

RESTRICTION ON EXPORT OF MINING PRODUCT CONTINUES

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The Minister of Trade has promulgated Regulation No. 04/M-DAG/PER/1/2014 on 11 January 2014 which lists:

1. 186 refined and processed mining products which are restricted to be exported (Attachment I of the regulation), such as metallic minerals, non-metallic minerals and rocks (including silver, gold and copper which contain certain levels of certain mineral elements);
2. 10 processed mining products which are restricted to be exported (Attachment II of the regulation), such as iron and copper concentrates which contain certain levels of certain mineral elements; and
3. 201 mining products which are not allowed to be exported (Attachment III of the regulation). In general, the products which are prohibited to be exported are those which have not met the minimum standard of processing, have not been processed and/or purified, and/or are still in ore or raw material form, such as nickel ore and aluminum ore and their concentrates.

Business actors (i.e. mining companies) may export mining products which are allowed to be exported provided that they have obtained a Registered Exporter for Processed and Purified Mining Products document (Eksportir Terdaftar Produk Pertambangan Hasil Pengolahan dan Pemurnian “**ET-Produk Pertambangan**”) from the Minister of Trade via the Director General of Foreign Trade. This ET-Produk Pertambangan document is valid for 3 years. Mining products listed in Attachment II can be exported by a holder of an ET-Produk Pertambangan with an Export Approval from the Minister of Trade. A recommendation from the Minister of Energy and Mineral Resources is required before an Export Approval can be issued. An Export Approval is valid for 6 months and can be extended.

Mining companies having an ET-Produk Pertambangan are required to report their export activities on a monthly basis to the Director General of Foreign Trade. This regulation came into effect as of 13 January 2014 and replaces Minister of Trade Regulation No. 29/M-DAG/PER/5/2012 on Export Provision for Mining Products (as amended by Regulation No.

52/M-DAG/PER/8/2012).