

REGULATION OF THE GOVERNMENT OF
THE REPUBLIC OF INDONESIA
NUMBER 9 OF 2018
ON
PROCEDURES FOR THE CONTROL OF IMPORT OF FISHERY COMMODITIES
AND SALT COMMODITIES AS INDUSTRIAL RAW MATERIALS AND AUXILIARY
MATERIALS

BY THE BLESSINGS OF ALMIGHTY GOD
THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering : That to implement the provisions of Article 5, Article 33, and Article 97 of Law Number 3 of 2014 on Industrial Affairs, and Article 37 of Law Number 7 of 2016 on the Protection and Empowerment of Fishermen, Fish Cultivators and Salt Cultivators, it is necessary to issue a Government Regulation on Procedures for the Control of Import of Fishery Commodities and Salt Commodities as Industrial Raw Materials and Auxiliary Materials;

Observing : 1. Article 5 section (2) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 3 of 2014 on Industrial Affairs (State Gazette of the Republic of Indonesia of 2014 Number 4, Supplement to the State Gazette of the Republic of Indonesia Number 5492);
3. Law Number 7 of 2016 on the Protection and Empowerment of Fishermen, Fish Cultivators and Salt Cultivators (State Gazette of the Republic of Indonesia

of 2016 Number 68, Supplement to the State Gazette of the Republic of Indonesia Number 5870);

HAS DECIDED:

GOVERNMENT REGULATION ON PROCEDURES FOR THE CONTROL OF IMPORT OF FISHERY COMMODITIES AND SALT COMMODITIES AS INDUSTRIAL RAW MATERIALS AND AUXILIARY MATERIALS

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Government Regulation:

1. Industry means all forms of economic activities which process Materials and/or utilize Industrial resources to produce goods of added value or of higher utility, including Industrial services.
2. .
3. Salt means a chemical compound which main component is natrium chloride and which may also contain other elements such as magnesium, calcium, iron and calium with or without the additional substance of iodium.
4. Fishery Commodity means yields from fishery business which may be traded, stored, and/or exchanged.
5. Salt Commodity means yields from salt-related business which may be traded, stored, and/or exchanged.
6. Base Material means any raw materials, semi-finished goods or finished goods which may be processed to become semi-finished goods or finished goods of higher economic value.
7. Import means the activity of entering goods into a customs area.

8. Recommendation means a written statement submitted to a minister undertaking governmental affairs in trade to to conduct Import within the territory of the Republic of Indonesia.
9. Central Government means the President of the Republic of Indonesia who holds governmental powers in the Republic of Indonesia and is assisted by the Vice President and ministers as referred to in the 1945 Constitution of the Republic of Indonesia.

Article 2

- (1) The Central Government controls the Import of Fishery Commodities and Salt Commodities.
- (2) The control of Import as referred to in section (1) is conducted for the purposes of ensuring the protection and empowerment of fishermen, Fish, cultivators and Salt cultivators as well as ensuring the availability and allocation of natural resources for the domestic Industry.
- (3) The control of Import of Fishery Commodities and Salt Commodities as referred to in section (1) is conducted by stipulating places of entry, types and volumes, times of entry as well as compliance with administrative requirements and quality standards.

CHAPTER II

CONTROL MECHANISM

Article 3

- (1) The Import of Fishery Commodities and Salt Commodities is implemented based on the Recommendations of a minister who undertakes governmental affairs in maritime and fisheries affairs.
- (2) In the event of Import of Fishery Commodities and Salt Commodities which are used as Industrial Raw Materials and auxiliary materials, implementation on stipulation of the Recommendations as referred to in section (1) based on this Government Regulation is delegated to a minister

who undertakes governmental affairs in industry.

- (3) The Recommendations as referred to in section (2) contain stipulations on:
 - a. places of entry;
 - b. types;
 - c. volumes;
 - d. times of entry; and
 - e. quality standards.

Article 4

- (1) The places of entry of Fishery Commodities as referred to in Article 3 section (3) point a are stipulated with due consideration of the Industrial location in accordance with the relevant needs.
- (2) The types, volumes, and times of entry of Fishery Commodities as referred to in Article 3 section (3) point b, point c and point d are stipulated based on the results of coordination meetings as held by a ministry which undertakes governmental affairs in economic coordination.
- (3) The quality standards as referred to in Article 3 section (3) point e must accord with provisions on sanitary and phytosanitary measures.

Article 5

- (1) The places of entry of Salt Commodities as referred to in Article 3 section (3) point a are stipulated with due consideration of the Industrial location in accordance with the relevant needs.
- (2) The types of Salt Commodities as referred to in Article 3 section (3) point b are such types of Salt Commodities which are used as Industrial Raw Materials and auxiliary materials.
- (3) The volumes and times of entry of Salt Commodities as referred to in Article 3 section (c) point c and point d are stipulated based on the results of coordination meetings

as held by a ministry which undertakes governmental affairs in economic coordination.

- (4) The quality standards of Salt Commodities as referred to in Article 3 section (3) point e must contain sodium chloride of 97% (ninety seven percent) or more or less than 100% (one hundred percent) if calculated on a dry basis.

Article 6

- (1) Approvals on the Import of Fishery Commodities and Salt Commodities are issued by a minister who undertakes governmental affairs in trade for Industrial Raw Materials and auxiliary materials pursuant to the Recommendations of a minister who undertakes governmental affairs in industry upon complying with administrative requirements in accordance with the provisions of the legislation.

CHAPTER III

TRANSITIONAL PROVISION

Article 7

At the time this Government Regulation comes into force:

- a. Import permits for Salt Commodities as Industrial Raw Materials and auxiliary materials which were already issued in 2018 by a minister who undertakes governmental affairs in trade based on the stipulated amount of 2,370,054.45 Tons (two million three hundred seventy thousand fifty four point forty five Tons) may be implemented and declared as binding; and
- b. the issuance of Import permits for Salt Commodities as Industrial Raw Materials and auxiliary materials in 2018 by a minister who undertakes governmental affairs in trade based on an amount as stipulated in a coordination meeting of ministries/institutions is implemented in accordance with the provisions of this Government Regulation.

CHAPTER IV
CLOSING PROVISIONS

Article 8

At the time this Government Regulation comes into force:

- a. all existing legislation on the control of Import of Fishery Commodities and Salt Commodities are declared to remain in effect insofar as they are not in contrary to this Government Regulation;
- b. existing legislation on the control of Import of Fishery Commodities and Salt Commodities must be adjusted not later than 30 (thirty) days since the promulgation of this Government Regulation.

Article 9

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

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

Issued in Jakarta
on 15 March 2018

PRESIDENT OF THE REPUBLIC OF INDONESIA,

signed

JOKO WIDODO

Promulgated in Jakarta
on 15 March 2018

MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2018 NUMBER 31

Jakarta, 11 November 2019

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

ELUCIDATION
OF
REGULATION OF THE GOVERNMENT
OF THE REPUBLIC OF INDONESIA
NUMBER 9 OF 2018
ON
PROCEDURES FOR THE CONTROL OF IMPORT OF FISHERY COMMODITIES
AND SALT COMMODITIES AS INDUSTRIAL BASE MATERIALS AND
AUXILIARY MATERIALS

I. GENERAL

For the purposes of ensuring the protection and empowerment of fishermen, Fish farmers and Salt farmers as well as ensuring the availability and distribution of natural resources for the domestic Industry, the control of Import of Fishery Commodities and Salt Commodities as Industrial Base Materials and auxiliary materials needs to be conducted.

Under Law Number 3 of 2014 on Industrial Affairs, it is stated that the President is authorized to administer government affairs in the field of industry. Such authority is implemented by a minister administering government affairs in the field of industry. For the purposes of implementation of such authority, the minister administering government affairs in the field of industry conducts the regulating, fostering, and developing of industrial affairs.

In addition, the Central Government and Local Governments need to ensure the availability and distribution of natural resources for the domestic Industry by regulating on the utilization of natural resources for the interests of the domestic Industry. Further, for the purposes of enhancing the resilience of the domestic Industry, the Central Government also conducts measures for the safeguarding of Industry that cover safeguards as issued by the President in response to policies, regulations and/or business climates which threaten the resilience of, and result in losses to, the domestic Industry.

In the meantime, under Law Number 7 of 2016 on the Protection and Empowerment of Fishermen, Fish Farmers, and Salt Farmers, the Central Government controls the Import of Fishery Commodities and Salt Commodities. Such control of Import of Fishery Commodities and Salt Commodities is conducted by determining places of entry, types and volumes, times of entry as well as compliance with administrative requirements and quality standards. Accordingly, the regulating of procedures on the control of Import of Fishery Commodities and Salt Commodities, particularly those utilized as Industrial Base Materials and auxiliary materials, needs to be conducted.

II. ARTICLE BY ARTICLE

Article 1
Sufficiently clear.

Article 2
Sufficiently clear.

Article 3
Sufficiently clear.

Article 4
Sufficiently clear.

Article 5
Sufficiently clear.

Article 6
Sufficiently clear.

Article 7
Sufficiently clear.

Article 8
Sufficiently clear.

Article 9
Sufficiently clear.