

REGULATION OF THE MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA
NUMBER 64 OF 2018
ON
FOURTH AMENDMENT TO REGULATION OF THE MINISTER OF TRADE
NUMBER 30/M-DAG/PER/5/2017 ON PROVISIONS FOR IMPORT OF
HORTICULTURE PRODUCTS

BY THE BLESSINGS OF ALMIGHTY GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that in order to more improve the implementation effectiveness of the Import of Horticulture Products policy and the business convenience, it is necessary to amend several provisions of Regulation of the Minister of Trade Number 30/M-DAG/PER/5/2017 on Provisions for Import of Horticulture Products, as amended several times and last by Regulation of the Minister of Trade Number 16 of 2018 on Third Amendment to Regulation of the Minister of Trade Number 30/M-DAG/PER/5/2017 on Provisions for Import of Horticulture Products;
 - b. that based on the consideration as referred to in point a, it is necessary to issue Regulation of the Minister of Trade on Fourth Amendment to Regulation of the Minister of Trade Number 30/M-DAG/PER/5/2017 on Provisions for Import of Horticulture Products;

Observing : Regulation of the Minister of Trade Number 30/M-DAG/PER/5/2017 on Provisions for Import of Horticulture Products (State Bulletin of the Republic of Indonesia of 2017 Number 728), as amended several times and last by Regulation of the Minister of Trade Number 16 of 2018 on Third Amendment to Regulation of the Minister of Trade Number 30/M-DAG/PER-5/2017 on Provisions for Import of Horticulture Products (State Bulletin of the Republic of Indonesia of 2017 Number 92);

HAS DECIDED:

To issue : REGULATION OF THE MINISTER OF TRADE ON FOURTH AMENDMENT TO REGULATION OF THE MINISTER OF TRADE NUMBER 30/M-DAG/PER/5/2017 ON PROVISIONS FOR IMPORT OF HORTICULTURE PRODUCTS.

Article I

Several provisions in Regulation of the Minister of Trade Number 30/M-DAG/PER/5/2017 on Provisions for Import of Horticulture Products (State Bulletin of the Republic of Indonesia of 2017 Number 728), as amended several times and last by Regulation of the Minister of Trade Number 16 of 2018 on Third Amendment to Regulation of the Minister of Trade Number 30/M-DAG/PER/5/2017 on Provisions for Import of Horticulture Products (State Bulletin of the Republic of Indonesia of 2017 Number 92), are amended as follows:

1. The provision of point b of Article 6 is amended, and point e and point f are deleted, so that Article 6 reads as follows:

Article 6

In order to obtain the Import Approval as referred to in Article 5 section (2), the API-U owner company must electronically submit the request to the Director General in this case the Director, by attaching:

- a. API-U;

- b. evidence of possession on the cold storage, which is registered in accordance with the provisions of legislation;
 - c. evidence of ownership of means of transportation in accordance with the product characteristics;
 - d. letter of statement with sufficient duty stamp concerning the capability and worthiness of the cold storage and means of transportation in accordance with the characteristics of Horticulture Products;
 - e. Deleted;
 - f. Deleted;
 - g. import plan of Horticulture Products covering the type of commodities, Post Tariff/HS, country of origin, port of loading and port of destination;
 - h. distribution plan of Horticulture Products; and
 - i. RIPH.
2. The provision of section (2) point b in Article 9 is deleted, so that Article 9 reads as follows:

Article 9

- (1) The Director on behalf of the Director General issues:
- a. the Import Approval not later than 2 (two) work days as of the date of receiving the request completely and correctly; or
 - b. the rejection for issuance of the Import Approval not later than 2 (two) work days as of the date of receiving the request in the event that the request is incomplete and/or incorrect.
- (2) The issuance of the Import Approval for the API-U and API-P owner companies must take account of:
- a. capability and worthiness of the cold storage and means of transportation in accordance with the characteristics of Horticulture Products; and
 - b. Deleted.

3. The provisions of section (3) and section (4) in Article 10A are amended, so that Article 10A reads as follows:

Article 10A

- (1) The Company is required to report and submit the request for amendment to the Import Approval with regard to each amendment related to the documents as referred to in Article 6, Article 7, and Article 8.
 - (2) The Company may submit the request for amendment to the Import Approval in case there are changes with regard to the Post Tariff/HS, quantity, country of origin, and port of loading and/or port of import destination.
 - (3) In order to obtain the amendment to the Import Approval, as referred to in section (1) and section (2), the company must electronically submit the request to the Director General in this case the Director, by attaching:
 - a. Document that is amended;
 - b. Import Approval;
 - c. Statement with sufficient duty stamp from the company concerning the reason(s) for submission of the request for amendment to the Import Approval; and/or
 - d. RIPH.
 - (4) Based on the request, as referred to in section (3), the Director on behalf of the Director General issues the amendment to the Import Approval not later than 2 (two) work days as of the date of receiving the request completely and correctly.
4. The provisions of section (1) and section (2) point b of Article 12 are deleted, so that Article 12 reads as follows:

Article 12

(1) Deleted.

(2) The API-P owner company that has obtained the Import Approval:

- a. may only import Horticulture Products in order to be used as production raw materials or supporting materials for the production need of its industry; and
- b. Deleted.

5. The provision of point a of Article 21 is deleted and the provisions of point b and point d of Article 21 are amended, so that Article 21 reads as follows:

Article 21

The API owner company and BUMN (State-Owned Enterprises) are subject to the sanction of Import Approval revocation if:

- a. Deleted;
- b. proven as using its imported Horticulture Products other than as production raw materials or supporting materials for the production need of its Industry, as referred to in Article 12 section (2) point a, for the API-P owner company;
- c. proven as violating the provision of packaging, as referred to in Article 14;
- d. proven as amending the compatibility of data and/or information that are contained in the Import Approval or amendment to the Import Approval that has been issued;
- e. proven as submitting incorrect data and/or information as requirements to obtain the Import Approval;
- f. conducting violation based on the assessment and recommendation of the related technical agency; and/or
- g. declared as guilty based on the court decision that is

legally binding on the criminal act related to the misuse of the Import Approval.

Article II

This Regulation of the Minister comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Ministerial Regulation by its placement in the State Bulletin of the Republic of Indonesia.

Issued in Jakarta

On 24 May 2018

MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA,

signed

ENGGARTIASTO LUKITA

Promulgated in Jakarta

On 31 May 2018

DIRECTOR GENERAL OF LEGISLATION OF
MINISTRY OF LAW AND HUMAN RIGHTS OF
THE REPUBLIC OF INDONESIA,

signed

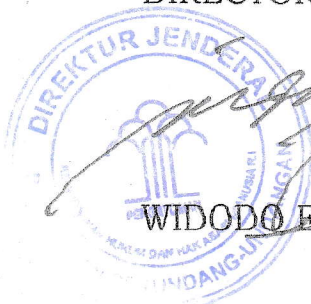
WIDODO EKATJAHJANA

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2018 NUMBER 723

Jakarta, 01 October 2018

Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,



WIDODO EKATJAHJANA