
AUTHORIZED TRANSLATION



MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

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

NUMBER 33/M-DAG/PER/6/2014

CONCERNING

**ORGANIZATION AND WORK PROCEDURE OF THE INDONESIAN ANTI
DUMPING COMMITTEE**

BY THE GRACE OF ALLAH THE ONE SUPREME GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering : a. that in the framework of implementing the provision of Article 96 paragraph (3) of the Government Regulation Number 34 of 2011 concerning Antidumping Action, Reward Action and Trade Security Action and taking account of the Letter of Approval of the Minister of State Apparatus Empowerment and Bureaucracy Empowerment Number B/1291/M.PAN-RB/3/2013 concerning Structuring of the Non Structural Institution Organization within the structural circles of the Ministry of Trade, it is necessary to restructure the Organization and Work Procedure of the Indonesian Anti Dumping Committee;
- b. that based on the consideration, as meant in letter a, it is

necessary to determine the Regulation of the Minister of Trade.

- 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 Number 57 of 1994, 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 Number 75 of 1995, Supplement to the State Gazette of the Republic of Indonesia Number 3612) as already amended by virtue of Law Number 17 of 2006 (State Gazette of the Republic of Indonesia Number 93 of 2006, Supplement to the State Gazette of the Republic of Indonesia Number 4661);
3. 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);
4. Government Regulation Number 34 of 2011 concerning Anti Dumping Action, Reward Action and Trade Security Action (State Gazette of the Republic of Indonesia Number 5225);
5. Presidential Decree Number 84/P of 2009 concerning United Indonesia Cabinet II, as has been amended with the Presidential Decree Number 8P of 2014;
6. 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;
7. 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;

HAS DECIDED:

To Stipulate : **THE REGULATION OF THE MINISTER OF TRADE CONCERNING ORGANIZATION AND WORK PROCEDURE OF THE INDONESIAN ANTI DUMPING COMMITTEE.**

**CHAPTER I
POSITION, DUTIES AND FUNCTIONS**

Article 1

The Indonesian Anti Dumping Committee, hereinafter referred to as KADI, is the Committee under supervision of and responsible to the Minister of Trade.

Article 2

KADI is assigned to handle problems related to efforts to overcome import of Dumping Goods and goods containing Subsidy.

Article 3

In implementing the duties, as meant in Article 2, KADI carries out the functions as follows:

- a. Carries out the investigation on the correctness of the dumping or subsidy accusation, any loss experienced by the applicant and the causal relationship between dumping or subsidy and the loss experienced by the applicant.
- b. Collects, examines and processes the evidences and information related to the investigation.
- c. Recommends the imposition of the Antidumping Import Duty and/or Reward Import Duty to the Minister.
- d. Carries out other related duties assigned by the Minister.

**CHAPTER II
ORGANIZATION STRUCTURE**

Article 4

- (1) The organization structure of KADI consists of:

- a. Chairman;
 - b. Vice Chairman;
 - c. Secretariat;
 - d. Sub Committee of Investigation.
- (2) The Organization Structure of KADI, as meant in paragraph (1), is contained in the Appendix, which is an inseparable part of this Regulation.

Article 5

The Chairman, as meant in Article 4 paragraph (1) letter a, is assigned to manage KADI in implementing its duties and functions.

Article 6

- (1) The Vice Chairman, as meant in Article 4 paragraph (1) letter b, is under the supervision of and responsible to the Chairman.
- (2) The Vice Chairman, as meant in paragraph (1), is assigned to assist the Chairman in managing the implementation of duties and functions of KADI.

Article 7

- (1) The Secretariat, as meant in Article 4 paragraph (1) letter c, is under the supervision of and responsible to the Chairman.
- (2) The Secretariat, as meant in paragraph (1), is ex officio implemented by the Directorate of Trade Security, Directorate General of Foreign Trade, Ministry of Trade.

Article 8

The Secretariat is assigned to provide technical and administrative services to KADI.

Article 9

In implementing the duties, as meant in Article 8, the Secretariat carries out the following functions:

- a. Draws up the program and budget plans;
- b. Implements the administrative affairs of personnel, organization, correspondence and documentation;
- c. Implements the cooperation administration in the sector of KADI strengthening and development;
- d. Implements the state finances and assets administrative affairs;
- e. Implements the legal study, composition of the legislative regulations plan, and dissemination of information related to investigation in the framework of imposing the Anti Dumping Action and imposing the Reward Action; and
- f. Implements the investigation administration in the framework of imposing the Anti Dumping Action and imposing the Reward Action.

Article 10

- (1) The Investigation Sub Committee, as meant in Article 4, is the executive element in the investigation sector, which is under the supervision of and responsible to the Chairman.
- (2) The Investigation Sub Committee consists of Professionals in their respective sectors.
- (3) The Investigation Sub Committee is managed by the Head of the Investigation Sub Committee.

Article 11

The Investigation Sub Committee consists of:

- a. The Investigation Sub Committee for Proving Dumping and Subsidy; and
- b. The Investigation Sub Committee for Proving Losses.

Article 12

- (1) The Investigation Sub Committee for Proving Dumping and Subsidy is assigned to collect and test the evidences on

existing Dumping Goods and goods containing Subsidy.

- (2) The Investigation Sub Committee for Proving Losses is assigned to implement the collection and testing of evidences on Losses and analyze the causal relationship between the Dumping Goods or goods containing Subsidy and Domestic Industrial Losses.

Article 13

- (1) In implementing their respective duties, the Investigation Sub Committees follow the procedure, work method and code of ethics determined by the Chairman.
- (2) Each Investigation Sub Committee consists of maximum 7 (seven) members.

CHAPTER III

FINANCING

Article 14

All costs that are needed to implement the duties and functions of KADI are charged to the National Budget of the Ministry of Trade.

CHAPTER VI

WORK PROCEDURE

Article 15

In implementing its duties, each manager and official within the circles of KADI should apply the principles of coordination, integration and synchronization, either within the KADI circles or with units within the circles of the Ministry of Trade and other related agencies.

Article 16

Each manager and official of KADI should control their respective subordinates, and in case of deviations, to take the necessary measures in accordance with the provisions of the legislative regulations.

Article 17

Each manager and official of KADI is responsible to manage and coordinate their respective subordinates and to provide guidance and instruction for the implementation of those subordinates' duties.

Article 18

Each manager and official of KADI should follow and obey the instructions and is responsible to their respective superiors and submit the reports.

Article 19

Each report that is received by the manager and official of KADI from the subordinates is processed and used as material to draw up further reports and to provide instructions to the subordinates.

Article 20

In submitting reports to the superiors, copies of those reports should also be submitted to other units that have work relationship.

CHAPTER V

CLOSING

Article 21

Other provisions that have not been regulated yet in this Regulation of the Minister, which are related to the Organization and Work Procedure of KADI, are further determined by the Minister of Trade.

Article 22

At the time this Regulation of the Minister commences applicable, the Decree of the Minister of Trade and Industry Number 427/MPP/Kep/10/2000 concerning the Indonesian Anti Dumping Committee is withdrawn and declared inapplicable.

Article 23

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 30 June 2014

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

signed.

MUHAMMAD LUTFI

Copy conforms too the original,

Secretariat General

Ministry of Trade

Head of Legal Bureau,

signature and seal

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