



**MINISTER OF TRADING OF THE REPUBLIC OF INDONESIA**

REGULATION OF THE MINISTER OF TRADING OF THE REPUBLIC OF INDONESIA  
NUMBER 82 OF 2017

ON

THE PROVISION OF THE UTILIZATION OF NATIONAL SEA TRANSPORTATION AND  
INSURANCE FOR EXPORT AND IMPORT OF SPECIFIC GOODS

IN THE NAME OF GOD THE ALMIGHTY

MINISTER OF TRADING OF THE REPUBLIC OF INDONESIA,

Considering : a. that in order to give opportunity of transportation and insurance of exported and imported goods to sea transport companies and national insurance companies, it shall be required to regulate the provision of the utilization of national sea transportation and insurance for export and import of specific goods;

b. that based on the consideration as stated in letter a, it shall require to stipulate Regulation of the Minister of Trading on the Provision of the Utilization of National Sea Transportation and Insurance for Export and Import of Specific Goods;

In view of : 1. Act Number 10 of 1995 on Customs (State Gazette of the Republic of Indonesia Number 75 of 1995, Supplement of the State Gazette of the Republic of Indonesia Number 3612) as amended by Act Number 17 of 2006 on the Amendment of Act Number 10 of 1995 on Customs (State Gazette of the Republic of Indonesia Number 93 of 2006, Supplement of the State Gazette of the Republic of Indonesia Number 4661);

2. Act Number 17 of 2008 on Shipping (State Gazette of the Republic of Indonesia Number 64 of 2008, Supplement of the State Gazette of the Republic of Indonesia Number 4849);

3. Act Number 39 of 2008 on State Ministry (State Gazette of the Republic of Indonesia Number 166 of 2008, Supplement of the State Gazette of the Republic of Indonesia Number 4916);

4. Act Number 7 of 2014 on Trading (State Gazette of the Republic of Indonesia Number 45 of 2014, Supplement of the State Gazette of the Republic of Indonesia Number 5512);

5. Act Number 40 of 2014 on Insurance (State Gazette of the Republic of Indonesia Number 337 of 2014, Supplement of the State Gazette of the Republic of Indonesia Number 5618);

6. Government Regulation Number 20 of 2010 on Foreign Sea Transportation (State Gazette of the Republic of Indonesia

- Number 26 of 2010, Supplement of the State Gazette of the Republic of Indonesia Number 5108);
7. Government Regulation Number 29 of 2017 on Payment and Delivery Method of Goods in Export and Import Activities (State Gazette of the Republic of Indonesia Number 167 of 2017);
  8. Presidential Regulation Number 7 of 2015 on the Organization of State Ministries (State Gazette of the Republic of Indonesia Number 8 of 2015);
  9. Presidential Regulation Number 48 of 2015 on the Ministry of Trading (State Gazette of the Republic of Indonesia Number 90 of 2015);
  10. Regulation of the Minister of Trading Number 13/M-DAG/PER/3/2012 on the General Provisions of Exportation (Official Gazette of the Republic of Indonesia Number 395 of 2012);
  11. Regulation of the Minister of Trading Number 08/M-DAG/PER/2/2016 on the Organization and Work Procedure of the Ministry of Trading (Official Gazette of the Republic of Indonesia Number 202 of 2016);
  12. Regulation of the Minister of Trading Number 36/M-DAG/PER/5/2016 on the Procedures for the Imposition of Administrative Sanctions on Exporters and Importers (Official Gazette of the Republic of Indonesia Number 798 of 2016);

DECIDES

To stipulate: REGULATION OF THE MINISTER OF TRADING ON THE PROVISION OF THE UTILIZATION OF NATIONAL SEA TRANSPORTATION AND INSURANCE FOR EXPORT AND IMPORT OF SPECIFIC GOODS.

Article 1

In this Ministerial Regulation, the following terms:

1. Export means any activity releasing Goods from Customs Area;
2. Import means any activity getting in goods to customs area.
3. Sea Transportation means any transportation activity which according to its activity shall serve sea transportation activities.
4. Insurance means agreement between two parties, namely insurance company and policy holder, which shall be the basis for premium acceptance by insurance company as the advantage of:
  - a. giving compensation to the insured or policy holder due to its loss, damage, arising costs, lost profit or legal responsibility to any third party which may be suffered by the insured or policy holder due to the occurrence of an uncertain event; or
  - b. giving payment which shall be based on the death of the insured or payment which is based on the life of the insured with benefit which amount has been stipulated and/or based on fund management.
5. National Sea Transportation Company means a sea transportation company having Indonesian legal entity

- performing sea transportation activities in the marine territory of Indonesia and/or from and to foreign ports.
6. Insurance Company means an insurance company, sharia insurance company, reinsurance company, sharia reinsurance company, insurance brokerage company, reinsurance brokerage company and damage assessor company.
  7. Coal means sedimentation of carbon organic compounds which is formed naturally from the remaining of plants with Tariff Post/HS 27.01, 27.02, 27.03, 27.04, 27.05, 27.06, 27.07 and 27.08.
  8. Crude Palm Oil which hereinafter shall be referred to as CPO, means crude palm oil which is obtained from the extraction or compression process palm oil flesh and has not been purified with Tariff Post/HS 1511.10.00.
  9. Rice means skinned, non-skinned seeds, processed or unprocessed which originates from oryza sativa species with Tariff Post/HS 10.06.
  10. Minister means the minister administering governmental affairs in trading.
  11. Director General means the Director General of Foreign Trading of the Ministry of Trading.

#### Article 2

- (1) Exporter and Importer may use Sea Transportation controlled by National Sea Transportation Company and/or Sea Transportation controlled by foreign sea transportation company to transport Export and Import goods.
- (2) Exporter and Importer may utilize Insurance from national Insurance Company and/or Insurance from foreign Insurance Company to insure Export and Import goods.

#### Article 3

- (1) Exporter which exports Coal and/or CPO shall be obliged to transport the goods utilizing Sea Transportation controlled by National Sea Transportation Company.
- (2) Importer which imports Rice shall be obliged to transport the goods utilizing Sea Transportation controlled by National Sea Transportation Company.
- (3) Importer which imports goods for the purpose of governmental goods procurement, the transportation shall be obliged to utilize Sea Transportation controlled by National Sea Transportation Company.

#### Article 4

- (1) Exporter in insuring Export goods as stated in Article 3 paragraph (1) shall be obliged to use Insurance from National Insurance Company.
- (2) Importer in insuring Import goods as stated in Article 3 paragraph (2) and/or paragraph (3) shall be obliged to use Insurance from National Insurance Company.

#### Article 5

- (1) In terms of Sea Transportation controlled by the National Sea Transportation Company is still limited in its availability or is not available, Exporter and Importer as stated in Article 3 may utilize Sea Transportation controlled by National Sea Transportation Company and/or foreign sea transportation company.
- (2) In terms of insurance from national Insurance Company is still limited in terms of availability or is not available, Exporter and Importer as stated in Article 4 may utilize Insurance from national Insurance Company and/or foreign Insurance Company.

#### Article 6

- (1) Exporter exporting Coal and/or CPO shall be obliged to submit report concerning the utilization of Sea Transportation controlled by National Sea Transportation Company and/or the utilization of Sea Transportation controlled by foreign sea transportation company.
- (2) Importer importing Rice shall be obliged to submit report concerning the utilization of Sea Transportation controlled by National Sea Transportation Company and/or the utilization of Sea Transportation controlled by foreign sea transportation company.
- (3) Importer importing goods for governmental goods procurement shall be obliged to submit report concerning the utilization of Sea Transportation controlled by National Sea Transportation Company and/or the utilization of Sea Transportation controlled by foreign sea transportation company.

#### Article 7

- (1) Exporter exporting Coal and/or CPO shall be obliged to submit report concerning the utilization of Insurance from national Insurance Company and/or Insurance from foreign Insurance Company.
- (2) Importer importing Rice shall be obliged to submit report concerning the utilization of Insurance from national Insurance Company and/or utilization of Insurance from foreign Insurance Company.
- (3) Importer importing goods for governmental goods procurement shall be obliged to submit report concerning the utilization of Insurance from national Insurance Company and/or utilization of Insurance from foreign Insurance Company.

#### Article 8

- (1) The report as stated in Article 6 and Article 7 shall be submitted to the Director General in not later than the 15<sup>th</sup> day of the subsequent month.
- (2) The report as stated in paragraph (1) shall be submitted electronically through <http://inatrade.kemendag.go.id>.
- (3) The report form on the utilization of National Sea Transportation and Insurance for Coal and/or CPO Exports as stated in Article 6 paragraph (1) and Article 7

paragraph (1) shall be stated in Annex I which shall be an integral part to this Ministerial Regulation.

- (4) The report form on the utilization of National Sea Transportation and Insurance for Rice Imports and/or Imports for the procurement of governmental goods as stated in Article 6 paragraph (2) and paragraph (3) and Article 7 paragraph (2) and paragraph (3) shall be stated in Annex II which shall be an integral part to this Ministerial Regulation.

#### Article 9

- (1) Exporter violating the provisions of Article 3 paragraph (1) and/or Article 4 paragraph (1) shall be imposed administrative sanction namely freezing of permits or revocation of permits.
- (2) Exporter violating the provisions of Article 6 paragraph (1) and/or Article 7 paragraph (1) shall be imposed administrative sanction namely written warning, freezing of permits or revocation of permits.
- (3) Importer violating the provisions of Article 3 paragraph (2), paragraph (3) and/or Article 4 paragraph (2) shall be imposed administrative sanction namely freezing of permits or revocation of permits.
- (4) Importer violating the provisions of Article 6 paragraph (2), Article 6 paragraph (3), Article 7 paragraph (2) and/or Article 7 paragraph (3) shall be imposed administrative sanction namely written warning, freezing of permits or revocation of permits.
- (5) The imposition of administrative sanction as stated in paragraph (1) to paragraph (4) shall be conducted pursuant to the provisions of statutory regulation.

#### Article 10

- (1) Supervision towards the implementation of the utilization of Sea Transportation controlled by National Sea Transportation Company and Insurance from national Insurance Company in goods Export and Import activities as stated in Article 3 and Article 4 shall be conducted by the Minister, the minister administering governmental affairs in transportation and the minister administering governmental affairs in finance.
- (2) The supervision as stated in paragraph (1) may be conducted separately or collectively.
- (3) The collective supervision as stated in paragraph (2) shall be coordinated by the Minister.

#### Article 11

Exception to the provisions of this Ministerial Regulation shall be stipulated by the Minister having obtained consideration from the minister/chairperson of non-ministerial governmental institution/chairperson of institution.

Article 12

Technical guidance of the implementation of this Ministerial Regulation may be stipulated by the Director General.

Article 13

This Ministerial Regulation shall come into force 6 (six) months after the date of its enactment.

So that every person has knowledge of, ordering the enactment of this Ministerial Regulation with its placement in the Official Gazette of the Republic of Indonesia.

Stipulated in Jakarta  
on 26 October 2017

MINISTER OF TRADING OF THE REPUBLIC OF INDONESIA  
signature  
ENGGARTIASTO LUKITA

Enacted in Jakarta  
on 31 October 2017

DIRECTOR GENERAL  
STATUTORY REGULATION  
MINISTRY OF LAW AND HUMAN RIGHTS  
REPUBLIC OF INDONESIA,  
signature  
WIDODO EKATJAHJANA

OFFICIAL GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 1520 OF 2017

This is the true copy of the original  
Secretariat General  
Ministry of Trading  
Head of Legal Bureau,  
[signature]  
M. SYIST

ANNEX I  
 REGULATION OF THE MINISTER OF TRADING OF THE REPUBLIC OF INDONESIA  
 NUMBER 82 OF 2017  
 ON  
 THE PROVISION OF THE UTILIZATION OF NATIONAL SEA TRANSPORTATION AND INSURANCE  
 FOR EXPORT AND IMPORT OF SPECIFIC GOODS

REPORT OF SEA TRANSPORT AND INSURANCE UTILIZATION FOR  
 COAL AND/OR CPO EXPORT  
 PT/CV .....  
 MONTH .....

NO	PEB BC 3.0 NO.	PEB DATE	TARIFF POST/HS, DESCRIPTION OF AMOUNT & TYPE OF GOODS	AMOUNT & UNIT TYPE, NET WEIGHT	FOB/CIP SCORE	NAME OF SEA TRANSPORTATION COMPANY	NAME & FLAG OF TRANSPORTING VESSEL (SHIP)	VOYAGE NO.	FREIGHT	NAME OF INSURANCE COMPANY (DN)	TYPE OF INSURANCE

MINISTER OF TRADING OF THE REPUBLIC OF INDONESIA,  
 signature  
 ENGGARTIASTO LUKITA

This is the true copy of the original  
 Secretariat General  
 Ministry of Trading  
 Head of Legal Bureau,  
 [signature]  
 M. SYIST

ANNEX II  
 REGULATION OF THE MINISTER OF TRADING OF THE REPUBLIC OF INDONESIA  
 NUMBER 82 OF 2017  
 ON  
 THE PROVISION OF THE UTILIZATION OF NATIONAL SEA TRANSPORTATION AND INSURANCE  
 FOR EXPORT AND IMPORT OF SPECIFIC GOODS

REPORT OF SEA TRANSPORT AND INSURANCE UTILIZATION FOR  
 RICE IMPORT AND/OR IMPORT FOR THE PURPOSE OF GOVERNMENTAL GOODS PROCUREMENT

PT/CV .....

MONTH .....

NO	PIC BC 2.0 NO.	PEB DATE	TARIFF POST/HS, DESCRIPTION OF AMOUNT & TYPE OF GOODS	AMOUNT & UNIT TYPE, NET WEIGHT	FOB/CIP SCORE	NAME OF SEA TRANSPORTATION COMPANY	NAME & FLAG OF TRANSPORTING VESSEL (SHIP)	VOYAGE NO.	FREIGHT	NAME OF INSURANCE COMPANY (DN)	TYPE OF INSURANCE

MINISTER OF TRADING OF THE REPUBLIC OF INDONESIA,  
 signature  
 ENGGARTIASTO LUKITA

This is the true copy of the original  
 Secretariat General  
 Ministry of Trading  
 Head of Legal Bureau,  
 [signature]  
 M. SYIST

**MINISTER OF TRADE OF REPUBLIC OF INDONESIA**

MINISTER OF TRADE OF REPUBLIC OF INDONESIA REGULATION  
NUMBER 48 YEAR 2018

ABOUT

AMENDMENT TO MINISTER OF TRADE REGULATION  
NUMBER 82 YEAR 2017 ON PROVISIONS OF USE OF SEA TRANSPORT AND  
NATIONAL INSURANCE FOR EXPORT AND IMPORT OF CERTAIN GOODS

BY THE GRACE OF GOD ALMIGHTY

MINISTER OF TRADE OF REPUBLIC OF INDONESIA

- Considering:
- a. whereas in order to provide legal certainty and to allow sufficient time for business actors to adjust the terms of use of sea transport and national insurance for the export and import of certain goods, it is necessary to amend some provisions in the Minister of Trade Regulation No. 82 of 2017 on Terms of Use of Sea Transport and National Insurance for Export and Import of Certain Goods;
  - c. whereas based on the considerations referred to in the letter a, it is necessary to establish the Minister of Trade Regulation concerning Amendment to the Minister of Trade Regulation No. 82 of 2017 concerning the Provisions of Use of Sea Transport and National Insurance for the Export and Import of Certain Goods;

- In View of:
- 1. The Law Number 7 Year 2014 on Trade (State Gazette of the Republic of Indonesia Year 2014 Number 45, Supplement to the State Gazette of the Republic of Indonesia Number 5512);
  - 2. Minister of Trade Regulation Number 08/M DAG/PER/2/2016 on Organization and Working Arrangement of the Ministry of Trade (State Gazette of the Republic of Indonesia Year 2016 Number 202);
  - 3. The Minister of Trade Regulation No. 82 of 2017 concerning the Use of Sea Transport and National Insurance for the Export and Import of Certain Goods (State Gazette of the Republic of Indonesia Year 2017 Number 1520);

DECIDES

To establish: THE MINISTER OF TRADE CONCERNING AMENDMENT TO THE MINISTER OF TRADE REGULATION NUMBER 82 OF 2017 CONCERNING PROVISIONS OF USE OF SEA TRANSPORT AND NATIONAL INSURANCE FOR EXPORT AND IMPORT OF CERTAIN GOODS.

## Article 1

Some provisions in the The Minister of Trade Regulation No. 82 of 2017 concerning the Use of Sea Transport and National Insurance for the Export and Import of Certain Goods (State Gazette of the Republic of Indonesia Year 2017 Number 1520) are amended as follows;

1. Provisions of Article 1 are amended to be:

### Article 1

In this Ministerial Regulation, the meaning of:

1. Export is the activity of exiting goods from Customs area.
2. Import is the activity of entering goods into Customs area.
3. Sea Transport is a transport activity which, according to its activities, serves sea transport activities.
4. Insurance is an agreement between two parties, namely an insurance company and a policy holder, which becomes the basis for the premium receipt by the insurance company in return for:
  - a. providing reimbursement to the insured or the policyholder for any loss, damage, expense incurred, loss of profits, or legal liability to any third party that the insured or the policyholder may suffer due to the occurrence of an uncertain event; or
  - b. giving payments based on the death of the insured or payments based on the life of the insured with the benefits of which the amount has been determined and/or based on the results of fund management.
5. National Sea Transport Company is an Indonesian sea transport company which engages in sea transport activities within the water territory of Indonesia and/or from and to the ports outside country.
6. Insurance Companies are general insurance companies and general sharia insurance companies that have obtained permission from the Financial Services Authority.
7. Coal is a precipitated carbonated organic carbonaceous compound of vegetable residue with Tariff Post/HS 27.01, 27.02, 27.03, 27.04, 27.05, 27.06, 27.07 and 27.08.
8. Crude Palm Oil hereinafter abbreviated as CPO is crude palm oil derived from the extraction or process of forging the palm fruit flesh and has not been purified by

Tariff Post/HS 1511.10.00.

9. Rice is either skinned, non-skinned, processed or unprocessed seeds originating from *oryza sativa* species with Tariff Post/HS 10.06.
10. Minister is one who conducts government affairs in the field of trade.
11. Director General is that of Foreign Trade of the Ministry of Trade.

2. Article 2 is deleted.

3. Provisions of Article 4 are amended to be:

#### Article 4

- (1) Exporters in insuring Exported Goods as meant in Article 3 paragraph (1) shall use the Insurance of a national Insurance Company or a consortium of a national Insurance Company in accordance with the provisions of statutory regulations.
  - (2) Importers in insuring Imported Goods as meant in Article 3 paragraph (2) and/or paragraph (3) shall use the Insurance of a national Insurance Company or a consortium of a national Insurance Company in accordance with the provisions of statutory regulations.
4. The provisions of Article 5 paragraph (2) are deleted, so Article 5 reads as follows:

#### Article 5

- (1) In the case Sea Transport controlled by the National Sea Transport Company is still limited in availability or unavailability, Exporters and Importers as meant in Article 3 may use Sea Transport which is controlled by the National Sea Transport Company and/or foreign sea transport companies.
  - (2) Deleted.
5. Provisions of Article 13 are amended to be:

#### Article 13

- (1) Provisions concerning the use of Sea Transport for Export and Import of Certain Goods as meant in Article 3, Article 5 paragraph (1), Article 6, Article 8, Article 9, Article 10, Article 11 and 12, will enter into force on 1 May 2020.
- (2) Provisions of the use of national Insurance for the Export and Import of

Certain Goods as referred to in Article 4, Article 7, Article 8, Article 9, Article 10, Article 11, and Article 12 shall come into force on 1 August 2018.

Article II

This Ministerial Regulation shall come into force on the date of enactment.

For public cognizance, this Ministerial Regulation shall be enacted by placing it in the State Gazette of the Republic of Indonesia.

Established in Jakarta  
dated April, 4 2018

MINISTER OF TRADE OF REPUBLIC OF INDONESIA

sign.

ENGGARTIASTO LUKITA

Enacted in Jakarta  
dated April, 10 2018

DIRECTOR GENERAL  
LAWS AND REGULATIONS  
MINISTRY OF LAW AND HUMAN RIGHTS  
REPUBLIC OF INDONESIA

sign.

WIDODO EKATJAHJANA

STATE GAZETTE OF REPUBLIC OF INDONESIA YEAR 2018 NUMBER 491

The copy corresponds to the original  
Secretariat General  
Ministry of Trade  
Head of Law Firm,

SRI HARIYATI