
AUTHORIZED TRANSLATION



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

NUMBER 54/M-DAG/PER/7/2015

CONCERNING

**VERIFICATION OR TECHNICAL TRACING ON THE EXPORT OF OIL PALM,
CRUDE PALM OIL (CPO) AND THEIR DERIVATIVE PRODUCTS**

UPON GRACE OF THE ONLY GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that in the framework of supporting the improvement of export of Oil Palm, Crude Palm Oil (CPO) and their derivative products at the international market, which is in accordance with the quality standard dynamics of the export destination countries, if is necessary to carry out more intensive control through the implementation of the verification or technical tracing on the export of Oil Palm. Crude Palm Oil (CPO) and Their Derivative 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 Verification or Technical Tracing on the Export of Oil Palm, 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 Industrial Affairs (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 Organization of the State Ministry;
10. Presidential Regulation Number 48 of 2015 concerning Ministry of Trade;
11. Presidential Regulation Number 61 of 2015 concerning Collection and Use of the Oil Palm Plantation Fund.
12. Regulation of the Minister of Trade Number 28/M-DAG/PER/6/2009 concerning Provisions Export and Import Licensing Service with the Electronic System through INATRADE in the Framework of the Indonesia National Single Window;
13. 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 with the Regulation of the Minister of Trade Number 57/M-DAG/PER/8/2012;
14. Regulation of the Minister of Trade Number 13/M-DAG/PER/3/2012 General Provisions in the Export Sector;
15. 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 Area that has been determined as the Free Trade Zone and Free Port;
16. 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;
17. Regulation of the Minister of Trade Number O4/M-DAG/PER/1/2015 concerning Provisions for Using the Letter of Credit for Export of Certain Goods;
18. Regulation of the Minister of Trade Number 26/M-

DAG/PER/3/2015 concerning Special Provisions for the Implementation of Using the Letter of Credit for Export of Certain Goods

19. Regulation of the Minister of Finances Number 113/PMK.01/2015 concerning Organization and Work Procedure of the Oil Palm Plantation Fund Management Agency;
20. Regulation of the Minister of Finances Number 114/PMK.05/2015 concerning Service Tariff of the General Service Agency of the Oil Palm Plantation Fund Management Agency, as has been amended with the Regulation of the Minister of Finances Number 133/PMK.05/2015.

HAS DECREED

To enact : THE REGULATION OF THE MINISTER OF TRADE CONCERNING THE VERIFICATION OR TECHNICAL TRACING ON THE EXPORT OF OIL PALM, CRUDE PALM OIL (CPO) AND THEIR DERIVATIVE PRODUCTS.

Article 1

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

1. Verification or technical tracing is the investigation and inspection on export goods carried out by the surveyor prior to the loading of goods until the completion of loading of goods on the ship (loading) and/or into the container (stuffing).
2. Surveyor is the company in the survey sector that obtains the authority from and is determined by the Minister of Trade to carry out the verification or technical tracing on the export of Oil Palm, Crude Palm Oil (CPO) and their derivative products.
3. Minister is the minister who organizes the administration affairs in the trade sector.
4. Director General is the Director General of Foreign Trade, Ministry of Trade.
5. Agency is the Oil Palm Plantation Fund Management Agency.

Article 2

- (1) The verification or technical tracing should first be carried out for each implementation of export of Oil Palm, Crude Palm Oil (CPO) and their derivative products.
- (2) Oil Palm, Crude Palm Oil (CPO) and their derivative products, as meant in paragraph (1), are as contained in Appendix I, which is an inseparable part of this Regulation of the Minister.

Article 3

- (1) The verification or technical tracing, as meant Article 2 paragraph (1), is carried out by Surveyor prior to the loading of goods.
- (2) The Surveyor, as meant in paragraph (1), is determined by the Minister after coordinating with the Agency.
- (3) The Minister delegates the authority to determine the Surveyor, as meant in paragraph (2), to the Director General.

Article 4

- (1) In order to be determined as implementer of the verification or technical tracing, the Surveyor, as meant in Article 3 paragraph (1), should comply with the following requirements
 - a. In possession of the Survey Service Business License (SIUJS);
 - b. Has obtained the accreditation as an inspection institution from the National Accreditation Committee (KAN);
 - c. Experienced as Surveyor for Oil Palm, Crude Palm Oil (CPO) and their derivative products for minimum 5 (five) years;
 - d. Has a wide verification or technical tracing service network within the area of Indonesia;
 - e. Has the information technology system, which is specially implemented in accordance with the scope of assignment;
 - f. Has minimum 10 (ten) laboratories with complete equipments, of which 5 (five) among them is accredited by the National Accreditation Committee (KAN);

- g. Has experts with qualifications in the verification or technical tracing sector for Oil Palm, Crude Palm Oil (CPO) and their derivative products; and
- h. In possession of good track records with regard to the activity management of the verification or technical tracing on Oil Palm, Crude Palm Oil (CPO) and their derivative products.

(1) In order to be determined as implementer of the verification or technical tracing, the Surveyor, as meant in Article 3 paragraph (1), should submit the written request to the Director General by attaching the:

- a. Photocopy of the Survey Service Business License (SIUJS);
- b. Photocopy of the Company Registration Identity (TDP);
- c. Photocopy of the Taxpayer Registration Number (NPWP);
- d. Photocopy of the inspection institution accreditation certificate from the National Accreditation Committee (KAN);
- e. Statement on the company working area, which contains minimum the addresses of the head office, branch/representative offices and location of the laboratories;
- f. Statement on the species of Oil Palm, types of Crude Palm Oil (CPO) and their derivative products in the working area;
- g. Statement on the specie of Oil Palm, types of Crude Palm Oil (CPO) and their derivative products, which have been verified before:
- h. List of experts completed with their Curriculum Vitae (CV) and work location;
- i. Evidence on the ownership of laboratory completed with the photocopy of the laboratory accreditation certificate from the National Accreditation Committee (KAN);
- j. List of complete laboratory equipments in accordance of the scope of species of Oil Palm, types of Crude Palm Oil (CPO) and their derivative products;
- k. List of names of the Surveyor Report (LS) signing Officials, specimens of signatures and specimen of company seal.

In order to carry out the verification or technical tracing, as meant in Article 2, the exporter should submit the request for verification or technical tracing to the Surveyor by attaching at least the following requirements:

- a. Photocopy of the Trade Business License (SIUP) or business license from the technical ministry/non government institution/agency;
- b. Photocopy of the Company Registration Identity (TDP);
- c. Photocopy of the Taxpayer Registration Number (NPWP);
- d. Certificate on the amount and species of Oil Palm, Crude Palm Oil (CPO) and their derivative products

Article 6

- (1) The verification or technical tracing, by the Surveyor, as meant in Article 3 paragraph (1), covers:
 - a. Administrative verification activities on the supporting data, covering:
 1. Documents, as meant in Article 5 letter a, letter b and letter c;
 2. Evidence of the letter of Credit payment system for the Crude Palm Oil (CPO) and Crude Palm Kernel Oil (CPKO);
 3. Evidence on the settlement of the Plantation Fund Retribution payment for the export of Oil Palm, Crude Palm Oil (CPO) and their derivative products.
 - b. Physical verification activities, covering:
 1. Quantity, type, brand and number of packing;
 2. Quantity of goods;
 3. Type of goods;
 4. Technical specification;
 5. Conformity of Tariff Post/HS;
 6. Control on the loading into the container or other transportation means; and
 7. Checking by the Surveyor on the affixing of seal on the container or other transportation means if all goods are transported in containers or other transportation means;

- (2) Determination of type and technical specification covering the Tariff Post/HS number and description of goods, as meant in paragraph (1) letter b point 3, point 4 and point 5 and quality of goods, which 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 to determine the species of Oil Palm, type of Crude Palm Oil (CPO) and their derivative products covers:
 - a. Description;
 - b. Qualitative Test; and/or
 - c. Quantitative Test.
- (4) The Quantitative Test, as meant in paragraph 3 letter c, is the main parameter to determine the species of Oil Palm, type of Crude Palm Oil (CPO) and their derivative products.
- (5) In case the Quantitative Test is not carried out, then the determination of the Species of Oil Palm, type of Crude Palm Oil (CPO) and their derivative products is based on the Description and/or Qualitative Test.
- (6) The determination of mixed products originating from Crude Palm Oil (CPO) and its derivative products is based on the results of verification or technical verification carried out by the Surveyor.
- (7) The technical specification, as meant in paragraph (3), is contained in Appendix II, which is an inseparable part of this Regulation of the Minister.

Article 7

- (1) Oil Palm, Crude Palm Oil (CPO) and their derivative products, as meant in Article 2 paragraph (2), which technical specification, as meant in Appendix II, is doubted, may be exported after being approved in the Technical Coordination Team meeting.
- (2) The Technical Coordination Team, as meant paragraph (1), is determined by the Director General on behalf of the Minister.

Article 8

- (1) The results verification or technical tracing that has been carried out by the Surveyor, as meant in Article 6 paragraph (1), are contained in the

form of Surveyor Report (LS) in order to be used as the customs supplementary document, which is required for the registration of the Goods Export Notification (PEB).

- (2) The issuance of the Surveyor Report (LS), as meant in paragraph (1), is not later than 1 (one) day after completion of the loading of goods into the container or other transportation means.
- (3) The costs incurred for the implementation of the verification or technical tracing on the export of Oil Palm, Crude Palm Oil (CPO) and their derivative products, which are carried out by the Surveyor, are charged to the Oil Palm Plantation Fund managed by the Board.

Article 9

Oil Palm, Crude Palm Oil (CPO) and their derivative products that are to be exported but do not comply with the provision, as meant in Article 8 paragraph (1), may not be exported.

Article 10

The verification or technical tracing on the export of Oil Palm, Crude Palm Oil (CPO) and their derivative products, which is carried out by the Surveyor, does not diminish the authority of the Directorate General of Customs of the Ministry of Finances to carry out the customs inspection.

Article 11

- (1) The Surveyor is required to submit the Surveyor Report (LS) through *<http://inatrade.kemendag.go.id>*, which will be passed on to the INSW portal.
- (2) In case *<http://inatrade.kemendag.go.id>*, as meant in paragraph (1) is not functioning due to force majeure, then the Surveyor Report is submitted manually to the INSW portal.
- (3) The Surveyor is required to submit the Surveyor Report (LS) to the exporter not later than 1 (one) day after issuance of the Surveyor Report (LS).

- (4) The Surveyor is required to that the exported goods are in accordance with those contained in the Survey Report (LS), as meant in Article 8 paragraph (1).

Article 12

- (1) The Surveyor, as meant in Article 3 paragraph (1), should submit a written report on the verification or technical tracing activities, which is carried out monthly.
- (2) The written report, as meant in paragraph (1). Is submitted to the Minister, in this case the Director General and the President Director of the Board at the first week of the following month.
- (3) The Surveyor should monthly submit the recapitulation on the Survey Report (LS), as meant in Article 8 paragraph (1) to the Director General by using the format as contained in Appendix III, which is an inseparable part of this Regulation of the Minister.

Article 13

The determination as Surveyor as implementer of the verification or technical tracing is withdrawn if the Surveyor, as meant in Article 3 paragraph (1):

- a. Issues the Surveyor Report (LS) not in accordance with he scope of verification or technical tracing, as meant in Article 6 paragraph (1).
- b. Does not carry out the obligation, as meant in Article 11; and/or
- c. Does not carry out the obligation, as meant in Article 12 paragraph (1) and paragraph (3), 2 (two) times within the period of 1 (one) year.

Article 14

The technical instructions for the implementation of this Regulation of the Minister may be determined by the Director General.

Article 15

At the time this Regulation of the Minister commences applicable, the Regulation of the Minister of Trade Number 29/M-DAG/PER/6/2013 concerning Verification or Technical Tracing on the Export of Oil Palm, Crude Palm Oil (CPO) and Their Derivative Products, as has been amended several

times and latest with the Regulation of the Minister of Trade Number 02/M-DAG/PER/1/2015 is withdrawn and declared not applicable.

Article 16

This Regulation of the Minister commences applicable on 16 July 2015.

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 14 July 2015

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

signed

RACHMAT GOBEL

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Secretariat General

Ministry of Trade

Legal Bureau,

signed and sealed

LASMININGSIH

APPENDIX I**REGULATION OF THE MINISTER OF TRADE****NUMBER 54/M-DAG/PER/7/2015****CONCERNING****VERIFICATION OR TECHNICAL TRACING FOR THE EXPORT OF OIL PALM,
CRUDE PALM OIL (CPO) AND THEIR DERIVATIVE PRODUCTS****OIL PALM, CRUDE PALM OIL AND THEIR DERIVATIVE PRODUCTS
THAT SHOULD BE VERIFIED**

NO.	DESCRIPTION OF GOODS	TARIFF POST/HS
1.	Fresh Fruit Bunch (Tandan Buah Segar/TBS)	ex. 1207.99.90.00
2.	Palm fruit, palm kernel and oil plam kernel	1207.10.10.00 1207.10.20.00
3.	Oil Cake and other solid residues from palm fruit and palm kernel	2306.60.00.00
4.	Empty Palm Bunch	ex. 1404.90.90.00
5.	Palm Kernel Shell in form of flakes and powder with the particle size of \geq 50 mesh	ex. 1404.90.90.00
6.	Crude Palm Oil (CPO)	1511.10.00.00
7.	Crude Palm Kernel Oil (CPKO)	1513.21.10.00
8.	Crude Palm Olein	1511.90.19.00
9.	Crude Palm Stearin	1511.90.11.00
10.	Crude Palm Kernel Olein	1513.29.13.00
11.	Crude Palm Kernel Stearin	1513.29.11.00
12.	Palm Fatty Acid Distillate (PFAD)	ex. 3823.19.90.00
13.	Palm Kernel Fatty Distillate (PKFAD)	ex. 3823.19.90.00
14.	Split Fatty Acid from Crude Palm Oil< Crude Palm Kernel Oil and/or its raw fraction with free fat acid contents of \geq 2%	ex. 3823.19.90.00
15.	Split Palm Fatty Acid Distillate (SPFAD) with free acid contents of \geq 70%	ex. 3823.19.90.00
16.	Split Palm Kernel Fatty Acid Distillate (SPKFA) with free fat acid contents of \geq	ex. 3823.19.90.00

17.	RBD Palm Olein	ex. 3823.90.92.00 ex. 3823.90.99.00
18.	RBD Palm Oil	ex. 1511.90.92.00 ex. 1511.90.99.00
19.	RBD Palm Stearin	ex. 1511.90.91.10 ex. 1511.90.91.90
20.	RBD Palm Kernel Oil	1513.29.95.00
21.	RBD Palm Kernel Olein	1513.29.94.00
22.	RBD Palm Kernel Stearin	1513.29.91.00
23.	RBD Palm Olein in packing with brand and packed with the net weight of \leq 25 kg	ex. 1511.90.92.00 ex. 1511.90.99.00
24.	Biodiesel and Palm Oil with Methyl Ester content of more than 96.5% volume	ex. 3826.00.90.10
25.	Mixture of vegetable oil or its different fraction that contains the basic materials of palm oil or palm kernel oil or its fraction in solid form	ex. 1517.90.50.00
26.	Mixture of different vegetable oil with the basic materials of Palm oil in liquid form	ex. 1517.90.62.00 ex. 1517.90.63.00 ex. 1517.90.64.00
27.	Mixture of different vegetable oil with the basic materials of palm kernel oil in liquid form	ex. 1517.90.65.00
28.	Mixture of different vegetable oil with basic materials of palm kernel olein in liquid form	ex. 1517.90.66.00
29.	Mixture in liquid form with basic materials of type indicated in number 1 (one) until 24 (twenty four) with in addition to the basic material at number 25 (twenty five) until 28 (twenty eight) of this Appendix	ex. 1517.90.69.00
30.	Non edible mixture from vegetable fat or oil or from fat fraction or different oil of palm oil (including palm kernel)	ex. 1518.00.31.

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

signed

RACHMAN GOBEL

Copy conforms to the original

Secretariat General

Ministry of Trade

Head of Legal Bureau,

signed and sealed

LASMININGSIH