[Coat of Arms of the Republic of Indonesia]

MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER 33/M-DAG/PER/5/2015

CONCERNING

AMENDMENT TO REGULATION OF THE MINISTER OF TRADE NUMBER 44/M-DAG/PER/7/2014

CONCERNING

PROVISIONS ON TIN EXPORT

WITH THE GRACE OF GOD ALMIGHTY

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Considering:

a. that in order to keep the sustainability of natural resources and environment, to promote the enhancement of added value, economic activities and welfare of the community, it is necessary to optimize the benefits of tin export;

b. that in order to increase the value of export and role of Indonesia in determining world tin price, it is necessary to regulate the Indonesian tin trade mechanism;

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

c. that based on the considerations as referred to in letters a and b, it is necessary to stipulate Regulation of the Minister of Trade on the Amendment to the Regulation of the Minister of Trade Number 44/M-DAG/PER/7/2014 concerning Provisions on Tin Export of;

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,

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3066/2003
PENERJEMAH BERSUMPAH

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, 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,

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

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 the State Gazette of the Republic of Indonesia Number 5512);

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

9. Government Regulation Number 1 of 1982 concerning Implementation of Export, Import, 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);

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 Mineral and Coal Mining Business Activities (State Gazette of the Republic of Indonesia Number 29 of 2010, Supplement to State

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

Gazette of the Republic of Indonesia Number 5111) as amended several times and lastly by Government Regulation Number 77 of 2014 (State Gazette of the Republic of Indonesia Number 263 of 2014, Supplement to State Gazette of the Republic of Indonesia Number 5597);

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 2010, Supplement to State Gazette of the Republic of Indonesia Number 5142);

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);

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

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

15. Presidential Regulation Number 24 of 2010 concerning Positions, Duties, and Functions of State Ministries as well as Organization Structure, Duties and Functions of Echelon I of State Ministries as amended several times and lastly by Presidential Regulation Number 135 of 2014;

16. Presidential Decree No. 121/P of 2014 concerning Establishment of Ministries and Appointment of Ministries of Working Cabinet (Kabinet Kerja) for the Period of 2014 - 2019;

17. Presidential Regulation Number 165 of 2014 on Structuring of Duties and Functions of the Working Cabinet;

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

18. Presidential Regulation No. 7 of 2015 on Organizational Structure of State Ministries;

19. Regulation of the Minister of Finance Number 145/PMK.04/2007 concerning Customs Provisions in the Field of Export as amended several times and lastly by Regulation of the Minister of Finance Number 145/PMK.04/2014;

20. Regulation of the Minister of Trade Number 28/M-DAG/PER/6/2009 concerning Provisions on the Export and Import Permits Services by Electronic System via INATRADE in the Framework of Indonesia National Single Window;

21. 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;

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

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

23. Regulation of the Minister of Energy and Mineral Resources Number 32 of 2013 on Procedures for the Granting of Special Licenses in the Field of Mineral and Coal Mining;

24. Regulation of the Minister of Energy and Mineral Resources Number 1 of 2014 concerning Increasing Mineral Value Added through Domestic Mineral Processing and Refining Activities as amended by Regulation of the Minister of Energy and Mineral Resources Number 08 of 2015;

25. Regulation of the Minister of Trade No. 44/M-DAG/PER/7/2014 concerning Provisions on Tin Export;

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

HAS DECIDED:

To Stipulate: REGULATION OF THE MINISTER OF TRADE CONCERNING AMENDMENT TO REGULATION OF THE MINISTER OF TRADE NUMBER 44/M-DAG/PER/7/2014 CONCERNING PROVISIONS ON TIN EXPORT.

Article I

Several provisions and appendices of Regulation of the Minister of Trade No. 44/M-DAG/PER/7/2014 concerning Provisions on Tin Export are amended as follows:

1. Provisions in the Article 1 is amended to read as follows:

Article 1

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

1. Tin is a silvery-white colored metal with low hardness, specific gravity of 7.3 g/cm3 and has thermal and electrical conductive characteristic.

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

2. Tin Ore is unrefined Tin and still in the form of Tin ore or Tin concentrates sand.

3. Pure Tin Bar is pure Tin containing at least 99.9% Stannum (Sn)] in the form of bar as a result of processing and refining of Tin Ore by Smelter.

4. Solder Tin is Tin alloy containing at most 99.7% Stannum (Sn) in the form of wire, solder bar extrude, bar casting, equilateral triangle bar, paste/cream solder, powder solder, ball solder, half ball solder, and tape solder, which is used for soldering and welding works.

5. Other Goods of Tin are other goods made from Tin with the maximum Stannum (Sn) content of 96% in the form of plates, sheets, strips, foils, vessels, pipes, vessels or pipe

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

fittings, cigarette places or boxes, ashtrays , other household appliances, and folded tube.

6. Tin Export is the release of Tin from customs area.

7. Registered Exporter of Pure Tin Bar, hereinafter called RE-Pure Tin Bar is a company that has received letter of recognition to conduct Export of Pure Tin Bar.

8. Registered Exporter of Industrial Tin, hereinafter referred to as RE-Industrial Tin, is a company that has received letter of recognition to conduct Export of Solder Tin and/or Other Goods of Tin.

9. Export Approval of Pure Tin Bar, hereinafter referred to as EA-Pure Tin

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

Bar, is a license to conduct export of Pure Tin Bar.

10. Export Approval of Industrial Tin hereinafter referred to as EA-Industrial Tin is a license to conduct export of Solder Tin and/or Other Goods of Tin.

11. Mining Business License hereinafter referred to as IUP is a license required to carry out mining business.

12. Mining Business License for Production Operation, hereinafter referred to as Production Operation IUP, is a business license issued after the completion of the Exploration IUP to conduct the production operation stage.

13. People's Mining License hereinafter referred to as IPR is a license to

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

carry out mining business within the people's mining area with limited area and limited investment.

14. Special Mining Business License for Production Operation, hereinafter referred to as Production Operation IUPK is a business license granted after the completion of Exploration IUPK activities to carry out production operation activity in a special mining concession area.

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

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

16. Mining Business License for Production Operations specifically for processing and/or refining, hereinafter referred to as Production Operation IUP specifically for processing and/or refining is a business license granted to companies to purchase, transport, process and refine including sales of mineral or coal mining commodities.

17. Contract of Work hereinafter referred to as COW is a contract between the Government of the Republic of Indonesia and Indonesian company in the framework of Foreign Investment to carry out mineral mining business, excluding crude oil, natural gas, geothermal, radioactive and coal.

18. Industrial Business License hereinafter abbreviated as IUI is a business license granted to companies to conduct business activities of Tin processing industry.

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

19. Cooperation Agreement is an agreement between holder of Production Operation IUP and holder of Production Operation IUP specifically for processing and/or refining, and/or holder of Production Operation IUP specifically for transportation and sales and holder of IUP validated by the authorized issuing official.

20. Smelter is a place where processing and refining activities of Tin Ore take place.

21. Tin Exchange is an international tin market in Indonesia which is an organized market and a part of the futures exchange.

22. Verification or Technical Inquiry is the research and inspection of export goods by Surveyor.

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

23. Surveyor is a survey service company authorized to perform Verification or Technical Inquiry on Tin Export.

24. Indonesia National Single Window hereinafter referred to as INSW is the Indonesian national system which enables single submission of data and information, single and synchronous processing of data and information and single decision-making for customs and custom release and clearance of cargoes.

25. INSW Portal is a system that will perform integration of information relating to the handling of customs documents and clearance of goods, ensuring data and information security as well as automatically integrating flow and processes of information across internal systems, which comprise of customs, licensing, port/airport systems, and other

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

systems related with the handling of customs documents and clearance of goods.

26 Mandatory Port is port designated as a port which fully implemented the National Single Window (NSW) on exports.

27 Minister is the minister who held government affairs in the field of trade.

28. Director General is the Director General of Foreign Trade of the Ministry of Trade.

2. Article 2 is amended to read as follows:

Article 2

(1) Tin that is allowed to be exported shall be only Pure Tin Bar, Solder Tin, and Other Goods of Tin as listed in

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

Appendix I which constitutes an integral part of this Ministerial Regulation.

(2) Export of Tin not listed in Appendix I as intended in paragraph (1) is prohibited to be exported.

3. Article 3 is amended to read as follows:

Article 3

(1) Tin as referred to in Article 2 paragraph (1) may be exported if it meets the technical requirements as listed in Appendix II which constitutes an integral part of this Ministerial Regulation.

(2) Export of Tin as referred to in Article 2 paragraph (1), which does not meet the technical requirements as listed in Appendix II shall be prohibited to be exported.

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

4. Article 4 is amended to read as follows:

Article 4

(1) Pure Tin Bar as referred to in Article 2 paragraph (1) may be exported if it meets the following requirements:

a. using raw materials of Tin Ore derived from holders of Production Operation IUP, IPR, Production Operation IUPK and/or COW possessing certificate of Clear and Clean (CnC), Annual Work Plan and Budget (RKAB) validated by the authorized issuing official; and

b. supported with payment receipt of production fees/royalty which has been verified by the Director General of Mineral and Coal of the Ministry of Energy and Mineral Resources.

(2) Solder Tin and Other Goods of Tin as referred to in Article 2 paragraph (1)

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

may be exported if they meet the following requirements:

a. using raw materials of Pure Tin Bar originating from Tin Exchange; and

b. supported with proof of purchase of Pure Tin Bar from Tin Exchange.

5. Article 5 paragraph (1) and paragraph (2) is amended to read as follows:

Article 5

(1) Pure Tin Bar as referred to in Article 2 paragraph (1) can only be exported by companies possessing letter of recognition as RE-Pure Tin Bar issued by the Director General.

(2) Solder Tin and Other Goods of Tin as intended in Article 2 paragraph (1) may only be exported by company possessing letter of recognition as RE-Industrial Tin issued by the Director General.

(3) Each company may only posses one type of letter of recognition as Registered Exporter of Tin, namely the recognition

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

as RE-Pure Tin Bar as intended in paragraph (1) or recognition as RE-Industrial Tin as referred to in paragraph (2).

6. Article 7 paragraph (1) and paragraph (2) is amended to read as follows:

Article 7

(1) In order to obtain recognition as RE-Pure Tin Bar as referred to in Article 5 paragraph (1), the company must submit a written application to the Director General by enclosing the following documents:

a. photocopy of Production Operation IUP, photocopy of IPR, photocopy of Production Operation IUPK, photocopy of COW, photocopy of Production Operation IUP specifically for processing and/or refining, or photocopy of Production Operation IUP specifically for transportation and sales;

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

b. photocopy of Company Registration Certificate (TDP);

c. photocopy of Taxpayer Identification Number (NPWP);

d. photocopy of certificate of Clear and Clean (CnC) for holders of Production Operation IUP, IPR, Production Operation IUPK and KK;

e. photocopy of Cooperation Agreement with holder of Production Operation IUP, IPR, COW possessing certificate of Clear and Clean (CnC), and/or holder of Production Operation IUP specifically for transportation and sales, for holder of Production Operation IUP specifically for processing and/or refining legalized by the license issuing official;

f. photocopy of Cooperation Agreement with holder of Production Operation IUP and/or IPR possessing certificate of Clear and Clean (CnC), for holder of Production

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

Operation IUP specifically for transportation and/or sales legalized by the license issuing official; and

g. original recommendation from the Director General of Mineral and Coal of the Ministry of Energy and Mineral Resources after obtaining technical consideration from the Governor of Tin-producing Province.

(2) To obtain letter of recognition as RE-Industrial Tin as referred to in Article 5 paragraph (2), the company must submit a written application to the Director General by enclosing the following documents:

a. photocopy of Industrial Business License (IUI);

b. photocopy of Company Registration Certificate (TDP);

c. photocopy of Taxpayer Identification Number (NPWP); and

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

d. original recommendation from the Director General of Industry, Metals, Machinery, Transportation Equipment and Electronics of the Ministry of Industry.

(3) The Director General may appoint an officer of the Ministry of Trade to conduct field inspection to ensure consistency of documents with actual field conditions.

(4) The inspection as referred to in paragraph (3) shall be conducted within a period of no later than 3 (three) working days after receipt of the complete application.

7. Between Article 8 and Article 9, 2 (two) articles are inserted, namely Article 8A and Article 8B, as follows:

Article 8A

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

(1) The export of Pure Tin Bar as referred to in Article 2 paragraph (1) can only be executed by RE-Pure Tin Bar after obtaining EA-Pure Tin Bar from the Director General.

(2) The export of Solder Tin and Other Goods of Tin as referred to in Article 2 paragraph (1) can only be executed by RE-Industrial Tin after obtaining the EA-Industrial Tin from the Director General.

Article 8B

(1) To obtain EA-Pure Tin Bar as referred to in Article 8A paragraph (1), RE-Pure Tin Bar must submit written application to the Director General by enclosing the following documents:

a. photocopy of RE-Pure Tin Bar; and

b. original recommendation from the Director General of Mineral and Coal of the Ministry of Energy and Mineral Resources.

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

(2) The recommendations as referred to in paragraph (1) letter b shall at least contain the type, Tariff Post/HS Code and the quantity of exportable Tin.

(3) To obtain EA-Industrial Tin as referred to in Article 8A paragraph (2), RE-Industrial Tin must submit a written application to the Director General by enclosing the following documents:

a. photocopy of RE-Industrial Tin; and

b. original copy of recommendation from the Director General of Industry, Metals, Machinery, Transportation Equipment and Electronics of the Ministry of Industry.

(4) The recommendation as referred to in paragraph (3) letter b shall contain at least type, Tariff Post/HS Code, quantity, loading port, and export destination country of the Tin.

(5) EA-Pure Tin Bar as referred to in Article 8A paragraph (1) and EA-Industrial Tin as referred to in

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

Article 8A paragraph (2) shall be valid for 6 (six) months and may be extended.

(6) To obtain the extension of EA-Pure Tin Bar as referred to in paragraph (5), RE-Pure Tin Bar must submit a written application to the Director General by enclosing the following documents:

a. photocopy of RE-Pure Tin Bar;

b. photocopy of existing EA-Pure Tin Bar; and

c. photocopy of Control Card of export realization.

(7) To obtain the extension of EA-Industrial Tin as referred to in paragraph (5), RE-Industrial Tin must submit a written application to the Director General by enclosing the following documents:

a. photocopy of RE-Industrial Tin;

b. photocopy of existing EA-Industrial Tin; and

c. photocopy of Control Card of export realization.

SWORN TRANSLATOR
SK. GUB. DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

8. Article 10 is amended to read as follows:

Article 10

Any change in IUP Tin area, RE-Pure Tin Bar shall submit written application for change of RE-Pure Tin Bar to the Director General by enclosing the following documents:

a. original recommendation from the Director General of Mineral and Coal of the Ministry of Energy and Mineral Resources after obtaining technical consideration from the Governor of the Tin-producing province.

b. photocopy of IUP which has been validated by the authorized official if the IUP area is owned property; and/or

c. photocopy of Cooperation Agreement and photocopy of IUP of another party which has been validated by the authorized official if the IUP area belongs to another party.

9. Article 12 paragraph (1) is amended to read entirely as follows:

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

Article 12

(1) Pure Tin Bar as referred to in Article 2 paragraph (1) to be exported or sold domestically shall be traded through the Tin Exchange.

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

(3) Tin obtained from trading through 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 the event that an RE-Pure Tin Bar has made Tin transaction on the Tin Exchange but its recognition as RE-Pure Tin Bar is being suspended or revoked, the Tin as referred to in paragraph (1) may be exported by another RE-Pure Tin Bar appointed by The Director General by considering the proposal of the Tin Exchange.

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

10. Article 14 paragraph (1) is amended, and between paragraph (1) and paragraph (2), 1 (one) paragraph, namely paragraph (1a) is inserted to read entirely as follows:

Article 14

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

(1a) Verification or Technical Inquiry as referred to in paragraph (1) shall be carried out by involving the Official of the Provincial Government of the Tin-Producing Province.

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

(3) The Minister delegates its authorities for stipulation of the Surveyor to the Director General as referred to in paragraph (2).

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

(4) The Director General issues a Surveyor appointment letter as referred to in paragraph (2) for and on behalf of the Minister.

11. Article 15 paragraph (1) and paragraph (2) is amended to read entirely as follows:

Article 15

(1) To be appointed as executor of Verification or Technical Inquiry, Surveyor as referred to in Article 14 paragraph (2) shall meet the following requirements:

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

b. has minimum 5 (five) years of experience in conducting Verification or Technical Inquiry of Tin Export;

c. has branch/representative office in the area with potential Tin as per the proposed type of Tin product being its scope of work;

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

d. has certified experts taking role as verifier, drafter, laboratory analysts and geologists;

e. has at least 1 (one) fully equipped laboratory in accordance with the scope of Tin products;

f. in each of its working areas, there is at least 1 (one) fully equipped laboratory accredited by the National Accreditation Committee (KAN) in accordance with the scope of Tin products; and

g. has a good track record in the management of Verification or Technical Inquiry activities in the field of export.

(2) To be determined as executor of Verification or Technical Inquiry, Surveyor as referred to in Article 14 paragraph (2) shall submit a written application to the Director General by enclosing:

a. photocopy of Survey Service Business Permit (SIUJS);

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3066/2003
PENERJEMAH BERSUMPAH

b. photocopy of Company Registration Certificate (TDP);

c. photocopy of Taxpayer Identification Number (NPWP);

d. description of company work area, at least contains address of head office, branch/representative offices and location of laboratory;

e. information of Tin type in the work area;

f. information of Tin type it has verified;

g. list of experts equipped with Curriculum Vitae (CV) and location of working area in format as set out 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) e;

i. complete list of laboratory equipment in accordance with the

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3066/2003
PENERJEMAH BERSUMPAH

scope of Tin products in format as set out in Appendix VI which constitutes an integral part of this Ministerial Regulation; and

j. list of LS (Surveyor's Report) signatories, signature specimen and company's stamp specimen in format as set out in Appendix VI which constitutes an integral part of this Ministerial Regulation.

(3) In the event that such laboratory as referred to in paragraph (1) letter e has not been accredited by KAN, the laboratory can be used to perform Tin quality test by showing original receipt of document submission report from KAN accompanied by preliminary check list.

(4) The laboratory as referred to in paragraph (3) must have been accredited by KAN at the latest by 31 December 2016.

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

12. Article 16 paragraph (3) and paragraph (4) are amended to read entirely as follows:

Article 16

(1) For Verification or Technical Inquiry, RE-Pure Tin Bar and RE-Industrial Tin must apply 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. analysis and inspection of data or information in respect of validity of administration and origin area of Tin;

b. type and specifications of Tin that include Tariff Post/HS Code based on laboratory qualitative analysis;

c. quantity of Tin; and

d. time of shipment and port of loading.

(3) Verification or Technical Inquiry of Pure Tin Bar export shall include at least data or information on:

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

a. origin of Tin Ore being raw material of the Pure Tin Bar;

b. Tin Ore in Smelter being raw material reserve and Tin Ore under processing or refining stage in the Smelter at the time of Verification or Technical Inquiry;

c. content of Stannum/Sn and impurity elements of the Tin;

d. dimensions of size, weight, shape and packaging;

e. quantity, type and Tariff Post/HS Code of Tin;

f. evidence of sale of Pure Tin Bar from Tin Exchange;

g. shipping time;

h. loading port;

i. country and port of export destination;

j. Clear and Clean (CnC) certificate;

k. payment receipt of production fee/royalty already verified by the

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

Director General of Mineral and Coal of the Ministry of Energy and Mineral Resources in relation tothe quantity of the exported Tin;

l. Pure Tin Bar reserves owned by RE-Pure Tin Bar, and

m. Annual Work and Budget Plan (RKAB) legalized by the authorized license issuing official covering Tin Ore reserve balance, Tin Ore sales plan, Tin sales plan and remaining Tin Ore reserves.

(4) Verification or Technical Inquiry of export of Solder Tin and Other Goods of Tin shall include data or information on:

a. content of Stannum/Sn, impurity elements and/or additional elements of the Tin;

b. dimensions of size, weight, and shape;

c. number, type, and Tariff Post/HS Code number of the Tin;

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

d. packaging and marking;

e. shipping time;

f. loading port;

g. country and port of export destination;

h. evidence of purchase of Pure Tin Bar from Tin Exchange used as raw material of Solder Tin and Other Goods of Tin;

i. payment receipt of production fee/royalty already verified by the Director General of Mineral and Coal of the Ministry of Energy and Mineral Resources in respect of the raw material of Tin used; and

j. production capacity and reserves of Solder Tin and/or Other Goods of Tin owned by RE-Industrial Tin.

13. Article 21 paragraph (3) is amended to read as follows:

Article 21

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

(1) Recognition as RE-Pure Tin Bar and RE-Industrial Tin shall be suspended if the company and/or management/director of the company:

a. fails to perform the obligations as referred to in Article 10 and/or Article 11;

b. fails to fulfill the obligation as referred to in Article 18 paragraph (1) as many as 2 (two) times;

c. is being subject to investigation of criminal offense relating to the misuse of the letter of recognition as RE-Pure Tin Bar and RE-Industrial Tin; and/or

d. fails to conduct Tin Export within 6 (six) months consecutively.

(2) The suspended recognition as RE-Pure Tin Bar and RE-Industrial Tin can be reactivated if the company and/or management/director of the company:

a. has performed the obligations as referred to in Article 10 and/or

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

Article 11 within 30 (thirty) days from the date of suspension;

b. has performed the obligation as referred to in Article 18 paragraph (1) within 30 (thirty) days from the date of suspension;

c. an investigation discontinuation notice has been issued by the investigator; and/or

d. is declared not guilty or released from any lawsuit under a binding court decision.

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

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

b. is proven to have exported Solder Tin or Other Goods of Tin whose raw materials are not obtained from the

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

Tin Exchange as referred to in Article 4 paragraph (2);

c. does not perform the obligations as referred to in Article 10 and/or Article 11 within 30 (thirty) days from the date of the suspension;

d. is proven to have exported of Pure Tin Bar which is not traded through the Tin Exchange as referred to in Article 12 paragraph (1);

e. does not perform the obligation as referred to in Article 18 paragraph (1) within 30 (thirty) days from the date of suspension;

f. is proven to have given incorrect information or data at the time of application for recognition as RE-Pure Tin Bar and RE-Industrial Tin;

g. is proven to have given incorrect information or data on the origin of Tin Ore for RE-Pure Tin Bar;

h. is declared guilty for offense and crime relating to the misuse of

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

recognition as RE-Pure Tin Bar and RE-Industrial Tin according to a binding court decision; and/or

i. has undergone suspension of recognition as RE-Pure Tin Bar and RE-Industrial Tin as many as 2 (two) times and fulfills reasons for re-suspension.

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

14. Between Article 26 and Article 27, 2 (two) articles are inserted, namely Article 26A and Article 26B, to read as follows:

Article 26A

Recognition as RE-Pure Tin Bar and RE-Industrial Tin issued pursuant to Regulation of the Minister of Trade No. 44/M-DAG/PER/7/2014 concerning Provisions

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

on Tin Export shall be renewed and adjusted in accordance with the provisions this Ministerial Regulation by no later than 1 November 2015.

Article 26B

(1) This Ministerial Regulation shall not apply to the export of Tin goods in the form of:

a. non-tradable sample items; and

b. goods for scientific research and development purposes.

(2) The exceptions as provided in paragraph (1) are given by the Minister after obtaining technical consideration from the relevant agencies.

15. Appendix I and Appendix II are amended to be as contained in Appendix I and Appendix II which constitute an integral part of this Ministerial Regulation.

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

Article II

This Ministerial Regulation shall come into force on 1 August 2015.

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

Stipulated in Jakarta on 12 May 2015

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Signed

RACHMAT GOBEL

This copy conforms to the original
Secretariat General of Ministry of Trade
Head of Legal Bureau,
[signed and sealed]
LASMININGSIH

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

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

APPENDIX I

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER 33/M-DAG/PER/5/2015

CONCERNING

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

EXPORTABLE TINS

No.	Description of Goods	Tariff Post/HS Code
1.	Pure Tin Bar	ex. 8001.10.00.00
2.	Solder Tin	ex. 8003.00.10.00 ex. 8003.00.90.00 ex. 8311.30.90.10 ex. 8311.30.90.90 ex. 8311.90.00.00 ex. 3810.10.00.00
3.	Other Goods of Tin	ex. 8007.00.20.00 ex. 8007.00.30.00 ex. 8007.00.40.00 ex. 8007.00.91.00 ex. 8007.00.92.00 ex. 8007.00.99.10 ex. 8007.00.99.90

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Signed

RACHMAT GOBEL

This copy conforms to the original

Secretariat General of Ministry of Trade

Head of Legal Bureau,

[signed and sealed]

LASMININGSIH

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

APPENDIX II

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA

NUMBER 33/M-DAG/PER/5/2015

CONCERNING

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

TECHNICAL REQUIREMENTS OF EXPORTABLE TIN

1. Pure Tin Bar:
   a. Tariff Post/HS Code: ex. 8001. 10.00.00.
   b. Minimum content of Stannum (Sn): 99.9%.
   c. Maximum content of impurity elemenets: 0.1% with maximum content of each item:
      1) Iron (Fe) ≤ 0.005% (50 ppm);
      2) Aluminum (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. Dimension size:
      1) Top length : 410 - 540 mm

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

2) Bottom Length: 270 - 390 mm

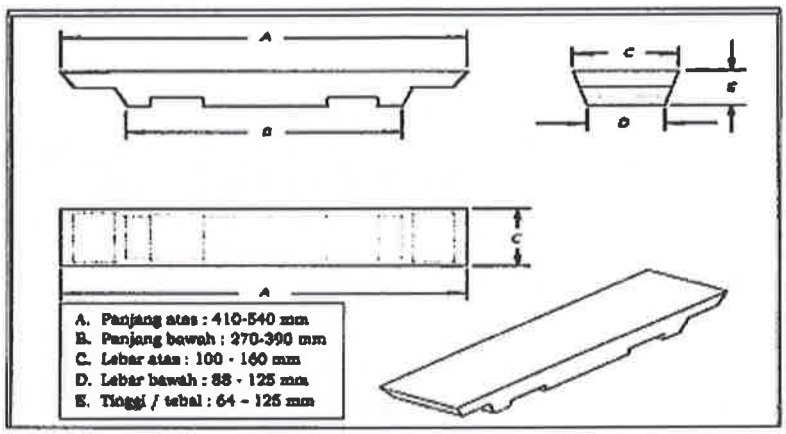
3) Top width: 100 - 160 mm

4) Bottom width: 88 - 125 mm

5) Height: 64 - 125 mm

e. Weight of 1 (one) Pure Tin Bar: 25 Kg with tolerance ± 2 Kg.

f. Picture and description of Pure Tin Bar is as indicated below:



g. Maximum packing: 40 bars with total weight of 1000 kg ± 20 kg per pack.

2. Solder Tin:

a. Tariff Post/HS Code: ex. 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. The Maximum content of Stannum (Sn): 99.7% and Iron (Fe) : 0.005%.

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

c. One or more additional elements for alloys with the following percentage of content:

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 Shape:

1) Wire with highest diameter of 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) Equilateral triangle with a maximum side length of 20 mm ± 5 mm and maximum length of 330 mm ± 5 mm;
4) Paste/cream solder;
5) Powder solder,
6) Ball solder, half ball solder with a maximum diameter of 50 mm ± 5 mm;

SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

7) Tape solder with a maximum thickness of 0.5 mm rolled in bobbin.

e. Packaging:

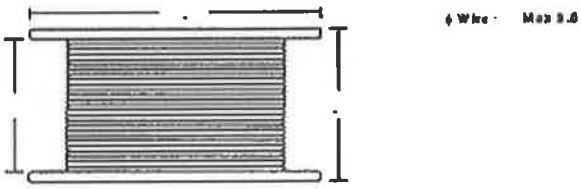
1) Solder Tin in the form of wire is rolled in bobbin inserted in carton box with maximum weight of 25 Kg/roll;

2) Solder Tin in the form other than wire is packaged using carton box with a maximum weight of 25 Kg.

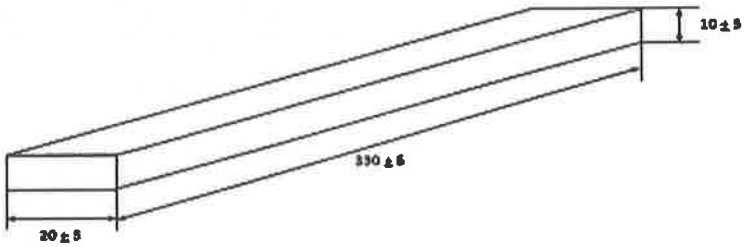
f. Picture and description of Solder Tin is as indicated as follows:

1) Wire Solder:

2) Wire Non Flux Core Solder

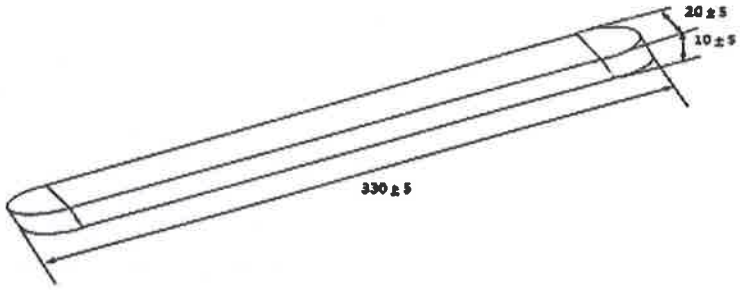


3) Bar Extrude Solder

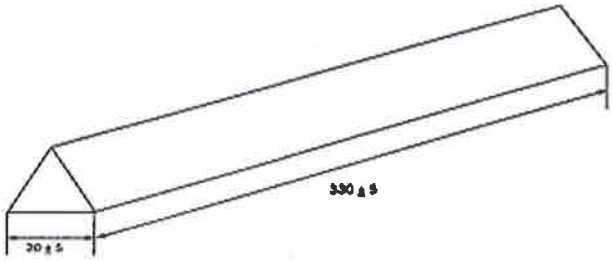


SWORN TRANSLATOR
SK. GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

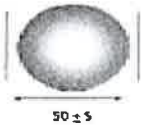
4) Bar Casting Solder



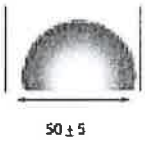
5) Equilateral triangle Solder



6) Ball Solder



7) Half Ball Solder



g. Package of the exported Solder Tin should be marked/labeled which contains at least the following items:

1) Content of Stannum (Sn) and Iron (Fe) alloy composition;

2) Made in Indonesia;

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

3) Brand;

4) Shape and/or Dimension;

5) Net Weight; and

6) Date of Production.

3. Other Goods of Tin:

a. Tariff Post/HS Code: ex. 8007.00.20.00, ex. 8007.00.30.00, ex. 8007.00.40.00, ex. 8007.00.91.00, ex.8007.00.92.00, ex. 8007.00.99.10, ex. 8007.00.99.90

b. Consisting of alloy elements of Stannum (Sn) max. 96% and Iron (Fe) max 0.005%;

c. One or more additional elements for alloys with the following percentage content:

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); and/or

7) Indium (In) ≥ 0.1% (1000 ppm).

d. Package of the exported Other Goods of Tin should be marked/labeled, which contains at least the following items:

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH

1) Content of Stannum (Sn) and Iron (Fe) alloy composition;

2) Made in Indonesia;

3) Brand;

4) Shape and/or Dimension;

5) Net Weight; and

6) Date of Production.

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

SWORN TRANSLATOR
SK GUB.DKI JAKARTA
FATCHUROZAK
NO. 3065/2003
PENERJEMAH BERSUMPAH