
AUTHORIZED TRANSLATION



MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

**REGULATION OF THE MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA
NUMBER 90/M-DAG/PER/10/2015
CONCERNING
AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE
NUMBER 54/M-DAG/PER/7/2015 CONCERNING THE VERIFICATION OR
TECHNICAL TRACING ON THE EXPORT OF PALM OIL,
CRUDE PALM OIL (CPO), AND THEIR DERIVATIVE PRODUCTS**

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 industry competitiveness, it is necessary to simplify the verification or technical tracing activities on the export of Palm Oil, Crude Palm Oil (CPO) and their Derivative Products;
 - b. that based on the consideration, as meant in letter a, it is necessary to amend the provisions for the verification or technical tracing on the export of Palm Oil, Crude Palm Oil (CPO), and their Derivative Products;

- 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 the Amendment of the Regulation of the Minister of Trade Number 54/M-DAG/PER/7/2015 concerning the Verification or Technical Tracing on the Export of Palm Oil, Crude Palm Oil (CPO) and their Derivative Products.

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 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);
4. 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);

5. 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);
6. Law Number 39 of 2014 concerning Plantation (State Gazette of the Republic of Indonesia of 2014 Number 308, Supplement to the State Gazette of the Republic of Indonesia Number 5613);
7. Government Regulation Number 24 of 2015 concerning Collection of Plantation Fund (State Gazette of the Republic of Indonesia of 2015 Number 104, Supplement to the State Gazette of the Republic of Indonesia Number 5697);
8. 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;
9. Presidential Regulation Number 7 of 2015 concerning State Ministry Organization;
10. Presidential Regulation Number 48 of 2015 concerning Ministry of Trade;
11. Presidential regulation Number 61 of 2015 concerning Collection and Use of the Palm Oil Plantation Fund.
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 Trade Number 28/M-DAG/PER/6/2009 concerning Provisions for Import and Export Licensing Service with the Electronic System

through INATRADE in the Framework of the Indonesia Single Window;

14. 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;
15. Regulation of the Minister of Trade Number 13/M-DAG/PER/3/2012 concerning General Provisions in the Export Sector;
16. Regulation of the Minister of Finances Number 48/PMK.04/2012 concerning Customs Notification in the Framework of Entering and Taking Out Goods Into and Out of the Zone that has been Determined as the Free Trade Zone and Free port;
17. Regulation of the Minister of Trade Number 46/M-DAG/PER/8/2014 concerning General Provisions for the Verification or Technical Tracing in the Trade Sector;
18. Regulation of the Minister of Trade Number 04/M-DAG/PER/1/2015 concerning Provisions for the Use of Letter of Credit for Export of Certain Goods, as has been amended with the Regulation of the Minister of Trade Number 67/M-DAG/PER/8/2015;
19. Regulation of the Minister of Trade Number 26/M-DAG/PER/3/2015 concerning Special Provisions for Implementation of the Letter of Credit for the Export of Certain Goods;

20. Regulation of the Minister of Finances Number 113/PMK.01/2015 concerning Organization and Work System of the Palm Oil Plantation Fund Management Board;
21. Regulation of the Minister of Finances Number 114/PMK.05/2015 concerning Service Tariff of the Public Service Agency of the Palm Oil Plantation Fund Management Board at the Ministry of Finances, as has been amended with the Regulation of the Minister of Finances Number 133/PMK.05/2015;
22. Regulation of the Minister of Finances Number 75/PMK.01/2012 concerning Determination of Export Goods that are imposed the Export Duty and Export Duty Tariff, as has been amended with the Regulation of the Minister of Finances Number 136/PMK.010/2015.

HAS DECREED:

To determine: **THE REGULATION OF THE MINISTER OF TRADE CONCERNING THE AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE NUMBER 54/M-DAG/PER/7/2015 CONCERNING THE VERIFICATION OR TECHNICAL TRACING ON THE EXPORT OF PALM OIL, CRUDE PALM OIL (CPO) AND THEIR DERIVATIVE PRODUCTS.**

Article I

Several provisions in the Regulation of the Minister of Trade Number 54/M-DAG/PER/7/2015 concerning Verification or Technical Tracing on the Export of Palm Oil, Crude Palm Oil (CPO) and their Derivative Products are amended as follows:

1. The Provision of Article 6 is amended and now reads as follows:

Article 6

- (1) The verification or technical tracing by the Surveyor, as meant in Article 3 paragraph (1) includes:
 - a. The administrative verification activity on the supporting data, covering:
 1. Document as meant in Article 5 letter a, letter b and letter c;
 2. Evidence of the Letter of Credit payment system for Crude Palm Oil (CPO) and Crude Palm Kernel Oil (CPKO); and
 3. Evidence of the payment settlement of the Plantation Fund Collection on the export of Palm Oil, Crude Palm Oil (CPO) and their derivative products.
 - b. The physical verification activity, covering:
 1. The amount, type, brand and number of packing;
 2. Amount of goods;
 3. Type of goods;
 4. Technical specification;
 5. Examination on the conformity between the description of goods and the Tariff Post/HS;
 6. Control on the loading into the container or other transportation means; and
 7. Affixing of seal on the container or other transportation means in case all goods in the container or other transportation means are checked by the Surveyor.
- (2) The determination of type and technical specification covering the Tariff Post/HS and description of goods, as meant in paragraph (1) letter b point 3, point 4 and point 5 as well as the quality of goods is carried out through the analysis at the laboratory.

- (3) The technical specification, as meant in paragraph (1) letter b point 4, which is used determine the type of Palm Oil, Crude Palm Oil (CPO) and their derivative products, covers the :
 - a. Description;
 - b. Qualitative Test; and/or
 - c. Quantitative Test.
 - (4) The parameter of the Quantitative Test, as meant in paragraph (3) letter c, should be complied on the overall.
 - (5) The Quantitative Test is the main reference to determine the type of Palm Oil, Crude Palm Oil (CPO) and their derivative products.
 - (6) In case there is no Quantitative Test, then the determination of the type of Palm Oil, Crude Palm Oil (CPO) and their derivative products is based on the Description and/or Qualitative Test.
 - (7) The determination of the mixed product type originating from Crude Palm Oil (CPO) and its derivative products is based on the result of Verification or technical tracing carried out by the Surveyor.
 - (8) The technical specification, as meant paragraph (3), is contained in Appendix II, which is an inseparable part of this Regulation of the Minister.
2. The provision of Article 8 is amended and now reads as follows:

Article 8

- (1) The result of verification or technical tracing that has been carried out by the Surveyor, as meant in Article 6 paragraph (1), is entered into the form of Surveyor Report (LS) in order to be used as the customs complementary document that is required

for submission of the export customs notification to the customs office.

- (2) The Surveyor Report (LS), as meant in paragraph (1), should contain the statement on the correctness of the result of Verification or technical tracing and is the full responsibility of the Surveyor.
- (3) In case the Surveyor Report (LS), as meant in paragraph (1), is not yet able to be issued, then the Surveyor may issue the:
 - a. Certificate for submission of the export customs notification; and
 - b. Statement for entering part of the containers into the customs area.
- (4) The certificate, as meant in paragraph (3) letter a, should minimum contain the information on the name of exporter and number of the Surveyor Report (LS).
- (5) The statement, as meant in paragraph (3) letter b, should minimum contain the information on the:
 - a. Name of exporter;
 - b. Number of submission of the goods export notification.
 - c. Number, size, and seal number of the container; and
 - d. Completion of checking and control on the loading of Palm Oil, Crude Palm Oil (CPO) and their derivative products into the container.
- (6) The costs that are incurred for the implementation of the Verification or technical tracing on the export of Palm Oil, Crude Palm Oil (CPO) and their derivative products, which are carried out by the Surveyor, are charged to Palm Oil Plantation Fund that is managed by the Board.

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

Article 10

The Surveyor may carry out the activity of physical verification on the amount of goods and type of goods, as meant in Article 6 paragraph (1) letter b point 2 and point 3, at the same time and place of the physical examination in the framework of service carried out by the Directorate General of Customs, Ministry of Finances.

4. One article is inserted between Article 13 and Article 14, namely Article 13A, which reads as follows:

Article 13A

The provisions in this Regulation of the Minister do not apply on the export of Palm Oil, Crude palm Oil (CPO) and their derivative products that are:

- a. Samples;
- b. Research materials; and
- c. Goods for the need of exhibition abroad.

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 22 October 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

Translated from Indonesian Language
Jakarta, September 30, 2016
Authorized and Sworn Translator,

FIKRI SAID OBED