



**THE MINISTER OF TRADE REPUBLIC OF INDONESIA**  
**REGULATION OF THE MINISTER OF TRADE REPUBLIC OF INDONESIA**  
**NUMBER 45/M-DAG/PER/8/2013**  
**CONCERNING**

**AMENDMENT TO REGULATION OF THE MINISTER OF TRADE NUMBER**  
**24/M-DAG/PER/5/2013 CONCERNING SOYBEAN IMPORT PROVISIONS IN THE**  
**CONTEXT OF SOYBEAN PRICE STABILIZATION PROGRAM**

**BY THE GRACE OF GOD ALMIGHTY**

**THE MINISTER OF TRADE REPUBLIC OF INDONESIA,**

Considering :

- a. that to improve the smooth flow of goods and effectiveness of the implementation of soybean import in the context of soybean price stabilization program, necessitate changes to several provisions of Regulation of the Minister of Trade Number 24/M-DAG/PER/5/2013 concerning Soybean Import Provisions In the Context of Soybean Price Stabilization Program;
- b. that based on the consideration as intended in item a, necessitate the stipulation of Regulation of the Minister of Trade concerning Amendment to Regulation of the Minister of Trade Number 24/M-DAG/PER/5/2013 concerning Soybean Import Provisions in the Context of Soybean Price Stabilization Program;

In view of :

1. *Bedrijfsreglementerings Ordonnantie* 1934 (*Staatsblad* Year 1938 Number 86);
2. Law Number 3 Year 1982 concerning Mandatory Company Registration (State Gazette of the Republic of Indonesia Year 1982 Number 7, Addendum Number 3214);

3. Law Number 16 Year 1992 concerning Animal, Fish and Plant Quarantine (State Gazette of the Republic of Indonesia Year 1992 Number 56, Addendum Number 3482);
4. Law Number 7 Year 1994 concerning Ratification of Agreement Establishing The World Trade Organization (State Gazette of the Republic of Indonesia Year 1994 Number 57, Addendum Number 3564);
5. Law Number 10 Year 1995 concerning Customs (State Gazette of the Republic of Indonesia Year 1995 Number 75, Addendum Number 3612) as amended by Law Number 17 Year 2006 (State Gazette of the Republic of Indonesia Year 2006 Number 93, Addendum Number 4661);
6. Law Number 5 Year 1999 concerning Prohibition of Monopoly Practices and Unfair Business Competition (State Gazette of the Republic of Indonesia Year 1999 Number 33, Addendum Number 3806);
7. Law Number 8 Year 1999 concerning Consumer Protection (State Gazette of the Republic of Indonesia Year 1999 Number 42, Addendum Number 3821);
8. Law Number 39 Year 2008 concerning State Ministry (State Gazette of the Republic of Indonesia Year 2008 Number 166, Addendum Number 4916);
9. Law Number 13 Year 2010 concerning Horticulture (State Gazette of the Republic of Indonesia year 2010 Number 132, Addendum Number 5170);
10. Law Number 18 Year 2012 concerning Food (State Gazette of the Republic of Indonesia Year 2012 Number 227, Addendum Number 5360);
11. Government Regulation Number 69 Year 1999 concerning Food Label and Advertisement (State Gazette of the Republic of Indonesia Year 1999 Number 131, Addendum Number 3867);
12. Government Regulation Number 14 Year 2002 concerning Plant Quarantine (State Gazette of the Republic of Indonesia Year 2002 Number 35, Addendum Number 4196);
13. Government Regulation Number 68 Year 2002 concerning Food Security (State Gazette of the Republic of Indonesia Year 2002 Number 142, Addendum Number 4254);

14. Government Regulation Number 28 Year 2004 concerning Food Safety, Quality and Nutrition (State Gazette of the Republic of Indonesia Year 2004 Number 107, Addendum Number 4424);
15. Government Regulation Number 21 Year 2005 concerning Biological Safety of Genetically Modified Products (State Gazette of the Republic of Indonesia Year 2005 Number 44, Addendum Number 4498);
16. Government Regulation Number 38 Year 2007 concerning Division of Government Affairs between the Government, Provincial Regional Government and Regency/City Regional Government (State Gazette of the Republic of Indonesia Year 2007 Number 82, Addendum Number 4737);
17. Presidential Decree Number 260 Year 1967 concerning Affirmation of Duty and Responsibility of the Minister of Trade in Foreign Trade;
18. Presidential Decree Number 84/P Year 2009 concerning Formation of United Indonesia Cabinet II as amended by Presidential Decree Number 59/P Year 2011;
19. Presidential Regulation Number 47 Year 2009 concerning Formation and Organization of State Ministries as amended several times, lastly by Presidential Regulation Number 91 year 2011;
20. Presidential Regulation Number 24 Year 2010 concerning the Position, Duty, and Function of State Ministries, as well as Organization Structure, Task, and Function of Echelon I as amended several times, lastly by Presidential Regulation Number 92 Year 2011;
21. Presidential Regulation Number 32 Year 2013 concerning Assignment to Public Company BULOG to Secure Price and Distribution of Soybean;
22. Regulation of the Minister of Trade Number 54/M-DAG/PER/9/2009 concerning Import General Provisions;
23. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2010 concerning Organization and Work Procedures of the Ministry of Trade as amended by Regulation of the Minister of Trade Number 57/M-DAG/PER/8/2012;
24. Regulation of the Minister of Agriculture Number 88/Permentan/PP.340/12/2011 concerning Food Safety Control of Imported and Exported Fresh Food of Plant Origin;;

25. Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012 concerning Provisions of Importer Identification Number (API) as amended several times, lastly by Regulation of the Minister of Trade Number 84/M-DAG/PER/12/2012;
26. Regulation of the Minister of Trade Number 23/M-DAG/PER/5/2013 concerning Soybean Price Stabilization Program;
27. Regulation of the Minister of Trade Number 24/M-DAG/PER/5/2013 concerning Soybean Import Provisions in the Context of Soybean Price Stabilization Program;

**DECIDES:**

To stipulate : **REGULATION OF THE MINISTER OF TRADE CONCERNING AMENDMENT TO REGULATION OF THE MINISTER OF TRADE NUMBER 24/M-DAG/PER/5/2013 CONCERNING SOYBEAN IMPORT PROVISIONS IN THE CONTEXT OF SOYBEAN PRICE STABILIZATION PROGRAM.**

Article I

Several provisions in the Regulation of the Minister of Trade Number 24/M-DAG/PER/5/2013 concerning Soybean Import Provisions in the Context of Soybean Price Stabilization Program are amended as follows:

1. Provision of Article 1 is amended as follows:

Article 1

In this Ministerial Regulation what is referred to as:

1. Soybean is soybean crop yield (*Glycine max. Merr*) in the form of yellow color dried beans with the pod skins removed and cleaned that is classified as Tariff Post/HS Ex. 1201.90.00.00.
2. Soybean Price Stabilization Program, hereinafter referred to as *Program SHK/SPS* Program is an arrangement of soybean purchases from farmers, Soybean import, and sales of soybean to tofu/tempe producers.
3. Import is the activity of entering goods into the Customs Area of the Republic of Indonesia.

4. Registered Importer of Soybean, hereinafter referred to as RI-Soybean is State Owned Enterprise/BUMN, cooperative and/or private entity conducting import of Soybean for business purpose by trading and/or transferring it to other party.
  5. Importer Producer of Soybean, hereinafter referred to as IP-Soybean is State Owned Enterprise/BUMN and/or private entity conducting import of Soybean to be used as raw material or supporting material for production process and not traded or transferred to other party.
  6. Import Approval is Soybean import permit.
  7. Technical verification or inquiry is technical examination of imported products conducted by the surveyor.
  8. Surveyor is a survey company that is authorized to perform technical verification and inquiry of the imported products.
  9. State Owned Enterprise, hereinafter referred to as BUMN is a business entity where all or the majority of its capital is owned by the state through direct investment from separate state assets.
  10. Public Company State Logistics Agency, hereinafter referred to as Public Company BULOG is a State Owned Enterprise where all of its capital is owned by the State in a form of State assets that are separated and not divided into shares.
  11. Minister is the minister that carries out government affairs in the trade sector.
  12. Director General is the Director General of Foreign Trade of the Ministry of Trade.
2. Provision of Article 2 is amended as follows:

Article 2

Soybean Import can only be conducted by Public Company BULOG, BUMN, cooperative, and/or private entity that participate in the Soybean Price Stabilization Program.

3. Provision of Article 4 is amended as follows:

Article 4

(1) Soybean Import by Public Company BULOG can be conducted after being assigned by the Minister.

- (2) Soybean Import by BUMN and/or private entity can only be conducted after obtaining determination as RI-Soybean or recognition as IP-Soybean from the Minister.
  - (3) Soybean Import by cooperative can only be conducted after obtaining determination as RI-Soybean from the Minister.
  - (4) The Minister delegates the authority of issuing determination as RI-Soybean and recognition as IP-Soybean to the Director General.
4. Provision of Article 5 paragraph (1) is amended so that Article 5 reads as follows:

Article 5

- (1) To obtain determination as RI-Soybean as intended in Article 4, BUMN, cooperative and/or private party must submit written application to the Minister in this case the Director General, by attaching:
  - a. photocopy of Trading License / *Surat Izin Usaha Perdagangan (SIUP)* or other similar business license published by authorized agency or technical office;
  - b. photocopy of Company Registration Card / *Tanda Daftar Perusahaan (TDP)*;
  - c. photocopy of Tax Identification Number / *Nomor Pokok Wajib Pajak (NPWP)*;
  - d. photocopy of General Importer Identification Number / *Angka Pengenal Importir Umum (API-U)*;
  - e. photocopy of Customs Identification Number/*Nomor Identitas Kepabean (NIK)*;
  - f. photocopy of proof of control of storage area (warehouse) in accordance with product characteristics;
  - g. proof of experience of importing and/or distributing Soybean domestically for 3 (three) years;
  - h. a statement letter from foreign exchange bank stating that the applicant has the financial capability which fulfill the bank requisite to support issuance of the letter of credit; and

- i. letter of statement with sufficient stamp duty stating participation in the Soybean Price Stabilization Program according to provisions of the regulating legislation.
  - (2) The Director General on behalf of the Minister issues determination as RI-Soybean at the latest 5 (five) working days after field inspection is conducted by the Team to find out the validity of the documents as intended in paragraph (1).
  - (3) Inspection as intended as intended in paragraph (2) is performed for a maximum of 3 (three) working days since receiving the application completely.
  - (4) Team as intended in paragraph (2) consists of officials determined by the Director General.
  - (5) In case the inspection result as intended in paragraph (3) found false data, the Director General shall reject issuing determination as RI-Soybean.
  - (6) Determination as RI-Soybean as intended in paragraph (2) is valid for 3 (three) years commencing from the date of issuance.
  - (7) Determination as RI-Soybean as intended in paragraph (2) is forwarded online to the Indonesia National Single Window (INSW) portal.
  - (8) In case the Soybean is imported through ports that are not yet connected to the Indonesia National Single Window (INSW) portal, the copy of determination as RI-Soybean is delivered manually to related agencies.
5. Between Article 5 and Article 6 is inserted 1 (one) Article, namely Article 5A which reads as follows:

Article 5A

- (1) To obtain recognition as IP-Soybean as intended in Article 4, BUMN and/or private entity must submit written application to the Minister in this case the Director General, by attaching:
  - a. photocopy of Manufacturing Business License / *Surat Izin Usaha Industri* or other similar business license published by authorized agency or technical office;

- b. photocopy of Company Registration Card / *Tanda Daftar Perusahaan (TDP)*;
  - c. photocopy of Tax Identification Number / *Nomor Pokok Wajib Pajak (NPWP)*;
  - d. photocopy of Importer Producer Identification Number / *Angka Pengenal Importir Produsen (API-P)*;
  - e. photocopy of Customs Identification Number/*Nomor Identitas Kepabean (NIK)*;
  - f. photocopy of proof of control of storage area (warehouse) in accordance with product characteristics;
  - g. a statement letter from foreign exchange bank stating that the applicant has the financial capability which fulfill bank requisite to support the issuance of letter of credit;
  - h. letter of statement with sufficient stamp duty stating participation in the Soybean Price Stabilization Program according to provisions of the regulatory legislation; and
  - i. Statement Letter of Capability of purchasing farmer's soybean and signed on the stamp duty.
- (2) Proof of purchase realization of farmer's Soybean included in the Statement Letter of Capability as intended in paragraph (1) item i is validated by:
- a. Public Company BULOG; or
  - b. Surveyor that already have Surveyor Services Business Permit (SIUJS).
- (3) The Director General on behalf of the Minister issues recognition as IP-Soybean in a maximum of 5 (five) working days after field inspection is conducted by the Team to find out the validity of the documents as intended in paragraph (1).
- (4) Inspection as intended in paragraph (3) is conducted at the maximum of 3 (three) working days since the application is received completely.
- (5) The Team as intended in paragraph (3) consists of officials that are determined by the Director General.



- (6) In case where the inspection result as intended in paragraph (4) found false data, the Director General shall reject issuing recognition as IP-Soybean.
  - (7) Recognition as IP-Soybean as intended in paragraph (3) is valid for 1 (one) year commencing the date of issuance.
  - (8) Recognition as IP-Soybean as intended in paragraph (3) is delivered to BUMN and/or private owner of IP-Soybean and the copy is delivered to the related agencies.
  - (9) Recognition as IP-Soybean as intended in paragraph (3) is forwarded online to the Indonesia National Single Window (INSW) portal.
  - (10) In case where the Soybean is imported through port that is not yet connected to the Indonesia National Single Window (INSW), the copy of recognition as IP-Soybean is delivered manually to the related agencies.
6. Provision of Article 6 is amended as follows:

Article 6

- (1) Public Company BULOG, BUMN, cooperative and/or private owner of RI-Soybean, that will import Soybean must obtain Import Approval from the Minister.
  - (2) The Minister delegates the authority of issuing Import Approval for BUMN, cooperative and/or private owner of RI-Soybean as intended in paragraph (1) to the Director General.
7. Provision of Article 7 is amended as follows:

Article 7

- (1) To obtain Import Approval as intended in Article 6, RI-Soybean must submit written application to the Minister in this case the Director General by attaching:
  - a. Statement Letter of Capability of purchasing farmer's soybean and signed on the stamp duty;
  - b. Soybean sales plan to domestic market; and
  - c. photocopy of determination as RI-Soybean.

- (2) The amount of purchase of farmer's Soybean as intended in paragraph (1) item a is determined by calculation that is stipulated further by the Director General.
- (3) Proof of purchase realization of farmer's Soybean included in the Statement Letter of Capability as intended in paragraph (1) item a is validated by:
  - a. Public Company BULOG; or
  - b. Surveyor that already have Surveyor Services Business Permit (SIUJS).
- (4) In certain case where the condition cause the market price to rise beyond the Purchase Price of Farmers (HBP):
  - a. Farmers can sell at the general market with a market price determined by the market; and/or
  - b. Farmers can sell to RI-Soybean and/or Public Company BULOG with a Purchase Price of Farmers (HBP) that has been stipulated by the Government.
- (5) The Director General on behalf of the Minister issues:
  - a. Import Approval at the latest 5 (five) working days after receiving the application completely and correctly; or
  - b. rejection of issuing Import Approval at the latest 5 (five) working days since receiving the application in the case where the application is incomplete and/or incorrect.
- (6) Submission of Import Approval application as intended in paragraph (1) is stipulated as follows:
  - a. Application of Import Approval for the First Semester Period can be submitted in the last 10 (ten) working days of the month of November;
  - b. Application of Import Approval for the Second Semester Period can be submitted in the last 10 (ten) working days of the month of May.
- (7) Import Approval as intended in paragraph (5) item a is issued at the beginning of each semester.

- (8) Import Approval as intended in paragraph (5) item a is delivered to the RI-Soybean and the copy is delivered to the related agencies.
  - (9) Import Approval as intended in paragraph (5) item a is forwarded online to the Indonesia National Single Window (INSW) portal.
  - (10) In case where the Soybean is imported through port that is not yet connected to the Indonesia National Single Window (INSW), copy of the Import Approval is delivered manually to the related agencies.
8. Between Article 7 and Article 8 is inserted 1 (one) Article, namely Article 7A which reads as follows:

Article 7A

The validity period of the Import Approval as intended in Article 7 paragraph (5) item a is divided into 2 (two) periods namely:

- a. Import Approval of the First Semester Period is valid starting from the month of January to June.
  - b. Import Approval of the Second Semester Period is valid starting from the month of July to December.
9. Provision of Article 8 is amended as follows:

Article 8

Public Company BULOG and RI-Soybean that have obtained Import Approval as intended in Article 7 must realized the import of Soybean of at least 70% (seventy percent) of the realization in the current semester and contract from the rest of the Import Approval that have not been realized.

10. Provision of Article 12 is amended as follows:

Article 12

- (1) RI-Soybean and IP-Soybean must submit written report on the implementation of Soybean import through <http://inatrade.kemendag.go.id>.
  - (2) Report as intended in paragraph (1) is submitted each month at the latest on the 15<sup>th</sup> (fifteenth) of the following month to the Director General.
  - (3) The form of the report as intended in paragraph (1) as stated in the Appendix which is an integral part of this Ministerial Regulation.
11. Provision of Article 14 is amended as follows:

Article 14

- (1) Determination as RI-Soybean is frozen if the import of Soybean is not realized as intended in Article 8.
- (2) Determination as RI-Soybean and IP-Soybean is frozen if the reporting obligation is not performed as intended in Article 12.

12. Provision of Article 15 is amended as follows:

Article 15

Determination as RI-Soybean and recognition as IP-Soybean is revoked if:

- a. Soybean purchase is not realized as stated in the Statement Letter of Capability of purchasing Farmer's soybean as intended in Article 5A paragraph (1) item i and Article 7 paragraph (1) item a;
- b. proven to change the information stated in the Soybean import document;
- c. proven submitting false data and/or information as requirements to obtain determination as RI-Soybean, recognition as IP-Soybean, and Import Approval; and/or
- d. proven guilty based on court decision with permanent legal power for criminal acts related to abuse of Soybean import documents.

13. Provision of Article 21 is amended as follows:

Article 21

- (1) Soybean import for:
  - a. the purpose of research, testing, and development of science;
  - b. sample of goods that is not to be traded,must obtain Import Approval.
- (2) Soybean import for the purpose as intended in paragraph (1) is not applicable to provisions of determination as RI-Soybean, recognition as IP-Soybean, and import technical verification or inquiry.

14. Provision of Article 25 paragraph (1) is amended so Article 25 reads as follows:

Article 25

- (1) Surveyor Report (LS) as a supplementary customs document in the completion of import customs as intended in Article 10 paragraph (2) is in effect since 1 October 2013.
- (2) Surveyor Report (LS) as intended in paragraph (1) is proven by customs document in the form of manifest (BC.1.1).

## Article II

This Ministerial Regulation shall come into effect on 29 August 2013, except for provision of Article 7 paragraph (6) and paragraph (7), and Article 7A which come into effect on 1 November 2013.

For public cognizance, ordering the promulgation of this Ministerial Regulation by including it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta  
on 28 August 2013

**THE MINISTER OF TRADE REPUBLIC OF INDONESIA,**

**GITA IRAWAN WIRJAWAN**

APPENDIX  
REGULATION OF THE MINISTER OF TRADE REPUBLIC OF INDONESIA  
NUMBER  
CONCERNING  
AMENDMENT TO REGULATION OF THE MINISTER OF TRADE NUMBER 24/M-DAG/PER/5/2013  
CONCERNING SOYBEAN IMPORT PROVISIONS IN THE CONTEXT OF SOYBEAN PRICE STABILIZATION PROGRAM

SOYBEAN IMPORT IMPLEMENTATION REPORT  
ON THE DATE OF .....

Name of Registered Importer :  
Address :

No	RI-Soybean		Import Supply					Absorption from Farmers				Distribution to Kopti				Final Stock (7+11+15)	Information
	Number and date	Allocation	Port of Entry	Country of Origin	Date	Volume	Price Parity	Name and Address of Farmer Group	Point of Purchase	Volume	Purchase Price of Farmer	Name of Kopti	Address	Volume	Sale Price		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

.....  
Person in Charge of Company

Signed on Stamp Duty

THE MINISTER OF TRADE REPUBLIC OF INDONESIA

GITA IRAWAN WIRJAWAN