

REGULATION OF THE MINISTER OF TRADE  
No. 13/M-DAG/PER/3/2009

CONCERNING  
AMENDMENT TO REGULATION OF THE MINISTER OF  
TRADE NO. 12/M-DAG/PER/4/2008 CONCERNING  
PROVISIONS ON THE IMPORT AND EXPORT OF RICE

BY GRACE OF THE ALMIGHTY GOD,  
THE MINISTER OF TRADE OF THE REPUBLIC OF  
INDONESIA,

[Attachment](#)

Considering

- a. that judging by the current conducive national rice production, the country has the potential to export rice by always observing the food security;
- b. that to achieve the food security, efforts to improve the income and living standard of rice farmer as well as to create national economic stability must be supported by a police concerning the export of rice:
- c. that based on consideration as intended in a and b, it is necessary to stipulate Regulation of the Minister of Trade.

In view of:

1. Trade Ordinance of 1934 (Statute Book No. 86/1938) as amended and supplemented;
2. Law No. 16/1992 concerning Animal, Fish and Plant Quarantine (Statute Book of the Republic of Indonesia No. 56/1992, Supplement to Statute Book of the Republic of Indonesia No. 3482);
3. Law of the Republic of Indonesia No. 7/1994 concerning Ratification of Agreement Establishing the World Trade Organization (Statute Book No. 57/1994, Supplement to Statute Book No. 3564);
4. Law of the Republic of Indonesia No. 10/1995 concerning Customs (Statute Book No. 75/1995, Supplement to Statute Book No. 3612) as amended by Law No. 17/2006 (Statute Book of the Republic of Indonesia No. 93/2006, Supplement to Statute Book of the Republic of Indonesia No. 4661);
5. Law of the Republic of Indonesia No. 7/1996 concerning Food (Statute Book of the Republic of Indonesia No. 99/1996, Supplement to Statute Book of the Republic of Indonesia No. 3656);
6. Government Regulation No. 14/2002 concerning Plant Quarantine (Statute Book of the

Republic of Indonesia No. 35/2002, Supplement to Statute Book of the Republic of Indonesia No. 4196);

7. Government Regulation No. 68/2002 concerning Food Security (Statute Book of the Republic of Indonesia No. 142/2003, Supplement to Statute Book of the Republic of Indonesia No. 4254);
8. Presidential Decision No. 260/1967 concerning Affirmation of Tasks and Responsibility of the Minister of Trade in the Foreign Trade Sector;
9. Presidential Decision No. 187/M/2005 concerning the Establishment of Work Together Indonesia Cabinet as amended several times and the latest by Presidential Decision No. 171/M/2005;
10. Presidential Regulation No. 9/2005 concerning Status, Tasks, Functions, Organizational Structures and Working Arrangements of State Ministries of the Republic of Indonesia as amended several times and the latest by Presidential Regulation No. 20/2008;
11. Presidential Regulation No. 10/2005 concerning First-echelon Organizational Units and Tasks of State Ministries of the Republic of Indonesia as amended several times and the latest by Presidential Regulation No. 50/2008;
12. Decision of the Minister of Industry and Trade No. 558/MPP/Kep/12/1998 concerning General Provision in Export as amended several times and the latest by Regulation of the Minister of Trade No. 01/M-DAG/PER/1/2007;
13. Regulation of the Minister of Trade No. 01/M-DAG/PER/3/2005 concerning the Organization and Working Arrangement of the Ministry of Trade as amended several times and the latest by Regulation of the Minister of Trade No. 34/M-DAG/PER/8/2007;
14. Regulation of the Minister of Trade No. 12/M-DAG/PER/4/2008 concerning Provisions on the Import and Export of Rice;

Observing:

1. Letter of the Coordinating Minister of Economics Affairs to the President of the Republic of Indonesia No. S-18/M.EKON/03/2009 dated March 11, 2009 concerning Development in the Situation of Basic Necessaries Particularly Rice, Cooking Oil and Sugar;
2. Letter of the Minister of Agriculture to the Minister of Trade No. 53/PP.310/M/3/2009 dated March 11, 2009 concerning the Mechanism to Export Special/Certain Rice;

HAS DECIDED:

To stipulate:

THE REGULATION OF THE MINISTER OF TRADE CONCERNING THE AMENDMENT TO REGULATION OF THE MINISTER OF TRADE No. 12/M-DAG/PER/4/2008 CONCERNING PROVISIONS ON THE IMPORT AND EXPORT OF RICE

Article I

Several provisions in Regulation of the Minister of Trade No. 12/M:DAG/PER/4/2008 concerning Provisions on the Import and Export of Rice shall be amended as follows:

1. Chapter V Article 10 paragraph (1), paragraph (2), paragraph (4), paragraph (5), paragraph (6) and paragraph (7) shall be amended so that it reads as follows:

*"CHAPTER V  
THE EXPORT OF RICE*

*Article 10*

- (1) The export of rice of certain type as intended in Attachment III to this Ministerial Regulation can only be conducted if domestic rice supplies exceed the needs.*
- (2) The export of rice as intended in paragraph (1) for the types of rice in the husk in this case paddy or rough especially for the purpose of seed under headings 1006.10.00.00, fragrant rice other than Thai Hom Mali under headings 1006.30.19.00, and other types of rice under headings 1006.30.90.00:*
  - a. with the level of broken rice reaching a maximum of 5% can be conducted by state-owned companies, regional government-owned companies or private companies;*
  - b. with the level of broken rice exceeding 5% up to 25% can only be conducted by the State Logistics Board (BULOG).*
- (3) Each company can conduct the export of rice as intended in paragraph (1) for the type of sticky rice under headings 1006.30.30.00.*
- (4) The export of rice for:*
  - a. the type of rice as intended in paragraph (2) a. and paragraph (3) can be conducted only after securing export approval from the Minister or the appointed official by observing recommendations from the Minister of Agriculture or the appointed official through discussion with the relevant agencies;*
  - b. the type of rice as intended in paragraph (2) b. can be conducted only after securing export approval from the Minister by observing recommendations from the Coordination Team.*
- (5) To secure export approval the companies as intended in paragraph (2) and paragraph (3) shall file a written application to the Minister through the Director General by attaching:*
  - a. Business permit (SIUP);*
  - b. Certificate of the Company's Registration (TDP); and*
  - c. recommendation from the Minister of Agriculture or the appointed official, for the export of rice as intended in paragraph (2) a. and paragraph (3); or*
  - d. recommendation from the Coordination Team as intended in paragraph (2) b.*
- (6) The approval or rejection of the application for the export of rice as intended in paragraph (5) shall be issued no later than 5 (five) work days after the application has*

*been received in a complete manner.*

*(7) The export rice as intended in paragraph (2) and paragraph (3) shall be put in packs carrying the identity of the company and other information (produced in Indonesia, prime quality/level of broken)."*

2. Article 15 shall be amended so that it reads as follows:

*"Article 15*

*(1) The company as intended in Article 4 paragraph (3) and the company as intended in Article 10 paragraph (2) that have secured approval for the import or export of rice shall submit a written report on the import or export of rice to the Minister with copies addressed to:*

*a. The Coordinating Minister for Economic Affairs; and*

*b. The Minister of Agriculture.*

*(2) The report as intended in paragraph (1) shall be submitted every month no later than the 15th of the ensuing month."*

3. Attachment III to Regulation of the Minister of Trade No. 12/M-DAG/PER/4/2008 concerning Provisions on the Import and Export of Rice shall be amended so that it becomes as contained in the attachment to this Ministerial Regulation.

## Article II

This Ministerial Regulation shall come into force as from April 1, 2009.

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

Stipulated in Jakarta  
on March 30, 2009  
THE MINISTER OF TRADE,  
signed,  
MARI ELKA PANGESTU

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## ATTACHMENT

THE REGULATION OF THE MINISTER OF TRADE  
No. 13/M-DAG/PER/3/2009  
DATED: March 30, 2009

Certain Types of Rice That Can Be Exported

No.	Headings	Description of Goods	Remarks
	10.06	Rice	
1	1006.10.00.00	-Rice in the husk (paddy or rough)	Only for the purpose of seed

	1006.30	-Semi milled or wholly milled rice, whether or not polished or glazed	
		-Fragrant Rice	
2	1006.30.19.00	-Others	Fragrant Rice
3	1006.30.30.00	-Sticky Rice	
4	1006.30.90.00	-Others	Non Fragrant Rice

THE MINISTER OF TRADE,  
signed,  
MARIELKA PANGESTU

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