
AUTHORIZED TRANSLATION



MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

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

NUMBER 30 OF 2018

CONCERNING

PROVISIONS FOR IMPORT OF HAND TOOLS

UPON GRACE OF THE ONE ALMIGHTY GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering:
- a. that in order to encourage the improvement of the national competitiveness and to support the implementation of the import trade system of hand tools through the post border control, it is necessary to reregulate the provisions for import of hand tools;
 - b. that the provisions for import of hand tools, as regulated in the Decree of the Minister of Industry and Trade of the Republic of Indonesia Number 230/MPP/Kep/7/1997 concerning Goods Which Import Trade System is Regulated, is considered as no more relevant so that it needs to be replaced;
 - 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 Provisions for Import of Hand Tools.

- 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 concerning Amendment of Law Number 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia of 2006 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 4661);
 3. Law Number 5 of 1999 concerning Prohibition of Monopoly Practice and Unhealthy Business Competition (State Gazette of the Republic of Indonesia of 1999 Number 33, Supplement to the State Gazette of the Republic of Indonesia Number 3817);
 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 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);
 6. 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);
 7. Law Number 20 of 2014 concerning the Standardization and Assessment of Conformity (State Gazette of the Republic of Indonesia of 2014 Number 216, Supplement to the State Gazette of the Republic of Indonesia Number 5584);
 8. Government Regulation Number 10 of 2012 concerning Treatment of Customs, Taxation, and Excise as well as Implementation System of Entering and Taking Out Goods into

and from as well as that are in the Area that has been Determined as the Free Trade Zone and Free Port (State Gazette of the Republic of Indonesia of 2012 Number 17, Supplement to the State Gazette of the Republic of Indonesia Number 5277);

9. Presidential Regulation Number 7 of 2015 concerning State Ministry Organization (State Gazette of the Republic of Indonesia of 2015 Number 8);
10. Presidential Regulation Number 48 of 2015 concerning Ministry of Trade (State Gazette of the Republic of Indonesia of 2015 Number 90);
11. Regulation of the Minister of Trade Number 46/M-DAG/PER/8/2014 concerning General Provisions for the Verification and Technical Tracing in the Trade Sector (State Gazette of the Republic of Indonesia of 2014 Number 1104);
12. Regulation of the Minister of Trade Number 48/M-DAG/PER/7/2015 concerning General Provisions in the Import Sector (State Gazette of the Republic of Indonesia of 2015 Number 1006);
13. Regulation of the Minister of Trade Number 70/M-DAG/PER/9/2015 concerning Importer Identity Number (State Gazette of the Republic of Indonesia of 2015 Number 1516);
14. Regulation of the Minister of Trade Number 08/M-DAG/PER/2/2016 concerning Organization and Work System of the Ministry of Trade (State Gazette of the Republic of Indonesia of 2016 Number 202);
15. Regulation of the Minister of Trade Number 85/M-DAG/PER/12/2016 concerning Trade Integrated Service (State Gazette of the Republic of Indonesia of 2016 Number 2007);
16. Regulation of the Minister of Trade Number 86/M-DAG/PER/12/2016 concerning Provisions of Online Licensing Service in the Trade Sector and Electronic Signature (Digital Signature) (State Gazette of the Republic of Indonesia of 2016

Number 2008).

HAS DECREED:

To determine: **THE REGULATION OF THE MINISTER OF TRADE CONCERNING PROVISIONS FOR IMPORT OF HAND TOOLS.**

Article 1

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

1. Hand Tool is a hand supporting tool that is operated by using human power (hand) without any machine or electrical support.
2. Import is the activity of taking goods into the customs area.
3. Import Approval is the approval used as permit to import Hand Tools.
4. Verification or Technical Tracing is the investigation and inspection on imported goods carried out by the surveyor.
5. Surveyor is the survey company that obtains the authority to carry out the Verification or Technical Tracing on imported goods.
6. Customs Area is the area with certain boundaries at the seaport, airport or other locations that is determined for the traffic of goods, which is fully under the control of the Directorate General of Customs.
7. Minister is the minister who organizes the administration affairs in the trade sector.
8. Director General is the Director General of Foreign Trade, Ministry of Trade.
9. Director is the Director of Import, Directorate General of Foreign Trade, Ministry of Trade.

Article 2

- (1) Hand Tools may be imported.
- (2) Hand Tools that may be imported, as meant in paragraph (1), are contained in the Appendix, which is an integral part of this Regulation of the Minister.

Article 3

- (1) Hand Tools, as meant in Article 2, may only be imported by the company that owns the Importer Identity Number (API) and has obtained the Import Approval from the Minister.
- (2) The Minister delegates the authority to issue the Import Approval, as meant in paragraph (1), to the Director General.
- (3) The Director General provides the mandate to issue the Import Approval, as meant in paragraph (2), to the Director.

Article 4

- (1) The company that wishes to obtain the Import Approval, as meant in Article 3, should electronically submit the request to the Director General, in this case the Director, by attaching the following documents:
 - a. Importer Identity Number (API); and
 - b. Plan of distribution and/or use for Import of Hand Tools.
- (2) Based on the request, as meant in paragraph (1), the Director issues the Import Approval on behalf of the Director General within not later than 3 (three) working days effective as of the date the request is received completely and correctly.
- (3) In case the request, as meant in paragraph (1), is incomplete and incorrect, then the Director submits the notification on the rejection of request on behalf of the Director General within not later than 3 (three) working days effective as of the date the request is received.

Article 5

The Import Approval, as meant in Article 4 paragraph (2), applies for 6 (six) months effective as of the date of issuance.

Article 6

- (1) The Importer of Hand Tools should report each amendment related to the documents of requirements, as meant in Article 4 paragraph (1), and should submit the request for amendment of the Import Approval.
- (2) The Importer of Hand Tools may submit the request for amendment of the Import Approval in case of any amendment on the description of goods, Tariff Post/Harmonized System (HS), type, amount, country of origin, unit, port of loading, and/or import destination port.
- (3) In order to obtain the amendment on the Import Approval, as meant in paragraph (1) and paragraph (2), the Importer of Hand Tools should electronically submit the request to the Director General, in this case the Director, by attaching the following documents:
 - a. Document that is amended for the request as meant in paragraph (1); and
 - b. Import Approval.
- (4) Based on the request, as meant in paragraph (3), the Director issues the amendment of the Import Approval on behalf of the Director General within not later than 3 (three) working days effective as of the date the request is received completely and correctly.

Article 7

- (1) The request to obtain:
 - a. The Import Approval, as meant in Article 4; and
 - b. The amendment of the Import Approval, as meant in Article 6,

should be electronically submitted through <http://inatrade.kemendag.go.id>.

- (2) In case of force majeure that causes the non functioning of the electronic system, then the submission of request, as meant in paragraph (1), should be manually delivered.

Article 8

- (1) The Verification or Technical Tracing should first be carried out on each implementation of the Import of Hand Tools at the port of loading.
- (2) The Verification or Technical tracing, as meant in paragraph (1), is carried out by the Surveyor determined by the Minister.

Article 9

In order to be determined as the executive of the Verification or Technical Tracing on the Import of Hand Tools, as meant in Article 8, the Surveyor should comply with the following requirements:

- a. In possession of the Survey Service Business License (SIUJS);
- b. Experienced as surveyor for minimum of 5 (five) years;
- c. Has branches or representatives and/or affiliates abroad and has the network to support the effectiveness of the Verification or Technical Tracing service; and
- d. In possession of good track records in the sector of the import Verification or Technical Tracing activity management.

Article 10

- (1) The Verification or Technical tracing, as meant in Article 8 paragraph (1), is carried out on the import of Hand tools that includes the minimum data or information concerning the following:

- a. Country of origin and port of loading of goods;
 - b. Description of goods and Tariff Post/Harmonized System (HS);
 - c. Type, amount and specification of goods;
 - d. Compulsory Indonesian National Standard (Compulsory SNI) for those that are required; and
 - e. Port of destination.
- (2) The result of Verification or Technical Tracing, as meant in paragraph (1), is entered into the form of Surveyor Report (LS).
- (3) The Surveyor Report (LS), as meant in paragraph (2), should contain the statement of correctness on the result of Verification or Technical Tracing and is the full responsibility of the Surveyor.
- (4) The Surveyor collects the service reward from the Importer based on the implementation of the Verification of Technical Tracing, as meant in paragraph (1), which amount is determined by taking account of the benefit principle.

Article 11

- (1) The inspection on the compliance toward the Hand Tools Import requirements is carried out after going through the Customs Area
- (2) The Import requirements, as meant paragraph (1), are in form of:
- a. Import Approval; and
 - b. Surveyor Report.
- (3) The Importer should independently make the statement (self declaration), which represents that it has complied with the Hand Tools Import requirements before such imported goods are used, traded, and/or transferred.
- (4) The Importer should electronically submit the declaration, as meant in paragraph (3), through

<http://inatrade.kemendag.go.id> by indicating the Goods Import Notification (PIB).

- (5) The Importer should keep the Import documents of requirements, as meant in paragraph (2), for minimum 5 (five) years for the need of inspection as meant in paragraph (1).

Article 12

- (1) The Directorate General of Consumer Protection and Trade Order periodically and/or at any time carries out the inspection and control.
- (2) The inspection, as meant in paragraph (1), is carried out on the following:
 - a. Hand Tool Import requirements, and
 - b. Other Import supporting documents.
- (3) The control, as meant in paragraph (1), is carried out on the following:
 - a. Correctness of the Import realization report;
 - b. Conformity of the imported Hand Tools to the data contained in the Import Approval; and
 - c. Obedience toward the legislative regulations that are related to the Import of Hand Tools

Article 13

- (1) The company that has obtained the Import Approval should electronically submit the report on the implementation of the Import of Hand Tools, either realized or not realized, through <http://inatrade.kemendag.go.id> once every 3 (three) months within not later than the 15th (fifteenth) day of the first month of the following quarter.
- (2) In case of force majeure that causes the non functioning of the electronic system, then the submission of report, as meant in paragraph (1), is delivered manually.

Article 14

The company that has obtained the Import Approval and does not implement the obligation of 2 (two) times submitting the report, as meant in Article 13, is imposed the sanction of postponement for request of the Import Approval for the next period.

Article 15

The Import Approval is revoked in case the company:

- a. Is proven as amending, adding, and/or replacing the contents indicated in the Import Approval;
- b. Is proven as submitting incorrect data and/or information in the request for the Import Approval after the Import Approval has been issued;
- c. Is proven as importing Hand Tools which types are not in accordance and/or the amount exceeds the amount indicated in the Import Approval; and/or
- d. Is declared guilty based on the court verdict that has permanent legal power on the criminal act related to the misuse of the Import Approval.

Article 16

The postponement of the request for the Import Approval, as meant in Article 14, and the revocation of the Import Approval, as meant in Article 15, is determined by the Director on behalf of the Director General.

Article 17

The Importer that has been imposed the sanction of revocation of the Import Approval may not submit the re-request for the Import Approval during 2 (two) years and is included in the list of Importers under control.

Article 18

- (1) The company that carries out the Import of Hand Tools that is not in accordance with the provisions in this Regulation of the Minister is imposed the sanction in accordance with the provisions of the legislative regulations.
- (2) The Hand Tools that are imported not in accordance with the provisions in this Regulation of the Minister should be withdrawn from the circulation and be destroyed by the Importer.
- (3) The costs for the implementation of withdrawal from the circulation and destruction, as meant in paragraph (2), are borne by the Importer.

Article 19

The provisions in this Regulation of the Minister do not apply on the Import of Hand Tools that is:

- a. Goods for the need of the scientific research and development;
- b. Samples that are not to be traded; or
- c. Goods for the need of government agencies/other country institutions that are self imported by such government agencies/other country institutions.

Article 20

The exceptions of the provisions that are regulated in this Regulation of the Minister are determined by the Minister.

Article 21

In addition to being subject to the provisions of this Regulation of the Minister, the implementation of the Import of Hand Tools is also subject to the provisions of other legislative regulations concerning Hand Tools.

Article 22

The implementation of this Regulation of the Minister may be evaluated 1 (one) year as of the date of enforcement.

Article 23

In case it is needed, the technical instructions for the implementation of this Regulation of the Minister are determined by the Director General and/or Director General of Consumer Protection and Trade Order in accordance with their respective authorities.

Article 24

The Hand Tools that are imported before this Regulation of the Minister is applicable:

- a. Are exempted from the provisions in this Regulation of the Minister; and
- b. Should have already arrived at the port of destination within not later than 1 April 2018, which is proven by the manifest customs document (B.C. 11).

Article 25

At the time this Regulation of the Minister commences applicable, the provisions for import of Hand Tools that are regulated based on the Decree of the Minister of Industry and Trade Number 230/MPP/Kep/7/1997 concerning Goods which Import Trade System is Regulated, as has been amended several times and latest with the Decree of the Minister of Industry and Trade Number 406/MPP/Kep/6/2004 concerning Amendment of the Decree of the Minister of Industry and Trade Number 230/MPP/Kep/7/1997 concerning Goods which Import Trade System is Regulated, as has been amended several times and latest with the Decree of the Minister of Industry and Trade Number 478/MPP/Kep/7/2003, is revoked and declared as not applicable.

Article 26

This Regulation of the Minister commences applicable on 1 February 2018.

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 30 January 2018

Minister of Trade of the Republic of Indonesia

signed

ENGARTIASO LUKITA

Enacted in Jakarta

On : Jan 31, 2018

DIRECTOR GENERAL

OF LEGISLATIVE REGULATIONS

MINISTRY OF LAW AND HUMAN RIGHTS

REPUBLIC OF INDONESIA,

signed

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2018 NUMBER 205

APPENDIX

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF
INDONESIA

NUMBER 30 OF 2018

CONCERNING

PROVISIONS FOR IMPORT OF HAND TOOLS

HAND TOOLS THAT MAY BE IMPORTED

No.	Tariff Post/HS	Description of Goods	Remarks
1.	Ex. 8201.10.00	-Flat shovel and curved shovel	Semi finished goods that need further processing covering the sharpening of the front part, painting, by completing with wooden or plastic handle, and inclusion of the trade mark
2.	Ex. 8201.30.10	--Hoe and rake	
3.	Ex. 8201.30.90	--Others	
4.	Ex. 8201.40.00	-Ax, sickle beak and similar type of cutting tool	Semi finished goods that need further processing covering the sharpening of the front part, painting, by completing with wooden or plastic handle, and inclusion of the trade mark
5.	Ex. 8201.60.00	-Scissor for hedge plants, two hands flower scissor and similar type of two hands scissor	
6.	Ex. 8201.90.00	-Other hand tools from the types that are used in agriculture, plantation or forestry	

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

signed

ENGGARTIASTO LUKITA

I, **Anang Fahkcrudin**, a sworn and authorized translator, practicing in Jakarta, do solemnly and sincerely declare that the foregoing document is a true and faithful translation from **Indonesian into English** of the original version.

Jakarta, July 29, 2019

