

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

(Regulation of the Minister of Trade of the Republic of Indonesia No. 18/M-DAG/PER/4/2007
dated April 30, 2007)

THE MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA,

Considering:

- a. that, development of price of Plantation White Sugar overseas now tended to go down;
- b. that, by taking into account various interests, whether of sugarcane farmers, industries that use sugar as raw/auxiliary materials, or society as sugar consumers, it is deemed necessary to make an amendment to Decree of the Minister of Industry and Trade No. 527/MPP/Kep/9/2004 on Rules on Import of Sugar;
- c. that, based on the considerations as referred to in letters a and b, it is necessary to stipulate price of Plantation White Sugar produced by farmers in Regulation of the Minister of Trade;

In view of:

1. Presidential Decree No. 260/1967 on Confirmation of Duties and Responsibilities of the Minister of Trade in the Field of Foreign Trade;
2. Presidential Decree No. 187/M/2004 (**BN No. 7128 pages 30A-31A**) on Establishment of United Indonesia Cabinet as already amended several times and latest by Presidential Decree No. 171/M/2005;
3. Presidential Regulation No. 9/2005 (**BN No. 7182 pages 2A-23A**) on Positions, Duties, Functions, Organization Structures, and Work Procedures of State Ministries of the Republic of Indonesia as already amended several times and latest by Presidential Regulation No. 94/2006;
4. 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. 91/2006;

5. Decree of the Minister of Industry and Trade No. 527/MPP/Kep/9/2004 (**BN No. 7135 pages 11A-19A**) on Rules on Import of Sugar as already amended several times and latest by Regulation of the Minister of Trade No. 19/M-DAG/PER/4/2006 (**BN No. 7360 pages 2A-3A**);

Observing:

Discussion of Work Group (POKJA) III of the Indonesian Sugar Board on amount of price of Plantation White Sugar produced by farmers and development of price of Plantation White Sugar locally or overseas dated April 25, 1997.

DECIDES :

To stipulate:

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

Article I

The provisions of Decree of the Minister of Industry and Trade No. 527/MPP/KEP/9/2004 on Rules on Import of Sugar as already amended several times and latest by Regulation of the Minister of Trade No. 19/M-DAG/PER/4/2006 shall be amended as follows:

1. The provisions of Article 7 shall be amended to become as follows:

Article 7

(1) Plantation White Sugar as referred to in Article 1 paragraph 4 importable must have ICUMSA rates of between 70 IU to 200 IU.

- (2) Plantation White Sugar as referred to in paragraph (1) may only be imported:
 - a. outside the following seasons:

1. 1 (one) month before milling season of sugarcane plants produced by farmers;
2. milling season of sugarcane plants produced by farmers; and
3. 2 (two) months after milling season of sugarcane plants produced by farmers.

b. if price of Plantation White Sugar produced by farmers reaches above Rp. 4,900.00/kg (four thousand nine hundred Rupiah per kilogram); and or

c. if local production and or stock of Plantation White Sugar is not sufficient to meet demand.

(3) Milling season of sugarcane plants produced by farmers as referred to in paragraph (2) letter a is decided by the Minister of Agriculture.

(4) Decisions on condition of price of Plantation White Sugar produced by farmers reaching above Rp. 4,900.00/kg (four thousand nine hundred Rupiah per kilogram) and or condition of local production and or stock of Plantation White Sugar not sufficient to meet demand as referred to in paragraph (2) letters b and c shall be based on resolutions of coordination meeting between related institution and association.

(5) Price of Plantation White Sugar produced by farmers at Rp. 4,900.00/kg (four thousand nine hundred Rupiah per kilogram) may be amended and stipulated otherwise by the Minister after considering resolutions of coordination meeting between related institution and association.

(6) Quantity of sugar imported to meet local demand shall be decided based on resolutions of coordination meeting between related institution and association after taking into account matters as referred to in paragraphs (4) and (5).

2. The provisions of Article 13 shall be amended to become as follows:

Article 13

(1) A company that has had certificate of Registered Importer of Sugar must carry out support of price of sugar if price of Plantation White Sugar produced by farmers is below Rp. 4,900.00/kg (four thousand nine hundred Rupiah per kilogram), in cooperation with another party that has secured permit from local Association of Sugarcane Farmers.

(2) Other than Registered Importer of Sugar as referred to in paragraph (1), the Minister or his authorized official may appoint another company to execute import in the framework of support of price of Plantation White Sugar and national sugar stock.

3. Between Article 24 and Article 25, 1 (one Article), namely Article 24A is inserted and it reads as follows:

Article 24A

With this Regulation coming into force, Regulation of the Minister of Trade No. 19/M-DAG/PER/4/2006 on Third Amendment to Decree of the Minister of Industry and Trade No. 527/MPP/Kep/9/2004 on Rules on Import of Sugar is revoked and declared null and void.

Article II

This Regulation comes into force as from the date it is stipulated.

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

Stipulated in Jakarta

On April 30, 2007

THE MINISTER OF TRADE OF
THE REPUBLIC OF INDONESIA

Sgd

MARI ELKA PANGESTU

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