

PROHIBITION ON
THE EXPORT OF RAILWAY SLEEPERS MADE OF WOOD AND SAWN TIMBER
(Joint Decree of the Minister of Forestry No. SK.350/Menhut-VI/2004 and
the Minister of Industry and Trade No. 598/MPP/Kep/9/2004 dated September 24,2004)

THE MINISTER OF FORESTRY
AND
THE MINISTER OF INDUSTRY AND TRADE

Considering:

- a. that railway sleepers made of wood and sawn timber constitute output of processing of raw materials originating from forests having added value and manpower absorption relatively low and contributing less optimal benefit to forest as the source of raw materials;
- b. that since the forest condition as a decisive factor of life supporting system and source of people prosperity tends to decrease, the forests must be maintained in a sustainable manner and need to be exploited optimally;
- c. that in order to realize the goals as meant in letter a, it is necessary to stipulate a policy on prohibition on the export of railway sleepers made of wood and sawn timbers by a joint decree of the Minister of Forestry and the Minister of Industry and Trade;

In view of:

1. Law No. 5/1990 on conservation of biological resources and their ecosystems (Statute Book of 1990 No. 49, Supplement to Statute Book No. 3419);
2. Law No. 7/1994 on ratification of the Agreement Establishing the World Trade Organization (Statute Book of 1994 No. 57, Supplement to Statute Book No. 3564);
3. Law No. 10/1995 (BN No. 5812 pages 19A - 20A and so on) on customs affairs (Statute Book of 1995 No. 75, Supplement to Statute Book No. 3612);
4. Law No. 41/1999 (BN No. 6412 pages 1A - 6A and so on) on forestry (Statute Book of 1999 No. 167, Supplement to Statute Book No. 3888);

5. Government Regulation No. 28/1985 on forest protection (Statute Book of 1985 No. 39, Supplement to Statute Book No. 3294);
6. Government Regulation No. 34/2002 (BN No. 6828 pages 5A - 15A and so on) on formulation of plan for management of forest, utilization of forest and the use of forest areas (Statute Book of 2002 No. 66, Supplement to Statute Book No. 4206);
7. Presidential Decree No. 228/M/2001 on the establishment of the Mutual Cooperation Cabinet (BN No. 6650 pages 29A - 30A);
8. Presidential Decree No. 102/2001 on the status, tasks, functions, authority, organizational structures and working arrangements of ministries;
9. Presidential Decree No. 109/2001 on first-echelon organizational units and tasks of ministries;
10. Decree of the Minister of Industry and Trade No. 441/MPP/Kep/9/1998 (BN No. 6224 pages 10A - 11A) on sawn timber export provisions;

D E C I D E S :

To stipulate:

THE JOINT DECREE ON THE MINISTER OF FORESTRY
AND THE MINISTER OF INDUSTRY AND TRADE ON PRO-
HIBITION ON THE EXPORT OF RAILWAY SLEEPERS
MADE OF WOOD AND SAWN TIMBER

Article 1

Referred to in this joint decree:

1. Railway sleepers made of wood is wood sawn or stretched out, sliced or peeled, planed or not, polished or not, with the thickness, width and length not restricted, of all kinds of wood subsumed into Tariff Heading/HS 4406.

2. Sawn timber is wood sawn or stretched out, sliced or peeled, planed or not, polished or end-jointed or not, of a thickness not exceeding 6 mm, with the width and length not restricted, of all kinds of wood subsumed into Tariff Heading/HS 4407.
3. Export is activity to release goods from customs area.
4. Export Plan Declaration is a written notification to Customs and Excise Service Office in loading port on the quantity and kind of the exported sawn timber, loading port and destination port.

Article 2

The export of railway sleepers (HS 4406) and sawn timber (HS 4407) as meant in Article 1 points 1 and 2 is prohibited in the whole territory of the Unitary State of the Republic of Indonesia, except wood products already processed through dry kiln, finger jointed machine and molder.

Article 3

(1) The recommendations about the export of railway sleepers and saw timber already issued by the Ministry of Forestry in this case the Directorate General of Forestry Production Development and endorsements by the Forestry Industry Revitalization Board (BRIK) not yet securing Export Plan Declaration from the Ministry of Industry and Trade are declared null and void.

(2) The export plan declarations issued by the Ministry of Industry and Trade not yet having Letter of Credit (L/C) from buyers abroad are declared null and void.

Article 4

The railway sleepers made of wood and sawn timber as meant in Article 1 points 1 and 2 already securing Export Plan Declarations and having Letter of Credit (L/C) already opened by buyers abroad before the stipulation of this joint decree can be exported with the provision that the said goods must have been shipped not later than October 15, 2004.

Article 5

Any violation of the provisions as meant in Article 2 is subjected to sanction in accordance with the provision of the law in force.

Article 6

With the enforcement of this joint decree, all provisions related to the export of railway sleepers made of wood and sawn timber contravening the joint decree are declared null and void.

Article 7

The joint decree comes into force as from the date of stipulation.

For public cognizance, the joint decree shall be published by placing it in State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
On September 24, 2004

THE MINISTER OF INDUSTRY AND TRADE

Sgd

RINI. M SUMARNO SOEWANDI

THE MINISTER OF FORESTRY

Sgd

MUHAMMAD PRAKOSA

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