$  0.015% (150 ppm);
    - 7) Lead (Pb)  $\leq$  0.030% (300 ppm);
    - 8) Antimony (Sb)  $\leq$  0.015% (150 ppm); and/or
    - 9) Zinc (Zn)  $\leq$  0.001% (10 ppm).
  - d. Dimension of size:
    - 1) Upper length : 410-540 mm
    - 2) Bottom length : 270-390 mm
    - 3) Upper width : 100-160 mm
    - 4) Bottom width : 88-125 mm
    - 5) Height : 64-125 mm
  - e. Weight of 1 (one) piece Pure Tin Bar: 25 kg with tolerance of  $\pm$  2 kg.
  - f. Picture and details of Pure Tin Bar are as indicated below:



Note

- A. Upper length : 410-540 mm
- B. Bottom length: 279-390 mm
- C. Upper width : 100-160 mm
- D. Bottom width : 88-125 mm
- E. Height : 64-125 mm

g. Packing is maximum 40 pieces with the total weight of 1000 kg  $\pm$  20 kg per packing.

2. Solder Tin:

- a. Tariff Post/HS: ex. 8003.00.10.00, ex. 8003.00.90.00, ex. 8311.30.90.10, ex. 8211.30.90.90, ex. 8311.90.00.00 and ex. 3810.10.00.00.
- b. Stannum (Sn) content maximum 99.7% and Iron (Fe) maximum 0.005%.
- c. One or more additional element for alloy with the degree percentage as follows:
  - 1) Silver (Ag)  $\geq$  0.1% (1000 ppm);
  - 2) Copper (Cu)  $\geq$  0.1% (1000 ppm);
  - 3) Bismuth (Bi)  $\geq$  0.1% (1000 ppm);
  - 4) Lead (Pb)  $\geq$  0.1% (1000 ppm);
  - 5) Nickel (Ni)  $\geq$  0.03% (300 ppm);
  - 6) Germanium (Ge)  $\geq$  0.005% (50 ppm);

- 7) Antimony (Sb)  $\geq 0.1\%$  (1000 ppm);
- 8) Zinc (Zn)  $\geq 0.1\%$  (1000 ppm); and/or
- 9) Indium (In)  $\geq 0.1\%$  (1000 ppm).

d. Form of Solder Tin:

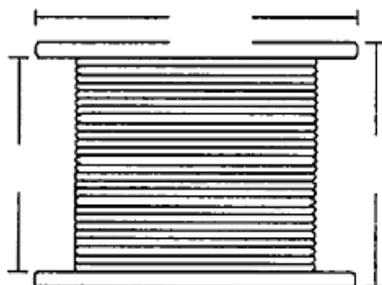
- 1) Wire with maximum diameter of 3 mm;
- 2) Solder bar extrude an casting/canai:
  - a) Maximum length : 330 mm  $\pm$  5 mm
  - b) Maximum width : 20 mm  $\pm$  5 mm
  - c) Maximum thickness : 10 mm  $\pm$  5 mm
  - d) Maximum weight : 1 kg per unit
- 3) Equilateral triangle with lateral length of maximum 20 mm  $\pm$  5 mm and maximum length of 330 mm  $\pm$  5 mm;
- 4) Solder pasta / cream;
- 5) Solder powder;
- 6) Solder ball, solder half ball with maximum diameter of 50 mm  $\pm$  5 mm;
- 7) Solder tape with maximum thickness of 0.5 mm, which is rolled in bobbin.

e. Packaging:

- 1) Solder Tin in form of wire is rolled in bobbin and put into carton box, maximum 25 kg/roll;
- 2) Solder Tin other than in wire form using carton box, maximum 25 kg.

f. Picture and details of Solder Tin are as indicated below:

- 1) Solder Wire;



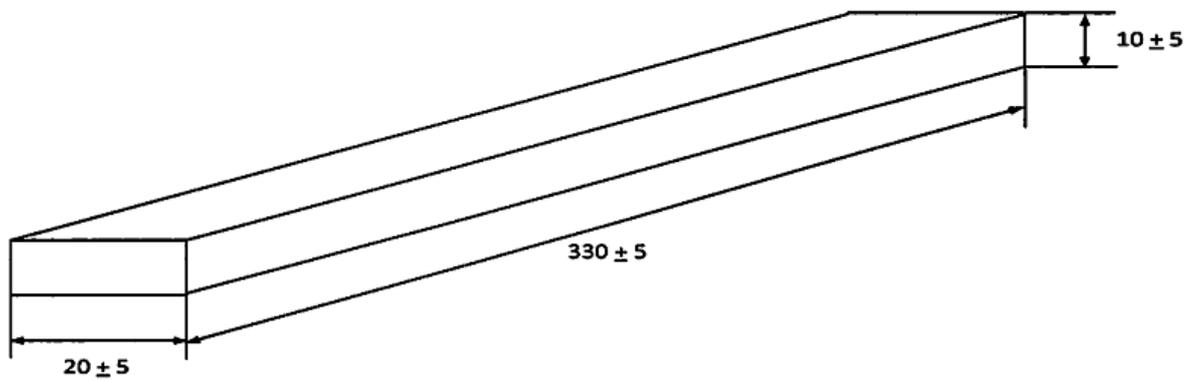
$\phi$  Wire : Max 3.0

2) Solder Wire Non Flux Core;

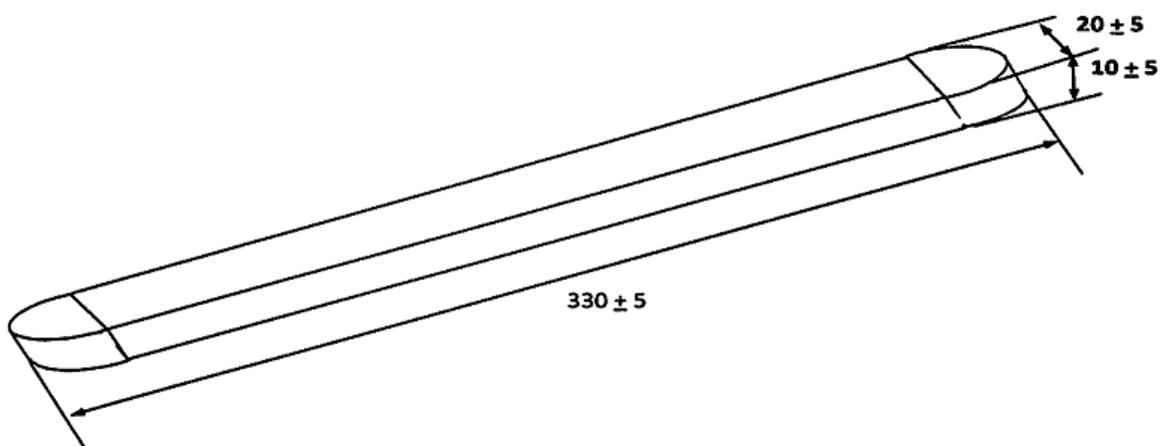


$\phi$  Wire : Max 3.0

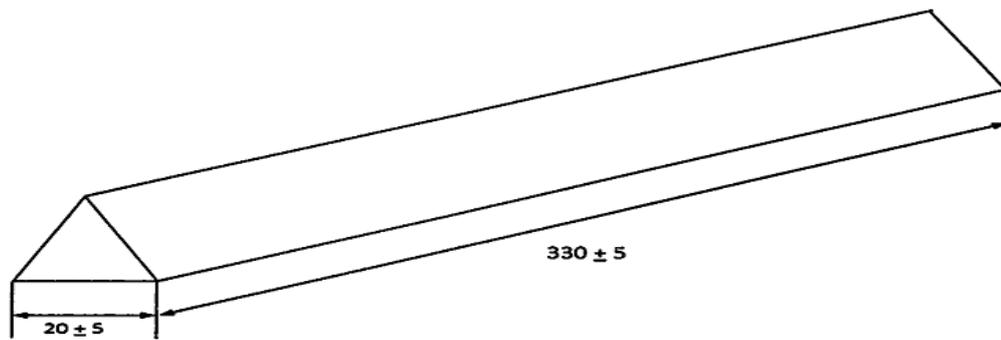
3) Solder Bar Extrude;



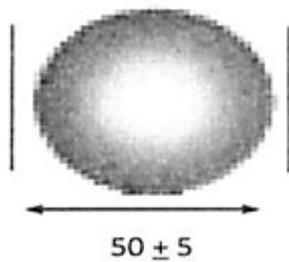
4) Solder Bar Casting/Canai;



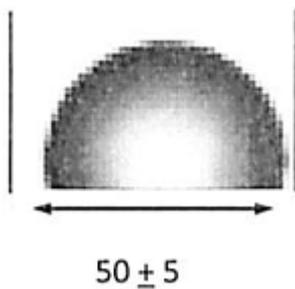
- 5) Solder Bar Equilateral Triangle;



- 6) Solder Ball;



- 7) Solder Half Ball



- g. Marking of Solder Tin to be exported should be provided packing or label, which minimum contains:

- 1) Content of Stannum (Sn) and Iron (Fe) alloy composition;
- 2) Made in Indonesia;
- 3) Brand;
- 4) Form and/or Dimension;
- 5) Net Weight; and
- 6) Date of Production.

3. Other Products from Tin:
- a. Tariff Post/HS: ex. 8007.00.20.00, ex. 8007.00.30.00, ex. 8007.00.40.00, ex. 8007.00.91.00, ex. 8007.00.92.00, ex. 8007.00.99.10, ex. 8007.00.99.90;
  - b. Consists of alloy of maximum 96% Stannum (Sn) and maximum 0.005% Iron (Fe);
  - c. One or more additional elements for alloy with degree percentage as follows:
    - 1) Bismuth (Bi)  $\geq$  0.1% (1000 ppm);
    - 2) Copper (Cu)  $\geq$  0.4% (4 000 ppm);
    - 3) Silver (Ag)  $\geq$  0.1% (1000 ppm);
    - 4) Nickel (Ni)  $\geq$  0.03% (300 ppm);
    - 5) Antimony (Sb)  $\geq$  0.1% (1000 ppm)
    - 6) Zinc (Zn)  $\geq$  0.1% (1000 ppm); and/or
    - 7) Indium (In)  $\geq$  0.1% (1000 ppm).
  - d. The marking of Other Products from Tin to be exported should be provided packing or label, which minimum contains:
    - 1) Content of Stannum (Sn) and Iron (Fe) alloy composition;
    - 2) Made in Indonesia;
    - 3) Brand;
    - 4) Form and/or Dimension;
    - 5) Nett Weight; and
    - 6) Date of Production.

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

signed

**RACHMAT GOBEL**

Copy conforms to the original  
Secretariat General  
Ministry of Trade  
Head of Legal Bureau,  
*signed and sealed*  
LASMININGSIH

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Translated from Indonesian Language  
Jakarta, July 22, 2016  
Authorized and Sworn Translator,

**FIKRI SAID OBED**