MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

REGULATION OF THE MINISTER OF TRADE
OF THE REPUBLIC OF INDONESIA
NUMBER 44/M-DAG/PER/7/2014

CONCERNING

PROVISIONS ON TIN EXPORT

BY THE GRACE OF GOD ALMIGHTY

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Considering : a. that in terms of creating legal certainty, conducive business climate, supporting the smoothness of tin export, the fulfilment of tin material requirements for domestic industries, the enhancement of added value and competitiveness as well as the supervision of tin export, it is necessary to rearrange the provisions on tin export;
b. that based on the considerations as referred to in letter (a), it is necessary to stipulate Regulation of the Minister of Trade concerning Provisions on Tin Export;

In view of: 1. Law Number 7 of 1994 concerning Ratification of Agreement Establishing The World Trade Organization (State Gazette of the Republic of Indonesia Number 57 of 1994, Supplement to State Gazette of the Republic of Indonesia Number 3564);

2. Law Number 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia Number 75 of 1995, Supplement to State Gazette of the Republic of Indonesia Number 3612) as amended by Law Number 17 of 2006 (State Gazette of the Republic of Indonesia Number 93 of 2006, Supplement to State Gazette of the Republic of Indonesia Number 4661);

3. Law Number 32 of 1997 concerning Commodity Futures Trading (State Gazette of the Republic of Indonesia Number 93 of 1997,
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Supplement to State Gazette Number 3720) as amended by Law Number 10 of 2011 (State Gazette of the Republic of Indonesia Number 79 of 2011, Supplement to State Gazette of the Republic of Indonesia Number 5232);

4. Law Number 39 of 2008 concerning State Ministries (State Gazette of the Republic of Indonesia Number 166 of 2008, Supplement to State Gazette of the Republic of Indonesia Number 4916);

5. Law Number 4 of 2009 concerning Mineral and Coal Mining (State Gazette of the Republic of Indonesia Number 4 of 2009, Supplement to State Gazette of the Republic of Indonesia Number 4959);

6. Law Number 32 of 2009 concerning Environmental Protection and Management (State Gazette of the Republic of Indonesia Number 140 of 2009, Supplement to State Gazette of the Republic of Indonesia Number 5059);
7. Law Number 3 of 2014 concerning Industries
(State Gazette of the Republic of
Indonesia Number 4 of 2014, Supplement to
State Gazette of the Republic of Indonesia
Number 5492);

8. Law Number 7 of 2014 concerning Trade
(State Gazette of the Republic of
Indonesia Number 45 of 2014, Supplement to
State Gazette of the Republic of Indonesia
Number 5512);

9. Government Regulation Number 1 of 1982
concerning Implementation of Exports,
Imports and Foreign Exchange Traffic
(State Gazette of the Republic of
Indonesia Number 1 of 1982, Supplement to
State Gazette of the Republic of Indonesia
Number 3210) as amended by Government
Regulation Number 24 of 1985 (State
Gazette of the Republic of Indonesia
Number 33 of 1985, Supplement to State
Gazette of the Republic of Indonesia
Number 3291);
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10. Government Regulation Number 22 of 2010
concerning Mining Areas (State Gazette of
the Republic of Indonesia Number 28 of
2010, Supplement to State Gazette of the
Republic of Indonesia Number 5110);

11. Government Regulation Number 23 of 2010
concerning Implementation of Minerals and
Coal Mining Business Activities (State
Gazette of the Republic of Indonesia
Number 29 of 2010, Supplement to State
Gazette of the Republic of Indonesia
Number 5111) as amended several times and
lastly by Government Regulation Number 1
of 2014 (State Gazette Republic of
Indonesia Number 1 of 2014, Supplement to
State Gazette of the Republic of Indonesia
Number 5489);

12. Government Regulation Number 55 of 2010
concerning Development and Supervision on
the Implementation of Mineral and Coal
Mining Business Management (State Gazette
of the Republic of Indonesia Number 85 of
13. Government Regulation Number 9 of 2012 concerning Types and Tariffs of Non-Tax State Revenues Applicable to the Ministry of Energy and Mineral Resources (State Gazette of the Republic of Indonesia Number 16 of 2012, Supplement to State Gazette of the Republic of Indonesia Number 5276);

14. Presidential Regulation Number 10 of 2008 concerning the Use of Electronic System in the Framework of Indonesia National Single Window;

15. Presidential Decree Number 84/P of 2009 concerning Establishment of United Cabinet II of Indonesia as amended by Presidential Decree Number 8P of 2014;

16. Presidential Regulation Number 47 of 2009 concerning Establishment and Organization of State Ministries as amended several
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times and lastly by Presidential
Regulation Number 13 of 2014;

17. Presidential Regulation Number 24 of 2010
concerning Positions, Duties and Functions
of State Ministries as well as
Organizational Structure, Duties and
Functions of Echelon I of State Ministries
as amended several times and lastly by
Presidential Regulation Number 14 of 2014;

18. Regulation of the Minister of Finance
Number 145/PMK.04/2007 concerning Customs
Provisions in the Export Sector as amended
by Regulation of the Minister of Finance
Number 148/PMK.04/2011;

19. Regulation of the Minister of Trade Number
on Export and Import Permits Services by
Electronic System via INATRADE in the
Framework of Indonesia National Single
Window;
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20. Regulation of the Minister of Trade Number 31/M-DAG/PER/7/2010 concerning Organization and Work Procedures of the Ministry of Trade as amended by Regulation of the Minister of Trade Number 57/M-DAG/PER/8/2012;

21. Regulation of the Minister of Trade Number 13/M-DAG/PER/3/2012 concerning General Provisions in the Export Sector;

HAS DECIDED:

To Stipulate: REGULATION OF THE MINISTER OF TRADE CONCERNING PROVISIONS ON TIN EXPORT

Article 1

In this Ministerial Regulation the following terms shall have the following meanings:

1. Tin shall be a silvery-white colored metal with low hardness, a specific gravity of 7.3 g/cm³ and having thermal and electrical conductive nature.

2. Tin Ore shall be unrefined Tin and still in the form of Tin ores or concentrates sand.
3. Pure Tin Bar shall be pure Tin containing at least 99.9% Stannum (Sn) as a result of processing and refining activities of Tin Ore by Smelter.

4. Non-Bar Pure Tin shall be pure Tin containing at least 99.93% Stannum (Sn) in the form of other than bar or in any other forms made from the raw materials of Pure Tin Bar.

5. Solder Tin shall be a Tin alloy containing at most 99.7% Stannum (Sn) in the form of bars or any other forms for soldering and welding purposes.

6. Non-Solder Tin Alloy shall be a Tin alloy containing at most 96% Stannum (Sn) in the form of bars or any other forms for purposes other than soldering and welding.

7. Tin Export shall be the activity of exporting Tin from the customs area.

8. Registered Exporter of Pure Tin Bars, hereinafter referred to as RE-Pure Tin Bar, shall be a company having obtained recognition to perform Export of Pure Tin Bars.
9. Registered Exporter of Industrial Tin, hereinafter referred to as RE-Industrial Tin, shall be a company having obtained recognition to perform Export of Non-Bar Pure Tins, Solder Tins, and/or Non-Solder Tin Alloys.

10. Mining Business License, hereinafter referred to as IUP, shall be a license to carry out mining business.

11. Mining Business License for Production Operation, hereinafter referred to as Production Operation IUP, shall be a business license granted after the completion of Exploration IUP to undertake the production operation.

12. People’s Mining License, hereinafter referred to as IPR, shall be a license to carry out mining business within the people’s mining area with limited area and limited investment.

13. Special Mining Business License for Production Operations, hereinafter referred to as Production Operation IUPK, shall be a business license granted after the completion of Exploration IUPK to undertake
production operation in a special mining business licence area.

14. Mining Business License for Production Operation specifically for transportation and sales, hereinafter referred to as Production Operation IUP specifically for transportation and sales, shall be a business license granted to companies to purchase, transport and sell mineral or coal mining commodities.

15. Mining Business License for Production Operation specifically for processing and/or refining, hereinafter referred to as Production Operation IUP specifically for processing and/or refining, shall be a business license granted to companies to purchase, transport, process, refine and sell mineral or coal product commodities.

16. Contract of Work, hereinafter referred to as COW, shall be an agreement between the Government of the Republic of Indonesia and an Indonesian legal entity in the framework of Foreign Investment to carry out mining business of minerals excluding petroleum, natural gas, geothermal, radioactive and coal.
17. Industrial Business License, hereinafter referred to as IUI, shall be a business license granted to companies to perform business activities of Tin processing industry.

18. Cooperation Agreement shall be an agreement containing arrangements between Production Operation IUP and the holder of Production Operation IUP specifically for processing and/or refining, and/or Production Operation IUP specifically for transportation and sales with the holder of IUP validated by the authorized official.

19. Smelter shall be a place where the processing and refining of Tin Ores take place.

20. Tin Exchange shall be an international tin market in Indonesia which constitutes an organized market and a part of the futures exchange.

21. Verification or Technical Inquiry shall be the research and inspection of export goods conducted by a Surveyor.

22. Surveyor shall be a survey company authorized to conduct Verification or Technical Inquiry on Tin Export.
23. Indonesia National Single Window, hereinafter referred to as INSW, shall be an Indonesian national system that enables single submission of data and information, single and synchronous processing of data and information, and single decision-making for custom release and clearance of cargoes.

24. INSW Portal shall be a system that shall integrate information related to the handling of customs document and clearance of goods, which ensures the security of data and information also automatically integrates the flow and information process between internal systems, which comprise of customs, licensing, ports/airports and any other systems related to the handling of customs document and clearance of goods.

25. Mandatory Port shall be a port designated as a port which fully implemented National Single Window (NSW) for exports.

26. Minister shall be the minister who held government’s affairs in the field of trade.

27. Director General shall be the Director General of Foreign Trade of the Ministry of Trade.
Article 2

Export-restricted Tin shall include Pure Tin Bar, Non-Bar Pure Tin, Solder Tin, and Non-Solder Tin Alloy as set forth in Appendix I which constitutes an integral part of this Ministerial Regulation.

Article 3

(1) Tin as referred to in Article 2 may be exported if it is in compliance with the technical requirements as set forth in Appendix II which constitutes an integral part of this Ministerial Regulation.

(2) The Tin failing to comply with the technical requirements as referred to in paragraph (1) shall be prohibited for export.

Article 4

(1) Pure Tin Bar as referred to in Article 2 may be exported if it is in compliance with the following requirements:
   a. using Tin Ore as raw materials derived from the holders of Production Operation IUP, IPR, Production Operation IUPK and/or COW; and
b. having been completed with the payment receipt of production fee/royalty.

(2) Non-Bar Pure Tin may be exported if it is in compliance with the following requirements:
   a. using Pure Tin Bar raw materials derived from IUP; and
   b. having been completed with a copy of payment receipt of production fee/royalty on the Tin raw materials being used.

(3) Solder Tin and Non-Solder Tin Alloy may be exported if it is in compliance with the following requirements:
   a. in case of using Pure Tin Bar raw materials from the processing and refining activities of Tin Ore by domestic Smelter, the Pure Tin Bar shall be derived from IUP; and
   b. having been completed with a copy of payment receipt of production fee/royalty on the Tin raw materials being used.

Article 5

(1) Pure Tin Bar as referred to in Article 2 may be exported only by the companies having obtained
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recognition as RE-Pure Tin Bar from the Director General.

(2) Non-Bar Pure Tin, Solder Tin and/or Non-Solder Tin Alloy as referred to in Article 2 may be exported only by the companies having obtained recognition as RE-Industrial Tin from the Director General.

(3) Each company may only have one type of recognition as registered Tin exporter, namely recognition as RE-Pure Tin Bar as referred to in paragraph (1) or recognition as RE-Industrial Tin as referred to in paragraph (2).

Article 6

Tin exported by RE-Pure Tin Bar as referred to in Article 5 paragraph (1) shall be processed from Tin Ore derived from owned IUP and/or a cooperation as set forth in the recognition letter as RE-Pure Tin Bar.

Article 7

(1) In order to obtain recognition as RE-Pure Tin Bar as referred to in Article 5 paragraph (1), a company shall submit a written application to the Director General, enclosed with the following requirements:
a. copy of Production Operation IUP, copy of IPR, copy of Production Operation IUPK, copy of COW, copy of Production Operation IUP specifically for processing and/or refining, or copy of Production Operation IUP specifically for transportation and sales;
b. copy of Company Registration Certificate (TDP);
c. copy of Taxpayer Identification Number (NPWP);
d. copy of Cooperation Agreement with a Production Operation IUP, IPR and/or Production Operation IUP specifically for transportation and sales for the holder of Production Operation IUP specifically for processing and/or refining that has been validated by the issuing official;
e. copy of Cooperation Agreement with a Production Operation IUP and/or IPR for the holder of Production Operation IUP specifically for transportation and sales that has been validated by the issuing official; and
f. the original recommendation from the Governor of the Tin-producing region.

(2) To obtain recognition as RE-Industrial Tin as referred to in Article 5 paragraph (2), a company shall submit a written application to the Director General, enclosed with the following requirements:
a. copy of Industrial Business License (IUI);
b. copy of Company Registration Certificate (TDP);
c. copy of Taxpayer Identification Number (NPWP); and
d. the original recommendation from:
   1) Director General of Manufacturing-Base Industry,
      Ministry of Industry for IUI holder companies
      issued by central government; or
   2) Governor for IUI holder companies issued by local
      government.

(3) The Director General may assign an official of the
    Ministry of Trade to carry out site inspection in order
    to verify compatibility between the documents and field
    conditions.

(4) The inspection as referred to in paragraph (3) shall be
    conducted no later than 3 (three) business days since
    the complete application is duly received.

Article 8

(1) The Director General shall issue a letter of
    recognition as RE-Pure Tin Bar and RE-Industrial Tin no
    later than 5 (five) business days since the application
    as referred to in Article 7 paragraph (1) and paragraph
    (2) is received completely and correctly.
(2) In the event that the application as referred to in Article 7 paragraph (1) and paragraph (2) is incomplete and incorrect, the Director General shall issue a refusal to issue the recognition as RE-Pure Tin Bar and RE-Industrial Tin no later than 5 (five) business days accompanied with the reason therefor.

(3) Recognition as RE-Pure Tin Bar and RE-Industrial Tin as referred to in paragraph (1) shall be valid for 3 (three) years.

(4) The form of recognition as RE-Pure Tin Bar and RE-Industrial Tin as referred to in paragraph (1) shall be as set forth in Appendix III which constitutes an integral part of this Ministerial Regulation.

Article 9

(1) The recognition as RE-Pure Tin Bar and RE-Industrial Tin which validity period is about to expire as referred to in Article 8 paragraph (3), a company may apply for a new recognition as RE-Pure Tin Bar and RE-Industrial Tin.
(2) The application for recognition as RE-Pure Tin Bar and RE-Industrial Tin as referred to in paragraph (1) shall comply with the provisions of application as referred to in Article 7 paragraph (1) and paragraph (2).

Article 10

For any change of Tin IUP area in the form of reduction or expansion of Tin IUP area, RE-Pure Tin Bar must submit an application for change of RE-Pure Tin Bar in writing to the Director General by enclosing the following documents:

a. original Recommendation from the Governor of Tin-producing region;

b. copy of IUP having been validated by the authorized official if such IUP area is self-owned; and/or

c. copy of Cooperation Agreement and copy of IUP of other party that have been validated by the authorized official if the IUP area belongs to other party.

Article 11

(1) Any change of company data set forth in the recognition as RE-Pure Tin Bar and RE-Industrial Tin, the holder of RE-Pure Tin Bar and RE-Industrial Tin must submit an application for change of RE-Pure Tin Bar and RE-Industrial Tin no later than 30 (thirty) business days after such change.
(2) Application for change of RE-Pure Tin Bar and RE-Industrial Tin as referred to in paragraph (1) shall be submitted in writing to the Director General by enclosing:
   a. original document of recognition as RE-Pure Tin Bar and RE-Industrial Tin; and
   b. copy of the amended documents as referred to in Article 7 paragraph (1) and paragraph (2) that have been validated by an authorized official.

Article 12

(1) Prior to export, the Pure Tin Bar as referred to in Article 2 shall be traded via Tin Exchange.

(2) The Tin traded via Tin Exchange as referred to in paragraph (1) shall be derived from RE-Pure Tin Bar.

(3) The Tin derived from trading via Tin Exchange as referred to in paragraph (1) can only be exported by RE-Pure Tin Bar as referred to in Article 5 paragraph (1).

(4) In case RE-Pure Tin Bar having made a Tin transaction via Tin Exchange however suffers from suspension or
Revocation of recognition as RE-Pure Tin Bar, therefore Tin as referred to in paragraph (1) can be exported by RE-Pure Tin Bar appointed by the Director General by considering the proposal from Tin Exchange.

Article 13

The price of Tin during transaction via Tin Exchange can be used as the basis for calculating production fee/royalty.

Article 14

(1) Tin as referred to in Article 2 which will be exported shall be subject to Verification or Technical Inquiry before loading of goods.

(2) The implementation of Verification or Technical Inquiry as referred to in paragraph (1) shall be conducted by a Surveyor stipulated by the Minister.

(3) The Minister shall delegate the authority to stipulate Surveyor as referred to in paragraph (2) to the Director General.

(4) The Director General shall issue the stipulation of the Surveyor as referred to in paragraph (2) for and on behalf of the Minister.
(1) In order to be stipulated as the executor of Verification or Technical Inquiry, the Surveyor as referred to in Article 14 paragraph (2) shall comply with the following requirements:

a. holding a Survey Service Business License (SIUJS);

b. having experience in Verification or Technical Inquiry of Tin Export for at least 5 (five) years;

c. having branch/representative office in the areas that have potential of Tin in accordance with the type proposed as the scope of work;

d. having certified experts as verifier, drafter, laboratory analyst and geologist;

e. having at least 1 (one) laboratory accredited by the National Accreditation Committee (KAN) with complete equipment in accordance with the scope of Tin products;

f. in each working area, there shall be at least 1 (one) laboratory with complete equipment owned by itself and/or in cooperation with other laboratories in accordance with the scope of Tin products; and

g. having a good track record in the management of Verification or Technical Inquiry activities in the export sector.
(2) To be stipulated as the executor of Verification or Technical Inquiry, the Surveyor as referred to in Article 14 paragraph (2) shall submit a written application to the Director General by enclosing:

a. copy of Survey Service Business License (SIUJS);

b. copy of Company Registration Certificate (TDP);

c. copy of Taxpayer Identification Number (NPWP);

d. description of the company’s working areas, at least containing the address of head office, branch/representative offices and laboratories’ locations;

e. information on the types of Tin in the working areas;

f. information on types of Tin which have been verified;

g. list of experts accompanied with a Curriculum Vitae (DRH) and work location using the form as set forth in Appendix IVa and Appendix IVb which constitute an integral part of this Ministerial Regulation;

h. evidence of laboratory ownership as referred to in paragraph (1) letter e;

i. evidence of cooperation with third party laboratories as referred to in paragraph (1) letter f, if applicable;

j. full list of laboratory equipment in accordance with the scope of Tin products using the form as set forth
in Appendix V which constitutes an integral part of this Ministerial Regulation; and

k. list of LS (Surveyor’s Report) signatory officials, specimen of the signatures and company seal using the form as set forth in Appendix VI which constitutes an integral part of this Ministerial Regulation.

(3) In case the laboratory as referred to in paragraph (1) letter e has not been accredited by KAN, the laboratory can be used to perform the Tin quality test by presenting the original receipt of minute of document delivery from KAN accompanied by the preliminary check list.

(4) The laboratory as referred to in paragraph (3) may be used to perform Tin quality test until 31st December 2016.

Article 16

(1) For Verification or Technical Inquiry to be performed, RE-Pure Tin Bar and RE-Industrial Tin shall submit application for Verification or Technical Inquiry to the Surveyor.
(2) Verification or Technical Inquiry by the Surveyor as referred to in paragraph (1) shall include:
   a. research and inspection of data or information regarding the validity of the administration and origin of Tin;
   b. type, specification, and Tariff Post/HS Code through qualitative and quantitative analysis in the laboratory;
   c. quantity of tin; and
   d. shipping time and loading port.

(3) Verification or Technical Inquiry for the export of Pure Tin Bar involves data or information on at least:
   a. the origin of Tin Ore being the raw material of Tin;
   b. Tin Ore located in Smelter being the raw material reserve and Tin Ore under processing or purification stage in Smelter at the time of Verification or Technical Inquiry;
   c. Tin metal contents (Stannum/Sn) and impurity elements;
   d. size dimension, weight, form, and packaging;
   e. quantity, type of Tin, and Tariff Post/HS Code;
   f. evidence of purchase of Pure Tin Bar from Tin Exchange;
   g. shipping time;
h. loading port;
i. state and port of destination;
j. payment receipt of production fee/royalty associated with the quantity of exported Tin;
k. Tin reserves owned by RE-Pure Tin Bar; and
l. Annual Work Plan and Budget (RKAB) legalized by the local Mining Office covering the Tin Ore reserve balance, sales plan of Tin Ore, sales plan of Tin and the remaining Tin Ore reserves.

(4) Verification or Technical Inquiry of the exported Non-Bar Tin, Solder Tin, and Non-Solder Tin Alloy shall include data or information on at least:
a. Tin metal contents (Stannum/Sn), impurity elements and/or additional elements;
b. size dimensions, weight, and form;
c. quantity, type, and number of Tariff Post/HS Code;
d. packaging and marking;
e. shipping time;
f. loading port;
g. state and port of export destination;
h. evidence of purchase of Pure Tin Bar; and
i. payment receipt of production fee/royalty on Tin raw materials.
Article 17

(1) The result of Verification or Technical Inquiry which has been conducted by the Surveyor as referred to in Article 16 paragraph (3) and paragraph (4) shall be set forth in the form of Surveyor’s Report (LS).

(2) Issuance of LS by the Surveyor shall be no later than 1 (one) day after the inspection of goods loading.

(3) LS shall be used as a customs complementary document required for registration of Export Declaration (PEB).

(4) LS issued by the Surveyor shall only be valid for 1 (one) shipment only.

(5) The costs incurred in the implementation of Verification or Technical Inquiry of Tin Export conducted by the Surveyor shall be charged to the state budget.

(6) In the event that the costs required for the implementation of Verification or Technical Inquiry as referred to in paragraph (5) is not yet available, the fee shall be charged to RE-Pure Tin Bar and RE-Industrial Tin based on the principle of benefit.
Article 18

(1) RE-Pure Tin Bar and RE-Industrial Tin must submit Tin Export realization report on monthly basis to the Director General in this case the Director of Export of Industrial and Mining Products with copies to:

a. Director General of Minerals and Coal of the Ministry of Energy and Mineral Resources in this case the Director of Mineral Business Development, Head of Commodity Futures Trading Supervisory Agency in this case the Head of Market Analysis Bureau, and the local Governor in this case the Head of Provincial Office in charge of trade for RE-Pure Tin Bar; and

b. Director General of Manufacturing-Base Industry of the Ministry of Industry in this case the Director of Metal Basic Materials Industry, and the local Governor in this case the Head of the Provincial Office in charge of trade for RE-Industrial Tin.

(2) The report as referred to in paragraph (1) shall be submitted no later than the 15th day of the following month.

(3) Delivery of Tin Export realization report by RE-Pure Tin Bar and RE-Industrial Tin shall be made via http://inatrade.kemendag.go.id.
(4) The form of Tin Export realization report as referred to in paragraph (1) shall be as set forth in Appendix VII which constitutes an integral part of this Ministerial Regulation.

Article 19

(1) The Surveyor shall submit LS as referred to in Article 17 paragraph (1) via [http://inatrade.kemendag.go.id](http://inatrade.kemendag.go.id).

(2) In case [http://inatrade.kemendag.go.id](http://inatrade.kemendag.go.id) as referred to in paragraph (1) is unavailable due to force majeure, LS shall be submitted manually to INSW portal.

(3) For Surveyors issuing LS in Mandatory Port must submit LS as soon as the LS is issued.

(4) Surveyors not issuing LS in Mandatory Port shall submit LS as referred to in Article 17 paragraph (1) no later than 1 (one) week after such issue.

(5) The Surveyor shall be responsible for every LS issued.

Article 20

(1) Surveyor shall submit a written report on the Verification or Technical Inquiry activities on monthly
basis no later than the 15th day of the following month to the Director General in this case the Director of Export of Industrial and Mining Products with copies to:

a. The Director General of Minerals and Coal of the Ministry of Energy and Mineral Resources in this case the Director of Mineral Business Development and the local Governor in this case the Head of the Provincial Office in charge of trade for Verification or Technical Inquiry of Pure Tin Bar; and

b. Director General of Manufacturing-Base Industry of the Ministry of Industry in this case the Director of Metal Basic Materials Industry, and the local Governor in this case the Head of the Provincial Office in charge of trade for Verification or Technical Inquiry of Non-Bar Pure Tin, Solder Tin, and Non-Solder Tin Alloy.

(2) Surveyor shall submit summary LS on monthly basis no later than the 15th day of the following month to the Director General in this case the Director of Export of Industrial and Mining Products.

(3) The form of summary LS as referred to in paragraph (2) shall be as set forth in Appendix VIII which
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constitutes an integral part of this Ministerial Regulation.

Article 21

(1) Recognition as RE-Pure Tin Bar and RE-Industrial Tin shall be suspended if the company and/or management/directors of the company:
   a. fails to perform the obligations as referred to in Article 10 and/or Article 11;
   b. fails to perform the obligation as referred to in Article 18 paragraph (1) for 2 (two) times;
   c. in the investigation of criminal offense relating to the abuse of recognition as RE-Pure Tin Bar and RE-Industrial Tin; and/or
   d. fails to carry out Tin Export within 6 (six) months consecutively.

(2) Suspended recognition as RE-Pure Tin Bar and RE-Industrial Tin can be reactivated if the company and/or board/company directors:
   a. has performed the obligations as referred to in Article 10 and/or Article 11 within 30 (thirty) days as of the suspension date;
b. has performed the obligation as referred to in Article 18 paragraph (1) within 30 (thirty) days as of the suspension date;

c. a warrant for termination of investigation has been issued by the investigator; and/or

d. has been declared acquitted or released from any lawsuit based on a court decision having a permanent legal power.

(3) Recognition as RE-Pure Tin Bar and RE-Industrial Tin shall be revoked if the company and/or management/directors of the company:

a. exports Tin in contrary to the technical requirements as referred to in Article 3 paragraph (2);

b. fails to perform the obligations as referred to in Article 10 and/or Article 11 within 30 (thirty) days as of the suspension date;

c. is proven to export of Pure Tin Bar not traded via Tin Exchange as referred to in Article 12 paragraph (1);

d. fails to perform the obligations as referred to in Article 18 paragraph (1) within 30 (thirty) days as of the suspension date;
e. is proven to provide incorrect information or data at the time of submission of application for recognition as RE-Pure Tin Bar and RE-Industrial Tin;
f. provides incorrect data and information on the origin of Tin Ore to RE-Pure Tin Bar or origin of Tin raw materials for RE-Industrial Tin;
g. is found guilty by the court for the violation and criminal offense relating to the abuse of letter of recognition as RE-Pure Tin Bar and RE-Industrial Tin based on court decisions having permanent legal power; and/or
h. has the recognition as RE-Pure Tin Bar and RE-Industrial Tin suspended for 2 (two) times and thus qualifies for re-suspension.

(4) The suspension, reactivation and revocation of the letter of recognition as RE-Pure Tin Bar and RE-Industrial Tin as referred to in paragraph (1), paragraph (2) and paragraph (3) shall be carried out by the Director General.

Article 22
Stipulation as the executor of Verification or Technical Inquiry shall be revoked if the Surveyor:
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a. fails to perform the obligations referred to in Article 19 and/or Article 20 for 2 (two) times;
b. fails to issue LS within 6 (six) months consecutively;
c. issues LS for export-prohibited goods;
d. issues LS not in accordance with the classification and specification of the goods submitted for export; and/or
e. issues LS not enclosed with the certificate of origin of the Tin Ore being the raw materials of Tin as referred to in Article 16 paragraph (3) letter a.

Article 23
Violation of the provisions of this regulation, in addition to sanctions as referred to in Article 21 paragraph (1) and paragraph (3) and Article 22, may be subject to other sanctions in accordance with the provisions of laws and regulations.

Article 24
The technical guideline for the implementation of this Ministerial Regulation may be stipulated by the Director General.

Article 25
(1) Recognition as RE-Tin issued under Regulation of the Minister of Trade No. 78/M-DAG/PER/12/2012 concerning
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Provisions on Tin Export as amended by Regulation of the Minister of Trade No. 32/M-DAG/PER/6/2013, shall remain valid until the expiry of its validity period.

(2) Recognition as RE-Tin as referred to in paragraph (1) shall be treated equally to RE-Pure Tin Bar and/or RE-Industrial Tin in accordance with the type of Tin being exported as regulated in this Ministerial Regulation.

Article 26
Recognition as RE-Tin as referred to in Article 25 paragraph (1) shall be renewed and adjusted to the provisions of this Regulation no later than 1st March 2015.

Article 27
When this Ministerial Regulation comes into effect, Regulation of the Minister of Trade No. 78/M-DAG/PER/12/2012 concerning Provisions on Tin Export as amended by Regulation of the Minister of Trade No. 32/M-DAG/PER/6/2013 shall be revoked and declared null and void.

Article 28
This Ministerial Regulation shall come into effect as of 1st November 2014.
Regulation of the Minister of Trade
Republic of Indonesia
Number 44/M-DAG/PER/7/2014

To make it public, the promulgation of this Ministerial Regulation shall be made by publishing the same in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta
On 24th July 2014

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,
signed

MUHAMMAD LUFTI

True copy of the original
Secretariat General of
The Ministry of Trade
Head of Legal Department,
[sealed and signed]
LASMININGSIH

Jakarta, May 28, 2018
Translated from Indonesian into English by
Authorized & Sworn Translator
- FATCHUROZAK -
APPENDIX I

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
NUMBER 44/M-DAG/PER/7/2014
CONCERNING
PROVISIONS ON TIN EXPORT

EXPORT-RESTRICTED TIN

<table>
<thead>
<tr>
<th>No.</th>
<th>Description of Goods</th>
<th>Tariff Post/HS Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Pure Tin Bar</td>
<td>8001.10.00.00</td>
</tr>
<tr>
<td>2.</td>
<td>Non-Bar Pure Tin</td>
<td>8001.10.00.00</td>
</tr>
<tr>
<td>3.</td>
<td>Solder Tin</td>
<td>8003.00.10.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ex. 8003.00.90.00</td>
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<td></td>
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<td>ex. 3810.10.00.00</td>
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<td>4.</td>
<td>Non-Solder Tin Alloy</td>
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<td>8007.00.99.90</td>
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</table>

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,
signed
MUHAMMAD LUFTI

True copy of the original
Secretariat General of
The Ministry of Trade
Head of Legal Department,
[sealed and signed]
LASMININGSIH
APPENDIX II
REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
NUMBER 44/M-DAG/PER/7/2014
CONCERNING
PROVISIONS ON TIN EXPORT

TECHNICAL REQUIREMENTS FOR EXPORT-RESTRICTED TIN

1. Pure Tin Bar:
   a. Tariff Post/HS Code: 8001.10.00.00.
   b. Stannum (Sn) contents of at least 99.9%.
   c. Other impurities elements of at most 0.1%, respectively:
      1) Iron (Fe) ≤ 0.005% (50 ppm);
      2) Aluminium (Al) ≤ 0.001% (10 ppm);
      3) Arsenic (As) ≤ 0.03% (300 ppm);
      4) Bismuth (Bi) ≤ 0.015% (150 ppm);
      5) Cadmium (Cd) ≤ 0.001% (10 ppm);
      6) Copper (Cu) ≤ 0.015% (150 ppm);
      7) Lead (Pb) ≤ 0.030% (300 ppm);
      8) Antimony (Sb) ≤ 0.015% (150 ppm); and/or
      9) Zinc (Zn) ≤ 0.001% (10 ppm).
   d. Size dimensions:
      1) Upper length : 410-540 mm
      2) Lower length : 270-390 mm
      3) Upper width : 100-160 mm
      4) Lower width : 88-125 mm
5) Height : 64-125 mm  
e. The weight of 1 (one) bar of Pure Tin Bar: 25 kg, with  
tolerance of ±2 kg.  
f. The drawing and details of Pure Tin Bar shall be as set  
forth below:

![Diagram of Pure Tin Bar]

A. Panjang atas : 410-540 mm  
B. Panjang bawah: 270-390 mm  
C. Lebar atas : 100 - 160 mm  
D. Lebar bawah : 88 - 125 mm  
E. Tinggi / tebal : 64 - 125 mm

g. Packaging at maximum of 40 bars totalling 1000 kg ± 20 kg  
per package.

2. Non-Bar Pure Tin:  

a. Tariff Post/HS Code: 8001.10.00.00.  
b. Stannum (Sn) contents of at least 99.93%.  
c. Other impurities elements of at most 0.07%, respectively:  
   1) Iron (Fe) ≤ 0.005% (50 ppm);  
   2) Arsenic (As) ≤ 0.002% (20 ppm);  
   3) Bismuth (Bi) ≤ 0.0002% (2 ppm);  
   4) Copper (Cu) ≤ 0.0002% (2 ppm);  
   5) Lead (Pb) ≤ 0.020% (200 ppm);
6) Antimony (Sb) ≤ 0.035% (350 ppm);
7) Indium (In) ≤ 0.020% (200 ppm);
8) Nickel (Ni) ≤ 0.0002% (2 ppm); and/or
9) Silver (Ag) ≤ 0.0002% (2 ppm).

d. Exported Non-Bar Pure Tin to be labelled on the package containing at least the following:
1) The contents of alloy composition of Stannum (Sn) and Iron (Fe);
2) Made in Indonesia;
3) Brand;
4) Form and/or Dimensions;
5) Net Weight; and
6) Date of Manufacture.

3. Solder Tin:

a. Tariff Post/HS Code: 8003.00.10.00, ex. 8003.00.90.00,
   ex. 8311.30.90.10, ex. 8311.30.90.90, ex. 8311.90.00.00,
   and ex. 3810.10.00.00.

b. Stannum (Sn) contents of at most 99.7% and Iron (Fe) of at most 0.005%.

c. One or more additional elements for alloy with the following contents:
1) Silver (Ag) ≥ 0.1% (1000 ppm);
2) Copper (Cu) ≥ 0.1% (1000 ppm);
3) Bismuth (Bi) ≥ 0.1% (1000 ppm);
4) Lead (Pb) ≥ 0.1% (1000 ppm);
5) Nickel (Ni) ≥ 0.03% (300 ppm);
6) Germanium (Ge) ≥ 0.005% (50 ppm);
7) Antimony (Sb) ≥ 0.1% (1000 ppm);
8) Zinc (Zn) ≥ 0.1% (1000 ppm); and/or
9) Indium (In) ≥ 0.1% (1000 ppm).

d. Solder Tin form:
1) Wire having a diameter of at the highest 3 mm;
2) Solder bar extrude and casting:
   a) Maximum length: 330 mm ±5 mm
   b) Maximum width: 20 mm ±5 mm
   c) Maximum thickness: 10 mm ±5 mm
   d) Maximum weight: 1 kg per unit
3) An equilateral triangle with the highest side length of 20 mm ± 5 mm and the highest length of 330 mm ± 5 mm;
4) Paste/cream solder;
5) Powder solder;
6) Solder ball, solder half-ball with a maximum diameter of 50 mm ±5 mm;
7) Tape solder with a maximum thickness of 0.5mm being rolled in a bobbin.

e. Packaging method:
1) Solder Tin in wire form is rolled in a bobbin and put into a carton box of maximum 25 kg/roll;
2) Solder Tin in non-wire form is put into a carton box of maximum 25 kg.
f. The drawing and details of Solder Tin shall be as set forth below:

1) Wire Solder:

![Wire Solder Diagram]

$\phi$ Wire: Max 3.0

2) Wire Non-Flux Core Solder:

![Wire Non-Flux Core Solder Diagram]

$\phi$ Wire: Max 3.0

3) Bar Extrude Solder:

![Bar Extrude Solder Diagram]

$20 \pm 5$

$330 \pm 5$

$10 \pm 5$

4) Solder Bar Casting:
5) Equilateral Triangle Solder Bar:

6) Solder Ball:

7) Solder Half-Ball:
g. The exported Solder Tin marking shall be packaged or labelled containing at least the following:

1) The composition of alloy contents of Stannum (Sn) and Iron (Fe);
2) Made in Indonesia;
3) Brand;
4) Form and/or Dimensions;
5) Net Weight; and
6) Date of Manufacture.

4. Non-Solder Tin Alloy:

a. Tariff Post/HS Code: 8001.20.00.00, 8007.00.20.00, and 8007.00.99.90.

b. Comprising of alloy contents of Stannum (Sn) of at most 96% and Iron (Fe) of at most 0.005%.

c. One or more additional elements for alloy with the following contents:

1) Bismuth (Bi) ≥ 0.1% (1000 ppm);
2) Copper (Cu) ≥ 0.4% (4000 ppm);
3) Silver (Ag) ≥ 0.1% (1000 ppm);
4) Nickel (Ni) ≥ 0.03% (300 ppm);
5) Antimony (Sb) ≥ 0.1% (1000 ppm);
6) Zinc (Zn) ≥ 0.1% (1000 ppm);
7) Indium (In) ≥ 0.1% (1000 ppm).

d. The marking of exported Tin Alloy shall be packaged or labelled containing at least:
1) The composition of alloy contents of Stannum (Sn) and Iron (Fe);
2) Made in Indonesia;
3) Brand;
4) Form and/or Dimensions;
5) Net Weight; and
6) Date of Manufacture.'

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,
signed

MUHAMMAD LUFTI

True copy of the original
Secretariat General of
The Ministry of Trade
Head of Legal Department,
[sealed and signed]
LASMININGSIH
APPENDIX III

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
NUMBER 44/M-DAG/PER/7/2014

CONCERNING

PROVISIONS ON TIN EXPORT

LETTER OF RECOGNITION

AS REGISTERED TIN EXPORTER OF ..................

NUMBER:

Considering the application from PT/CV .................. No. .................
dated .................. regarding Application for Recognition as
Registered Tin Exporter of .................., by virtue of Regulation of
the Minister of Trade No. ....../M-DAG/PER/....../..... concerning
Provisions on Tin Export, it is hereby recognized as:

REGISTERED TIN EXPORTER OF ..................

To:

Company Name : ..................

Business Sector: ..................

Type of Tin : ..................

Company/Plant/Warehouse Address : ..................

Person in Charge of the Company : ..................

[Stamp: SWORN TRANSLATOR]
[Stamp: Mines and Energy Public Relations]
[Stamp: No. 3065/2003]
On the following provisions:

1. To comply with the provisions applicable in Regulation of the Minister of Trade of the Republic of Indonesia No. ....../M-DAG/PER/....../...... concerning Provisions on Tin Export.

2. To be willing to provide necessary data/information and/or site inspection (location of business/warehouse/office) if required by authorized official of the Ministry of Trade and/or Ministry of Energy and Mineral Resources.
3. To be obliged to report any change of data on the Letter of Recognition as Registered Tin Exporter of .......... to the Director General of Foreign Trade no later than 30 (thirty) days after such change.

4. Any violation of the provisions set forth in items 1 to 3 above may be subject to sanctions in the form of suspension or revocation of the recognition as Registered Exporter.

5. This recognition as Registered Exporter of .......... is valid for 3 (three) years as of the date of issue.

6. Should any discrepancy is found between the document and the actual field conditions, the recognition as Registered Exporter of .......... may be reviewed or revoked.

7. To be responsible for any legal consequences arising from any deeds, actions, violations, either intentional or otherwise, and omissions committed in contrary to the provisions of the applicable laws and regulations on Tin Export.

Jakarta,

Director General of
Foreign Trade,

(............................................)
Copies to:

1. Minister of Trade;
2. Deputy Minister of Trade;
3. Inspector General of the Ministry of Trade;
4. Director General of Tax and Customs and Excise;
5. Director General of Minerals and Coal of the Ministry of Energy and Mineral Resources;
6. Director General of Manufacturing-Base Industry of the Ministry of Industry;
7. Governor of the province;
8. Head of Local Office in charge of trade;
9. Head of Local Customs and Excise Regional Office.

*) Cross out as applicable

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,
signed

MUHAMMAD LUFTI

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Secretariat General of
The Ministry of Trade
Head of Legal Department,
[sealed and signed]
LASMININGSIH
APPENDIX IVa

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
NUMBER 44/M-DAG/PER/7/2014

CONCERNING

PROVISIONS ON TIN EXPORT

<table>
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<th>No.</th>
<th>Name</th>
<th>Nationality</th>
<th>ID/Passport /Kitas No.</th>
<th>Expertise</th>
<th>Work Experience (years)</th>
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<td></td>
<td>Verifier</td>
<td>Drafter</td>
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</tbody>
</table>

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,
signed

MUHAMMAD LUFTI

True copy of the original
Secretariat General of
The Ministry of Trade
Head of Legal Department,
[sealed and signed]
LASMININGSIH
APPENDIX IVb

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
NUMBER 44/M-DAG/PER/7/2014
CONCERNING
PROVISIONS ON TIN EXPORT

<table>
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<tr>
<th>CURRICULUM VITAE OF EXPERT</th>
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<tbody>
<tr>
<td>For the relevant individual/party</td>
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| Name |  |
| Place/Date of Birth |  |
| Gender |  |
| Address |  |
| E-mail Address |  |
| Telephone |  |
| Education |  |
| Reference |  |
| Professional Experience |  |

Passport Photo

4 x 6

| Professional Statement/Commitment: |

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,
signed

MUHAMMAD LUFTI

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Secretariat General of
The Ministry of Trade
Head of Legal Department,
[sealed and signed]
LASMININGSIH
APPENDIX V

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
NUMBER 44/M-DAG/PER/7/2014

CONCERNING

PROVISIONS ON TIN EXPORT

<table>
<thead>
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<th>No.</th>
<th>Instrument</th>
<th>Brand/Type</th>
<th>Year of Manufacture</th>
<th>Testing Purpose</th>
<th>Quantity</th>
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</thead>
</table>

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

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MUHAMMAD LUFTI

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Head of Legal Department,
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LASMININGSIH
APPENDIX VI

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
NUMBER 44/M-DAG/PER/7/2014
CONCERNING
PROVISIONS ON TIN EXPORT

<table>
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<th>No.</th>
<th>NAME</th>
<th>POSITION</th>
<th>WORKING AREA</th>
<th>SIGNATURE SPECIMEN</th>
<th>SEAL SPECIMEN</th>
</tr>
</thead>
</table>

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,
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MUHAMMAD LUFTI

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APPENDIX VII
REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA
NUMBER 44/M-DAG/PER/7/2014
CONCERNING
PROVISIONS ON TIN EXPORT

TIN EXPORT REALIZATION REPORT
Company Name : 
Head Office Address : 
Recognition of RE-Tin........... : No. Date:

<table>
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<tr>
<th>No.</th>
<th>Tariff Post/HS Code</th>
<th>Export Realization</th>
<th>Loading Port</th>
<th>Export Destination Country</th>
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<td>No. &amp; Date of PEB</td>
<td>Amount</td>
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<td>Volume Value</td>
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</tbody>
</table>

Jakarta, ................................
PT/CV ..................................
(Director)

Copy to:
1. Director General of Minerals and Coal, the Ministry of Energy and Mineral Resources;
2. Head of BAPPEBTI, the Ministry of Trade;
3. Director General of Manufacturing-Base Industry, the Ministry of Industry (specifically for Non-Bar Pure Tin export, Solder Tin, and Non-Solder Tin Alloy);
4. Governor.

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

signed

MUHAMMAD LUFTI

True copy of the original
Secretariat General of
The Ministry of Trade
Head of Legal Department,
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LASMININGSIH
APPENDIX VIII

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER 44/M-DAG/PER/7/2014

CONCERNING

PROVISIONS ON TIN EXPORT

<table>
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<th>No.</th>
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<th>PROV.</th>
<th>EXPORTER</th>
<th>LICENSE (IUP/IUI)</th>
<th>VALIDITY PERIOD</th>
<th>LS QUANTITY</th>
<th>VOLUME (TONS)</th>
<th>VALUE (USD)</th>
<th>UNIT PRICE (USD/TON)</th>
<th>ROYALTY FEE (USD)*</th>
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MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

signed

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Secretariat General of

The Ministry of Trade

Head of Legal Department,
[sealed and signed]

LASMININGSIH