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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 72/M-DAG/PER/10/2014**

**CONCERNING**

**AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE NUMBER  
20/M-DAG/PER/4/2014 CONCERNING SUPERVISION AND CONTROL ON THE  
PROCUREMENT, DISTRIBUTION AND SALES OF ALCOHOLIC DRINKS**

**UPON BLESSINGS OF THE ONLY GOD**

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

- Considering :
- a. That in order to provide business certainty and orderly business as well as to improve the effectiveness of the alcoholic drinks import implementation, it is necessary to amend several provisions of the Regulation of the Minister of Trade Number 20/M-DAG/PER/4/2014 concerning the Supervision and Control on the Procurement, Distribution and Sales of Alcoholic Drinks;
  - 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 20/M-DAG/PER/4/2014 concerning the Supervision and Control on the Procurement, Distribution and Sales of Alcoholic Drinks.

- In view of : 1. Emergency Law Number 7 of 1955 concerning the Investigation, Closing, Prosecution and Judiciary of Economic Crime (State Gazette of the Republic of Indonesia of 1955 Number 27, Supplement to the State Gazette of the Republic of Indonesia Number 801), as has been amended several times and latest with the Government Regulation as Replacement of Law Number 1 of 1971 (State Gazette of the Republic of Indonesia of 1971 Number 55, Supplement to the State Gazette of the Republic of Indonesia Number 2966);
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 11 of 1995 concerning Excise (State Gazette of the Republic of Indonesia of 1995 Number 76, Supplement to the State Gazette of the Republic of Indonesia Number 3613), as has been amended with Law Number 39 of 2007 (State Gazette of the Republic of Indonesia of 2007 Number 105, Supplement to the State Gazette of the Republic of Indonesia Number 4755);
4. Law Number 8 of 1999 concerning Protection of Consumers (State Gazette of the Republic of Indonesia of 1999 Number 42, Supplement to the State Gazette of the Republic of Indonesia Number 3821);
5. Law Number 32 of 2004 concerning Local Government (State Gazette of the Republic of Indonesia of 2004 Number 125, Supplement to the State Gazette of the Republic of Indonesia Number 4437), as has been amended several times and latest with Law Number 12 of 2008 (State Gazette of the Republic of Indonesia of 2008 Number 59, Supplement to the State Gazette

- of the Republic of Indonesia Number 4844);
6. 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);
  7. Law Number 10 of 2009 concerning Tourism (State Gazette of the Republic of Indonesia of 2009 Number 11, Supplement to the State Gazette of the Republic of Indonesia Number 4966);
  8. Law Number 18 of 2012 concerning Food (State Gazette of the Republic of Indonesia of 2012 Number 227, Supplement to the State Gazette of the Republic of Indonesia Number 5360);
  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 102 of 2000 concerning National Standardization (State Gazette of the Republic of Indonesia of 2000 Number 1999, Supplement to the State Gazette of the Republic of Indonesia Number 4020);
  11. Government Regulation Number 38 of 2007 concerning Allocation of Administration Affairs Among the Government, Provincial Government, and Regency/City Government (State Gazette of the Republic of Indonesia of 2007 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 3747);
  12. Presidential Decree Number 84/P of 2009 concerning Formation of the United Indonesia Cabinet II, as has been amended with Presidential Decree Number 8P of 2014;
  13. Presidential Regulation Number 47 of 2009 concerning Formation and Organization of the State Ministry, as has been amended several times and latest with the Presidential Regulation Number 13 of 2014 (State Gazette of the Republic of Indonesia of 2014 Number 24);
  14. Presidential Regulation Number 24 of 2010 concerning the

- Position, Duties and Functions of the State Ministry and Organization Structure, Duties and Functions of Echelon I of the State Ministry, as has been amended several times and latest with the Presidential Regulation Number 14 of 2014 (State Gazette of the Republic of Indonesia of 2014 Number 25);
15. Presidential Regulation Number 74 of 2013 concerning Supervision and Control on Alcoholic Drinks (State Gazette of the Republic of Indonesia of 2013 Number 190);
  16. Regulation of the Minister of Trade Number 54/M-DAG/PER/9/2009 concerning General Provisions in the Import Sector;
  17. 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;
  18. Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012, as has been amended several times and latest with the Regulation of the Minister of Trade Number 84/M-DAG/PER/12/2012 concerning Provision of the Importer Identity Number (API);
  19. Regulation of the Minister of Trade Number 20/M-DAG/PER/5/2009 concerning Provisions and Procedure of Controlling Goods and/or Services.

**HAS DECREED:**

To enact : **THE REGULATION OF THE MINISTER OF TRADE CONCERNING THE AMENDMENT OF THE REGULATION OF THE MINISTER OF TRADE NUMBER 20/M-DAG/PER/4/2014 CONCERNING THE SUPERVISION AND CONTROL ON THE PROCUREMENT, DISTRIBUTION AND SALES OF ALCOHOLIC DRINKS.**

## **Article I**

Several provisions in the Regulation of the Minister of Trade Number 20/M-DAG/PER/4/2014 concerning Supervision and Control on the Procurement, Distribution and Sales of Alcoholic Drinks are amended as follows:

1. The provision of Article 8 is amended and reads as follows:

### **Article 8**

- (1) The allocation of the Alcoholic Drinks import, as meant in Article 7 paragraph (6) is provided by the Minister to the IT-MB in form of import approval certificate.
- (2) In order to obtain the import approval certificate, as meant in paragraph (1), the IT-MB should submit the request to the Minister by attaching the photocopy of the determination as IT-MB not later than 15 (fifteen) days prior to 1 April of the running year.
- (2a) In case after 1 April of the running year there is still a remaining allocation of Alcoholic Drinks that is not allocated, then the IT-MB may submit the request for the import approval certificate to the Minister by attaching the:
  - a. Photocopy of determination as IT-MB; and
  - b. The previous import approval certificate for the IT-MB that has already obtained the import allocation for Alcoholic Drinks.
- (3) The IT-MB, who has obtained the import approval certificate, as meant in paragraph (2) and paragraph (2a), should self implement the import.
- (4) In case the IT-MB, who has obtained the import approval certificate for Alcoholic Drinks, as meant in paragraph

(2) and paragraph (2a), does not realize the import of Alcoholic Drinks, then the import allocation for Alcoholic Drinks may be transferred to another IT-MB based on the approval of the Minister.

- (5) The transfer of the import allocation of Alcoholic Drinks, as meant in paragraph (4) originates from:
- a. IT-MB who is unable to realize the import of Alcoholic Drinks; and/or
  - b. IT-MB, whose import realization within a certain period is relatively still small.

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

#### **Article 10**

- (1) The IT-MB, who has obtained the import approval certificate, as meant in Article 8 paragraph (1), may propose the amendment and/or addition of group, brand/type name and principal name of Alcoholic Drinks in the running period.
- (2) The amendment and/or addition of group, brand/type name and principal name of Alcoholic Drinks, as meant in paragraph (1), should obtain the approval from the Minister.
- (3) In order to obtain the approval for the amendment and/or addition of group, brand/type name and principal name of Alcoholic Drinks, the IT-MB should submit the request to Minister with copy to the Director General of Foreign Trade and attach the following documents:
  - a. Photocopy of determination as IT-MB;
  - b. Photocopy of the still applicable import approval certificate; and
  - c. Photocopy of Appointment Letter from the Principal

as holder of the foreign brand/factory by showing the original appointment letter, which is legalized by the Notary Public and Trade Attache or diplomatic/consular official in the economic sector at the local country.

- (4) The Director General of Foreign Trade issues on behalf of the Minister the approval for amendment and/or addition of group, brand/type name and principal name of Alcoholic Drinks within not later than 5 (five) working days effective as of the date the request, as meant in paragraph (3), is completely and correctly received.
- (5) The amendment and/or addition of group, brand/type name and principal name of Alcoholic Drinks, as meant in paragraph (1), may only be carried out from 1 August until 30 September of the running period.

3. The provision of Article 53 is amended and reads as follows:

**Article 53**

- (1) The group A Alcoholic Drinks Retailer should possess the SKP-A based on the provisions in this Regulation of the Minister not later than 18 (eighteen) months as of the date this Regulation of the Minister is applicable.
  - (2) The Direct Retailer of group A Alcoholic Drinks should possess the SKPL-A based on the provisions in this Regulation of the Minister not later than 12 (twelve) months as of the date this Regulation of the Minister is applicable.
4. Appendix II of the Regulation of the Minister of Trade Number 20/M-DAG/PER/4/2014 concerning Supervision and Control on the Procurement, Distribution and Sales of Alcoholic Drinks is amended and reads as contained in the Appendix, which is an

inseparable part of this Regulation of the Minister.

## **Article II**

This Regulation of this 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 by its placement in the State Gazette of the Republic of Indonesia.

Enacted in Jakarta

On 19 August 2014

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

*signed*

**MUHAMMAD LUTFI**

Copy conforms to the original

Secretariat General

Ministry of Trade

Head of Legal Bureau,

*signed and sealed*

**LASMININGSIH**