

STIPULATION OF FIXED PRICE FOR EXPORT ON AGRICULTURAL AND FORESTRY PRODUCTS SUBJECT TO EXPORT DUTY

**(Regulation of Minister of Trade of R.I Number
79/M-DAG/PER/10/2016, dated November 25, 2016)**

WITH THE BLESSING OF THE ONE AND ONLY GOD

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Considering:

- a. whereas, to implement the provisions in Article 2 paragraph (2) of Regulation of Minister of Trade Number 36/M-DAG/PER/5/2012, concerning Procedure for Stipulating Fixed Price for Export on Agricultural and Forestry Products subject to Export Duty as amended several times and lately amended by Regulation of Minister of Trade Number 112/M-DAG/PER/12/2015, it is necessary to govern stipulation of Fixed Price for Export on Agricultural and Forestry Products that are subject o Export Duty;
- b. whereas, Fixed Price for Export on Agricultural and Forerstry Products that are subject o Export Duty shall be stipulated with due consideration of written proposal and resolution of Coordinating Meeting with the relevant Technical Agency;
- c. whereas, based on the consideration referred to in letter a and letter b, it is necessary to stipulate Regulation of Minister of Trade on stipulation of Fixed Price for Export on Agricultural and Forestry Products that are subject to Export Duty.

In view of:

1. Law Number 7 Year 1994, concerning Approval of Agreement for Establishing World Trade Organization (Persetujuan Pembentukan Organisasi Perdagangan Dunia) (Statute Book of the Republic of Indonesia Year 1994 Number 57, Supplement to Statute Book of the Republic of Indonesia Number 3564);

2. Law Number 10 Year 1995, concerning Customs (Statute Book of the Republic of Indonesia Year 1995 Number 75, Supplement to Statute Book of the Republic of Indonesia Number 3612) as amended by Law Number 17 Year 2006 (Statute Book of the Republic of Indonesia Year 2006 Number 93, Supplement to Statute Book of the Republic of Indonesia Number 4661);
3. Law Number 39 Year 2008, concerning State Ministry (Statute Book of the Republic of Indonesia Year 2008 Number 166, Supplement to Statute Book of the Republic of Indonesia Number 4916);
4. Law Number 7 Year 2014, concerning Trade (Statute Book of the Republic of Indonesia Year 2014 Number 45, Supplement to Statute Book of the Republic of Indonesia Number 5512);
5. Government Regulation Number 55 Year 2008, concerning Imposition of Export Duty on Goods for Export (Statute Book of the Republic of Indonesia Year 2008 Number 116, Supplement to Statute Book of the Republic of Indonesia Number 4886);
6. Presidential Decree Number 121/P Year 2014, concerning Establishment of Ministry and Appointment of Ministers of Working Cabinet Period Year 2014 - 2019;
7. Presidential Regulation Number 7 Year 2015, concerning Organization of State Ministry.
8. Presidential Regulation Number 48 Year 2015, concerning Ministry of Trade;
9. Presidential Decree Number 79/P Year 2015, concerning Replacement of a Number of Ministers of State Working Cabinet for Period Year 2014 - 2019;
10. Regulation of Minister of Finance Number 75/PMK. 011/2012, concerning Stipulation of Goods for Export subject to Export Duty and Tariff of Export Duty as amended several times and lately amended by Regulation of Minister of Finance Number 136/PMK.010/2015;

11. Regulation of Minister of Trade Number 13/M-DAG/PER/3/2012, concerning General Provision on Export;
12. Regulation Minister of Trade Romor 36/M-DAG/PER/5/2012, concerning Procedure for Stipulating Fixed Price for Export of Agricultural and Forestry Products subject to Export Duty as amended several times and lately amended by Regulation of Minister of Trade Number 112/M-DAG/PER/12/2015;
13. Decision of Minister of Trade Number 933/M-DAG/KEP/10/2012, concerning Establishment of Team for Price Fixation for Export of Agricultural and Forestry products subject to Export Duty;
14. Regulation Minister of Trade Number 08/M-DAG/PER/2/2016, concerning Organization and Work Procedure of the Ministry of Trade;

DECIDES :

To stipulate:

REGULATION OF MINISTER OF TRADE ON STIPULATION OF FIXED PRICE FOR EXPORT FOR AGRICULTURAL AND FORESTRY PRODUCTS SUBJECT TO EXPORT DUTY.

Article 1

to be continued

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STIPULATION OF FIXED PRICE FOR EXPORT ON AGRICULTURAL AND FORESTRY PRODUCTS SUBJECT TO EXPORT DUTY

**(Regulation of Minister of Trade of R.I Number
79/M-DAG/PER/10/2016, dated November 25, 2016)
[Continued from Business News No. 9002 pages 46-48]**

Article 1

Fixed Price for Export (HPE) shall be stipulated as guided by price reference as stipulated based on the average price prevailing during the course of the latest period prior to stipulation of Fixed Price for Export (HPE).

Article 2

- (1) Tariff of Export Duty for Palm Oil, Crude Palm Oil (CPO), and its derivatives shall be guided by price reference based on proportionate average price of Cost Insurance Freight (CIF) Crude Palm Oil (CPO) from Rotterdam, Malaysia Bourse, and Indonesia Bourse, and for Cacao Seeds commodity shall be guided by price reference based on Cacao average CIF Intercontinental Exchange (ICE), New York, one month prior to stipulation of HPE based on the provisions in the statutory regulation.
- (2) The price reference referred to in paragraph (1) shall be as cited below:
 - a. price reference for Crude Palm Oil (CPO) is US\$. 749,47/MT;
 - b. price reference for Cacao Seeds is US\$ 2.574,60/MT.
- (3) Based on the price reference referred to in paragraph (2), tariff for Export Duty for Palm Oil, Crude Palm Oil (CPO), and its derivative products as specified in column 1 in Attachment- I letter C and tariff of Export Duty for Cacao Seed as specified in column 3 in the Attachment,- letter B of Regulation of Minister of Finance Number 140/PMK.010/2016 concerning stipulation of Goods for Export subject to Export Duty and Tariff of Export Duty.

Article 3

Fixed Price for Export (HPE) for Timber with Bark shall be stipulated as sepecified in Attachment-I constituting inseparable part of this Regulation Minister.

Article 4

Fixed Price for Export (HPE) for Cacao Seeds commodity shall be stipulated as sepecified in Attachment- II constituting inseparable part of this Regulation Minister.

Article 5

List of of RBD brand in Palm Oil in branded package with net weight up to 20 kg under Post Tariff ex. 1511.90.92.00 and RBD Palm Oil in branded package wtih net weight above 20 kgs up to 25 kgs under Post Tariff ex. 1511.90.99.00 covering local brand and overseas brand shall be stipulated as sepecified in Attachment-III constituting inseparable part of this Regulation Minister.

Article 6

The Fixed Price for Export (HPE) referred to in Article 3 and Article 4 will be used as the basis for Fixing Export Price for computing Export Duty by the Minister of Finance.

Article 7

The Fixed Price (HPE) referred to in Article 3 and Article 4 takes effect as of December 1, 2016 through December 31, 2016.

Article 8

If validity of Fixed Price for Export (HPE) expires based on this Regulation of Minister and no new Fixed Price for Export (HPE) is stipulated yet, the Fixed Price for Export (HPE) as sepecified in Attachment-I and Attachment-II to this Regulation of Minister shall remain survives as the basis for computing Export Duty until a new Fixed Price for Export (HPE) is fixed.

Article 9

By the time this Regulation of Minister comes to force, Regulation of Minister of Trade Number 74/M-DAG/PER/10/2016, concerning Stipulation of Fixed Price of Export of Agricultural and Forestry Products that are subject to Export Duty, are revoked and declared null and void.

Article 10

This Regulation of Minister takes effect on December 1, 2016.

For public recognition, this Regulation of Minister shall be announced by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

Dated November 25, 2016

On behalf of THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Director General Overseas Trade

sgd..

DODY EDWARD

ATTACHMENT- I

FIXED PRICE FOR EXPORT (HPE) OF TIMBER AND BARK
PERIOD 1 DECEMBER 2016 - 31 DECEMBER 2016

NO	DEFINITION	INCLUDED IN POST TARIFF	FIXED PRICE EXPORT (HPE)
I	TIMBER		
	A. Veneer		
	- Thin wood sheets obtained	ex. 4408.10.10.00	

	<p>by peeling or slicing or sawing the round timber until the width is not more than 6 mm</p> <p>1. out of Virgin / Natural Forest</p> <p>2. out of Cultivated Forest</p> <p>- Wooden Sheet for Packaging Box, namely veneer sengon dry timber which both sides have been refined up to the thickness not more than 5 mm and width not more than 300 mm and length not more than 1.250 mm, used to form package</p> <p>B. Timber Chips</p> <p>- Timber in chips or particles (wood in chips or particle)</p> <p>- Chipwood</p> <p>C. Processed Timber</p> <p>- Sawed and dried timber which four sides have been trimmed evenly until the surface thereof are evenly flat and smooth with section width of 1.000 mm2 up to 4.000 mm2 of the types:</p>	<p>4408.10.30.00</p> <p>ex. 4408.10.90.00</p> <p>ex. 4408.31.00.00</p> <p>ex. 4408.39.90.00</p> <p>ex. 4408.90.00.00</p> <p>ex. 4408.90.00.00</p> <p>4401.21.00.00</p> <p>4401.22.00.00</p> <p>ex. 4401.39.00.00</p> <p>ex. 4404.10.00.00</p> <p>4404.20.10.00</p> <p>ex. 4404.20.90.00</p> <p>ex. 4407.10.00.00</p> <p>ex. 4407.99.90.00</p>	<p>US\$800/M3</p> <p>US\$400/M3</p> <p>US\$500/M3</p> <p>US\$70/ton</p> <p>US\$70/ton</p>
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	1. Meranti		US\$700/M3
	2. Merbau		US\$1.000/M3
	3. Mixed Forest		US\$500/M3
	4. Other Sorts		
	- Eboni		US\$3.500/M3
	- Jati		US\$1.600/M3
	- Cultivated Forest :		
	a. Pinus and Gmelina		US\$600/M3
	b. Acasia		US\$360/M3
	c. Sengon		US\$300/M3
	d. Rubber		US\$350/M3
	e. (Balsa, Eucalyptus, etc)		US\$300/Mv
	f. Sungkai		US\$350/M3
	- Specifically for sawed tree of type:		
	Merbau wood that has been dried and		
	leveled all four sides so that the surface	ex. 4407.29.91.00	US\$1.200/M3
	becomes flat and smooth with	ex. 4407.29.92.00	
	more cross-sectional area		
	4.000 mm ² up to 10.000 mm ²		
II	LEATHER		
	A. Raw Animal Skin and Hyde:	ex. 4101.20.10.00	
		ex. 4101.20.90.00	
	1. Cow and Buffalo	ex. 4101.50.10.00	
		ex. 4101.50.90.00	US\$6.2/Kg
		ex. 4101.90.10.00	
		ex. 4101.90.90.00	

		4102.10.00.00	
	2. Sheep / Sheep	4102.21.00.00	
		4102.29.10.00	US\$10/sheet
		4102.29.90.00	
	3. Goat	ex. 4103.90.00.00	US\$8/sheet
B. Animal Pickled Skin and Hyde			
		ex. 4101.20.10.00	
		ex. 4101.20.90.00	
		ex. 4101.50.10.00	
	1. Cow and Buffalo	ex. 4101.50.90.00	US\$4.4/
		ex. 4101.90.10.00	Square feet
		ex. 4101.90.90.00	
		4102.10.00.00	
	2. Sheep / Sheep	4102.21.00.00	US\$2.4/
		4102.29.10.00	Square feet
		4102.29.90.00	
	3. Goat	ex. 4103.90.00.00	US\$2.2/
			Square feet
C. Tanned Hyde Wet Blue) of animal			
		ex. 4104.11.00.10	US\$5.2/
	1. Cow and Buffalo	ex. 4104.11.00.90	Square feet
		ex. 4104.19.00.00	
	2. Lamb	ex. 4105.10.00.00	US\$3.0/
			Square feet
	3. Goat	ex. 4106.21.00.00	US\$2.8/
			Square feet

On behalf of MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Director General Overseas Trade

sgd..

DODY EDWARD

ATTACHMENT- II

FIXED PRICE OF CACAO SEED EXPORT (HPE)

PERIOD 1 DECEMBER 2016 - 31 DECEMBER 2016

NO	DEFINITION	INCLUDED IN POST TARIFF	FIXED PRICE EXPORT (HPE)
1	Caco Seeds	1801.00.00.00	US\$2.285/MT

On behalf of MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Director General of Overseas Trade

sgd..

DODY EDWARD

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(2) is submitted by sending application letter for amendment to the recommendation addressed to the Director

General supported by:

- a. Import License to be amended;
- b. Import Control Card; and
- c. document encountering amendment.

(2) Provision for submitting application and granting recommendation for License for Tyre Import or rejection letter as referred to in Article 5 through Article 9 prevails mutatis mutandis on issue or rejection to recommendation to amend License for Tyre Import.

Article 12

- (1) Recommendation for amendment to License for Tyre Import is valid until expiry of the amended License for Tyre Import.
- (2) Recommendation to amend the License for Tyre Import may be granted once for the respective License for Tyre Import.

Article 13

- (1) The Director General shall exercise supervision on the implementation of License for Tyre Import based on the Recommendation for issuing License for Tyre Import or Recommendation to amend the License for Tyre Import issued.
- (2) The supervision referred to in paragraph (1) shall be exercised once a year and/or at any time as required.

Article 14

- (1) If based on the result of supervision as referred to in Article 13 violation is found out committed by the company holding the Recommendation for issuing License for Tyre Import, the Director General shall reject to provide Recommendation for issuing License for Tyre Import or Recommendation to amend the License for Tyre Import.

- a. supporting document is invalid;
- b. it fails to justify with the application based on the provisions in the statutory regulation or result of clarification; and/or
- c. basis of stipulating import allocation as referred to in Article 3.

(2) The recommendation for issuing License for Tyre Import as referred to in paragraph (1) shall be granted by the Director within five (5) working days after the application referred to in Article 5 paragraph (2) is submitted.

Article 9

The application as referred to in Article 4 and Article 5 and grant of recommendation for issuing License for Tyre Import as referred to in Article 6 and Article 7 or rejection to grant recommendation for issuing License for Tyre Import as referred to in Article 8 shall be submitted using the mechanism as referred to in Regulation of Minister of Industry Number 67/M-IND/PER/8/2016, concerning Guideline to issue consideration on technical, recommendation, statement letter, and registration number by electronic system at the Ministry of Industry (Statute Book of the Republic of Indonesia Year 2016 Number 1212).

Article 10

- (1) Application that obtains recommendation for issuing License for Tyre Import and obtained License for Tyre Import may propose amendment to the License for Tyre Import it possessed.
- (2) If amendment to Import License is made pertaining to Post Tariff, Type of Tyre, total number of Tyres country of origin and port of loading and port of destination, amendment to Import License may be granted based on recommendation for amendment to License for Tyre Import issued by the Director General.

Article 11

- (1) Application for recommendation for amendment to License for Tyre Import as referred to in Article 10 paragraph

- (2) UP2 shall submit the comprehensive application to the Director General in one (1) working day as of receipt thereof.

Article 6

- (1) Director General shall verify authenticity of the application submitted as referred to in Article 5 paragraph (2).
- (2) In conducting verification as referred to in paragraph (1), the Director General shall instruct the Director to conduct field examination.
- (3) In determining to give Recommendation for License for Tyre Import, the Director General shall coordinate with the relevant institution or business player association.

Article 7

- (1) At receipt of comprehensive application, the Director General shall issue recommendation for issuing License for Tyre Import using the format as specified in Attachment- III constituting inseparable part of this Regulation of Minister within five (5) working days after submission of the application as referred to in Article 5 paragraph (2).
- (2) The recommendation for issuing License for Tyre Import referred to in paragraph (2) is valid for six (6) months as of the date of issue.
- (3) The recommendation for issuing License for Tyre Import as referred to in paragraph (2) is valid for one time application for Import License.

Article 8

- (1) The application for grant of recommendation for issuing License for Tyre Import as referred to in Article 5 paragraph (2) shall be rejected if:

- (2) The application referred to in paragraph (1) shall be addressed to the Director General using the form as specified in Attachment II constituting inseparable part of this Regulation of Minister.
- (3) The application submitted by Producer Importer as referred to in paragraph (1) must be supported by:
- a. photocopy of Deed of Company Establishment;
 - b. photocopy Business License on Industry (IUI) or business of the same type;
 - c. photocopy Obligatory Taxpayer Identification Number (NPWP);
 - d. photocopy of Identification Number Producer Importer (API-P);
 - e. photocopy of SPPT-SNI, if imported Tyre is Tyre is subject to obligatory SNI; and
 - f. questionnaire using the format as specified in Attachment II constituting inseparable part of this Regulation of Minister.
- (4) The application submitted by General Importer as referred to in paragraph (1) must be supported by:
- a. photocopy of Deed of Company Establishment;
 - b. photocopy of Business License on Trade (SIUP);
 - c. photocopy of NPWP;
 - d. photocopy of Identification Number as General Importer (API-U);
 - e. Letter of Appointment from the Principal Holder of Brand or Factory overseas that is ratified by Public Notary and Attache of Trade of the local country;
 - f. photocopy of SPPT-SNI, if imported Tyre is Tyre subject to obligatory SNI; and
 - g. questionnaire using the format as specified in Attachment II constituting inseparable part of this Regulation of Minister.

Article 5

- (1) The application referred to in Article 4 shall be submitted to the Director General through the Public Service (UP2) Unit of the Ministry of Industry.

7. Verification shall be examination process of document authenticity as required to application for recommendation for License for Tyre Import or recommendation to make amendment to the License for Tyre Import.
8. Director General shall be Director General exercising management on Tyre Industry at the Ministry of Industry.
9. Director shall be Director exercising management of Tyre Industry at the Ministry of Industry.

Article 2

- (1) Tyre shall be imported after obtaining Import License from the Ministry exercising Administration affair on Trade.
- (2) The Import License referred to in paragraph (1) will be issued based on Recommendation for issuing License for Tyre Import by the Director General.
- (3) Tyre Import as referred to in paragraph (1) may exercised by:
 - a. Producer Importer; or
 - b. General Importer.

Article 3

Issue of Recommendation for issuing License for Tyre Import as referred to in Article 2 paragraph (2) shall be based on:

- a. local requirements / need;
- b. performance in the past issued by applicant; and/or
- c. plan for Tyre business development by importer company/

Article 4

- (1) Recommendation Import License Tyreas referred to in Article 2 paragraph (2) diberikan berdasarkan permohonan dari Producer Importer atau General Importer.

DECIDES:

To stipulate:

REGULATION OF MINISTER OF INDUSTRY CONCERNING PROCEDURE FOR GIVING RECOMMENDATION FOR ISSUING LICENSE FOR TYRE IMPORT.

Article 1

What is meant in this Regulation of Minister by:

1. Tyre shall be important part of vehicle produced from mixed natural rubber and synthetic rubber installed or non-installed to vehicle wheel rim that is covered in Post HS 4011, 4013, and 8708.
2. Recommendation for issuing License for Tyre Import shall be Statement Letter stating technical recommendation for issuing License for Tyre Import.
3. Recommendation for amendment to License for Tyre Import shall be Statement Letter requesting amendment to technical matter to recommend for amendment to valid License for Tyre Import.
4. Certificate on Use of Indonesia National Standard Brand (SPPT-SNI) Tyre shall be Certificate of Product issued by Products Certification Institution to Tyre Producer that is capable to produce Tyre based on the requirements of SNI.
5. Producer Importer shall be company holding Identification Number as Producer Importer (API-P) conducting Tyre Import to be used for its business activity but not for trade and/or to assign the right thereof to other party.
6. General Importer shall be legal entity company as holder of Identification Number General Importer (API-U) exercising activity on Tyre Import into the Customs area in Indonesia for trade.

Stipulated in Jakarta

Dated November 9, 2016

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

sgd..

ENGGARTIASTO LUKITA

Enacted in Jakarta

Dated November 11, 2016

DIRECTOR GENERAL OF STATUTORY REGULATION

OF MINISTRY OF LAW AND HUMAN RIGHTS

OF THE REPUBLIC OF INDONESIA,

sgd..

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA

YEAR 2016 NUMBER 1704

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