

UNOFFICIAL TRANSLATION

DECREE OF THE MINISTER OF FINANCE

NUMBER 144/PMK.011/2010

REGARDING

DECLAREMENT CUSTOM TARIFF DUTIES OF IMPORT OF GOODS UNDER

ASEAN INDIA FREE TRADE AREA (AIFTA)

Minister of Finance

- Considering :
- a. In order to enhancing the economic cooperation's as a whole among ASEAN members and Republic of India, Government of Indonesia has ratified Framework Agreement on Comprehensive Economic Cooperation between the Association of Southeast Asian Nations and the republic of India) with President Decree number 69 on 2004.
  - b. In order to pursuing Framework Agreement as referred to paragraph a, the Government of the Republic Indonesia has ratified Agreement on Trade in Goods under the Framework Agreement on Comprehensive Economic Cooperation between the Association of Southeast -Asian Nations and the Republic of India with President decree number 40 on 2010.
  - c. Based on the modalities specified in agreement as covered by paragraph b, has been scheduled the tariff reduction scheme in ASEAN-India Free Trade (AIFTA).
  - d. In order to considering covered in par. a, par. b and par. c and in order to conduct regulation article 13 par (2) law number 10 year 1995 about custom duties which have ratified with regulation number 17 year 2006, need to declare Minister of Finance decree regarding Custom duties determined in ASEAN-India Free trade Area (AIFTA)
- In view of :
1. Law no 7 year 1994 regarding ratification of agreement establishing the World Trade Organization (Republic of Indonesia National Statute on 1994 number 57, auxiliary Republic of Indonesia National Statute number 3564)
  2. Law no 10 year 1995 regarding custom duties (Republic of Indonesia National Statute 1995 number 75, auxiliary Republic of Indonesia

National Statute number 3512), which have been changed by law no. 17 year 2006. (Republic of Indonesia National Statute on 2006 number 93, auxiliary Republic of Indonesia National Statute number 4661)

3. President of the Republic of Indonesia Decree no. 69 year 2004 regarding to the Ratification of Framework Agreement on Comprehensive Economic Cooperation between The Association of South East Asian Nations and The Republic of India. (Republic of Indonesia National Statute 2004 no 84)
4. President of the Republic of Indonesia Regulation no. 49 year 2010 regarding to the Ratification of Agreement on Trade in Goods under the Framework Agreement on Comprehensive Economic Cooperation between the Association of South East Asian Nations and the Republic of India. (Republic of Indonesia National Statute no. 77 year 2010)
5. President decision no. 56 /P 2010

HAS DECIDED

To Stipulated : DECREE OF THE MINISTER OF FINANCE REGARDING CUSTOM TARIFF DUTIES OF IMPORT COMMODITIES UNDER ASEAN INDIA FREE TRADE AREA (AIFTA)

**Article 1**

1. Determining custom tariff duties of imported goods from The Association of South East Asian Nations and the Republic of India within the framework of ASEAN-India Free trade Area (AIFTA) for the year 2010 until 2012, as determined on this Minister of Finance Decree's annex, which is inseparable part of this Minister of Finance Decree.
2. Determination of custom duties tariff which referred in para 1 will be implemented as follows:
  - a. Custom tariff duties determined for 2010 is referred to column (5) on this Minister of Finance decree's annex and will be entry into force since this Finance Minister's decree's -until December 31, 2010.
  - b. Custom tariff duties determined for 2011 is referred to column (6) on this Minister of Finance decree's annex and will be entry into force since January 1, -2011 until December 31, 2011.

- c. Custom tariff duties determined for 2012 is referred to column (7) in this -Minister of Finance decree's annex and entry into force since -January 1, 2012 until December 31, 2012.

### **Article 2**

Custom duties levied based on custom duties as referred in Article 1, will be implemented as follows:

1. In case of custom tariff duties within the framework in AIFTA is lower than the applied general custom tariff duties, it only applied to the imported goods completed with Certificates of Origin (Form A1) which has been signed by competent authorities in the country concerned;
2. Importer shall write down the facility code of tariff preference of AIFTA\_ and reference number of Certificates of Origin (Form A1) on the notification of import of goods; and
3. Original copy and third copy of Certificates of Origin (Form A1) within the framework of AIFTA shall be submitted by the importer to the Head of Custom Port, at the time of submission of notification of import of good.

### **Article 3**

The Provision in this Minister of Finance Decree is prevailing to the imported goods which its notification of import of good document have obtained registration number from the Custom Port Office.

### **Article 4**

Directorate General Custom and Excise has been given instruction to conduct all of provision in this regulation made within Minister of Finance.

### **Article 5**

This Minister of Finance Decree shall entry into force since fourteen days since date invited.

For the purpose of public interest, commanding a notification of this Minister of Finance Decree with the publishing in Republic of Indonesia National Statute.

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Jakarta

August 24 2010

THE MINISTER OF FINANCE

AGUS D.W.MARTOWARDOO

Signed in Jakarta

On 24 august 2010

THE MINISTER OF LAW AND HUMAN RIGHT

Signed

PATRIALIS AKBAR

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