

INDONESIA REGULATIONS AND POLICIES ON EXPORT- IMPORT RELATED ELECTRONIC EQUIPMENTS

Herry Hamdani

Ministry of Environment Republic of Indonesia

**Regional Workshop on E-waste Identification toward the Prevention
of Illegal Transboundary Movement of Hazardous Waste and Other
Wastes in Asia**

Beijing, November 3-4, 2008



INDONESIA IN BRIEF

- The largest archipelago country in the world with more than 13,000 islands;
- South East Asian country situated in equator between Asia and Australia Continents;
- 141 large seaports, 5 international, and hundreds informal/traditional harbors;

GENERAL PROVISION ON EXPORT (1)

- Decision of Minister for Industry and Trade No. 558/MPP/KEP/12/1998;
- Classification of goods for export:
 - a. Regulated goods: can be exported only by Registered Exporter
 - b. Controlled goods: can be exported with approval from minister for trade
 - c. Prohibited goods
 - d. Other than a, b and c is free for export

GENERAL PROVISION ON EXPORT (2)

- Goods for export (No. 575/MPP/KEP/VIII/2002):
 - Regulated: Coffee, Textile and its products, veneer and plywood, sandal woods, etc
 - Controlled: Cattles, particular life fish, oil and gas, sea sand etc
 - Prohibited: logs, selected life creatures, etc.
 - Free for export: including **electronic goods**
- Exporter might a company or individual, but should registered as an exporter;
- Procedure: Notify the Custom prior to exporting of goods

GENERAL PROVISION ON IMPORT (1)

- Decision of Minister for Industry and Trade No. 229/MPP/KEP/7/1997;
- Provision on Import:
 - a. Only can be conducted by a company poses Importer Identification Number (API);
 - b. Imported goods must new ones;
 - c. Exemption for particular goods and procedures apply (determined by ministry of trade)

GENERAL PROVISION ON IMPORT (2)

Type of (API)

- General (API-U) : for trading and domestic commerce, non regulated importing goods
- Producer (API-P) : for industry, for own uses
- Limited (API-T): investment facilitated by investment national board
- Contractor (API-K) : entity engage in exploitation and exploration;

GENERAL PROVISION ON IMPORT (3)

Importing of selected goods: corn, sugar, soybean, toys, **electronic and its components**, textile and its products, **used equipments** (machineries) might be conducted by **Specialized Importer**;

To be a specialized Importer only applicable to API-P and API-T holders

CLASSIFICATION OF IMPORTING GOODS

- Regulated:
 - ODSs, NC, lubricating oil, hazardous substances
 - **Color Photo Copiers (and parts)**
 - Written approval from ministry of trade
 - Permit from Coordination Board for eradicating money counterfeit
 - **Used equipments (machineries);**
 - Has industrial permit or permit to engage in recondition activity;
 - Has Producer Importer Identification Number (API-P)
- Prohibited: Hazardous waste, used goods, etc

REGULATION AND POLICY ON IMPORTATION USED EEE AND E-WASTE

- DECREE NO. 229/MPP/KEP/7/97 DATED 4th JULY 1997, (ARTICLE 3): “GOODS BEING IMPORTED SHOULD BE BRAND NEW”.
- DECREE NO. 39/M-DAG/PER/12/2005 DATED DECEMBER 29, 2005, ON IMPORT PROCEDURE FOR USED MACHINERIES AND PARTS FOR MACHINERIES.
- IMPORTATION USED EEE AND E-WASTE FOR DIRECT (INDIVIDUAL) CONSUMPTION BY CONSUMER IS PROHIBITED.

SPECIFIED USED EEE PROHIBITED TO BE IMPORTED

- Color Photo Copier Devices
- Color Printer
- Color Multifunction Devices
- Computer
- Refrigerator
- Air Conditioning
- Iron
- Washing Machine
- Televisions
- Mobile phone, etc.

LEGAL E-PRODUCTS IN INDONESIA MARKET

- No. 7/MPP/KEP/1/2000 requires producers or importers :
- to register manual and warranty of their products in BAHASA to ministry of Industry and Ministry of Trade;
- to provide in each package of registered product:
 - Manuals:
 - To operate the product;
 - To repair or maintaining the product;
 - Of Product specification
 - Warranty card:
 - Free of charge for repair during warranty period;
 - Guaranty availability of spare parts ;
 - Time limit for warranty one year at minimum;

SUBJECT TO DECREE No. 7/MPP/KEP/1/2000

1. RADIO CASSETTE/MINI COMPO
2. RECORDER AND REPRODUCING PICTURE, AUDIO AND VIDEO (VCD,DVD,VCR PLAYER)
3. TELEVISION
4. COMPUTER MONITOR
5. PRINTER
6. REFRIGERATOR
7. AIR CONDITIONING
8. WASHING MACHINE
9. GAS STOVE
10. WATER PUMP FOR HOUSEHOLD
11. MICROWAVE OVEN
12. CALCULATOR
13. CELLULAR PHONE
14. RICE COOKER
15. ELECTRONIC STAND PIANO
16. ELECTRONIC KEYBOARD

LEGAL USED E-PRODUCTS IN INDONESIA MARKET

- Recondition of Photo Copier;
- 10 Industries
- Industry should have facility and capability to reconditioned;
- Mostly obsolete imported photocopiers;
- Rental system for reconditioned product is more appropriated to ensure 'after sales service';
- Incomparable quality output compare to brand new machines

“ILLEGAL” E-PRODUCTS IN INDONESIA MARKET

- Television is most available illegal electronic product in Indonesia, commonly called as “reconditioned TVs”
- Using some new components but normally equipped with used polished CRTs or ex-computer monitor;
- Physically OK, cheap but low in quality and durability;
- Usually using “look a-like” famous brands
- Sold not only in workshop but also stores
- Puts miss label “recycle” to avoid infringement

Regulations on Export-Import of Wastes

- Presidential Decree Number 61/1993 **Basel Convention Ratification**
- Act Number 23/1997 regarding Environmental Management, Article 20 (2) & Article 21
- Government Regulation Number 18/1999 regarding Hazardous Waste Management, Article 53
- Act Number 10/1995 regarding Custom Policy
- Ministerial Decree Number 230/MPP/Kp/ 07/1997 regarding List of Imported Goods
- Ministerial Decree Number 231/MPP/Kp/ 07/1997 regarding Import Procedure of Waste

Hazardous Waste Import Policies

- Prohibition to be imported:
 - hazardous waste
 - plastic wastes
 - waste in form dust, sludge, paste and mud
 - non-hazardous waste for dumping or disposed
- Prohibition on issuing permits for any types of business or activities that using imported hazardous wastes

Hazardous Waste Export Policy

Government regulation Number 18/1999 and the Basel Convention:

- *export of hazardous waste must be in the framework of Hazardous waste notification procedure*
- *hazardous waste can be exported after receiving a formal approval from the importing country and from the authority in Indonesia*

DOES WEEE HAZARDOUS WASTE?

- Term e-waste or WEEE not yet exist in Indonesia regulations;
- Principle in determine hazardous waste: Any waste contaminated, contained or inserted with harmful substances should be considered as hazardous waste;
- WEEE contaminated, contained or inserted with harmful substances will be considered as hazardous waste;
- Direction for managing this type of waste should be recycling;

RESUME

- Indonesia regulations on export-import deals mostly with brand new electronic products;
- Not only used EEE but almost all used products are prohibited to be imported, therefore legal definition for used product is not a concern;
- No specific definition on “used products” in Indonesia regulation. Recondition of photocopier indicates, instead of workable used machine being imported that obsolete machine (e-waste).
- Hazardous e-waste is still in consideration.

ACIVITIES ON E-WASTE

- Completing report on Preliminary Inventory Study on E-Waste in Indonesia (report had been presented during the Asian Network 3 in Beijing, 2007)
- Revised the original National E-waste proposal due to trend of investment in e-waste recycling facilities in Indonesia;
- Develop system for e-waste recycling nationally;
- Bring stakeholders in develop definition on e-waste