

**THE THIRD AMENDMENT TO DECREE OF THE MINISTER OF INDUSTRY AND TRADE
NO. 527/MPP/Kep/9/2004 ON PROVISIONS ON THE IMPORT OF SUGAR
(Regulation of the Minister of Trade No. 19/M-DAG/PER/4/2006 dated April 19,2006)**

THE MINISTER OF TRADE,

Considering:

- a. that in developments, as reported at the Plenary Meeting of the Indonesia Sugar Council on March 3,2006, the price of plantation white sugar as high as Rp 3,800 per kg at the farmer level, as regulated in Regulation of the Minister of Trade No. 08/M-DAG/PER/4/2005 on the Amendment to Decree of the Minister of Trade No. 02/M/Kep/XII/2004 concerning the Amendment to Decree of the Minister of Industry and Trade No. 527/MPP/Kep/9/2004 regarding Provisions on the Import of Sugar is no longer suitable thus needing adjustment to the ongoing condition;
- b. that in connection with the matter in letter a above and in light of interests of cane farmers, sugar industries, industries using sugar as raw material/auxiliary material, it is deemed necessary to amend Decree of the Minister of Industry and Trade No. 527/MPP/Kep/9/2004 regarding Provisions on the Import of Sugar;
- c. that based on the considerations as meant in letters a and b, it is necessary to stipulate a regulation of the Minister of Trade;

In view of:

1. Presidential Decree No. 187/M/2004 on the Establishment of the United Indonesia Cabinet as already amended several times and the latest by Presidential Decree No. 171/M/2005;
2. Presidential Regulation No. 9/2005 on Status, Tasks, Functions, Organizational Structures and Working Arrangements of State Ministries as already amended by Presidential Regulation No. 62/2005;

3. Presidential Regulation No. 10/2005 on First-Echelon Organizational Units and Tasks of State Ministries as already amended by Presidential Regulation No. 80/2005;
4. Decree of the Minister of Industry and Trade No. 527/MPP/Kep/9/2004 regarding Provisions on the Import of Sugar as already amended several times and the latest by Regulation of the Minister of Trade No. 08/M-DAG/PER/4/2005;

Observing:

Results of the Plenary Meeting of the Indonesian Sugar Council on March 3,2006.

D E C I D E S :

To stipulate :

THE REGULATION OF THE MINISTER OF TRADE ON THE THIRD AMENDMENT TO DECREE OF THE MINISTER OF INDUSTRY AND TRADE NO. 527/MPP/Kep/9/2004 ON PROVISIONS ON THE IMPORT OF SUGAR

Article I

Several provisions in Decree of the Minister of Industry and Trade No. 527/MPP/Kep/9/2004 regarding Provisions on the Import of Sugar as already amended several times and the latest by Regulation of the Minister of Trade No. 08/M-DAG/PER/4/2005 on the Amendment to Decree of the Minister of Trade No. 02/M/Kep/XII/2004 concerning the Amendment to Decree of the Minister of Industry and Trade No. 527/MPP/Kep/9/2004 regarding Provisions on the Import of Sugar shall be amended as follows:

1. The provision in Article 7 is amended so as to read as follows:

"Article 7

- (1)The plantation white sugar as meant in Article 1

point 4, which can be imported, shall have ICUMSA Figure ranging from 70 IU to 200 IU.

(2) The plantation white sugar as meant in paragraph (1) only can be imported:

a. outside the following periods:

1. one month before the milling season of smallholder cane;
2. the milling season of smallholder cane; and
3. two months after the milling season of smallholder cane.

b. in the case of the price of plantation white sugar the farmer level surpassing Rp 4,800 (four thousand and eight hundred rupiahs) per kg; and/or

c. in the case of the domestic production and stock of plantation white sugar being not sufficient to the need.

(3) The Minister of Agriculture shall stipulate the milling season of smallholder cane as meant in paragraph (2) letter a.

(4) Stipulation that the price of plantation white sugar at the farmer level exceeds Rp 4,800 (four thousand and eight hundred rupiahs) per kg and/or the domestic production and/or stock of plantation white sugar is not sufficient to the need as meant in paragraph (2) letters b and c shall be based on results of coordinating meeting between institutions/agencies and associations concerned.

(5) The price of plantation white sugar as high as Rp 4,800 (four thousand and eight hundred rupiahs) per kg at the farmer level can be changed and stipulated otherwise by the Minister after considering results of the coordinating meeting between institutions/agencies and associations concerned.

(6) The volume of sugar which is necessary to import for fulfilling the domestic need shall be stipulated on the basis of results of coordinating meeting between institutions/agencies and associations

concerned after considering the matters as meant in paragraphs (4) and (5). "

2. The provision in Article 13 is amended so as to read as follows:

"Article 13

(1) Companies already securing the appointment as IT of Sugar shall prop up the sugar price if the price of plantation white sugar the farmer level is below Rp 4,800 (four thousand and eight hundred rupiahs) per kg, in cooperation with other parties securing approval from the local Smallholding Cane Planters Association.

(2) Besides IT as meant in paragraph (1), the Minister or the appointed official can appoint other companies to realize the import in the framework of propping up the price of plantation white sugar and national sugar supply."

Article II

With the enforcement of this regulation, Regulation of the Minister of Trade No. 08/M-DAG/PER/4/2005 on the Amendment to Decree of the Minister of Trade No. 02/M/Kep/XII/2004 concerning the Amendment to Decree of the Minister of Industry and Trade No. 527/MPP/Kep/9/2004 regarding Provisions on the Import of Sugar shall be declared null and void.

The regulation shall come into force as from the date of stipulation.

For public cognizance, the regulation shall be announced by placing it in State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On April 19, 2006

THE MINISTER OF TRADE

Sgd

MARI ELKA PANGESTU

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**PROVISIONS AND PROCEDURES FOR THE ISSUANCE OF
REGISTRATION IDENTITY OF AGENTS OR DISTRIBUTORS OF GOODS AND/OR SERVICES**
(Regulation of the Minister of Trade No. 11/M-DAG/PER/3/2006 dated March 29, 2006)

BY GRACE OF GOD THE ALMIGHTY,

THE MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA,

Considering:

- a. that the globalization and free market era provides equal opportunity for business communities to participate in the marketing of goods and/or services in a bid to create a conducive business climate;
- b. that since control over the orderly and smooth distribution of goods and/or services through agents and/or distributors is directed to provide protection for consumers as well as legal certainty and business certainty, provisions and procedures for the issuance of registration identity of agents or distributors of goods and/or services;
- c. that based on the considerations as meant in letters a and b, it is necessary to issue a regulation of the Minister of Trade;

In view of:

1. Trade Ordinance of 1934 (Statute Book of 1938 No. 86);
2. Law No. 1/1967 on Foreign Investment (Statute Book of 1967 No. 1, Supplement to Statute Book No. 2818) as already amended by Law No. 11/1970 (Statute Book of 1970 No. 47, Supplement to Statute Book No. 2943);
3. Law No. 6/1968 on Domestic Investment (Statute Book of 1968 No. 1, Supplement to Statute Book No. 2853);
4. Law No. 3/1982 on Corporate Registry (Statute Book of 1982 No. 7, Supplement to Statute Book No. 3214);
5. Law No. 1/1995 on Limited Liability Companies (Stat-

ute Book of 1995 No. 13, Supplement to Statute Book No. 3587);

6. Law No. 10/1995 on Customs Affairs (Statute Book of 1995 No. 72, Supplement to Statute Book No. 3612);
7. Law No. 5/1999 concerning Prohibition on Monopolistic Practices and Unfair Business Competition (Statute Book of 1999 No. 33, Supplement to Statute Book No. 3817);
8. Law No. 8/1999 on Consumer Protection (Statute Book of 1999 No. 42, Supplement to Statute Book No. 3821);
9. Law No. 15/2001 on Mark (Statute Book of 2001 No. 110, Supplement to Statute Book No. 4131);
10. Law No. 32/2004 on Regional Administration (Statute Book of 2004 No. 125, Supplement to Statute Book No. 4437);
11. Government Regulation No. 36/1977 on Termination of Foreign Business Activities in the Trade Sector (Statute Book of 1977 No. 60, Supplement to Statute Book No. 3113) as already amended several times and the latest by Government Regulation No. 15/1998 (Statute Book of 1998 No. 25, Supplement to Statute Book No. 3734);
12. Presidential Decree No. 96/2000 on Business Lines Closed and Opened for Investments on the Basis of Certain Requirements as already amended by Presidential Decree No. 118/M/2000;
13. Decree of the Minister of Trade No. 66/Kp/III/1973 on Authorized Sole Agency of Imported Fertilizers;
14. Decree of the Minister of Trade No. 382/Lp/XII/1977