

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
NUMBER 83 OF 2020

ABOUT

THIRD AMENDMENT TO THE REGULATION OF THE MINISTER OF TRADE
NUMBER 84 OF 2019 CONCERNING NON WASTE IMPORT PROVISIONS
HAZARDOUS AND TOXIC MATERIALS AS INDUSTRIAL RAW MATERIALS
BY THE GRACE OF GOD ALMIGHTY

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Weigh

: a.

that to give more certainty to try and
optimization in the implementation of waste import policy
non hazardous and toxic materials as raw materials
industry, it is necessary to make changes to the Regulations
Minister of Trade Number 84 of 2019 concerning
Provisions for Import of Non Hazardous Wastes and
Toxic as Industrial Raw Materials as already
amended several times, most recently by a Ministerial Regulation
Trade Number 58 Year 2020 concerning Change
Second, on the Regulation of the Minister of Trade Number 84
2019 concerning Provisions for the Import of Non-Material Waste
Hazardous and Toxic as Industrial Raw Materials;

b. that

based on

consideration

as is

referred to in letter a, it is necessary to stipulate Regulation
Minister of Trade on the Third Amendment above
Regulation of the Minister of Trade Number 84 of 2019
concerning Provisions for the Import of Non Hazardous Wastes
and Toxic as Industrial Raw Materials;

- 2 -

Remember

: 1.

Article 17 paragraph (3) of the Constitution of the Republic of Indonesia
Indonesia 1945;

2.

Constitution

Number

7

Year

1994

about

Ratification of the *Agreement Establishing The World Trade
Organization*

(Approval

Formation
Organization
Trading
World),
(Sheet
Country
Republic
Indonesia of 1994 Number 57, Supplement to the Gazette
Republic of Indonesia Number 3564);
3.
Constitution
Number
10
Year
1995
about
Customs (State Gazette of the Republic of Indonesia
1995 Number 75, Supplement to the State Gazette
Republic of Indonesia Number 3612) as already
amended by Law Number 17 of 2006
concerning Amendments to Law Number 10
1995 concerning Customs (State Gazette
Republic of Indonesia of 2006 Number 93, Supplement
State Gazette of the Republic of Indonesia Number 4661);
4.
Constitution
Number
18
Year
2008
about
Management
Garbage
(Sheet
Country
Republic
Indonesia of 2008 Number 69, Supplement to the Gazette
Republic of Indonesia Number 69);
5.
Constitution
Number
39
Year
2008
about
Ministry
Country
(Sheet
Country
Republic

Indonesia of 2008 Number 166, Supplement to the Gazette
Republic of Indonesia Number 4916);

6.

Constitution

Number

32

Year

2009

about

Protection

and

Management

Environment

Life

(State Gazette of the Republic of Indonesia of 2009

Number 140, Supplement to the State Gazette of the Republic

Indonesia Number 5059);

7.

Constitution

Number

3

Year

2014

about

Industry (State Gazette of the Republic of Indonesia

2014 Number 4, Supplement to the State Gazette

Republic of Indonesia Number 5492);

8.

Constitution

Number

7

Year

2014

about

Trade (State Gazette of the Republic of Indonesia

- 3 -

2014 Number 45, Supplement to the State Gazette

Republic of Indonesia Number 5512);

9.

Government Regulation Number 101 of 2014 concerning

Management of hazardous wastes and toxic

(State Gazette of the Republic of Indonesia 2014

Number 333, Supplement to the State Gazette of the Republic

Indonesia Number 5617);

10. Government Regulation Number 24 of 2018 concerning

Service

Licensing

Attempted

Integrated
in a manner
Electronics (State Gazette of the Republic of Indonesia Year
2018 Number 90, Supplement to the State Gazette of the Republic
Indonesia Number 6215);
11. Presidential Decree Number 61 of 1993 concerning
Ratification
Basel
Convention
on
The
Control
of
Transboundary Movements of Hazardous Wastes and Their
Disposal ;
12. Presidential Regulation Number 48 of 2015 concerning
Ministry of Trade (State Gazette of the Republic
Indonesia of 2015 Number 90);
13. Regulations
Minister
Trading
Number
46 / M-DAG / PER / 8/2014
about
Provisions
General
Verification
or
Search
Technical
in
Field
Trade (State Gazette of the Republic of Indonesia Year
2015 Number 1006) as amended by
Regulation of the Minister of Trade Number 116 of 2018
concerning Amendments to the Regulation of the Minister of Trade
Number
46 / M-DAG / PER / 8/2014
about
Provisions
General Verification or Technical Tracing in the Field
Trade (State Gazette of the Republic of Indonesia Year
2018 Number 1659);
14. Regulations
Minister
Trading
Number
08 / M-DAG / PER / 2/2016 concerning Organization and Administration
Ministry of Trade Work (State Gazette of the Republic
Indonesia of 2016 Number 202);

15. Regulation of the Minister of Trade Number 75 of 2018 concerning Importer's Identification Number (State Gazette of the Republic Indonesia of 2018 Number 936);

- 4 -

16. Regulation of the Minister of Trade Number 84 of 2019 concerning Provisions for the Import of Non Hazardous Wastes and Toxic as Industrial Raw Materials (State Gazette Republic Indonesia Year 2019 Number 1293)

as amended several times, most recently with Regulation of the Minister of Trade Number 58 of 2020 concerning Second Amendment to Ministerial Regulation Trade Number 84 of 2019 concerning Provisions Import of Non Hazardous and Toxic Wastes as Industrial Raw Materials (State Gazette of the Republic Indonesia Year 2020 Number 641);

17. Regulation of the Minister of Trade Number 08 of 2020 concerning Integrated Business Licensing Services Electronically in the Trade Sector (State Gazette Republic Indonesia Year 2020 Number 107)

as amended by Ministerial Regulation Trade Number 64 of 2020 concerning Change on the Regulation of the Minister of Trade Number 08 Year 2020 concerning Integrated Business Licensing Services Electronically in the Trade Sector (State Gazette Republic of Indonesia of 2020 Number 737);

DECIDING:

To stipulate: REGULATION

MINISTER

TRADING

ABOUT

CHANGE

THIRD

ON

REGULATION

MINISTER

TRADING

NUMBER

84

YEAR

2019

ABOUT

PROVISIONS ON THE IMPORT OF NON HAZARDOUS WASTE AND TOXIC AS INDUSTRIAL RAW MATERIAL.

Article I

Several provisions in the Regulation of the Minister of Trade Number 84 of 2019 concerning Provisions for the Import of Non-Waste Hazardous and Toxic Materials as Industrial Raw Materials (State Gazette of the Republic of Indonesia Year 2019 Number 1293) which has been amended several times by Ministerial Regulation Trading:

Page 5

- 5 -

- a. Number 92 of 2019 concerning Amendments to Regulations Minister of Trade Number 84 of 2019 concerning Provisions for Import of Non Hazardous Wastes and Toxic as Industrial Raw Materials (State Gazette Republic of Indonesia of 2019 Number 1643); and
- b. Number 58 of 2020 concerning the Second Amendment above Regulation of the Minister of Trade Number 84 of 2019 concerning Provisions for the Import of Non Hazardous Wastes and Toxic as Industrial Raw Materials (State Gazette Republic of Indonesia of 2020 Number 641);
amended as follows:

1.

Between paragraph (1) and paragraph (2) Article 5, 3 (three) paragraph, namely paragraph (1a), paragraph (1b), and paragraph (1c) so that Article 5 reads as follows:

Article 5

(1) To get the PI as referred to in Article 4 paragraph (1), the company must apply application electronically to the Director General through the page [http: /inatrade.kemendag.go.id](http://inatrade.kemendag.go.id) by uploading documents:

- a. NIB which is valid as API-P;
- b. industrial business license or other business license a kind from the competent authority;
- c. environmental permit from the competent agency;
- d. Proof

as

Exporter

Registered

that

issued by the competent authority at country of origin certified by the representative The Republic of Indonesia abroad;

e. Letter

Statement

from

Exporter

that

state that:

1. Non-B3 Waste as Industrial Raw Material
exported:

a) does not originate from *landfill* activities ;

b) not garbage and not mixed
trash;

- 6 -

c) not contaminated with B3 and B3 waste;
and

d) homogeneous.

2. willing to take responsibility and accept
return non-hazardous waste as raw material

Industry that has been exported if not
corresponding

with

statement

as is

referred to in number 1;

f. letter

statement

stamped

enough

from

the company that submitted the application, that is
state that:

1. Non-B3 Wastes as Industrial Raw Materials
imported:

a) does not originate from *landfill* activities ;

b) not garbage and not mixed
trash;

c) not contaminated with B3 and B3 waste;
and

d) homogeneous;

2. Willing

to be responsible

export

return non-hazardous waste as raw material

Industry that has been imported if not
corresponding

with

statement

as is

referred to in number 1;

g. Recommendation

Ministry

that
carry out government affairs in
environment sector which is obtained by
electronically via the INSW portal;
h. Recommendation
Ministry
that
carry out government affairs in
industrial sector obtained by
electronics through the INSW portal, for importers
who have never received a PI; and
i. *Master List* of industrial raw material needs
every
importer
that
be delivered
by
the ministry that organizes the affairs

- 7 -

government in the industrial sector, for
importers who have received the previous PI.
(1a) Evidence of being a Registered Exporter as referred to
referred to in paragraph (1) letter d includes the *company*
Exporter's company *profile is* registered and legality
licenses issued by local agencies at
country of origin.
(1b) The validity period of the evidence as a Registered Exporter
as referred to in paragraph (1) letter d is given
in accordance with the validity period issued by
competent authority in the country of origin.
(1c) Exporter's Statement Letter as intended
in paragraph (1) letter e as stated in
Attachment
II
that
is a
part
not
inseparable from this Ministerial Regulation.
(2) In the case of Recommendation as intended
in paragraph (1) letter g, letter h, or *Master List*
as referred to in paragraph (1) letter i have not
integrated with the INSW portal, original Recommendations
or the original *Master List* is submitted to
UPTP manually.
(3) Based on the application as intended
in paragraph (1), the Director General issues PI with
use an electronic *signature (digital signature)*

no later than 5 (five) working days as of applications are received completely and correctly.

(4) In the case of the application as intended in paragraph (1) is not complete and correct, it is done electronic rejection, no later than 3 (three) days work as of the date the application is received.

(5) Director General mandates rejection application as referred to in paragraph (4) to the Director of Import.

2.

Between Article 5 and Article 6 is inserted 1 (one) article, namely Article 5A so that it reads as follows:

Page 8

- 8 -

Article 5A

(1) Issued evidence of being a Registered Exporter by the competent authority in the country of origin certified by the representative of the Republic of Indonesia abroad as referred to in Article 5 paragraph (1) letter d shall be submitted electronically by representatives of the Republic of Indonesia abroad through Indonesian Citizen Protection system and Integrated Indonesian legal entity with the INATRADE system by uploading original document of evidence as a Registered Exporter along with data covering at least:

- a. number and date;
- b. name of the exporter; and
- c. Exporter's address.

(2) In the case of the system as referred to in paragraph (1) has not been integrated, evidence of being an Exporter Registered issued by that authority authorized in the country of origin certified by representatives of the Republic of Indonesia abroad submitted by electronic mail and / or manually by representatives of the Republic of Indonesia abroad to the Ministry of Trade and / or other relevant ministries.

3.

The provisions of paragraph (2) and paragraph (2b) of Article 9 are amended, accordingly Article 9 reads as follows:

Article 9

(1) Company

owner

PI

could

file

PI request changes in the event that there is changes regarding:

a.
company identity;
b.
Proof
as
Exporter
registered
that
issued by the competent authority at
country
origin
that
authorized
by
representatives of the Republic of Indonesia abroad;

- 9 -

c.
Registered exporters;
d.
types of goods;
e.
the amount of goods;
f.
classification of goods / Tariff Post / HS;
g.
country of origin; and / or
h.
destination port.
(2) In the event of a change:
a.
corporate identity as referred to
in paragraph (1) letter a, the company that owns the PI
should
file
plea
with
upload a valid PI document and
changing corporate identity;
b.
proof of being a registered Exporter as referred to
referred to in paragraph (1) letter b, the company
PI owners must submit an application
by uploading documents:
1)
proof of being a registered Exporter
undergoing published changes
by the competent authorities in the country
origin certified by the representative

The Republic of Indonesia abroad;
2)
exporter's statement letter as referred to
referred to in Article 5 paragraph (1) letter e; and
3)
A valid PI;
c.
Registered exporters as intended
in paragraph (1) letter c and / or country of origin
as referred to in paragraph (1) letter g,
PI owner company must apply
application by uploading documents:
1)
proof of being a registered Exporter
issued by the competent authority at
country of origin certified by
representatives of the Republic of Indonesia abroad;
2)
exporter's statement letter as referred to
referred to in Article 5 paragraph (1) letter e; and
3)
A valid PI;

- 10 -
d.
as referred to in paragraph (1) letter d,
letter e, letter f, and / or letter h, company
PI owners must submit an application with
uploading a valid PI document.
(2a) The application as intended in paragraph (2)
submitted to the Director General electronically
through the page <http://inatrade.kemendag.go.id> .
(2b) Regarding the request for amendment as referred to
referred to in paragraph (2) letters a and d,
PI owner companies must also attach:
a.
Recommendation
from
Ministry
that
carry out government affairs in
environmental sector and ministries that
carry out government affairs in
industrial sector, if any
changes in corporate identity,
type
goods,
amount
goods,

classification
goods / Post and / or Tariff / HS; or
b.
Recommendation
from
Ministry
that
carry out government affairs in
industrial sector, if any
changes regarding the port of destination.

(3) Based on the application as intended
in paragraph (2), paragraph (2a), and paragraph (2b), the Director General
issue PI changes using
electronic *signature* (*digital signature*) no longer than 5
(five) working days from the date of application
received completely and correctly.

(4) In the case of the application as intended
paragraph (2), paragraph (2a), and paragraph (2b) is not complete
and yes, an electronic rejection was made
no later than 3 (three) working days from the date
application accepted.

4.

The provisions of Article 12 are amended so that it reads as
following:

- 11 -

Article 12

Every import of non-hazardous waste as industrial raw material
by the company as referred to in Article 4
can only be done through the port of destination, namely:

- a. Tanjung Priok in Jakarta;
- b. The Golden Cape in Semarang;
- c. Tanjung Perak in Surabaya;
- d. Soekarno Hatta in Makassar;
- e. Belawan in Medan;
- f. Batu Ampar in Batam;
- g. Lamong Bay in Surabaya;
- h. Peacock in Cilegon;
- i. Veda in Central Halmahera;
- j. Cigading in Cilegon;
- k. Bahodopi in Morowali;
- l. Bitung in Bitung; and
- m. Pekanbaru in Pekanbaru.

5.

The provisions of paragraph (1), paragraph (4), paragraph (5), paragraph (6), paragraph (7),
and

paragraph (8) Article 31A is amended, and paragraph (2) and paragraph (3) are deleted,
so that Article 31A reads as follows:

Article 31A

(1) Provisions regarding registered Exporters as referred to referred to in Article 3 paragraph (3) and the provisions regarding proof of being a registered Exporter which is issued by the competent authority in the country of origin that authorized by representative Republic Indonesia abroad as referred to in Article 5 paragraph (1) letter d, comes into force on the date January 1, 2021.

(2) Deleted.

(3) Deleted.

(4) Issuance of valid signs on proof of being an Exporter Registered as intended in Article 5 paragraph (1) letter d can be done before the enactment of this Ministerial Regulation.

(5) A valid sign of evidence as a Registered Exporter as referred to in Article 5 paragraph (1) letter d

- 12 -

which have been issued before the enactment of the Regulations This minister, still can be used.

(6) Process of Verification or Technical Tracing carried out starting January 1, 2021 in effect provisions regarding registered Exporters as referred to referred to in Article 3 paragraph (3) and the provisions regarding proof of being a registered Exporter which is issued by the competent authority in the country of origin that authorized by representative Republic Indonesia abroad as referred to in Article 5 paragraph (1) letter d.

(7) Non-B3 Waste in accordance with the issued PI prior to the enactment of this Ministerial Regulation and already the Verification or Technical Tracing process is carried out before January 1, 2021, must have arrived at the port of destination in Indonesia no later than the date February 28, 2021 as evidenced by the PI still valid and BC manifest document. 1.1, and does not apply provisions regarding registered Exporters as referred to in Article 3 paragraph (3) and provisions regarding proof of being a registered Exporter issued by the competent authority at country of origin certified by the representative

Republic of Indonesia abroad as referred to in Article 5 paragraph (1) letter d.
(8) Non-B3 Waste in accordance with the already approved PI issued before the enactment of the Ministerial Regulation this and the Verification or Tracing process is carried out Technical on or after January 1st 2021, must have arrived at the port of destination at Indonesia no later than the date the expiration of the proven PI validity with the BC manifest document. 1.1.

Article II

This Ministerial Regulation comes into force after 3 (three) days starting from the date of promulgation.

Page 13

- 13 -

So that
every
person
know it,
instruct
the promulgation of this Ministerial Regulation with its placement in the State Gazette of the Republic of Indonesia.

Set in Jakarta

on October 14, 2020

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,
sgd.

AGUS SUPARMANTO

Promulgated in Jakarta

on October 15, 2020

DIRECTOR GENERAL

LAWS AND REGULATIONS

MINISTRY OF LAW AND HUMAN RIGHTS

REPUBLIC OF INDONESIA,

sgd.

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2020 NUMBER 1197

Page 14

- 14 -

APPENDIX II

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
NUMBER

83 IN 2020

ABOUT

CHANGE

THIRD

ON

REGULATION

MINISTER

TRADE NUMBER 84 YEAR 2019 CONCERNING PROVISIONS

IMPORT OF NON HAZARDOUS AND Toxic WASTE

AS INDUSTRIAL RAW MATERIAL

EXPORTER STATEMENT LETTER

Number of letter: xxxxx

1. The non hazardous and toxic waste as industrial raw material to be exported:

a) does not come from landfill activities;

b) is not rubbish and is not mixed with rubbish;

c) is not contaminated of hazardous & toxic and is not hazardous & toxic waste;

d) is homogeneous.

2. We are ready to held responsible and receive again the exported waste if it has been proven not in accordance to the point 1 (1.A Until 1.D) above.

Provision Reference:

Regulation of the Minister of Trade of the Republic of Indonesia Number 58 of 2020 concerning Second Amendment to Regulation of the Minister of Trade of the Republic of Indonesia Number 84 of 2019 concerning Provisions for the Import of Non-Hazardous and Toxic Wastes as Industrial Raw Materials

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

sgd.

AGUS SUPARMANTO

Name

of

authorized

leader:

Position:

Address:

Date:

Signature and stamp

company letterhead &

Address

company Letterhead

& Address