

**PROCEDURE FOR ISSUING TECHNICAL
CONSIDERATION ON IMPORT OF USED CAPITAL
GOODS COVERED IN POST TARIFF /
HS 8511, 8704, 8705, AND 8716
(Regulation of the Director General of Industry on Metal,
Machinery, Transportation Equipment and Electronics
Number 11/ILMATE/PER/3/2016, dated March 14, 2016)**

WITH THE BLESSING OF THE ONE AND ONLY GOD

DIRECTOR GENERAL OF INDUSTRY ON METAL,
MACHINERY, TRANSPORTATION EQUIPMENT
AND ELECTRONICS,

Considering:

Whereas, in the context of implementing the provision in Article 9 of Regulation of the Minister of Industry Number 14/M-IND/PER/2/2016, concerning Technical Criteria of Import of Used Capital Goods, and Article 7 paragraph (1) and paragraph (2) of Regulation of the Minister of Trade Number 127/M-DAG/PER/12/2015, concerning Provisions on Import of Used Capital Goods, it is necessary to stipulate Regulation of the Director General of Industry on Metal, Machinery, Transportation Equipment, and Electronics, on procedure for issuing Technical Consideration for Import of Used Capital Goods covered in Post Tariff / HS 8511, 8704, 8705, and 8716;

In view of :

1. Law Number 3 Year 2014, concerning Industry (Statute Book of the Republic of Indonesia Year 2014 Number 4, Supplement to Statute Book of the Republic of Indonesia Number 5492);
2. Presidential Regulation Number 7 Year 2015, concerning Organization of State Ministry;
3. Presidential Regulation Number 29 Year 2015, concerning Ministry of Industry;
4. Presidential Decree Number 121/P Year 2014 Year 2014, concerning Establishment of Ministry and Appointment of Ministers of Working Cabinet for Period 2014-2019;
5. Regulation of Minister of Industry Number 107/M-IND/PER/11/2015, concerning Organization and Work Procedure of the Ministry of Industry;

6. Regulation of Minister of Trade Number 127/M-DAG/PER/12/2015, concerning Provisions on Import of Used Capital Goods;
7. Regulation of the Minister of Industry Number 14/M-IND/PER/2/2016, concerning Technical Criteria on Import of Used Capital Goods.

D E C I D E S :

To stipulate:

REGULATION OF THE DIRECTOR GENERAL OF INDUSTRY ON METAL, MACHINERY, TRANSPORTATION EQUIPMENT AND ELECTRONICS CONCERNING PROCEDURE FOR ISSUING TECHNICAL CONSIDERATION ON IMPORT OF USED CAPITAL GOODS COVERED IN POST TARIFF / HS 8511, 8704, 8705, AND 8716.

Article 1

What is meant in this Regulation of the Director General by:

1. Used Capital Goods, hereinafter referred to as BMTB, shall be goods for business capital of goods to produce anything, still useable, or reconditionable, remanufactured, refunctioned but not in the form of scrap.
2. Import shall be activity in importing goods to the Customs area.
3. Direct User Company shall be company that holds business license for importing BMTB for processing its own products or for own use by the company for other purposes not included in the production process.
4. Reconditioning company shall be company that holds business license for reconditioning industry or repair service importing BMTB to be processed into end product meant for export and/or to fulfill orders of local Direct User Company.
5. Import Approval shall be approval used as license to import BMTB.
6. Technical consideration shall be letter issued by the Official duly appointed containing clarification of the BMTB to be imported.

7. Director General shall be Director General of Industry on Metal, Machinery, Transportation Equipment, and Electronics, of the Ministry of Industry.

Article 2

BMTB in the form of motor vehicle (Post Tariff / HS 8704 and 8705) shall be motor vehicle designed for transporting goods and special purpose not encountering amendment / modification offsite the factory.

Article 3

- (1) Application for Import Approval for BMTB covered in Post Tariff / HS 8511, 8704, 8705, and 8716 submitted to the Ministry of Trade must be supported by Technical Consideration.
- (2) The application for issue of Technical Consideration must be addressed to the Director General and submitted through the Public Service Unit of the Ministry of Industry.
- (3) Direct User Company submitting the application for issue of Technical Consideration as referred to in paragraph (2) shall be obliged to attach::
 - a. photocopy of Business License for Industry or other Business License other than Business License for Trade;
 - b. photocopy of Import Identification Number (API);
 - c. photocopy of Obligatory Taxpayer Identification Number (NPWP);
 - d. photocopy of Control Card on the latest Accomplished Import if import has ever been made;
 - e. Import plan covering:
 1. amount and Post Tariff / HS Number;
 2. port of loading and port of destination; and
 3. for motor vehicle (Post Tariff / HS 8704 and 8705) must be supported by the mark/brand, type of vehicle, model, year of make, country of origin of import, chassis number, engine number, engine power, cylinder content, GVW (Gross Vehicle Weight) in ton unit, and right-hand steering wheel.

4. for motor vehicle industry for special purpose (Post Tariff / HS 8705) must be supported by technical specification as special vehicle.

(4) Reconditioning company submitting application for issue of Technical Consideration as referred to in paragraph (1) must provide:

- a. photocopy of Business License on Industry;
- b. photocopy of Producer Importer Identification Number (API-P);
- c. photocopy of Obligatory Taxpayer Identification Number (NPWP);
- d. photocopy of Control Card for the latest import realization if ever exercised import;
- e. copy of proof of owning reconditioning workshop; and
- f. import plan covering:
 1. amount and Number Post Tariff / HS;
 2. port of loading and port of destination;
 3. motor vehicle (Post Tariff / HS 8704 and 8705) must be supported by mark/brand, type of vehicle, model/tipe, year of make, country of origin, chassis number, engine number, power of engine, cylinder content, GVW (Gross Vehicle Weight) in ton unit, and right-hand steering wheel; and

4. motor vehicle for special purpose (Post Tariff / HS 8705) must be supported by technical specification as special vehicle.

Article 4

- (1) The Directorate of Industry Management shall verify the completeness and authenticity of the data submitted by the applicant.
- (2) In the context of verification as referred to in paragraph (1), the Directorate of Industry Management may make a visit to the site.
- (3) Within five (5) working days at the latest as of the application is declared complete and authentic, the Director of Industry Management on behalf of the Director General shall issue Technical Consideration or rejection letter.

- (4) The rejection letter referred to in paragraph (3) must be supported by consideration and reason for rejection.

Article 5

Technical Consideration is valid for one (1) year effective as of the date it is issued.

Article 6

Issuing process of technical consideration is as set forth in the Attachment constituting inseparable part of this Regulation of the Director General.

Article 7

This Regulation of the Director General is valid as of the date it is stipulated up to December 31, 2018.

Stipulated in Jakarta

Dated March 14, 2016

DIRECTOR GENERAL OF INDUSTRY ON
METAL, MACHINERY
TRANSPORTATION EQUIPMENT AND
ELECTRONICS

sgd.

I GUSTI PUTU SURYAWIRAWAN

This Regulation of Director General is copied to:

1. The Minister of Industry;
2. The Minister of Trade;
3. The Secretary General of the Ministry of Industry;
4. The Head of Legal and Organization Bureau of the Ministry of Industry;
5. File.

Note from Editor:

- Due to technical reason no Attachment is provided herein.

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