



MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

REGULATION OF THE MINISTER OF TRADE OF THE

REPUBLIC OF INDONESIA

NUMBER 66/M-DAG/PER/8/2015

CONCERNING

AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE NUMBER

97/M-DAG/PER/12/2014 CONCERNING PROVISIONS FOR EXPORT

OF FORESTRY INDUSTRIAL PRODUCTS

UPON GRACE OF THE ONE ALMIGHTY GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. That in the framework of improving the implementation effectiveness of the export of Forestry Industrial Products, it is necessary to amend the Regulation of the Minister of Trade Number 97/M-DAG/PER/12/2014 concerning Provisions for Export of Forestry Industrial Products;
 - 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 97/M-DAG/PER/12/2014 concerning Provisions

for Export of Forestry Industrial.

- 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 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 41 of 1999 concerning Forestry (State Gazette of the Republic of Indonesia of 1999 Number 167, Supplement to the State Gazette of the Republic of Indonesia Number 3888), as has been amended with Law Number 19 of 2004 concerning Determination of Government Regulation as Replacement of Law Number 1 of 2004 concerning Amendment of Law Number 41 of 1999 concerning Forestry to become the Law (State Gazette of the Republic of Indonesia of 2004 Number 86, Supplement to the State Gazette of the Republic of Indonesia Number 4412);
 4. 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);
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. Government Regulation Number 6 of 2007 concerning Forest System and Drawing Up of the Forest Management Plan, as well as the Forest Utilization (State Gazette of the Republic of Indonesia of 2007 Number 22, Supplement to the State Gazette of the Republic of Indonesia Number 4696), as has been amended with Law Number 3 of 2008 (State Gazette of the Republic of Indonesia 2008 Number 16, Supplement to the State Gazette of the Republic of Indonesia Number 4814);
 8. Presidential Regulation Number 10 of 2008 concerning Use of the Electronic System in the Framework of the Indonesia *National Single Window*;
 9. 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;
 10. Presidential Regulation Number 7 of 2015 concerning State

Ministry Organization;

11. Presidential Regulation Number 48 of 2015 concerning Ministry of Trade;
12. Presidential Decree Number 79/P of 2015 concerning Replacement of Several State Ministers of the Working Cabinet for the Period of 2014-2019;
13. Regulation of the Minister of Industry Number 41/M-IND/PER/6/2008 concerning Provisions and Procedure of Providing the Industrial Business License, Expansion License and Industrial Registration Identity;
14. Regulation of the Minister of Trade Number 28/M-DAG/PER/6/2009 concerning Provisions for the Export and Import Licensing Service with the Electronic System Through INATRADE in the Framework of the Indonesia *National Single Window*;
15. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2012 concerning 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;
16. Regulation of the Minister of Trade Number 35/M-DAG/PER/11/2011 concerning Provisions for Export of Rattan and Rattan Products;
17. Regulation of the Minister of Trade Number 13/M-

DAG/PER/3/2012 concerning General Provisions in the Export Sector;

18. Regulation of the Minister of Trade Number 44/M-DAG/PER/7/2012 concerning Export Prohibited Goods;
19. Regulation of the Minister of Forestry Number P.18/Menhut-II/2013 concerning Verification of Wood Legality Through the Portal of the Wood Legality Information System (SILK) and Issuance of the V-Legal Document;
20. Regulation of the Minister of Forestry Number P.43/Menhut-II/2014 concerning Assessment on Performance of Conserved Production Forest Management and Verification of Wood Legality at License Holder or at Right Forest, as has been amended with the Regulation of the Minister of Environment and Forestry Number P.95/Menhut-II/2014;
21. Regulation of the Minister of Trade Number 46/M-DAG/PER/8/2014 concerning General Provisions for Verification or Technical Tracing in the Trade Sector;
22. Regulation of the Minister of Trade Number 53/M-DAG/PER/9/2014 concerning Trade Integrated Service;
23. Regulation of the Minister of Trade Number 97/M-DAG/PER/12/2014 concerning Provisions for Export of Forestry Industrial Products.

HAS DECREED:

To determine : **THE REGULATION OF THE MINISTER OF TRADE CONCERNING**

**AMENDMENT OF THE REGULATION OF THE MINISTER OF
TRADE NUMBER 97/M-DAG/PER/12/2014 CONCERNING
PROVISIONS FOR EXPORT OF FORESTRY INDUSTRIAL
PRODUCTS.**

Article 1

Several provisions in the Regulation of the Minister of Trade Number 97/M-DAG/PER/12/2014 concerning Provisions for Export of Forestry Industrial Products are amended as follows:

1. The provisions of Article 13 are amended and now read as follows:

Article 13

- (1) The Forestry Industrial Products, as meant in Article 12 paragraph (1), which provisions and technical criteria are doubtful, as meant in Appendix II, may be exported after being approved in the meeting of the Coordination Team.
 - (2) The Coordination team, as meant in paragraph (1), is determined by the Director General on behalf of the Minister.
2. The provision of Article 14 paragraph (2) is amended and Article 14 now reads as follows:

Article 14

- (1) Each export of Forestry Industrial Products, which are made from ironwood (kayu ulin) materials, should be attached by the SPE from the Director General after obtaining the recommendation from the Minister of Environment and Forestry.
- (2) In order to obtain the SPE, as meant in paragraph (1), the ETPIK and Non-Producer EPTIK owner company should submit online the request through <http://inatrade.kemendag.go.id> and/or in writing to the UPTP executive coordinator by attaching the following documents:
 - a. Photocopies of the ETPIK and Non-Producer ETPIK documents;
 - b. Recommendation from the Director General of Conserved Production Forest Management, Ministry of Environment; and
 - c. Photocopy of report on the result of the ironwood product (Prokalino) verification from the independent Surveyor.
- (3) The UPTP executive coordinator issues the following on behalf of the Minister:
 - a. SPE within not later than 10 (ten) working days effective as of the date the request, as meant

- paragraph (2), is received completely and correctly; or
- b. Rejection of the SPE request within not later than 10 ten) working days as of the date the request is received, in case the request, as meant in paragraph (2) is incomplete and/or incorrect.
- (4) The validity term of SPE is maximum 1 (one) year effective as of the date of issuance.
3. Article 17 is deleted.
 4. The provisions of Article 18 are amended and now read as follows:

Article 18

- (1) The ETPIK owner IKM may export Forestry Industrial Products, as contained in Appendix I Group B, and as meant in Article 15 .paragraph (1) letter b, by using the Export Declaration.
- (2) The Forestry Industrial Products, as contained in Appendix I Group B, which may be exported by using the Export Declaration, cover the Forestry Industrial Products that are included in Tariff Post/HS Ex. 4414.00.00.00, Ex 4416.00.10.00, Ex 4416.00.90.00, Ex 4417.00.10.00, Ex 4417.00.90.00 Ex 4419.00.00.00, 9401.61.00.00, 9401.69.00.10, 9401.69.00.90, 9403.30.00.00, 9403.40.00.00, 9403.50.00.00, 9403.60.10.00, 9403.60.90.00 and 9403.90.90.00.

- (3) The Export Declaration, as meant in paragraph (1), is used as replacement of the V-Legal Document.
 - (4) The Forestry Industrial Products that may be exported by using the Export Declaration, as meant in paragraph (1), may be carried out to all export destination countries.
 - (5) The ETPIK owner IKM, which is already in possession of S-LK, may still export Forestry Industrial Products, as meant in paragraph (2), by using the V-Legal Document.
5. The provisions of Article 19 are amended and now read as follows:

Article 19

- (1) The ETPIK owner IKM, which exports Forestry Industrial Products, as meant in Article 18 paragraph (1), should submit the Export Declaration to the Director General of Customs, Ministry of Finances, with copies to the Director General of Conserved Production Forest Management, Ministry of Environment and Forestry, and Director General of Agro Industry.
- (2) The ETPIK owner IKM that exports Forestry Industrial Products, as meant in Article 18 paragraph (1), should submit the Export Declaration through SILK *Online* to the *Indonesia National Single Window* (INSW) portal electronically through <http://inatrade.kemendag.go.id>.

- (3) The Export Declaration is used as the customs supplementary document, which is required for submission of the export customs notification to the customs office.
6. The provision of Article 20 paragraph (2) is deleted so that Article 20 now reads as follows:

Article 20

- (1) Each 1 (one) Export Declaration may only be used for 1 (one) time submission of the export customs notification.
- (2) Deleted.
7. The provision of Article 21 paragraph (1) is amended and paragraph (2) is deleted so that Article 21 now reads as follows:

Article 21

- (1) The export of Forestry Industrial Products in form of Pulp and Paper, as contained in Appendix I Group A and Group B, which raw materials are non wood and/or used paper, is excluded from this Regulation of the Minister after obtaining the recommendation from the Director General of Argo Industry, Ministry of Industry.
- (2) Deleted.

The provision of Article 22 paragraph (2) is amended so that Article 22 now reads as follows:

Article 22

- (1) The export of Forestry Industrial Products, as meant in Article 12 paragraph (1), may only be implemented after the Verification or Technical Tracing has been carried out prior to the loading of goods.
- (2) The Verification or Technical Tracing, as meant in paragraph (1), is carried out by the independent Surveyor determined by the Minister.
- (3) In order to be determined as implementer of the Verification or Technical Tracing on Forestry Industrial Products, the Surveyor should comply with the following requirements:
 - a. In possession of the Survey Service Business License (SIUJS);
 - b. Has obtained accreditation as Inspection Institution from the National Accreditation Committee (KAN);
 - c. Has obtained the statement of competence as surveyor and is recognized as having the technical ability in the sector of Verification or Technical Tracing on Forestry Industrial Products; and
 - d. In possession of a wide service network in the area of Indonesia.
- (4) The Verification or Technical Tracing on Forestry Industrial Products covers:
 - a. Administrative and/or electronic verification activities,

covering:

1. Legality of the ETPIK and Non-Producer ETPIK documents; and
2. Legality of the V-Legal Document.

b. The physical verification activities cover:

1. Amount, type, brand and packing number;
2. Total goods;
3. Wood species;
4. Technical criteria;
5. Conformity of Tariff Post/HS;
6. Carry out the control at the loading into the container, in case the shipment uses container; and
7. Affix the seal on the container in case all goods in the container are inspected by the Surveyor.

- (5) The result of Verification or Technical Tracing, as meant in paragraph (4), is entered into the form of Surveyor Report (LS) in order to be used as the customs supplementary document that is required for submission of the export customs notification to the customs office.
- (6) The Surveyor Report (LS), as meant in paragraph (5), should be submitted by the Surveyor not later than the 15th (fifteenth) day of the following month to the Director General with copies to the Director General of Agro Industry, Ministry of Industry, and the Director General of Conserved Production Forest

Management, Ministry of Environment and Forestry.

- (7) Costs that are arising from the Verification or Technical Tracing activities, as meant in paragraph (4), are charged to the Government.
9. The provision of Article 23 paragraph (4) is amended so that Article 2 now reads as follows:

Article 23

- (1) The ETPIK or Non-Producer ETPIK owner company, as meant in Article 3 should report the following:
 - a. Annual production plan and realization, and annual export plan and realization for the ETPIK owner company; or
 - b. Annual export plan and realization for the Non-Producer ETPIK owner company.
- (2) The reports, as meant in paragraph (1), are submitted not later than the end of February for:
 - a. The product and export realization of the year before and the production and export plan of the running year for the ETPIK owner company;
 - b. Export realization of the year before and export plan of the running year for the Non-Producer ETPIK owner company.
- (3) The forms of report, as meant in paragraph (2), are

contained in Appendix III, Appendix IV, Appendix V, and Appendix VI, which are inseparable parts of this Regulation of the Minister.

- (4) The reports, as meant in paragraph (1), are submitted to the Director General with copies to the Director General of Agro Industry, Ministry of Industry, and Director General of Conserved Production Forest Management, Ministry of Environment and Forestry, manually and/or online through <http://inatrade.kemendag.go.id>.

10. The provisions of Article 29 are amended so that Article 29 now reads as follows:

Article 29

- (1) The export of Forestry Industrial Products that are samples, research materials, and goods for the need of exhibition abroad are excluded from the provisions in this Regulation of the Minister after obtaining the approval from the Director General.
- (2) The approval, as meant in paragraph (1), is provided after obtaining the recommendation from the technical ministry.

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 27 August 2015

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

Signed

THOMAS TRIKASIH LEMBONG

Copy conforms to the original

Secretariat General

Ministry of Trade

Head of Legal Bureau,

signed and sealed

LASMININGSIH