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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 70/M-DAG/PER/9/2015  
CONCERNING**

**IMPORTER IDENTITY NUMBER**

**UPON GRACE OF THE ONE ALMIGHTY GOD**

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

- Considering :
- a. that the Government has issued the Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012 concerning Provisions of 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;
  - b. that the provisions of the Importer Identity Number, as meant in the Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012 concerning Provisions of 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, are considered no more relevant;

- c. that based on the considerations, as meant in letter a and letter b, and in order to implement the provisions of Article 45 paragraph (3) of Law Number 7 of 2014 concerning Trade, it is necessary to withdraw the Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012 concerning Provisions of the Importer Identity Number, as has been amended several times and latest with the Regulation of the Minister of Trade Number 64/M-DAG/PER/12/2012 and re-regulate the provisions of the Importer Identity Number;
- d. that based on the considerations, as meant in letter a, letter b, and letter c, it is necessary to determine the Regulation of the Minister of Trade concerning Importer Identity Number;

- In view of :
- 1. Law Number 3 of 1982 concerning Company Compulsory Registration (State Gazette of the Republic of Indonesia of 1982 Number 7, Supplement to the State Gazette of the Republic of Indonesia Number 3214);
  - 2. 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);
  - 3. 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);
  - 4. 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 of the State Gazette of the Republic of Indonesia Number 3817);

5. Law Number 36 of 2000 concerning Determination of the Government Regulation as Replacement of Law Number 1 of 2000 concerning Free Trade Zone and Free Port to become the Law (State Gazette of the Republic of Indonesia of 2000 Number 251, supplement to the State Gazette of the Republic of Indonesia Number 4053), as has been amended with Law Number 44 of 2007 (State Gazette of the Republic of Indonesia of 2007 Number 130, Supplement to the State Gazette of the Republic of Indonesia Number 4775);
6. 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);
7. Law Number 40 of 2007 concerning Limited Liability Company (State Gazette of the Republic of Indonesia of 2007 Number 106, Supplement to the State Gazette of the Republic of Indonesia Number 4756);
8. 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);
9. 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);
10. 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);
11. 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), as has been amended several times and latest with Law Number 9 of 2015 (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);

12. Presidential Regulation Number 27 of 2009 concerning One Door Integrated Service in the Investment Sector;
13. Presidential Decree Number 121/P of 2014 concerning Formation of the Ministries and Appointment of Ministers of the Working Cabinet of 2014-2019;
14. Presidential Regulation Number 7 of 2015 concerning Organization of the State Ministry;
15. Presidential Regulation Number 48 of 2015 concerning Ministry of Trade;
16. Presidential Decree Number 79/P of 2015 concerning Replacement of Several Ministers of the Working Cabinet for the Period of 2014-2019;
17. Regulation of the Minister of Trade Number 28/M-DAG/PER/5/2009 concerning Provisions for the Export and Import Licensing Service with the Electronic System Through INATRADE in the Framework of Indonesia National Single Window;
18. 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;
19. Regulation of the Minister of Trade Number 48/M-DAG/PER/7/015 concerning General Provisions in the Import Sector;

**HAS DECREED:**

To determine: **THE REGULATION OF THE MINISTER OF TRADE CONCERNING IMPORTER IDENTITY NUMBER**

**Article 1**

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

1. Import is activity of taking in goods into the customs area of Indonesia;

2. Importer Identity Number, hereinafter abbreviated API, is the identity as importer;
3. Importer is the individual person or business entity in form of legal entity or non legal entity that carries out the import activities;
4. Investment is all forms of investment activities, either by the domestic investor or foreign investor, in order to carry out business in the area of the Republic of Indonesia.
5. Domestic Investment is the investment activity in order to carry out the business within the area of the Republic of Indonesia, which is carried out by the domestic investor by using domestic capital.
6. Foreign Investment is the investment activity in order to carry out the business within the area of the Republic of Indonesia, which is carried out by the foreign investor, either by fully using foreign capital or through joint venture with the domestic investor;
7. Central Government, hereinafter referred to as Government is the President of the Republic of Indonesia who holds the administration power of the Republic of Indonesia, as meant in the 1945 State Constitution of the Republic of Indonesia
8. Minister is the minister who organizes the administration affairs in the trade sector;
9. Director General is the Director General of Foreign Trade;
10. Provincial Office is the office which duties and responsibilities are in the trade sector in the province;
11. Regency/City Office is the office which duties and responsibilities are in the trade sector in the regency/city;
12. One Door Integrated Service, hereinafter abbreviated PTSP (Pelayanan Terpadu Satu Pintu) is the activity of organizing a license or non license, which obtains the delegation of authority from the institution or agency that has the licensing and non licensing authority, where its management process commences from the phase of request until the phase of the document issuance, carried out at one place;
13. The Free Trade Zone and Free Port Council, hereinafter referred to as Zone Council, is the Free Trade Zone and Free Port Council of Bintan, Free Trade Zone and Free Port of Batam, and Free Trade Zone and Free Port of Karimun;
14. The Free Trade Zone and Free Port Undertaking Agency, hereinafter

referred to as Undertaking Agency, is the Free Trade Zone and Free Port Undertaking Agency of Batam, Free Trade Zone and Free Port Undertaking Agency of Bintan and Free Trade Zone and Free Port Undertaking Agency of Karimun.

#### **Article 2**

The import is only able to be carried out by the importer in possession of API.

#### **Article 3**

The API, as meant in Article 2, consists of :

- a. API-General (API-U); and
- b. API-Producer (API-P).

#### **Article 4**

The API-U, as meant in Article 3 letter a, is only provided to the company that imports certain goods intended to be traded.

#### **Article 5**

- (1) The API-P, as meant in Article 3 letter b, is only provided to the company that imports goods for own use as capital, raw materials, supporting materials, and/or materials to support the production process.
- (2) The imported goods, as meant in paragraph (1), are prohibited to be traded or transferred to another party.

#### **Article 6**

In case the imported goods, as meant in Article 5, are goods that are provided the facilities of import duty exemption and have been used for own use within the period of minimum 2 (two) years as of the date of the import customs notification, then such imported goods may be transferred to another party.

#### **Article 7**

- (1) Each importer may only possess 1 (one) type of API.
- (2) The API applies for each import activity throughout the area of Indonesia.

### **Article 8**

- (1) The API may only be possessed by the company's head office.
- (2) The API, which is in possession of the company' head office, may be used by all branch offices of the API owner if they have similar business activities.

### **Article 9**

The API applies as long as the importer is still implementing its business activities.

### **Article 10**

- (1) The API owner importer is required to reregister at the issuing agency every 5 (five) years as of the date of issuance.
- (2) The re-registration, as meant in paragraph (1), is carried out within not later than 30 (thirty) working days after the period of 5 (five) years.

### **Article 11**

- (1) In carrying out the import, the API owner importer is subject to the following provisions:
  - a. Prohibition to import goods that are regulated based on the legislative regulations;
  - b. The imported goods should be in new condition, except goods that are allowed to be imported in non new condition based on the Regulation of the Minister; and
  - c. Import limitation and/or provision for the verification or technical tracing for import of goods that are regulated based on the Regulation of the Minister.
- (2) The API ownership by the importer does not release the obligation that should be complied by the importer based on the provisions of the legislative regulations in the import sector.

### **Article 12**

- (1) The authority to issue the API, as meant in Article 3, is held by the Minister.
- (2) The Minister provides the mandate of authority to issue the API to:

- a. Head of the Investment Coordination Agency (BKPM);
  - b. Director General; and
  - c. Head of the Provincial Office.
- (3) The Minister delegates the authority to issue the API to the Head of the Undertaking Agency.

#### **Article 13**

- (1) The Minister provides the mandate of authority to issue the API-U and API-P, as meant in Article 3, to the Head of BKPM for investment companies which business license issuance is the authority of the Government.
- (2) The Head of BKPM may provide the authority mandate, as meant in paragraph (1) to the echelon 1 official whose sector is investment service and/or echelon 2 official whose sector the licensing service at BKPM.
- (3) The API-U and API-P that are issued by the Head of BKPM, as meant in paragraph (1), or by the echelon 1 echelon 2 officials, as meant in paragraph (2), are signed for and on behalf of the Minister.

#### **Article 14**

- (1) The Minister provides the mandate of authority to issue the API-P, as meant in Article 3 letter b, to the Director General for the business entity or contractor in the sectors of energy, oil and gas, mineral and management of other natural resources, which carries out the business activities based on the cooperation contract agreement with the Government of the Republic of Indonesia.
- (2) The issuance of API-P, as meant in paragraph (1), is signed for and on behalf of the Minister.

#### **Article 15**

- (1) The Minister provides the mandate of authority to issue the API-U and API-P, as meant in Article 3, to the Head of the Provincial Office.
- (2) The issuance of API-U and API-P, as meant in paragraph (1), only to domestic investment companies, other than companies which issuance of the business license is the authority of the Government, as meant in Article 13 paragraph (1), and companies other than



business entities or contractors as meant in Article 14 paragraph (1).

- (3) The API-U and API-P that are issued by the Head of the Provincial Office, as meant in paragraph (1), is signed for and on behalf of the Minister.

#### **Article 16**

- (1) The Minister delegates the authority to issue the API, as meant in Article 3 to the Head of the Undertaking Agency for companies, business entities or contractors that are established and domiciled in the Free Trade Zone and Free Port.
- (2) The provisions on the request and requirements system of API, issuance of API, reporting on the import realization of the API owned company, amendment of API data, and sanctions are separately regulated by the Head of the Zone Council after coordination with the Director General of Foreign Trade and should refer to this Regulation of the Minister.
- (3) The delegation of authority, as meant in paragraph (1), may be withdrawn partially or entirely by the Minister, in case:
  - a. The Undertaking Agency proposes to withdraw the authority partially or entirely;
  - b. The Undertaking Agency is considered unable to carry out the delegated authority;
  - c. The Zone Council proposes the authority to be withdrawn partially or entirely; and/or
  - d. The Undertaking Agency does not carry out the authority due to the change of policy of the Minister.

#### **Article 17**

- (1) The investment company, as meant in Article 13 paragraph (1), which is intended to submit the request to obtain the API-U and API-P, should fill in the form, as contained in Appendix I, which is an inseparable part of this Regulation of the Minister, and submit it to the Head of BKPM by attaching the following:
  - a. Photocopy of the Company Establishment Deed from the Notary and its amendment as well as the legalization from the Ministry of Law and Human Rights;
  - b. Photocopy of the still applicable domicile certificate of the

company's head office from the local kelurahan office or photocopy of the lease agreement or contract of the business place;

- c. Photocopy of the Taxpayer Registration Number (NPWP) of the company in accordance with the domicile;
- d. Photocopy of the Company Registration Identity (TDP);
- e. Photocopy of the business license in the import trade sector, which is issued by the Head of BKPM for the API-U;
- f. Photocopy of the Investment Registration, Investment Principle License, business license in the industrial sector, or other type of similar business license, which is issued by the Head of BKPM for the API-P;
- g. Photocopy of the License to Employ Foreign Staff (IMTA or Izin Mempekerjakan Tenaga Asing), especially for the foreign staff who signs the API;
- h. Reference from the Foreign Exchange Bank, for API-U;
- i. Photocopy of the Identity Card (KTP) or passport of the person who signs the API, namely Director and Proxy of Director; and
- j. 2 (two) Latest photographs with the size of 3 x 4 cm and red background, respectively of the Director and Proxy of Director of the Company.

(2) The business entity or contractor in the sectors of energy, oil and gas, minerals and management of other natural resources, which carries out the business activities based on the cooperation contract agreement with the Government of the Republic of Indonesia, as meant in Article 14 paragraph (1) and is intended to submit the request to obtain the API-P, should fill in the form as contained in Appendix II, which is an inseparable part of this Regulation of the Minister, and submit to the Director General, in this case the Director of Import, by attaching the following:

- a. Copy of the Cooperation Contract with the Government or executive agency / special work unit established by the Government in order to control the business activities in the sector of energy, oil and gas, minerals and management of other natural resources;
- b. Original recommendation from the Government or executive

- agency / special work unit, as meant in letter a;
  - c. Photocopy of Taxpayer Registration number (NPWP) of the business entity or contractor;
  - d. 2 (two) latest photograph with the size of 3 x 4 cm and red background of responsible person of the Cooperation Contract contractor; and
  - e. Photocopy of identity / passport of each responsible person.
- (3) The company, as meant in Article 15 paragraph (2) that is intended to submit the request to obtain the API-U, should fill in the form as contained in Appendix III, which is an inseparable part of this Regulation of the Minister, to the Head of the Provincial Office, by attaching the following:
- a. Photocopy of the Notary Establishment Deed of the Company and its amendment;
  - b. Photocopy of the still applicable domicile certificate of the company's head office from the local kelurahan office or photocopy of lease agreement or business location contract;
  - c. Photocopy of the business license in the trade sector issued by the Head of the One Door Integrated Service Organizing Agency in the Investment Sector T THE Province/Regency/City, Trade Business License (SIUP), or other types of business licenses issued by the authorized technical agency/office in the trade sector;
  - d. Photocopy of the Company Registration Identity (TDP);
  - e. Photocopy of the Taxpayer Registration Number (NPWP) of the Company or individual or responsible person of the Company;
  - f. Reference from the Foreign Exchange Bank;
  - g. Photocopy of the Identity Card (KTP) or Passport of the API signatory, namely the Director or proxy of Director;
  - h. 2 (two) latest photographs with the size of 3 x 4 cm and red background of each Management member or Company Director.
- (4) The Company, as meant in Article 15 paragraph (2), that will submit the request to obtain the API-P, should fill in the form as contained in

Appendix IV, which is an inseparable part of this Regulation of the Minister, and submit to the Head of the Provincial Office by attaching the following:

- a. Photocopy of the Company Establishment Notary Deed and its amendment;
  - b. Photocopy of the still applicable domicile certificate of the company head office from the local kelurahan office or photocopy of the lease agreement or business location contract;
  - c. Photocopy of the Investment Registration, Investment Principle License, business license in the industrial sector, or other types of business license issued by the Head of the One Door Integrated Service Organizing Agency in the Investment Sector at the Province/Regency/City or authorized technical agency/office;
  - d. Photocopy of the Taxpayer Registration Number (NPWP) of the Company or individual and responsible person of the company in accordance with their domicile;
  - e. Photocopy of the Company Registration Identity (TDP);
  - f. Photocopy of Identity Card (KTP) or passport of the API signatory, namely the Director and Proxy of Director; and
  - g. 2 (two) latest photographs with the size of 3 x 4 cm and red background of each Management member or Company Director.
- (5) The submission of request, as meant in paragraph (1), paragraph (2), paragraph (3) and paragraph (4) may be carried out:
- a. Through website.<http://inatrade.kemendag.go.id>;
  - b. Through courier service; or
  - c. Delivered directly to the Head of BKPM, Director General, in this case the Director of Import, Head of the Provincial Office, Head of Regency/City Office, and/or Head of the One Door Integrated Service Organizing Agency in the Investment Sector at the domicile location of the company.

#### **Article 18**

- (1) The Head of BKPM may issue or reject to issue the API-U and API-P, as meant in Article 17 paragraph (1).

- (2) Further provisions on the issuance or rejection to issue the API-U and API-P, as meant in paragraph (1), are regulated by the Head of BKPM.

#### **Article 19**

- (1) The Director General issues the API-P within not later than 5 (five) working days as of the date the request, as meant in Article 17 paragraph (2), is received completely and correctly.
- (2) In case the request of API-P. as meant in Article 17 paragraph (2), is incomplete or incorrect, then the Director General submits the letter of request rejection to the applicant within not later than 5 (five) working days as of the date the request is received including the reasons for rejection.

#### **Article 20**

- (1) The Head of Provincial Office issues the API-U and API-P within not later than 5 (five) working days as of the date the requests, as meant in Article 17 paragraph (3) and paragraph (4), are received completely and correctly.
- (2) The Head o Provincial Office submits the copies of the API-U and API-P, as meant in paragraph (1), to the Director of Import and Head of the Regency/City Office.
- (3) In case the requests for the API-U and API-P, as meant in Article 17 paragraph (3) and paragraph (4) are incomplete and incorrect, then the Head of the Provincial Office submits t he letter of request rejection to the applicant within not later than 5 (five) working days as of the date the request are received including the reasons for rejection.

#### **Article 21**

- (1) The forms API-U and API-P, as meant in Article 3, are as contained in Appendix V, Appendix VI, Appendix VII, Appendix VIII and Appendix IX, which are the inseparable parts of this Regulation of the Minister.
- (2) The API-U has a light blue color and the API-P has a light green color with the logo of the Ministry of Trade.

#### **Article 22**

- (1) Each issued API-U and API-P are provided a number consisting of 9 (nine) digits followed by the letter B, letter D or letter P.

- (2) The 9 (nine) digits, as meant in paragraph (1), consists of:
  - a. 2 (two) first digits for the province code number that is determined as contained in Appendix X, which is an inseparable part of this Regulation of the Minister;
  - b. 2 (two) next digits for the regency/city code number in accordance with the code number determined at the concerned province;
  - c. 5 (five) last digits for the issued API sequence number; and
  - d. Letter B for the API-U and API-P that are issued by the Head of BKPM, letter D for the API-P that is issued by the Director General, or letter P for the API-U and API-P that are issued by the Head of Provincial Office.
- (3) In case of any amendments on the total areas, causing the changes of the province code number and change of the regency/city code number, then the new code numbers are determined by the Director General.
- (4) The samples of the Province and Regency/City code numbering are as contained in Appendix XI, which is an inseparable part of this Regulation of the Minister.

### **Article 23**

- (1) The API-U or API-P owner Company, as meant in Article 17 paragraph (1), should report the import realization, either realized or not realized, once every 3 (three) months to the Head of BKPM;
- (2) The API-P owner Company, as meant in Article 17 paragraph (2), should report the import realization, either realized or not realized, once every 3 (three) months to the Director General;
- (3) The API-U and API-P owner Company, as meant in Article 17 paragraph (3) and paragraph (4), should report the import realization, either realized or not realized, once every 3 (three) months to the Head of Provincial Office with copy to the Head of the Regency/City Office where the company is domiciled;
- (4) The report of import realization, either realized or not realized, as meant in paragraph (1), paragraph (2) and paragraph (3), should also be submitted through the website <http://api.kemendag.go.id>;
- (5) The Head of BKPM, Head of Provincial Office and Head of the

Undertaking Agency periodically submit once every 3 (three) months the recapitulation of import realization of each API-U and API-P owner company to the Minister.

#### **Article 24**

The Head of BKPM, Head of Provincial Office and Head of the Undertaking Agency submit the report of recapitulation on the issuance of API-U and API-P periodically once every 3 (three) months to the Minister.

#### **Article 25**

- (1) The API-U or API-P owner Company should report each amendment related to the API-U or API-P data within not later than 30 (thirty) days as of the date of amendment to the API issuance agency, with copies to the Director of Import and Head of the Regency/City Office at the location of the company domicile.
- (2) The amendment, as meant in paragraph (1), includes:
  - a. The amendment of the business entity form, composition of management/board of directors, name and address of company and number of the Trade Business License (SIUP) or business license from the related agency, Company Registration Identity Number (TDP), Taxpayer Registration Number (NPWP) and/or company domicile, for the API-U owner company; or
  - b. The amendment of the business entity form, composition of management/board of directors, name and address of company and number of the Industrial Business License (IUI) or other industrial license from related agency, Company Registration Identity Number (TDP), Taxpayer Registration Number (NPWP), for the API-P owner company.
- (3) For each amendment, as meant in paragraph (1), the API-U or API-P owner company should submit the request for amendment of the API-U or API-P by using the form as contained in Appendix XI, which is an inseparable part of this Regulation of the Minister, by attaching the following:
  - a. The amended document, as meant in paragraph (2);

- b. Requirements as meant in Article 17; and
  - c. Original of the old API-U or API-P.
- (4) The issuance agency issues the amended API-U or API-P within not later than 3 (three) working days effective as of the date of receipt of request, as meant in paragraph (3), completely and correctly.

#### **Article 26**

The importer that is not in possession of the API may only import the following goods:

- a. Temporary imported goods;
- b. Goods for promotion;
- c. Goods for the need of research and science development;
- d. Consignment;
- e. Goods as grant, present or gift for the need of public religious service, charity, social activities, cultural activities or for the interest of coping with natural disasters;
- f. Goods that are medicines and health equipments using the government budget;
- g. Goods that are exported for the need of repair and testing but re-imported in the amount maximum equal to the amount at the time of export in accordance with the Goods Export Notification (PEB);
- h. Exported goods that are rejected by the buyer abroad and then re-imported in the amount maximum in accordance with the Goods Export Notification (PEB);
- i. Goods as samples that are not for trade;
- j. Goods for the need of the government agency/other government institutions, which are imported by the concerned agency/institution;
- k. Goods of foreign country representatives or their officials assigned in Indonesia;
- l. Goods for the need of international organizations and their officials assigned in Indonesia; and
- m. Goods of those who move.

#### **Article 27**

API owner companies or importers not in possession of API are fully responsible for their implementation of import in accordance with the provisions of the legislative regulations.



## **Article 28**

- (1) In the framework of monitoring and evaluating the import policies, the Directorate General of Foreign Trade, Ministry of Trade may carry out the control on the import implemented by API-U and API-P owner companies.
- (2) The control, as meant in paragraph (1), is carried out by way of compliance assessment (post audit) on the:
  - a. Correctness of the import realization report;
  - b. Conformity of the imported goods to the data contained in the API document and its allocation; and
  - c. Compliance toward the legislative regulations related to the import sector.
- (3) The compliance assessment (post audit), as meant in paragraph (2), is carried out periodically and at any time.
- (4) The compliance assessment (post audit), as meant in paragraph (2), is carried out in coordination with the API issuance agency and the Directorate General of Customs, Ministry of Finances.
- (5) In the framework of implementing the compliance assessment (post audit), as meant in paragraph (2), the Directorate General may establish the API Control Integrated Team.

## **Article 29**

The API is frozen in case the API owner company and or the Management of the API owner company:

- a. Does not make the re-registration, as meant in Article 10;
- b. Does not carry out the import realization reporting obligation, as meant in Article 23; or
- c. Does not carry out the amendment reporting obligation, as meant in Article 25.

## **Article 30**

The API that has been frozen, as meant in Article 29, may be reactivated in case the concerned:

- a. Has carried out its obligation, as meant in Article 10;
- b. Has carried out the import realization reporting obligation, as meant in Article 23; and/or

- c. Has carried out the amendment reporting obligation, as meant in Article 25.

### **Article 31**

The API is withdrawn in case the API owner company and/or Management of the API owner company:

- a. Experiences the freezing of API for 2 (two) times;
- b. Does not the re-registration obligation, as meant in Article 10, in maximum 30 (thirty) days as of the date of freezing;
- c. Does not carry out the obligation of import realization reporting, as meant in Article 23, or does not carry out the obligation of reporting the amendment, as meant in Article 25, in maximum 30 (thirty) days as of the date of freezing;
- d. Submits incorrect information or data in the API request document;
- e. Is not responsible for the imported goods;
- f. Violates the provisions of the legislative regulations that apply in the import sector;
- g. Misuses the import documents and letters related to the import; and/or
- h. Is declared guilty by the court for criminal acts related to the misuse of API, which has permanent legal power.

### **Article 32**

- (1) In case the API is withdrawn, as meant Article 31 letter a, letter b and/or letter c, then the company may submit the request for a new API after (one) year as of the date of the API withdrawal.
- (2) In case the API is withdrawn, as meant in Article 31 letter d, letter e, letter f, letter g and/or letter h, then the company may only submit the request for a new API after 2 (two) years as of the date of the API withdrawal.

### **Article 33**

The company, as meant in Article 32, should submit the request with the requirements as meant in Article 17 and return the original withdrawn API.

### **Article 34**

- (1) The freezing, reactivation, and withdrawal of the API-U and API-P, as meant in Article 29, Article 30, and Article 31, is carried out on behalf of the Minister by the:

- a. Head of BKPM;
  - b. Director General; or
  - c. Head of Provincial Office.
- (2) The Head of BKPM submits the notification on the freezing, reactivation and withdrawal of API-U and API-P, as meant in Article 29, Article 30 and Article 31 to the concerned company with copies to the Minister, Director General of Customs, Head of Provincial Office, Head of Regency/City Office and Head of the Regency/City BKPM at the domicile location of the company.
  - (3) The Director General submits the notification on the freezing, reactivation or withdrawal of the API-U or API-P, as meant in Article 29, Article 30 and Article 31, to the concerned company with copies to the Minister, Director General of Customs, Head of Provincial Office, Head of Regency/City Office, and Head of the Regency/City PDPPM at the domicile location of the company.
  - (4) The Head of Provincial Office submits the notification on the freezing, reactivation and withdrawal of the API-U and API-P, as meant in Article 29, article 30 and Article 31, to the concerned company with copies to the Director of Import, Director General of Customs, and Head of the Regency/City Office at the domicile location of the company.

### **Article 35**

- (1) In case the PTSP Organizing Agency has been established at the Provincial Local Government, then the Minister may provide the authority mandate to issue the API-U and API-P, as meant in Article 15 paragraph (1) to the Head of the PTSP Organizing Agency.
- (2) The issuance of the API-U and API-P, as meant in paragraph (1), is signed for and on behalf of the Minister.
- (3) The submission of request, data amendment of API-U and API-P, as meant in paragraph (1), and the import realization report are submitted to the Head of the PTSP Organizing agency.
- (4) The Head of the PTSP Organizing Agency submits the API-U and API-P issuance report and the import realization to the Director of

Import and Head of the Provincial Office with copy to the Head of the Regency/City Office.

- (5) The imposing of sanction on the violation toward the provisions of the Regulation of the Minister in form of freezing, reactivation and withdrawal of the API-U and API-P, as meant in paragraph (1), is carried out by the Head of the PTSP Organizing Agency for and on behalf of the Minister.
- (6) The Head of the PTSP Organizing Agency submits the notification on the freezing, reactivation and withdrawal of the API-U and API-P, as meant in paragraph (5), to the concerned company with copies to the Director of Import, Director General of Customs, Head of the Provincial Office with copy to the Head of the Regency/City Office at the domicile location of the company.

#### **Article 36**

Further provisions on the implementation of this Regulation of the Minister may be determined by the Director General.

#### **Article 37**

The PI-U and API-P that have been issued based on the Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012 concerning Provisions for 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, is declared as still applicable and should be adjusted to this Regulation of the Minister within not later than 30 June 2016.

#### **Article 38**

The determination as Importer Producer, which is issued with the Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012 concerning Provisions for 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 is declared still applicable until the termination of its validity term.

#### **Article 39**

At the this Regulation of the Minister commences applicable, the Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012 concerning Provisions for 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/5/2012 is withdrawn and declared not applicable.

#### **Article 40**

At the time this Regulation of the Minister commences applicable, all implementation regulations of the Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012 concerning Provisions for 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/5/2012, is declared as still applicable as long as it is not opposing with or a new regulation is made based on the provisions in this Regulation of the Minister.

#### **Article 41**

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 28 September 2015

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

*signed*

THOMAS TRIASIH LEMBONG

Copy conforms to the original

Secretariat General

Ministry of Trade

Head of Legal Bureau,

*signed and sealed*

LASMININGSIH