

REGULATION OF THE MINISTER OF TRADE OF THE
REPUBLIC OF INDONESIA
NUMBER 45 OF 2019
CONCERNING
GOODS SUBJECT TO EXPORT PROHIBITION

UPON GRACE OF THE ONE ALMIGHTY GOD

THE MINISTER OF TRADE OF THE REPUBLIC OF INDONESIA,

Considering : that in order to implement the provisions of Article 51 paragraph (3) Law Number 7 of 2014 concerning Trade, it has been deemed necessary to establish Regulation of the Minister of Trade concerning Goods subject to Export Prohibition;

In view of : 1. Law Number 5 of 1990 concerning the Conservation of Living Natural Resources and Their Ecosystems (State Gazette of the Republic of Indonesia of 1990 Number 49, Supplement to the State Gazette of the Republic of Indonesia Number 3419);

2. Law Number 16 of 1992 concerning Animal, Fish and Plant Quarantine (State Gazette of the Republic of Indonesia of 1992 Number 56, Supplement to the State Gazette of the Republic of Indonesia Number 3482);

3. Law number 10 of 1995 concerning Customs (State Gazette of the Republic of Indonesia of 1995 Number 75, Supplement to the State Gazette of the Republic of Indonesia Number 3612) as has been amended with Law Number 17 of 2006 (State Gazette of the Republic of Indonesia of 2006 Number 93, Supplement to the State Gazette of the Republic of Indonesia Number 4661);

4. Law Number 41 of 1999 concerning Forestry (State Gazette of the Republic of Indonesia of 1999 Number 167, Supplement to the State Gazette of the Republic

of Indonesia Number 3888) as has been amended with Law Number 19 of 2004 concerning Determination of Government Regulation as Replacement of Law Number 1 of 2004 concerning Amendment of Law Number 41 of 1999 concerning Forestry to become the Law (State Gazette of the Republic of Indonesia of 2004 Number 86, Supplement to the State Gazette of the Republic of Indonesia Number 4412);

5. Law Number 31 of 2004 concerning Fisheries (State Gazette of the Republic of Indonesia of 2004 Number 118, Supplement to the State Gazette of the Republic of Indonesia Number 4433);
6. Law Number 4 of 2009 concerning Mineral and Coal Mining (State Gazette of the Republic of Indonesia of 2009 Number 4, Supplement to the State Gazette of the Republic of Indonesia Number 4959);
7. Law Number 18 of 2009 concerning Animal Husbandry and Health (State Gazette of the Republic of Indonesia of 2009 Number 84, Supplement to the State Gazette of the Republic of Indonesia Number 5015);
8. Law Number 32 of 2009 concerning Protection and Management of the Environment (State Gazette of the Republic of Indonesia of 2009 Number 140, Supplement to the State Gazette of the Republic of Indonesia Number 5059);
9. Law Number 11 of 2010 concerning Cultural Heritage (State Gazette of the Republic of Indonesia of 2010 Number 130, Supplement to the State Gazette of the Republic of Indonesia of 5168);
10. 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);
11. Presidential Regulation Number 7 of 2015 concerning Organization of the State Ministry (State Gazette of the Republic of Indonesia Number 8 of 2015);

12. Presidential Regulation Number 48 of 2015 concerning Ministry of Trade (State Gazette of the Republic of Indonesia Number 90 of 2015);
13. Regulation of the Minister of Trade Number 13/M-DAG/PER/3/2012 concerning General Provisions in Export Sector (Official Gazette of Republic of Indonesia Number 395 of 2012);
14. Regulation of the Minister of Trade Number 08/M-DAG/PER/2/2016 concerning Organization and Administration of the *Ministry of Trade* (Official Gazette of Republic of Indonesia Number 202 of 2016);

HAS DECIDED:

To Establish : REGULATION OF THE MINISTER OF TRADE CONCERNING GOODS SUBJECT TO EXPORT PROHIBITION.

Article 1

Under this Regulation of the Minister, the following definitions are employed:

1. Goods are any objects, both tangible and intangible, movable and immovable, consumable and non-consumable, and may be traded, consumed, used or utilized by consumers or businesses.
2. Export is the activity of exiting goods from the Indonesian Customs Area.
3. Exporter is an individual or institution or business entity, whether in the form of a legal entity or not a legal entity, which carries out the Export.
4. Goods subject to Export Prohibition are goods that are prohibited from being exported.
5. Minister is the Minister who organizes government affairs within trade sector.

Article 2

- (1) The Minister determines certain goods as Goods subject to Export Prohibition with the following reasons:
 - a. to protect national security or the public interest including social, culture, and public morale;
 - b. to protect intellectual property rights;
 - c. to protect human health and safety, animals, fish, plants and the environment;
- (2) Stipulation for Goods subject to Export Prohibition is carried out based on proposals from ministers/ heads of non-ministerial government agencies and agreed upon coordination meeting between ministries.
- (3) Goods subject to Export Prohibition as referred to in paragraph (1) in accordance with the description of the goods and the heading of tariff/HS as stated in:
 - a. Appendix I regarding Goods subject to Export Prohibition in agriculture sector;
 - b. Appendix II regarding Goods subject to Export Prohibition in the forestry Sector;
 - c. Appendix III regarding Goods subject to Export Prohibition in mining sector;
 - d. Appendix IV regarding Goods subject to Export Prohibition in cultural heritage.

Article 3

- (1) In addition to Goods subject to Export Prohibition as listed in the Attachment to this Ministerial Regulation, the Minister may determine Goods subject to Export Prohibition with certain criteria stipulated in the Ministerial Regulation.
- (2) The stipulation of Goods subject to Export Prohibition as referred to in paragraph (1) is carried out based on proposals from ministers/heads of non-ministerial government agencies and agreed upon coordination meeting between ministries.

Article 4

Exporters are prohibited from exporting Goods subject to Export Prohibition as referred to in Article 2.

Article 5

Exporters who violate the provisions as referred to in Article 4 are subject to sanctions in accordance with the provisions of laws and regulations.

Article 6

Upon the effective enforcement of this Regulation of the Minister, Regulation of the Minister of Trade Number 44/M-DAG/PER/7/2012 concerning Goods subject to Export Prohibition, is revoked and declared invalid.

Article 7

This Regulation of the Minister comes into force 30 (thirty) days from the date of its promulgation.

For public cognizance, it is hereby ordered that this Regulation of the Minister be promulgated in the Official Gazette of the Republic of Indonesia.

Established in Jakarta

On 11 June 2019

THE MINISTER OF TRADE OF THE REPUBLIC OF
INDONESIA,

Signed.

ENGGARTIASTO LUKITA

Promulgated in Jakarta on 25 June 2019
THE DIRECTOR GENERAL OF LAWS AND REGULATIONS
MINISTRY OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF
INDONESIA

Signed.

WIDODO EKATJAHJANA

APPENDIX I

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF
INDONESIA

NUMBER 45 OF 2019

CONCERNING

GOODS SUBJECT TO EXPORT PROHIBITION

GOODS SUBJECT TO EXPORT PROHIBITION IN AGRICULTURE SECTOR

No	HS Code	Description of Goods
Natural rubber in forms other than smoked sheet and TSNR (SIR)		
	40.01	Natural rubber, balata, gutta-percha, guayule, chicle and similar natural gums, in primary forms or in plates, sheets or strip.
		- Natural rubber in other forms :
	4001.29	- - Other :
1	4001.29.10	- - - Air-dried sheets
2	4001.29.20	- - - Latex crepes
3	4001.29.30	- - - Sole crepes
4	4001.29.40	- - - Remilled crepes, including flat bark crepes
5	4001.29.50	- - - Other crepes
6	4001.29.60	- - - Superior processing rubber
7	4001.29.70	- - - Skim rubber
8	4001.29.80	- - - Scrap (tree, earth or smoked) and cup lump
		- - - Other :
9	4001.29.91	- - - - In primary forms
10	4001.29.99	- - - - Other

MINISTER OF TRADE OF THE
REPUBLIC OF INDONESIA,

signed.

ENGGARTIASTO LUKITA

APPENDIX II

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF
INDONESIA

NUMBER 45 OF 2019

CONCERNING

GOODS SUBJECT TO EXPORT PROHIBITION

GOODS SUBJECT TO EXPORT PROHIBITION IN FORESTRY SECTOR

No	HS Code	Description of Goods
1	ex. 4403.11.10 s.d ex. 4403.99.90	Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, except of Agarwood (<i>Aquilaria filaria</i> , <i>Aquilaria malaccencis</i> , <i>Gyrinops versteegii</i>).
2	ex. 4404.10.00 s.d ex. 4404.20.90	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrellas, tool handles or the like;
	44.06	Railway or tramway sleepers (cross-ties) of wood.
		- Not impregnated :
3	4406.11.00	- - Coniferous
4	4406.12.00	- - Non-coniferous
		- Other :
5	4406.91.00	- - Coniferous
6	4406.92.00	- - Non-coniferous
7	ex. 4407.11.00 s.d ex. 4407.99.90	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm other than goods regulated in the Regulation of the Minister of Trade which regulates the export of forestry industry product.
8	ex. 4420.90.90	Wood in forms log or logs that have been further processed on the outside simply, carved or threaded finely or thinly, painted, has no significant added value and no significant changes in shape.
9	ex. 4421.99.99	
10	ex. 9702.00.00	
	1401.20	- Rattans :
11	1401.20.10	- - Whole
		- - Split-core :
12	1401.20.21	- - - Not exceeding 12 mm in diameter

13	1401.20.29	- - - Other
14	1401.20.30	- - Split-skin
15	1401.20.90	- - Other

MINISTER OF TRADE OF THE
REPUBLIC OF INDONESIA,

signed.

ENGGARTIASTO LUKITA

APPENDIX III

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF
INDONESIA

NUMBER 45 OF 2019

CONCERNING

GOODS SUBJECT TO EXPORT PROHIBITION

GOODS SUBJECT TO EXPORT PROHIBITION IN MINING SECTOR

No	HS Code	Description of Goods
	25.05	Natural sands of all kinds, whether or not coloured, other than metal-bearing sands of Chapter 26.
1	2505.10.00	- Silica sands and quartz sands
2	2505.90.00	- Other
	25.08	Other clays (not including expanded clays of heading 68.06), andalusite, kyanite and sillimanite, whether or not calcined; mullite; chamotte or dinas earths.
3	2508.10.00	- Bentonite
4	2508.30.00	- Fire-clay
	2508.40	- Other clays :
5	2508.40.10	- - Fuller's earth
6	2508.40.90	- - Other
7	2508.50.00	- Andalusite, kyanite and sillimanite
8	2508.60.00	- Mullite
9	2508.70.00	- Chamotte or dinas earths
10	2512.00.00	Siliceous fossil meals (for example, kieselguhr, tripolite and diatomite) and similar siliceous earths, whether or not calcined, of an apparent specific gravity of 1 or less.
	25.30	Mineral substances not elsewhere specified or included.
11	ex. 2530.90.90	Top Soil (top soils and Humus)

MINISTER OF TRADE OF THE
REPUBLIC OF INDONESIA,

signed.

ENGGARTIASTO LUKITA

APPENDIX IV

REGULATION OF THE MINISTER OF TRADE OF THE REPUBLIC OF
INDONESIA

NUMBER 45 OF 2019

CONCERNING

GOODS SUBJECT TO EXPORT PROHIBITION

GOODS SUBJECT TO EXPORT PROHIBITION IN CULTURAL HERITAGE

No	HS Code	Description of Goods	Explanation
	97.05	Collections and collectors' pieces of zoological, botanical, mineralogical, anatomical, historical, archaeological, palaeontological, ethnographic or numismatic interest.	With criteria: 1. Age 50 or older; 2. Represents the times of style at least 50 years; 3. Has special historical meaning, knowledge, education, religion, and/or culture; and 4. Has cultural values for strengthening the nation's personality
1	ex. 9705.00.10	- Of historical, archaeological, palaeontological and ethnographic interest	
2	ex. 9705.00.90	- Other	
3	ex. 9706.00.00	Antiques of an age exceeding one hundred years.	With criteria: 1. Represents the times of style at least 50 years; 2. Has special historical meaning, knowledge, education, religion, and/or culture; and 3. Has cultural values for strengthening the nation's personality

MINISTER OF TRADE OF THE
REPUBLIC OF INDONESIA,

signed.

ENGGARTIASTO LUKITA