

**THE AMENDMENT TO REGULATION OF THE
MINISTER OF TRADE NUMBER
02/M-DAG/PER/1/2012 CONCERNING
PROVISION ON THE IMPORT OF PEARL
(Regulation of the Minister of Trade Number
37/M-DAG/PER/7/2014, dated July 3, 2014)**

BY GRACE OF GOD THE ALMIGHTY
THE MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA,

Considering:

- a. that in order to enhance the effectiveness of the implementation and supervision over the import of pearl, it is necessary to amend several provisions of Regulation of the Minister of Trade Number 02/M-DAG/PER/1/2012 concerning Provision on the Import of Pearl;
- b. that having regards to letter a, it is necessary to stipulate a regulation of the Minister of Trade on the Amendment to Regulation of the Minister of Trade Number 02/ M-DAG/PER/1/2012 concerning Provision on the Import of Pearl;

In view of:

1. Law Number 3 Year 1982 on Corporate Registration Obligation (Statute Book of the Republic of Indonesia Year 1982 Number 7, Supplement to Statute Book of the Republic of Indonesia Number 3214);

2. Law Number 7 Year 1994 on Ratification of Agreement Establishing The World Trade Organization (Statute Book of the Republic of Indonesia Year 1994 Number 57, Supplement to Statute Book of the Republic of Indonesia Number 3564);
3. Law Number 10 Year 1995 on Customs Affairs (Statute Book of the Republic of Indonesia Year 1995 Number 75, Supplement to Statute Book of the Republic of Indonesia Number 3612) as already 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);
4. Law Number 5 Year 1999 concerning Prohibition on Monopolistic Practices and Unfair Business Competition (Statute Book of the Republic of Indonesia Year 1999 Number 33, Supplement to Statute Book of the Republic of Indonesia Number 3806);
5. Law Number 8 Year 1999 on Consumer Protection (Statute Book of the Republic of Indonesia Year 1999 Number 42, Supplement to Statute Book of the Republic of Indonesia Number 3821);

6. Law Number 31 Year 2004 on Fishery (Statute Book of the Republic of Indonesia Year 2004 Number 118, Supplement to Statute Book of the Republic of Indonesia Number 4433) as already amended by Law Number 45 Year 2009 (Statute Book of the Republic of Indonesia Year 2009 Number 154, Supplement to Statute Book of the Republic of Indonesia Number 5073);
7. Law Number 39 Year 2008 on State Ministries (Statute Book of the Republic of Indonesia Year 2008 Number 166, Supplement to Statute Book of the Republic of Indonesia Number 4916);
8. Law Number 7 Year 2014 on Trade (Statute Book of the Republic of Indonesia Year 2014 Number 45, Supplement to Statute Book of the Republic of Indonesia Number 5512);
9. Government Regulation Number 82 Year 2000 on Animal Quarantine (Statute Book of the Republic of Indonesia Year 2000 Number 161, Supplement to Statute Book of the Republic of Indonesia Number 4002);
10. Presidential Decree Number 84/P Year 2009 on the Establishment of the Second United Indonesia Cabinet as already amended several times and the latest by Presidential Decree Number 8P Year 2014;
11. Presidential Regulation Number 47 Year 2009 on the Establishment and Organization of State Ministries as already amended several times and the latest by Presidential Regulation Number 13 Year 2014;
12. Presidential Regulation Number 24 Year 2010 on Status, Tasks and Functions of State Ministries as well as First-echelon Organizational Structures, Tasks and Functions of State Ministries as already amended several times and the latest by Presidential Regulation Number 14 Year 2014;
13. Regulation of the Minister of Trade Number 54/M-DAG/PER/9/2009 on Import General Provision;
14. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2010 on Organization and Working Mechanism of the Ministry of Trade as already amended by Regulation of the Minister of Trade Number 57/M-DAG/PER/8/2012;
15. Regulation of the Minister of Trade Number 02/M-DAG/PER/1/2012 on Pear Import Provision;
16. Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012 on Importer Identity Number Provision (API) as already amended several times and the latest by Regulation of the Minister of Trade Number 84/M-DAG/PER/12/2012;
17. Regulation of the Minister of Marine and Fishery Number 8/PERMEN-KP/2013 on Control over the Quality of Pearl Imported into the Territory of the Republic of Indonesia;

DECIDES :

To stipulate

THE REGULATION OF THE MINISTER OF TRADE ON THE AMENDMENT TO REGULATION OF THE MINISTER OF TRADE NUMBER 02/M-DAG/PER/1/2012 CONCERNING PEARL IMPORT PROVISION.

Article I

Several provisions in Regulation of the Minister of Trade Number 02/M-DAG/PER/1/2012 on Pearl Import Provision shall be amended as follows:

1. The provision of Article 6 is amended so as to read as follows:

Article 6

The import of pearl as meant in Article 2 may only be done through destination port:

- a. Soekarno Hatta Airport in Tangerang; and
- b. Juanda Airport in Surabaya.

2. The provision of Article 8 paragraph (2) is amended so as to read as follows:

Article 8

- (1) The import of pearl already securing import approval shall be verified or surveyed technically by surveyor in country where the port of loading is located before the shipment.
- (2) The technical verification or surveillance of the import as meant in paragraph (1) shall cover at least:
 - a. description and specification of goods covering Tariff Heading/HS;
 - b. quantity (volume) per kind of goods;
 - c. shipment date;
 - d. data or information about loading port and destination port; and
 - e. certificate of origin (SKA).
- (3) Result of technical verification or surveillance of the import by surveyor as meant in paragraph (1) shall be written down in the form of Surveyor Report (LS) to be used as customs complementary documents in the settlement of customs in the field of import.
- (4) The whole cost of technical verification or surveillance of the import executed by surveyor as meant in paragraph (1) shall be borne by companies already securing import approval.

3. The provision of Article 10 is amended so as to read as follows:

Article 10

(1) The import of pearl which constitutes:

- a. goods for the need of scientific research and development with the maximum quantity 100 (one hundred) gram;
- b. goods for the need of exhibition with the maximum quantity 1,000 (one thousand) grams for every participant of exhibition abroad,

shall secure import approval by enclosing only the recommendation as meant in Article 4 paragraph (1) letter e and shall be excluded from the provision on the technical verification and surveillance of the import as meant in Article 8.

(2) The import of pearl which constitutes:

- a. luggage of passengers and crew members of carrier with the maximum quantity 50 (fifty) grams;
- b. delivery goods with the maximum quantity 50 (fifty) grams per delivery;
- c. goods already exported for the need of exhibition or rejected by overseas buyer, later re-imported, which is proven by document of export declaration (PEB) and certificate of origin (SKA) from Indonesia as well as required to have the same quality as the quality upon exporting, shall be excluded from the provision on the import approval as meant in Article 3, the destination port as meant in Article 6, and technical verification of the import as meant in Article 8.

(3) The import of pearl as meant in paragraph (2) may be done through the whole international airports.

4. The provision of Article 12 is amended so as to read as follows:

Article 12

- (1) Companies importing pearl not matching the provision in this ministerial regulation shall be subject to sanction in accordance with the provision of legislation.
- (2) The imported pearl not matching the provision in this ministerial regulation shall be subject to sanction of re-export or destruction.
- (3) The cost of the re-export or destruction as meant in paragraph (2) shall become responsibility of importer.

5. The provision of Article 15 is amended so as to read as follows:

Article 15

LS as customs complementary document in the settlement of customs obligation in the field of the import as meant in Article 8 paragraph (3) starts to apply on August 1, 2014.

6. The provision of Article 16 is amended so as to read as follows:

Article 16

The ministerial regulation shall come into force on July 15, 2014.

7. The attachment to Regulation of the Minister of Trade Number 02/M-DAG/PER/1/2012 concerning Pearl Import Provision is amended so as to be as contained in the attachment constituting a part inseparable from this regulation.

Article II

The ministerial regulation shall come into force as from the date of promulgation.

For public cognizance, the regulation shall be promulgated by placing it in State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On July 3, 2014

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

sgd

MUHAMMAD LUTFI

ATTACHMENT

PEARL HAVING IMPORT REGULATED

No.	Tariff Heading /HS	Description of Goods
1	71.01 7101.10.00.00 7101.20 7101.21.00	Pearl, natural or cultivated, worked or Enhanced or not, but not laced, not installed or not arranged; Pearl, natural or cultivated, laced temporarily To facilitate the transport - Natural pearl - Cultivated pearl:
2	7101.21.00.10 7101.21.00.20 7101.22.00	-- Not worked: --- of fresh water --- of sea water -- Worked:
5	7101.22.00.10 7101.22.00.20	--- of fresh water --- of sea water
6	71.16 7116.10.00.00	Articles of natural pearl or cultivated pearl, precious or semi-precious stone (natural, synthetic Or reconstructed). - of natural or cultivated pearl

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

sgd.

MUHAMMAD LUTFI

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