

Deregulation of Indonesian Import Policy

Last June 2025, the Indonesian government issued a new import regulation under the Minister of Trade Regulation No. 16 Year 2025 regarding Import Policies and Provisions (“**MOT Regulation No. 16/2025**”) which represents the start of its effort to deregulate the import policies in Indonesia. The MOT Regulation No. 16/2025 revokes the previous import policy and provisions under Minister of Trade Regulation No. 36 Year 2023 as lastly amended by the Minister of Trade Regulation No. 8 Year 2024 (“**MOT Regulation No. 36/2023**”) and set to come into force on 30 August 2025.

As broader effort to deregulate import policies, the Indonesian government simultaneously issued 8 other regulations alongside the MOT Regulation No. 16/2025 that serves as its main overarching regulations, the 8 other regulations are as follows:

1. Minister of Trade Regulation No. 17 Year 2025 regarding Import Policy and Provisions on Textiles and Textile Products;
2. Minister of Trade Regulation No. 18 Year 2025 regarding Import Policy and Provisions on Agricultural and Livestock Products;
3. Minister of Trade Regulation No. 19 Year 2025 regarding Import Policy and Provisions on Salt and Fisheries Commodities;
4. Minister of Trade Regulation No. 20 Year 2025 regarding Import Policy and Provisions on Chemicals, Hazardous Substances and Mining Materials;
5. Minister of Trade Regulation No. 21 Year 2025 regarding Import Policy and Provisions on Electronics and Telematics;
6. Minister of Trade Regulation No. 22 Year 2025 regarding Import Policy and Provisions on Specific Types of Industrial Goods;
7. Minister of Trade Regulation No. 23 of 2025 regarding Import Policy and Provisions on Consumer Goods; and
8. Minister of Trade Regulation No. 24 of 2025 on Import Policy and Provisions on Used Goods and Non-Hazardous, Non-Toxic Waste.

Below are the key changes under MOT Regulation No. 16/2025:

a. Conversion of Import Status

Under Article 3 paragraph 2 of the MOT Regulation No. 16/2025 any importer should obtain Business Identity Number (Nomor Induk Berusaha or “**NIB**”) that is valid as a Importer Identification Number (Angka Pengenal Importir or “**API**”) which is an identification mark as an Importer.

Further API divided by 2 status, (1) General API (API Umum or “**API-U**”) which is issued to business entities that import certain Goods for the purpose of being traded or transferred; and (ii) Producer API-P (API Produsen or “**API-P**”) which is issued to business entities that import certain Goods for their own use as capital Goods, Raw Materials, Auxiliary Materials, and/or materials to support the production process.

Although the general requirements to Import remains the same, The MOT Regulation No. 16/2025 revised the criteria to convert the import status from API-U to API-P. Previously under Article 2 paragraph 7 MOT Regulation No. 36/2023, it regulates that the criteria to convert from API-U to API-P are as follows:

1. Importers have realized all imports under their license and/or Surveyor’s Report (Laporan Surveyor); and
2. NIB that has been designated with a status of active API-U has been active for at least one year.

However, pursuant to Article 8 paragraph 2 of the MOT Regulation No. 16/2025 it changes the criteria to as follows:

1. Importer does not have a valid Business Licensing in the Import sector in the form of an Import Approval and/or Surveyor’s Report; and
2. Importer holds a valid import business license but is not currently engaging in any imports.

b. Application of Import Approval Extension

Based on Article 21 of the MOT Regulation No. 16/2025, it extends the period of Import Approval extension application where such extension application can be submitted at the earliest 30 days and the latest 2 days prior to the expiry date. This extends the period from previously regulated under the MOT Regulation No. 36/2023 whereby the extension application can only be submitted at the earliest 30 days and the latest 7 days prior to the expiry date.

c. Reporting Period and Sanctions

The MOT Regulation No. 16/2025 maintains the reporting obligations of importers which encompasses the import realization report, Surveyor’s Report, and distribution realization report. However, the MOT Regulation No. 16/2025 clarifies the reporting period of import realization for importers that has obtained

Surveyor's Report shall be submitted at the latest 30 days after the relevant Surveyor's Report used as (i) complementary customs documents for which examination is carried out in the Customs Zone (Kawasan Pabean); or (ii) import requirement documents that are inspected after passing through the Customs Zone (Kawasan Pabean) (post border).

While the reporting period of import realization for importers does not obtain Surveyor's Report and distribution realization remains every month at the latest the 15th (fifteenth) of the following month.

Generally, the MOT Regulation No. 16/2025 maintains the general administrative sanctions for importing activities as previously regulated under MOT Regulation No. 36/2023 such as sanctions in conducting imports without the necessary licenses and not fulfilling the obligations of the import licenses which encompasses the sanction from written warnings up to suspension and revocation of licenses. Now, the MOT Regulation introduces another section of violations along with its firm tiered / progressive sanctions as regulated under Article 75.

Based on Article 75 of the MOT Regulation No. 16/2025 importers who violate the following provisions shall be imposed with administrative sanctions:

1. There is a discrepancy between the required documents and data or information in the application for a Business Licensing in the Import sector, amendments to a Business Licensing in the Import sector, extension of a Business Licensing in the Import sector, Certificate, or amendments to Certificate;
2. Importing certain Goods with types and/or quantities that do not correspond to the data or information listed in the Business Licensing in the Import sector or Certificate; or
3. Importing certain Goods that are not accompanied by a Surveyor's Report, in the event that the import of certain Goods only requires a Surveyor's Report.

The above administrative sanctions will be given in stages, starting from a one-time written warning (Article 75 paragraph 2 and 3 of the MOT Regulation No. 16/2025). If the violations still continues it can be imposed with a 3 months suspension that may apply to the existing import licenses or certificates, the application of new licenses or certificate process, and access to verification or technical tracing services in cases where a Surveyor's Report is required (Article 76 of the MOR Regulation No. 16/2025).

Further pursuant to Article 77 and 78 of the MOT Regulation No. 16/2025, any persisting non-compliance, importer may be imposed with a one-year revocation of their import license and/or import certificate, as well as the relevant previously outlined suspensions and a recommendation for the revocation of the applicable NIB.

Based on Article 87 of the MOT Regulation No. 16/2025, imported goods that do not comply with the provisions in the MOT Regulation No. 16/2025 must be reexported, destroyed, withdrawn from distribution, or may be treated otherwise in accordance with the provisions of laws and regulations. The costs of carrying out the beforementioned re-export, destruction, or withdrawal from distribution shall be borne by the Importer. Further, importers that do not implement such provisions cannot re-apply for Import Approval and/or Technical Verification or Tracing services for 1 (one) year based on information from the directorate general in charge of customs and the directorate general in charge of consumer protection and trade order.

d. Revocation of Specific Import Approval

Referring to Article 93 paragraph 3 of the MOT Regulation No. 16/2025, it specifically revokes and deems some various types of previously issued Import Approvals for a specific commodities invalid, regardless of whether they are obtained under the API-U or API-P status, which are as follows:

1. Import approval of forestry products;
2. Import approval of plastic raw materials;
3. Import approval of subsidized fertilizer;
4. Import approval of fuels and fuel mixtures; and
5. Import approval of other fuels not classified as fuels and fuel mixtures.

Consequently, based on Article 93 paragraph 4 of the MOT Regulation No. 16/2025, importers that have submitted an application for aforesaid Import Approval, prior to the enforcement of the MOR Regulation No. 16/2025 and still in the process of issuance, shall be rejected.

Further information

For any inquiries, please contact:



Agniya Anggraeni

Partner

agniya.anggraeni@imcolaw.com



Muhammad Akmal Condro Rahmahadi

Associate

akmal.condro@imcolaw.com



Office 8 Building, 35th Floor, Zone G
Sudirman Central Business District Lot. 28
Jl. Jend. Sudirman Kav. 52-53,
Jakarta 12190, Indonesia

Tel : +62 21 2933 3800
Fax : +62 21 2933 3801
Email: info@imcolaw.com

Disclaimer: The information provided in this article does not, and is not intended to, constitute legal advice. Otherwise, all information and materials available in this article are for general legal update or informational purposes only. We are not responsible for any implications arising from this article. All summaries of the laws, regulations, and practices are subject to change.