

**VERIFICATION OR TECHNICAL EXAMINATION OF EXPORT OF EXCAVATED MATERIALS  
CATEGORY C OTHER THAN SAND, SOIL, AND TOP SOIL (INCLUDING HUMUS)**  
(Regulation of the Minister of Trade of the Republic of Indonesia No. 03/M-DAG/PER/1/2007  
dated January 22, 2007)

THE MINISTER OF TRADE  
OF THE REPUBLIC OF INDONESIA,

Considering:

- a. that, in the framework of minimizing of environmental damage as a result of uncontrollable mining of excavated materials category C as a result of rampant export of excavated materials category C and to prevent illegal export of excavated materials category C;
- b. that, based on the matters as meant in paragraph a, it is necessary to perform verification or technical examination into export of excavated materials category C other than sand, soil, and top soil (including humus) operated before loading of goods;
- c. that, based on the considerations as meant in paragraphs a and b, it is necessary to stipulate Regulation of the Minister of Trade;

In view of:

1. *Bedrijfsreglementerings Ordonantie* of 1934 (Statute Book of 1938 No. 86) as already amended and supplemented;
2. Law No. 8 Prp/1962 on Trade of Goods Under Monitoring (Statute Book of 1962 No. 42, Supplement to Statute Book No. 2409);
3. Law No. 11/1067 on Rules on Mining Affairs (Statute Book of 1967 No. 22, Supplement to Statute Book No. 2831);
4. Law No. 7/1994 on Ratification of Agreement Establishing the World Trade Organization (Statute Book of 1994 No. 57, Supplement to Statute Book No. 3564);
5. Law No. 10/1995 on Customs (Statute Book of 1995 No. 75, Supplement to Statute Book No. 3612) as already amended by Law No. 17/2006 (Statute Book of 2006 No. 93, Supplement to Statute Book No. 4661);
6. Law No. 23/1997 on Environmental Treatment (Statute Book of 1997 No. 68, Supplement to Statute Book No. 4327);
7. Presidential Decree No. 260/1967 on Confirmation of Duties and Responsibilities of the Minister of Trade in Foreign Trade Affairs;
8. Presidential Regulation No. 33/2002 on Control and Monitoring of Operation of Mining of Sea Sand;
9. Presidential Decree No. 187/M/2004 on Establishment of United Indonesia Cabinet as already amended several times and latest by Presidential Decree No. 171/M/2005;
10. Presidential Regulation No. 9/2005 on Positions, Duties, Functions, Organization Structures, and Work Procedures of State Ministries of the Republic of Indonesia as already amended by Presidential Regulation No. 90/2006;
11. Presidential Regulation No. 10/2005 on Organization Units and Duties of Echelons I of State Ministries of the Republic of Indonesia as already amended several times and latest by Presidential Regulation No. 66/2006;
12. Decree of the Minister of Industry and Trade No. 558/MPP/Kep/12/1998 on General Export Arrangements as already amended several times and latest by Regulation of the Minister of Trade No. 01/M-DAG/PER/1/2007;

13. Decree of the Minister of Finance No. 545/KMK.01/2003 on Stipulation of System of Classification of Import Goods;

14. Regulation of the Minister of Trade of the Republic of Indonesia No. 01/M-DAG/PER/3/2005 on Organization and Work Procedure of the Ministry of Trade as already amended by Regulation of the Minister of Trade No. 30/M-DAG/PER/12/2005;

15. Regulation of the Minister of Finance No. 103/PMK.04/2005 on Use of Single Administrative Document Customs Manifest in Batam, Bintan, and Karimun Islands;

16. Regulation of the Minister of Finance No. 110/PMK.010/2006 on Stipulation of System of Classification of Goods and Imposition of Import Duty on Import Goods.

**Observing:**

Resolutions of Ministerial Plenary Meeting held on January 18, 2007 at the Office of the Coordinating Minister for Politics, Law, and Security regarding Policy for Export of Sand, Soil, and Top Soil (Including Humus).

**DECIDES:**

To stipulate:

**REGULATION OF THE MINISTER OF TRADE ON VERIFICATION OR TECHNICAL EXAMINATION OF EXPORT OF EXCAVATED MATERIALS CATEGORY C OTHER THAN SAND, SOIL, AND TOP SOIL (INCLUDING HUMUS).**

**Article 1**

Hereinafter referred to as:

1. Verification or Technical Examination is evaluation and examination conducted by surveyor before loading of goods.
2. Surveyor is a survey company given authority and stipulated by the Minister of Trade to perform verifi-

cation or technical examination into export of excavated materials category C other than sand, soil, and top soil (including humus).

3. Minister is the Minister of Trade.
4. Director General of Foreign Trade is Director General of Foreign Trade of the Ministry of Trade.
5. Director General of Mineral, Coal, and Geothermal is the Director General of Mineral, Coal, and Geothermal of the Ministry of Energy and Mineral Resources.

**Article 2**

- (1) Export of excavated materials category C other than sand, soil, and top soil (including humus) must first be verified or examined.
- (2) Types of excavated materials category C other than sand, soil, and top soil (including humus) subject to verification or technical examination as meant in paragraph (2) are as specified in Attachment to this Regulation.

**Article 3**

- (1) Verification or technical examination as meant in Article 2 paragraph (1) is performed before loading of goods by surveyor as stipulated by the Minister.
- (2) To be stipulated as performer of verification or technical examination, the surveyor as meant in paragraph (1) must have the following qualifications:
  - a. Having experience as surveyor for at least five (5) years;
  - b. Having branches or a large service network in Indonesia.
- (3) Verification or technical examination by surveyor as meant in paragraph (1) includes evaluation and inspection into data or information at least regarding:
  - a. Administrative validity of sources of goods;

- b. Specifications of goods that include Harmonized Schedule (HS) No.; and
- c. Quantity and types of goods, and time of shipment.

(4) Result of verification or technical examination performed by surveyor as meant in paragraph (1) is written on Surveyor's Report (LS) to be used as complementary customs manifest required for registration of Export Manifest (PEB) or Single Administrative Document Customs Manifest (PPSAD) for Customs and Excise Service Office that already applies it.

(5) For performance of verification or technical examination into export of excavated materials category C other than sand, soil, and top soil (including humus), the surveyor collects a fee from exporter, which amount is decided based on principles of benefit.

(6) Cost expended for performance of verification or technical examination into export of excavated materials category C other than sand, soil, and top soil (including humus) by the surveyor is payable by exporter.

#### Article 4

Verification or technical examination as meant in Article 2 paragraph (1) is not applicable to:

- a. Goods for technology research and development;
- b. Sample goods; or
- c. Promotional goods.

#### Article 5

(1) The surveyor as meant in Article 3 paragraph (1) must submit report in writing regarding performance of verification or technical examination every month.

(2) The report as meant in paragraph (1) is delivered to the Director General of Foreign Trade in this case the Director for Export of Industrial and Mining Products and the Director General of Mineral, Coal, and Geothermal in this case the Director for Development

of Operation of Mining of Mineral and Coal in the first week of the following month.

(3) The surveyor must ensure that the goods exported are in accordance with the ones written in the Surveyor's Report (LS) as meant in Article 3 paragraph (4).

#### Article 6

Stipulation as performer of verification is revoked if the surveyor:

- a. does not perform the obligation as meant in Article 5 paragraph (1) two (2) times in a year; and/or;
- b. Does not perform the obligation as meant in Article 5 paragraph (3).

#### Article 7

(1) Exceptions from the provisions of this Regulation may only be stipulated by the Minister.

(2) The Director General of Foreign Trade may issue technical regulations for implementation of this Regulation.

#### Article 8

This Regulation comes into force since February 6, 2007.

For public cognizance, this Regulation is published by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On January 22, 2007

THE MINISTER OF TRADE OF THE REPUBLIC OF  
INDONESIA

Sgd

MARI ELKA PANGESTU

LIST OF EXCAVATES MATERIALS CATEGORY C OTHER  
THAN SAND, SOIL, AND TOP SOIL SUBJECT TO  
VERIFICATION

HS NO. based on Indonesian Import Duty Tariff Book of 2004	HS NO. based on Indonesian Import Duty Tariff Book of 2007	DESCRIPTION OF GOODS
2501.00.21.00 2501.00.29.00	Ex 2501.00.41.00 Ex 2501.00.49.00 Ex 2501.00.90.00	Rock salt or mineral salt
25.04		Natural graphite
25.07.00.00.00		Kaolin and other kaolin clay, decalcinated or not
25.10		Natural phosphate calcium, natural phosphate aluminum calcium, and phosphate chalk
25.13		Pumice stone; amril.; natural corundum, natural garnet, and other acid sandpaper, treated by heat or not
25.15		Marble, travertine, eccaussine, and other chalked rocks for monuments or buildings with specific gravity of 2.5 or more, and alabaster, worked roughly or merely cut or not, sawn or worked in other manners, turned into bars or thick sheets in form of rectangular (including square)
25.16		Granite, porphyry, basal, sand stone, and other stones for making monuments or buildings, worked roughly or merely cut or not, sawn or worked in other manners, turned into bars or thick sheets in form of rectangular (including square)
25.17		Small rocks, gravel, crushed or smashed rocks, normally used for mixes with concrete, for hardening of road or for railway tracks or other ballast, shingle and flint, treated by heat or not; macadam made of cinders, waste or other similar industrial wastes, mixed with the materials of the first part of this Heading or not; tar macadam; grains, pieces and powder, of the rocks of Heading 25.15 or 25.16, treated by heat or not
25.18		Dolomite, decalcinated or not, including dolomite worked roughly or merely cut, sawn, or worked in other manners, turned into bars or thick sheets in form of rectangular (including square); mixes with dolomite
25.19		Natural carbonate magnesium (magnesite); magnesia smelts; magnesia sinter; containing a small amount of other oxides added before it is sintered or not; other magnesium oxides, refined or not
2520.10.00.00		- Gypsum; anhydrite
25.21		Limestone flux; limestone and other stones containing chalks, of the types used for making chalk or cement
25.22		Quicklime, kapur kembang..., hydraulic chalk, other than calcium oxide and hydroxide of Heading 28.25
25.24		Asbestos
25.25		Mica, including its fragments; mica waste
25.26		Talc
2526.20	Ex 2526.10.00.00	- Non smashed parts, non-powder
2526.20.10.00		- Smashed parts or powder:
		-- Talc powder
		-- Others
25.29	Ex 2526.20.90.00	Felspar; leucite; nepheline; and nepheline syenite; fluorspar
2530.10.00.00		- Vermiculite, perlit and chlorite, unexpanded
Ex 2530.90.90.00	Ex 2530.90.00.00	Andesite
Ex 2530.90.90.00	Ex 2530.90.00.00	Calcite
Ex 2530.90.90.00	Ex 2530.90.00.00	Ocher
Ex 2530.90.90.00	Ex 2530.90.00.00	Obsidian
Ex 2530.90.90.00	Ex 2530.90.00.00	Trachyte
Ex 2530.90.90.00	Ex 2530.90.00.00	Trass
Ex 2530.90.90.00	Ex 2530.90.00.00	Jarosite
2833.30.00.00		Alum
28.34		Nitrite; nitrate
68.03		Slate worked and articles made of slate or agglomerated slate

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

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MARI ELKA PANGESTU

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