
AUTHORIZED TRANSLATION



MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

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

NUMBER 47/M-DAG/PER/7/2015

CONCERNING

AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE

NUMBER 55/M-DAG/PER/9/2014 CONCERNING PROVISIONS

FOR IMPORT OF COOLING SYSTEM BASED GOODS

UPON GRACE OF THE ONE ALMIGHTY GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that in order to improve the effectiveness of control and supervision on the import of cooling system based goods, it is necessary to amend several provisions of the Regulation of the Minister of Trade Number 55/M-DAG/PER/9/2014 concerning Provisions for Import of Cooling System Based Goods;
 - 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 55/M-DAG/PER/9/2014 concerning Provisions for Import of Cooling System Based Goods;

- 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 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 4661);
 3. Law Number 8 of 1999 concerning Consumer Protection (State Gazette of the Republic of Indonesia of 1999 Number 42, Supplement to the State Gazette of the Republic of Indonesia Number 3821);
 4. Law Number 36 of 2000 concerning Determination of 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 Number 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);
5. 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);
 6. Law Number 32 of 2009 Environmental Protection and Management (State Gazette of the Republic of Indonesia of 2009 Number 140, Supplement to the State Gazette of the Republic of Indonesia Number 5059);
 7. Law Number 36 of 2009 concerning Health (State Gazette of the Republic of Indonesia of 2009 Number 144, Supplement to the State Gazette of the Republic of Indonesia Number 5063);
 8. 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);
 9. 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);
 10. Government Regulation Number 74 of 2001 concerning Management of Hazardous and Toxic Materials (State Gazette of the Republic of Indonesia of 2001 Number 138, Supplement to the State Gazette of the Republic of Indonesia Number

- 4153);
11. Government Regulation Number 10 of 2012 concerning Treatment of Customs, Taxation, and Excise as well as the System of Taking In and Taking Out Goods Into and Out Of the Area Determined as 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);
 12. Presidential Decree Number 23 of 1992 concerning Ratification of the *Vienna Convention for the Protection of The Ozone Layer and Montreal Protocol on Substances that Deplete the Ozone Layer as Adjusted and Amended by the Second Meeting of the Parties London, 27-29 June 1990*;
 13. Presidential Decree Number 92 of 1998 concerning Ratification of the *Montreal Protocol on Substances that Deplete the Ozone Layer, Copenhagen 1992*;
 14. 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;
 15. Presidential Regulation Number 7 of 2015 concerning State Ministry Organization;
 16. Presidential Regulation Number 48 of 2015 concerning Ministry of Trade;

17. Regulation of the Minister of Trade Number 54/M-DAG/PER/9/2009 concerning General Provisions in the Import Sector;
18. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2010 concerning Organization and Work Procedure of the Ministry of Trade Number, 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 03/M-DAG/PER/1/2012 concerning Provisions for Import of Ozone Layer Depleting Substances, as has been amended with the Regulation of the Minister of Trade Number 40/M-DAG/PER/7/2014;
20. 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;
21. Regulation of the Ministry of Industry Number 41/M-IND/PER/5/2014 concerning Prohibition for Using of *Hydrochlorofluorocarbon* (HCFC) in the Industrial Sector;
22. Regulation of the Minister of Trade Number 46/M-DAG/PER/8/2013 concerning General Provisions for Verification or Technical Tracing in the Trade Sector;

23. Regulation of the Minister of Trade Number 55/M-DAG/PER/9/2014 concerning Import of Cooling System Based Goods;

HAS DECREED:

To determine : **REGULATION OF THE MINISTER OF TRADE CONCERNING AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE NUMBER 55/M-DAG/PER/9/2014 CONCERNING PROVISIONS FOR IMPORT OF COOLING SYSTEM BASED GOODS.**

Article I

Several provisions in the Regulation of the Minister of Trade Number 55/M-DAG/PER/9/2014 concerning Import Provisions for Import of Cooling System Based Goods are amended as follows:

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

Article 1

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

1. Cooling System Based Goods are goods that use the cooling system in the operation and use and/or contain refrigerant as the cooling media.
2. *Hydrochlorofluorocarbon 22*, hereinafter abbreviated HCFC-22, is the chemical compound that functions as the

refrigerant and has the potential of depleting the ozone molecules in the stratosphere layer.

3. Import is the activity of taking in goods into the customs area.
4. Registered Importer of Cooling System Based Goods, hereinafter referred to as IT-Cooling System Based Goods, is the company that imports Cooling System Based Goods.
5. Recommendation is the letter issued by the minister or appointed official containing the explanation on the Cooling System Based Goods to be imported.
6. Verification or technical tracing is the investigation and checking on imported goods carried out by the Surveyor.
7. Surveyor is the survey company that has obtained the authorization to carry out the verification or technical tracing on imported goods.
8. Minister is the minister who organizes the administration affairs in the Trade Sector.
9. Director General is Director General of Foreign Trade, Ministry of Trade.
10. Director General of PPI is the Director General of Climate Change, Ministry of Environment and Forestry.
11. Director General of ILMATE is the Director General of Metal Industry, Machines, Transportation Equipments and

Electronics, Ministry of Industry.

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2. The provision of Article 4 is amended and reads as follows:

Article 4

Each import of Cooling System Based Goods, as meant in Article 2, may only be carried out through the following ports:

- a. Land port: Cikarang *Dry Port* in Bekasi;
 - b. Seaport: Belawan in Medan, Tanjung Priok in Jakarta, Merak in Banten, Tanjung Mas in Semarang, Tanjung Perak in Surabaya, Soekarno Hatta in Makassar, Batu Ampar in Batam; and/or
 - c. Airport: all international airports.
3. The provisions of Article 6 paragraph (1) are amended so that Article 6 reads as follows:

Article 6

(1) In order to obtain the determination as IT-Cooling System Based Goods, as meant in Article 5 paragraph (1), the company should submit the written request to the Director General by attaching the following documents:

- a. Photocopy of the Trade Business License or Industrial Business License or other similar types of business license from the authorized agency;

- b. Photocopy of the Importer Identity Number (API);
 - c. Photocopy of the Company Registration Identity (TDP);
 - d. Photocopy of the Taxpayer Registration Number (NPWP);
 - e. Recommendation from the Director General of PPI;
 - f. Recommendation from the Director General of ILMATE; and
 - g. Statement upon sufficient revenue stamp from the importer that certifies that the imported goods do not use HCFC-22 refrigerant.
- (2) Based on the written request, as meant in paragraph (1), the Director General issues the determination as IT-Cooling System Based Goods within not later than 5 (five) working days effective as of the date the request is received completely and correctly.
- (3) In case the written request, as meant in paragraph (1), is incomplete and incorrect, then the Director General submits the notification on the rejection of request within not later than 5 (five) working days as of the date the request is received.
4. The provisions of Article 13 are amended and read as follows:

Article 13

- (1) The IT-Cooling System Based Goods is required to submit

the report on the import, either realized or not realized, to the Director General with copies submitted to:

- a. Director General of PPI; and
- b. Director General of ILMATE.

(2) The report, as meant in paragraph (1) is submitted once every 3 (three) months within not later than the 15th day of the first month of the following quarter through *<http://inatrade.kemendag.go.id>*.

5. 1 (one) Article is inserted between Article 18 and Article 19, namely Article 18A, which reads as follows:

Article 18A

The exception from the provisions that are regulated in this Regulation of the Minister is determined by the Minister by considering the proposals from the related agencies.

Article II

This Regulation of the Minister commences applicable 60 (sixty) days as of 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.

Determined in Jakarta

On 3 July 2015

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

signed

RACHMAT GOBEL

Copy conforms to the original

Secretariat General

Ministry of Trade

Head of Legal Bureau,

signed and sealed

LASMININGSIH

Translated from Indonesian Language
Jakarta, November 5, 2016
Authorized and Sworn Translator,

FIKRI SAID OBED