
AUTHORIZED TRANSLATION



MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

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

NUMBER 48/M-DAG/PER/7/2015

CONCERNING

GENERAL PROVISIONS IN THE IMPORT SECTOR

UPON GRACE OF THE ONE ALMIGHTY GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that in the framework of complying with the need of goods that are not able yet to be obtained domestically, either for the need of the national industrial production or for community consumption, it is necessary to make efforts to improve the import order arrangement by re-completing the general provisions in the import sector in order to become more transparent, effective and efficient as well as sustainable;
 - b. that the current arrangement of the applicable general provisions in the import sector is no more in accordance with the import trade activity development, so that in order to comply with such legal need it is necessary to carry out the completion on the Regulation of the Minister of Trade Number 54/M-DAG/PER/10/2009 concerning General Provisions in the Import Sector;

- 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 General Provisions in the Import Sector.

- 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 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 39 of 2008 concerning State Ministry (State Gazette of the Republic of Indonesia 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 4916);
4. Law Number 7 of 2014 concerning Trade (State Gazette of the Republic of Indonesia of 2014 Number 45, Supplement to the State Gazette of the Republic of Indonesia Number 5512);
5. 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;
6. Presidential Regulation Number 7 of 2015 concerning State Ministry Organization;

7. Presidential Regulation Number 48 of 2015 concerning Ministry of Trade;
8. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2010 concerning Organization and Work Procedure of the Ministry of Trade, as has been amended several times and latest with the Regulation of the Minister of Trade Number 84/M-DAG/PER/8/2012;
9. Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012 concerning Provision 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;
10. Regulation of the Minister of Trade Number 46/M-DAG/PER/8/2014 concerning General Provisions for the Verification or Technical Tracing in the Import Sector;

HAS DECREED:

To determine: **THE REGULATION OF THE MINISTER OF TRADE CONCERNING GENERAL PROVISIONS IN THE IMPORT SECTOR.**

Article 1

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

1. Goods is each article, either tangible or intangible, either movable or immovable, either spendable or non spendable, and can be traded, worn, used, or utilized by consumers or business actors.
2. Import is the activity of taking goods into the customs area.
3. Importer is the individual or institution or business entity, either in legal form or in non legal form, which carries out the import.

4. Importer Identity Number, hereinafter abbreviated API, is the identity as importer.
5. Minister is the minister who organizes the administration affairs in the trade sector.

Article 2

- (1) The imported goods should be in new condition.
- (2) The Minister may in certain cases determine the Goods that may be imported in non new condition, based on the following:
 - a. Legislative regulations;
 - b. Authority of the Minister; and/or
 - c. Proposal or technical consideration from other government agencies.

Article 3

- (1) The import of Goods may only be carried out by the Importer in possession of the API.
- (2) The import of Goods, as meant in paragraph (1), may in certain cases be carried out by the Importer not in possession of the API.

Article 4

- (1) The imported Goods are grouped in:
 - a. Free Import Goods;
 - b. Limited Import Goods; and
 - c. Import Prohibited Goods.
- (2) All Goods may be imported, except Limited Import Goods, Import Prohibited Goods, or Goods that are otherwise determined based on the legislative regulations.

Article 5

The arrangement of Limited Import Goods, as meant in Article 4, is carried out through the following import licensing mechanism:

- a. Recognition as Producer Importer;
- b. Determination as registered Importer;
- c. Import approval;
- d. Surveyor report; and/or
- e. Other import licensing mechanisms.

Article 6

- (1) The Importer should know about the legislative regulations in the Import sector that apply in the Unitary State of the Republic of Indonesia before carrying out the import.
- (2) Information on the legislative regulations in the Import sector, as meant in paragraph (1), may be accessed by the Importer through the <http://inatrade.kemendag.go.id> portal.

Article 7

- (1) The Importer is required to possess the Import License for limited imported goods, as meant in Article 5 before the Goods enter the customs area.
- (2) The Importer that is not in possession of the Import License, as meant in paragraph (1), at the time the Goods enter the customs area, is imposed the sanction of API freezing as well as other sanctions in accordance with the applicable legislative regulations.
- (3) Goods that are imported without the possession of the license, as meant in paragraph (1), should be re-exported by the Importer.

Article 8

- (1) The license in the import sector is issued by the Minister or by the official who is provided the authority to issue the license.
- (2) The Minister may delegate the issuance of license, as meant in paragraph (1), to the related technical agency or office.

Article 9

At the time this Regulation of the Minister commences applicable, the Regulation of the Minister of Trade Number 54/M-DAG/PER/10/2009 concerning General Provisions in Import Sector is withdrawn and declared not applicable.

Article 10

This Regulation of the Minister commences applicable on 1 January 2016.

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.

Determined in Jakarta

On 3 July 2015

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

signed

RACHMAT GOBEL

Copy conforms to the original

Secretary General

Ministry of Trade

Head of Legal Bureau,

signed and sealed

LASMININGSIH

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

FIKRI SAID OBED