

THE APPOINTMENT OF SURVEYOR TO CONDUCT TECHNICAL VERIFICATION OR TRACE OF NON-HAZARDOUS AND TOXIC (NON B3) WASTE IMPORTS

(Decree of the Trade Minister No. 1215/M-DAG/KEP/9/2009 dated September 15, 2009)

THE TRADE MINISTER OF THE REPUBLIC OF INDONESIA,

Considering :

- a. that to implement provisions in Article 8 paragraph (2) of Regulation of the Trade Minister No. 39/M-DAG/PER/9/2009 on Provisions on the Import of Non-Hazardous and Toxic (Non B3) Waste, it is necessary to appoint a surveyor to conduct technical verification or trace of non-hazardous and toxic (Non 3) waste imports;
- b. that based on the consideration in letter a, it is necessary to stipulate a Decree of the Trade Minister;

In view of :

1. Presidential Decree No. 260/1967 on the Affirmation of Tasks and Responsibilities of the Trade Minister in the Foreign Trade Sector;
2. Presidential Decree No. 187/M/2004 (*BN No. 7128 pages 30A-31A*) on the Formation of the United Indonesia Cabinet, as has been several times amended the latest by Presidential Decree No. 171/M/2005;
3. Presidential Regulation No. 9/2005 (*BN No. 7182 pages 2A-23A*) on the Position, Task, Function, Organizational Structure and Work Mechanism of State Ministries of the Republic of Indonesia as has been several times amended the latest by Presidential Regulation No. 20/2008;
4. Presidential Regulation No. 10/2005 on the Organizational Unit and Task of First Echelon Officials of State Ministries of the Republic of Indonesia as has been

several times amended the latest by Presidential Regulation No. 50/2008;

5. Regulation of the Trade Minister No. 01/M-DAG/PER/3/2005 on the Organizational Structure and Work Mechanism of the Trade Ministry as has been several times amended the latest by Regulation of the Trade Minister No. 24/M-DAG/PER/6/2009;
6. Regulation of the Trade Minister No. 28/M-DAG/PER/6/2009 on Electronic Export and Import Licencing Services through INATRADE within the framework of National Single Window;
7. Regulation of the Trade Minister No. 39/M-DAG/PER/9/2009 (*BN No. 7858 pages 16A-17A*) on Provisions on the Import of Non Hazardous and Toxic (Non B3) Waste;

Observing :

1. Letter of the President Director of PT. Surveyor Indonesia No. SRT-006/DRU-IX/JDP/2009 dated September 7, 2009 on application for appointment as a surveyor to verify the import of non-hazardous and toxic waste (non-B3) waste;
2. Letter of the President Director of PT. Sucofindo (Persero) No. 1252/DRU-IX/PBK/2009 dated September 7, 2009 on application for appointment as a surveyor to verify the import of non-hazardous and toxic waste (non-B3) waste;

DECIDES :

To stipulate :

FIRSTLY :

PT. Surveyor Indonesia and PT. Sucofindo (Persero) are appointed as surveyors to verify or trace technically the import of non-hazardous and toxic (non B3) waste.

SECONDLY :

The surveyors referred to in the first dictum shall be tasked with:

1. conducting technical verification or trace on the import of non-hazardous and toxic (non-B3) waste in the countries of loading referred to in Article 8 paragraph (1) according to the scope of verification contained in Article 8 paragraph (4) of Regulation of the Trade Minister No. 39/M-DAG/PER/9/2009 on Provisions on the Import of Non-Hazardous and Toxic (Non B3) Waste;
2. publish the results of technical verification or trace on the import of non-hazardous and toxic (non-B3) waste in the form of a surveyor report (LS) as a document needed to settle customs obligations in the import field, containing :
 - a. correct and clear identity (name and address) of importer and exporter;
 - b. number and date of recognition as IP of non-B waste;
 - c. quantity/volume or weight, type and specification, and heading number of non-hazardous and toxic (non-B3) waste imported;
 - d. time and exporting country/port of loading non-hazardous and toxic (non-B3) waste imported;
 - e. time and destination port of unloading non-hazardous and toxic (non-B3) waste imported;
 - f. statement from the exporter of non-hazardous and toxic (non-B3) waste that the waste exported is not hazardous and toxic waste and the exporter is ready

to receive back the waste if it proves to be hazardous and toxic (B3) waste;

g. other necessary information.

3. print a surveyor report (LS) referred to in point 2 using security paper and made in both Indonesian Language and English by mentioning the results of technical verification or trace on the import of non-hazardous and toxic (non-B3) waste;
4. appointing officers to conduct the verification and an official authorized to sign any surveyor report (LS) complete with specimen signature of the relevant official and send it to the Director General of Foreign Trade and the Director General of Customs and Excise;
5. submitting a written report on the technical verification or trace on the import of non-hazardous and toxic (non-B3) waste every month to the Director General of Foreign Trade in this case the Director of Imports at the Trade Ministry every 15th of the ensuing month;
6. sending electronic data on surveyor report (LS) to <http://inatrade.depdag.go.id>;
7. submitting other relevant data and information requested by the Directorate General of Foreign Trade at the Trade Ministry through the Director of Imports.

THIRDLY :

The technical verification or trace referred to in the second dictum is conducted on non-hazardous and toxic (non-B3) waste referred to in Attachment I to Regulation of the Trade Minister No. 39/M-DAG/PER/9/2009 on Provisions on the Import of Non-Hazardous and Toxic (Non-B3) Waste.

FOURTHLY :

In conducting the technical verification or trace, the surveyor can cooperate with a surveyor abroad.

FIFTHLY :.....

FIFTHLY :

Lateness or mistake in the publication of surveyor report (LS) due to the surveyor's neglect, intentionally or unintentionally, becomes the responsibility of the surveyor in accordance with the rule of the International Federation of Inspection Agency (IFIA).

SIXTHLY :

In connection with the technical verification or trace of the import of non-hazardous and toxic (non-B3) waste, the surveyor collects fees from the importer with the value set by observing the principles of benefit.

SEVENTHLY :

All expenses incurred to conduct the technical verification or trace of the Import of non-hazardous and toxic (non-B3) waste become the responsibility of the surveyor.

EIGHTHLY :

The appointment of the surveyor referred to in the first dictum does not eliminate the authority of the Trade Minister to revoke, replace and add more surveyors to conduct technical verification or trace on the import of non-hazardous and toxic (non-B3) waste.

NINTHLY :

This Ministerial Decree begins to take effect on the date of stipulation.

Stipulated in Jakarta
on September 15, 2009

THE TRADE MINISTER

sgd.

MARI ELKA PANGESTU

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