

REGULATION OF THE MINISTER FOR TRANSPORTATION
NUMBER: PM. 8 OF 2012
ON
OPERATION AND BUSINESS OF MULTIMODAL TRANSPORT

BY THE BLESSINGS OF ALMIGHTY GOD

MINISTER FOR TRANSPORTATION,

Considering : that to implement the provisions of Article 5, Article 7, Article 9, Article 12 section (6), and Article 30 of Government Regulations Number 8 of 2011 on Multimodal Transport, it is necessary to issue Regulation of the Minister for Transportation on Operation and Business of Multimodal Transport by Regulation of the Minister for Transportation;

Observing : 1. Law Number 23 of 2007 on Railways (State Gazette of the Republic of Indonesia Number 65 of 2007, Supplement to the State Gazette of the Republic of Indonesia Number 4722);
2. Law Number 17 of 2008 on Shipping (State Gazette of the Republic of Indonesia Number 64, Supplement to the State Gazette of the Republic of Indonesia Number 4849);
3. Law Number 1 of 2009 on Aviation (State Gazette of the Republic of Indonesia Number 1 of 2009, Supplement to State Gazette of the Republic of Indonesia Number 4956);
4. Law Number 22 of 2009 on Traffic and Road Transportation (State Gazette of the Republic of Indonesia Number 96 of 2009, Supplement to the State Gazette of the Republic of Indonesia Number 5025);

5. Government Regulation Number 8 of 2011 on Multimodal Transport (State Gazette of the Republic of Indonesia Number 20 of 2011);
6. Presidential Regulation Number 47 of 2009 on Formation and Organization of State Ministries, as amended by Presidential Regulation Number 91 of 2011;
7. Presidential Regulation Number 24 of 2010 on Positions, Duties and Functions of Echelon I of State Ministries, as amended by Presidential Regulation Number 92 of 2011;
8. Regulation of the Minister for Transportation Number KM 49 of 2005 on National Transportation System (SISTRANAS);
9. Regulation of the Minister for Transportation Number KM 60 of 2010 on Organization and Working Procedures of the Ministry of Transportation;

HAS DECIDED:

To Issue : REGULATION OF THE MINISTER FOR TRANSPORTATION ON OPERATION AND BUSINESS OF MULTIMODAL TRANSPORT.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Regulation of the Minister for Transportation:

1. Multimodal Transport means the transportation of goods that uses not less than 2 (two) different modes of transportation on the basis of 1 (one) contract as the multimodal transport documents from one place at which the goods are taken in charge by the multimodal transport operator to a place designated for delivery to the consignee of the multimodal transport.
2. Central Government, hereinafter referred to as the Government, means the President of the Republic of Indonesia that holds the authority of the government of the Republic of Indonesia, as referred to in the 1945 Constitution of the Republic of Indonesia.

3. Provincial Government means the Governor and the Regional Apparatus as an implementing element of provincial government.
4. National multimodal transport operator means State Owned Enterprises, Regional Owned Enterprises, or Indonesian Legal Entities specifically established for multimodal transport.
5. Foreign multimodal transport operator means an operator established in accordance with other countries' multimodal transport law.
6. Association means the association of multimodal transport operators or transport services companies (freight forwarder) and logistics service providers.
7. Agent means an Indonesian Legal Entity appointed by the multimodal transport operator in accordance with a cooperation agreement.
8. User means an individual or a legal entity which uses multimodal transport services in accordance with the agreement.
9. Goods means any property that is the freight of multimodal transport, such as containers, pallets, and other packaging including livestock.
10. Minister means the Minister for Transportation.
11. Standard Trading Conditions (STC) means various provisions on freight forwarding services formulated by the association in accordance with the provisions of legislation.

CHAPTER II SCOPE OF REGULATION

Article 2

The regulation of the operation and business of multimodal transport in this Ministerial Regulation covers:

- a. The operation of Multimodal Transport which covers:
 1. Multimodal Transport Activities;
 2. Registration of Foreign Multimodal Transport Operator;

3. Registration of National Multimodal Transport Operator;
 4. Operation of Foreign Multimodal Transport Activities;
 5. Multimodal Transport Document;
 6. Standard Trading Conditions (STC);
 7. Procedures for Standard Trading Conditions (STC) Recommendations granting.
- b. The business of Multimodal Transport which covers:
1. Requirements for Multimodal Transport Business Permit;
 2. Human Resources;
 3. Procedures for the submission of application for the multimodal transport business permit;
 4. Obligations, Rights and Responsibilities of Multimodal Transport Operator;
 5. Administrative Sanctions;
 6. Fostering of Multimodal Transport Operator;
 7. Transitional Provisions;
 8. Closing Provisions.

CHAPTER III

OPERATION OF MULTIMODAL TRANSPORT

Part One

Multimodal Transport Activities

Article 3

- (1) Multimodal transport may only be operated by multimodal transport operator.
- (2) Multimodal transport as referred to in section (1) is operated by:
 - a. National Multimodal Transport Operator.
 - b. Foreign Multimodal Transport Operator.
- (3) Multimodal transport activities as referred to in section (1) covers the activities since the goods is taken in charge by the multimodal transport operator from the multimodal transport user until the delivery of goods to the consignee

from the multimodal transport operator as agreed in the multimodal transport document.

- (4) In operating multimodal transport activities as referred to in section (3) multimodal transport operator has the responsibility for the multimodal transport supporting activities which covers:
 - a. transportation;
 - b. warehousing;
 - c. freight consolidation;
 - d. provision of cargo space; and / or
 - e. customs for inward and outward multimodal transport.

Article 4

- (1) Multimodal transport activities as referred to in Article 2 may be operated by using land, railway, sea, and/or air transportation modes.
- (2) Modes of transportation as referred to in section (1) consists of motor vehicles, train, ship, and aircraft.
- (3) The business of each mode of transportation as referred to in section (2) may be operated by road, ferry, railways, shipping, or aviation transport operator.

Article 5

- (1) In the operation of multimodal transport activities as referred to in Article 3 section (2) point a, national multimodal transport operator may establish a representative office and/or appoint an agent.
- (2) National multimodal transport operator as referred to in section (1) may serve multimodal transport at home and/or abroad.
- (3) Multimodal transport operator may act on its own behalf or be represented by a representative office or its agent to sign or implement the multimodal transport contract.

Article 6

In operating multimodal transport activities, the multimodal transport operator may cooperate with road, ferry, railways,

shipping, or aviation transport operators as referred to in Article 4 section (3).

Part Two

Registration of Foreign Multimodal Transport Operator

Article 7

Foreign multimodal transport operator is obligated to submit the application for registration of foreign multimodal transport operator for its operation in Indonesia

Article 8

Foreign multimodal transport operator as referred to in Article 7 submits the application for registration to the Minister through the Secretary General of the Ministry of Transportation by using the format as stated in Example 1 in the Annexes of this Ministerial Regulation accompanied by the following requirement documents:

- a. notary deed of establishment of a company from the country of origin and has operated for a minimum of 5 (five) years in the country of origin as evidenced by the certificate from the authority;
- b. name and address of the official responsables for registration of the foreign multimodal transport operator in the country of origin;
- c. name and domicile of the business owner and foreign multimodal transport operator in the country of origin;
- d. brief description of the ownership of the foreign multimodal transport operator;
- e. policy insurance or statement of obligation fulfillment to insure its liabilities in accordance with the provisions of legislation;
- f. having competent experts in multimodal transport sector evidenced by international certificate;
- g. having working license for foreign experts in accordance with the provisions of legislation.
- h. having a good performance in the country of origin as evidenced by a certificate from the country of origin.

Article 9

The approval letter for the registration of foreign multimodal transport operator that has fulfilled the requirements as referred to in Article 8 is granted by the Minister using the format as stated in Example 2 in Annexes of this Ministerial Regulation.

Article 10

In the event that the submission of the application for registration of foreign multimodal transport operator as referred to in Article 9 is rejected, the Minister through the Secretary General of the Ministry of Transportation must provide an answer and the reason for the rejection using the format as stated in Example 3 in Annexes of this Ministerial Regulation.

Article 11

Notification and rejection of the application for registration of foreign multimodal transport operator as referred to in Article 10, is made in written form not later than 14 (fourteen) work days supplemented by the reason for the rejection after the aforementioned application is declared to have been received completely.

Article 12

- (1) The rejected application for registration of foreign multimodal transport operator may be resubmitted after all the requirements for registration of the application are completed not later than 90 (ninety) work days.
- (2) If within 90 (ninety) work days the requirements for the application for registration of foreign multimodal transport operator have not been completed, the application may be resubmitted by completing all the requirements for the application for registration of foreign multimodal transport operator as referred to in Article 8.

Article 13

- (1) Minister through the Secretary General of the Ministry of Transportation may cancel the approval letter for registration of the foreign multimodal transport operator that has been issued if the multimodal transport documents used as the basis for the issuance of the approval letter for registration of the multimodal transport operator as referred to in Article 8 is declared null and void and/or declared false by the authoritative institution.
- (2) The owner or holder of the approval letter for registration of the foreign multimodal transport operator that has been declared null and void as referred to in section (1), must return the approval letter for the registration of the multimodal transport operator to the Minister not later than 14 (fourteen) work days.

Article 14

Minister has no responsibility for the accuracy of the multimodal transport document materials submitted by the owner of the foreign multimodal transport operator.

Article 15

Approval for registration of foreign multimodal transport operator as referred to in Article 9 must be posted in the registered business office and on the visible location at the office that can be easily seen by User in the form of a series of numbers and letters indicating the year of registration, and the registration number of the approval letter.

Article 16

Minister and/or personnel that work at the place of registration of foreign multimodal transport operator has no rights for becoming a representative of the holder of the foreign multimodal transport operator.

Part Three

Registration of National Multimodal Transport Operator

Article 17

- (1) To operate in ASEAN member countries, national multimodal transport operator is obligated to register their businesses to the Minister.
- (2) To obtain an approval for registration of national multimodal transportation operator as referred to in section (1), the applicant submits the proposal to the Minister through the Secretary General of the Ministry of Transportation with the format of Example 4 in Annexes of this Ministerial Regulation.
- (3) In accordance with the proposal as referred to in section (2), the Minister issues the approval for registration of the national multimodal transport operator to operate in ASEAN member countries with the format of Example 5 in Annexes of this Ministerial Regulation.

Part Four

Operation of Foreign Multimodal Transport Activities

Article 18

- (1) The foreign multimodal transport operator that has obtained the approval letter for registration as referred to in Article 9 may operate in Indonesia, by appointing an agent.
- (2) The foreign multimodal transport operator as referred to in section (1) may operate only up to open ports for foreign trade, cross-border shipping ports, or international airports with air cargo services, or cargo terminals and railway stations that serve only state border transportation.
- (3) The operation of the multimodal transport from and to abroad using the transport facilities of foreign multimodal operator must fulfil the requirements in accordance with the provisions of legislation.

- (4) In operating multimodal transport activities, foreign multimodal transportation operator does not operate multimodal transport supporting activities in the territory of the Republic of Indonesia that covers the handling of:
- a. transportation;
 - b. warehousing;
 - c. freight consolidation;
 - d. provision of cargo space; and / or
 - e. customs for inward and outward multimodal transport.

Part Five

Multimodal Transport Document

Article 19

Multimodal transport document as referred to in Article 3 section (3) at least contains:

- a. identification of goods (brand and number);
- b. nature of goods (dangerous or perishable);
- c. details of goods (package or unit of goods);
- d. gross weight or quantity of goods;
- e. size of goods;
- f. other information stated by the consignor/sender;
- g. real condition of the goods;
- h. name and address of business of the multimodal transport operator;
- i. name of consignor or user;
- j. consignee, if stated by the consignor;
- k. place and date of the goods received by the multimodal transport operator;
- l. place of delivery of goods;
- m. date or the period of delivery of the goods at the place of delivery, in accordance with the agreement of the parties;
- n. statement that the multimodal transport document is "negotiable" or "non-negotiable";
- o. place and date of the multimodal transport document issuance;

- p. signature of the person in charge of the multimodal transport operator or of a person having authority from him or her;
- q. costs for each mode of transportation and or the total costs, currency, and the place of payment in accordance with the agreement of the Parties;
- r. intended journey routes, modes of transportation, and places of transshipment, if known, at the time the multimodal transport document is issued;
- s. name of agent or representative that will deliver the goods; and
- t. cargo insurance.

Part Six

Standard Trading Conditions (STC)

Article 20

- (1) The multimodal transport document as referred to in Article 19 is issued by the association.
- (2) The Association as referred to in section (1) in making multimodal transport documents must refer to the Standard Trading Conditions (STC).

Article 21

- (1) The Standard Trading Conditions (STC) as referred to in Article 20 section (2) is applied as the legal basis in operating multimodal transport activities for the multimodal transport operator with the user.
- (2) The Standard Trading Conditions (STC) as referred to in section (1) regulates at least general conditions of the operator, the special condition of the operator related to special goods, rights and responsibilities of each party, limitation of liabilities, jurisdiction, and the provisions of legislation related to high-risked/dangerous goods, insurance and claim.
- (3) The Standard Trading Conditions (STC) as referred to in section (1) may also refer to international and regional

provisions that are not in contradiction to the provisions of national legislation.

Part Seven

Procedures for Granting Standard Trading Conditions Recommendations (STC)

Article 22

- (1) Standard Trading Conditions (STC) which may become as the legal basis as referred to in Article 21, must obtain an issuance from the Minister in charge of government affairs in legal sector.
- (2) To obtain the issuance of Standard Trading Conditions (STC) as referred to in section (1), a recommendation from the Minister must be obtained.

Article 23

To obtain the recommendation from the Minister as referred to in Article 22 section (2), the Association submits application to the Minister through the Secretary General of the Ministry of Transportation, accompanied with the concept of Standard Trading Conditions (STC) with the format of Example 6 in Annexes of this Ministerial Regulation.

Article 24

- (1) To assess the proposed concept of Standard Trading Conditions (STC) as referred to in Article 23, the Minister forms an Assessment Team of Standard Trading Conditions (STC) concept.
- (2) The Assessment Team as referred to in section (1) consists of Chairperson, Secretary, and Members consisting of the elements of the Secretariat General and the Directorate General under the authority of the Minister as well as the agencies and parties related to the operation of multimodal transport.

Article 25

The Assessment Team of the Standard Trading Conditions (STC) concept as referred to in Article 24 has the following tasks:

- a. to conduct inventory and to study the prevailing national legislation, international and national agreements on multimodal transport;
- b. to conduct discussion and evaluation as well as assessment of the Standard Trading Conditions (STC) Concept;
- c. to prepare Record of Verification of the discussion results of the Standard Trading Conditions (STC) Concept;
- d. to prepare draft response for the recommendation application of the Standard Trading Conditions (STC) Concept.

Article 26

Assessment criteria for discussion of the Standard Trading Conditions (STC) concept are as follows:

- a. implementation of the Standard Trading Conditions (STC) as the basis of trade provisions regulating the relations between multimodal transport operator and user;
- b. rights, obligations, liabilities and responsibilities of multimodal transport operator;
- c. rights, liabilities, and responsibilities of user;
- d. general provisions of multimodal transport operator.

Article 27

- (1) In the period of not later than 14 (fourteen) work days from the date of application for recommendation of the Standard Trading Conditions (STC) submission as referred to in Article 23, the Assessment Team, the Association and related parties discuss the Standard Trading Conditions (STC) concept.
- (2) In the period of not later than 30 (thirty) work days from the discussion of the Standard Trading Conditions (STC) Concept as referred to in section (1), the Minister through

the Secretary General of the Ministry of Transportation provides the response to the application for the recommendation of the of Standard Trading Conditions (STC) concept in the form of:

- a. a letter of recommendation and the Standard Trading Conditions (STC) concept initialed by the Minister through the Secretary General of the Ministry of Transportation and the chairperson of the Association for further processing to the Minister in charge of government affairs in legal sector;
 - b. a letter of rejection of the Standard Trading Conditions (STC) concept accompanied by the reasons for the rejection with the format of Example 7 in the Annexes of this Ministerial Regulation.
- (3) The rejected Standard Trading Conditions (STC), may be resubmitted to the Minister through the Secretary General of the Ministry of Transportation after revision.

CHAPTER IV

BUSINESS OF MULTIMODAL TRANSPORT

Part One

Requirements for Multimodal Transport Business Permit

Article 28

- (1) The business of multimodal transport may be operated by national multimodal transportation operator, namely State Owned Enterprises, Regional Owned Enterprises, or Indonesian Legal Entities specifically established for multimodal transport.
- (2) National multimodal transportation operator as referred to in Article 3 section (2) point a is obligated to have a multimodal transportation business permit from the Minister.
- (3) To obtain a national multimodal transportation business permit as referred to in section (1) is granted to the multimodal transportation operator that fulfills:

- a. administrative requirements; and
 - b. technical requirements.
- (4) Administrative requirements as referred to in section (3), point a cover not less than :
- a. notary deed of establishment of a company which is specifically established to operate multimodal transport and has been verified by the Minister in charge of government affairs in legal sector;
 - b. taxpayer identification number (NPWP);
 - c. certificate of business domicile issued by the local Government;
 - d. maintains minimum assets equivalent to 80,000 (eighty thousand) Special Drawing Right (SDR);
- (5) Technical requirements as referred to in section (3), point b at least covers:
- a. owning and/or controlling permanent office;
 - b. owning and/or controlling not less than 1 (one) unit of mode of transportation such as trucks and/or 1 (one) set of train (locomotive and railway coach or train), ships or aircraft evidenced by valid documents;
 - c. owning and/or controlling loading and unloading equipment, evidenced by valid documents;
 - d. having competent human resources in multimodal transport sector;
- (6) Competence in multimodal transport sector as referred to in section (5) point d is evidenced by a certificate of competence in accordance with the provisions of legislation.

Part Two

Human Resources

Article 29

- (1) Certificate of competence as referred to in Article 28 section (6) is issued by professional certification institutions in multimodal transport sector or educational and training institutions accredited by the Minister.

- (2) Professional Certification Institutions as referred to in section (1) is managed by the government or Indonesian legal entity appointed by the government in accordance with the provisions of legislation.
- (3) In event that the Professional Certification Institution in multimodal transport sector as referred to in section (2) has not been established, a certificate in transport sector or working experience in multimodal transport sector of not less than 3 (three) years may be valid to fulfill the human resources competence requirements.
- (4) Working experience as referred to in section (3) is issued by multimodal transport sector or freight forwarder companies.

Article 30

- (1) Certificate of competence as referred to in Article 29 section (1) is valid as long as the Human Resources still carries out multimodal transportation sector activities.
- (2) Certificate of competence as referred to in section (1) is must be extended by taking a professional test if the certificate of competence is not being used properly.
- (3) If the Human Resources for multimodal transport as referred to in section (2) is inactive, the certificate of competence must be renewed by taking a professional test.

Part Three

Procedures for the Submission of Application for Multimodal Transport Business Permit

Article 31

In order to operate national multimodal transport, it is obligated to have a multimodal transport permit from the Minister.

Article 32

- (1) National multimodal transport business permit is valid for the entire territory of Indonesia as long as the operation of

the national multimodal transport operator as referred to in Article 31, operates multimodal transport activities.

- (2) Multimodal transport business permit as referred to in section (1) is evaluated periodically or at any time if necessary.

Article 33

- (1) Multimodal transport business permit as referred to in Article 32 is also valid for branch offices throughout the territory of Indonesia.
- (2) The holder of multimodal transport business permit as referred to in section (1) that will establish a branch office, is required to notify the provincial government.

Article 34

The application for multimodal transport business permit is submitted to the Minister through the Secretary General of the Ministry of Transportation accompanied with the required documents as referred to in Article 28 section (3) with the format of Example 8 in the Annexes of this Ministerial Regulation.

Article 35

Multimodal transport business permit that has fulfilled the requirements as referred to in Article 28 section (3) is issued by the Minister with the format of Example 9 in the Annexes of this Ministerial Regulation.

Article 36

In the event that the Submission of Application for Multimodal Transport Business Permit as referred to in Article 34 is rejected, the Minister through the Secretary General of the Ministry of Transportation must provide a response accompanied by the reason for the rejection with the format of Example 10 in the Annexes of this Ministerial Regulation.

Article 37

Notification and rejection of the application for the multimodal transport business permit as referred to in Article 36, is made in written form not later than 14 (fourteen) work days accompanied by reason for the rejection after the aforementioned application is declared to have been received completely.

Article 38

- (1) The rejected application for multimodal transport business permit, may be resubmitted after the requirements for the multimodal transport business permit are completed not later than 90 (ninety) work days.
- (2) If within 90 (ninety) work days the requirements for the foreign multimodal transport operator application have not been completed, the application may be resubmitted by completing all the requirements for the foreign multimodal transport operator application as referred to in Article 28 section (3).

Article 39

Minister may cancel the multimodal transport business permit that has been issued, if the required document of the application for multimodal transport business permit as referred to in Article 28 section (3) used as the basis for the issuance of the multimodal transport business permit, is declared null and void and/or declared false by the authoritative institution.

CHAPTER V

OBLIGATIONS, RIGHTS AND RESPONSIBILITIES AND
LIABILITIES OF MULTIMODAL TRANSPORT OPERATOR

Article 40

Operator that has a multimodal transport business permit is obligated to:

- a. implement the provisions stipulated in the multimodal transport business permit;
- b. report in a written form should there is a change in the president director or person in charge and/or owner, the taxpayer identification number of the company, and the domicile of the company to the Minister through the Secretary General of the Ministry of Transportation;
- c. conduct operational activities not later than 6 (six) months from the issuance of the permit; and
- d. place the multimodal transport business permit in a visible location that is easily seen by the user;
- e. insure the liabilities for the activities of the multimodal transport operator;
- f. resolve compensation claims submitted by the user;
- g. report to the authority if the operator finds out or presumes the existance of prohibited goods in accordance with the provisions of legislation;
- h. provide a report on operational activities not less than every 6 (six) months to the Minister;
- i. report to the official appointed by Minister whenever there is a change in the articles of association not later than 30 (thirty) work days after the change occurs.
- j. improve and develop human resource competencies in the owned multimodal transport sector.

Article 41

- (1) In addition to the liability as referred to in Article 40, multimodal transport operator, in operating any multimodal transport activity is obligated to:
 - a. issue multimodal transport document;
 - b. transport goods in accordance with the agreement stated in the multimodal transport document;
 - c. maintain the safety and security of the multimodal transport activities;
 - d. take action in accordance with the provisions of legislation on special goods and dangerous goods;
 - e. complete claims submitted by the user; and

- f. insure its liabilities in accordance with the provisions of legislation.
- (2) The submitted claim by the user or consignee as referred to in section (1) point e is accompanied with an acknowledgement receipt of goods signed by the multimodal transport operator and the consignee.

Article 42

Multimodal transport operator has the rights to:

- a. receive payments from the user in accordance with the agreement stated in the multimodal transport document;
- b. receive information from the user regarding the clarity of the transported goods;
- c. open and/or inspect the cargo before the user to match the information validity of the transported goods;
- d. refuse to transport goods that is known to may harm the safety and security of the multimodal transport operation;
- e. take certain actions to maintain the safety and security of the multimodal transport operation; and
- f. reject unproven claims.

Article 43

- (1) Multimodal transport operator is responsible for the transported goods since the goods is received from the multimodal transport user until the goods is delivered to the consignee in accordance with the provisions stated in the multimodal transport contract.
- (2) The responsibilities as referred to in section (1) cover partial and total damage or loss of goods, and/or the delay in the delivery of goods to the consignee.

CHAPTER VI ADMINISTRATIVE SANCTIONS

Article 44

- (1) The multimodal transport operator that does not fulfill the responsibilities as referred to in Article 40 and Article 41 section (1) is imposed with administrative sanction.

- (2) The administrative sanction as referred to in section (1) may be in the form of:
 - a. written reprimand;
 - b. temporary suspension of multimodal transport activities; and/or
 - c. revocation of multimodal transport business permit.
- (3) Revocation of multimodal transport business permit as referred to in section (2) point c is conducted if:
 - a. the concerned operator conducts the activities that harm the state security and human safety;
 - b. obtains business permit illegally;
 - c. being declared bankrupt by a court decision; or
 - d. commits the act of smuggling and/or document fraud based on a court decision with a permanent course.

Article 45

The procedures for the revocation of multimodal transport business permit as referred to in Article 44 section (2) point c is implemented with the following conditions:

- a. the multimodal transport business permit may be revoked by the licensor if it violates the provisions as referred to in Article 41 section (3).
- b. revocation of multimodal transport business permit as referred to in point a, is implemented through written reprimands 3 (three) times consecutively within the period of 1 (one) month for each with the format of Example 11, Example 12 and Example 13 in the Annexes of this Ministerial Regulation.
- c. if the reprimand as referred to in point b is not responded, it will be followed with the suspension of multimodal transport business permit within the period of 1 (one) month with the format of Example 14 in the Annexes of this Ministerial Regulation.
- d. if the suspension of multimodal transport business permit as referred to in point c has expired, the business permit as referred to in point a will be revoked by the

licensor with the format of Example 15 in Annexes of this Ministerial Regulation.

CHAPTER VII
FOSTERING OF MULTIMODAL TRANSPORT OPERATOR

Article 46

The Minister provides fostering to multimodal transport operator and the implementation is conducted by the Secretary General of the Ministry of Transportation.

Article 47

- (1) Fostering as referred to in Article 46 is conducted through:
 - a. regulation;
 - b. control; and
 - c. supervision.
- (2) Fostering as referred to in section (1) is implemented in a coordinated manner with related work units and institutions and is directed to:
 - a. improve the quality of service of the operation and business of the multimodal transport activities;
 - b. improve and develop the capacity of national multimodal transport operator.

Article 48

- (1) The Governor in accordance to the authority delegated by the Minister conducts the fostering of the multimodal transport operator in his or her territory in accordance with the provisions of legislation
- (2) The delegation of authority as referred to in section (1) is conducted in accordance with the provisions of legislation.

Article 49

- (1) In the event of fostering multimodal transport operator as referred to in Article 47 section (1) point a, the Minister

formulates policies, norms, standards, guidelines and criteria for multimodal transport.

- (2) Policies, norms, standards, guidelines and criteria as referred to in section (1) cover the regulations in the field of institutional affairs, infrastructures and facilities, as well as human resources.
- (3) Multimodal transport operator, in serving users, is obligated to comply and fulfil the provisions regarding policies, norms, standards, guidelines, and criteria for multimodal transport as referred to in section (1).
- (4) User in using multimodal transport services refers to the policies, norms, standards, guidelines and criteria for multimodal transport as referred to in section (1).

Article 50

Permit services by Minister is implemented by applying the principles of simplicity, transparency, punctuality, accuracy, security, responsibility, completeness of facilities and infrastructures, and ease of access.

Article 51

- (1) Control as referred to in Article 47 section (1) point b, is implemented in order to actualize multimodal transport services which fulfil the standards of transportation services, security and safety.
- (2) Control as referred to in section (1) is conducted through:
 - a. the development of information system based on information and communications technology;
 - b. the implementation of technical standards on the services quality, safety and security of multimodal transport; and
 - c. the implementation of human resources standards of competence in multimodal transport field.
- (3) The fostering of competent human resources as referred to in section (2) point c covers the establishment of standards of competence, certification, education and training as well as accreditation of educational

institutions and human resource training of multimodal transport.

- (4) Human resources of multimodal transport as referred to in section (3) consists of experts handling sorting, packaging, managing hazardous and poisonous goods, marking, measuring, weighing, arranging document settlement, transport document issuance, transportation costs calculation, claims, insurance, information and communication systems provision, and other logistics services.
- (5) Control as referred to in section (2) covers giving direction, guidance, technical assistance, and licensing in the activities of multimodal transport operation.
- (6) Control is conducted in a coordinated manner between institutions and between the Ministers and/or Governors responsible in the fostering of multimodal transport.

Article 52

Supervision of the multimodal transport operator as referred to in Article 47 section (1) point c is conducted by the Minister.

Article 53

The Governor in accordance with the authority given by the Minister, appoints an official under his or her order to supervise multimodal transport operators in his or her area.

Article 54

Supervision is conducted to multimodal transport service providers on:

- a. information systems;
- b. technical standards of the quality of service;
- c. safety and security of multimodal transport; and
- d. human resources standards of competence in multimodal transport sector.

Article 55

- (1) Supervision on multimodal transport operator as referred to in Article 54 is conducted through monitoring and evaluation of multimodal transport activities.
- (2) Monitoring and evaluation of multimodal transport activities as referred to in section (1) is conducted through reports and/or evaluations of actual activities.
- (3) Report as referred to in section (2) must be conducted every 6 (six) month covering:
 - a. operational activities and productivity of multimodal transport operator every 6 (six) month;
 - b. available human resources; and
 - c. owned and/or controlled equipment.
- (4) Report as referred to in section (3) must be submitted to the Minister through the Secretary General of the Ministry of Transportation.
- (5) The Minister must develop information systems based on information and communication technology, in order to supervise multimodal transport operators.

Article 56

The results of the supervision as referred to in Article 55 may be implemented to:

- a. assess the performance of multimodal transport operators;
- b. give rewards and sanctions to multimodal transport operators in accordance with the provisions of legislation;
- c. be applied for evaluation material for the Minister in the determination of policy.

CHAPTER VIII

TRANSITIONAL PROVISIONS

Article 57

- (1) The provisions regulating the existing Freight Forwarding Services remain valid to the extent that is not in contradiction with this Ministerial Regulation.

- (2) The existing Freight Forwarding Services Companies may still operate transportation management services business.
- (3) In the event that the Freight Forwarding Services Company as referred to in section (2) will switch to multimodal transport operator, it is required to adjust to this Ministerial Regulation not later than 3 (three) years since this Regulation is issued.

Article 58

In the event that the Multimodal Transport institutional arrangement has not been established, the provisions that become the authority of the Minister in this Regulation, may be delegated to one of the Echelon I Officials in the Ministry of Transportation in accordance with provisions of legislation.

CHAPTER IX CLOSING PROVISION

Article 59

This Regulation of the Minister for Transportation comes into force on the date of its issuance.

In order every person may know hereof, it is ordered to promulgate this Regulation of the Minister for Transportation by its placement in the State Bulletin of the Republic of Indonesia

Issued in Jakarta
on 26 January 2012

MINISTER FOR TRANSPORTATION,

signed

E.E. MANGINDAAN

Promulgated in Jakarta
on 26 January 2012
MINISTER OF LAW AND HUMAN RIGHTS

signed

AMIR SYAMSUDIN

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2012 NUMBER 118

Jakarta, 9 June 2020
Has been translated as an Official Translation
On behalf of Minister of Law and Human Rights
of the Republic of Indonesia,
DIRECTOR GENERAL OF LEGISLATION,



WIDODO EKATJAHJANA

ANNEXES OF
REGULATION OF
THE MINISTER FOR TRANSPORTATION

Number : PM 8 of 2012
Date : 26 January 2012

Example 1

Number : Jakarta,

Attachment :

Subject : Application for Registration To:
Approval of Foreign Multimodal Honorable
Transport Operator Minister for Transportation
Cq. Secretary General of the
Ministry of Transportation
in
J a k a r t a

1. In accordance with Regulation of the Minister for Transportation PM ... of ... on Operation and Business of Multimodal Transport, we hereby apply for registration approval of Foreign Multimodal Transport Operator.
2. For the completion of the application for registration approval of Foreign Multimodal Transport Operator as referred to in point 1 above, we herewith attach the following documents:
 - a. A copy of Notary Deed of the Establishment of the Company from the country of origin and that the business has been operating for a minimum of 5 (five) years in the country of origin as evidenced by the certificate from the Authority;
 - b. Certificate of name and address of the official responsables for the registration of foreign multimodal transport operator in the country of origin;
 - c. Certificate of name and domicile of the business owner and operator of the foreign multimodal transport in the country of origin;
 - d. brief description of ownership of the foreign multimodal transport operator;
 - e. Certificate of name and domicile of the National Multimodal Transport Operator appointed as agent accompanied by a copy of a cooperation agreement between the Foreign Multimodal Transport Operator and the National Multimodal Transport Operator;
 - f. Insurance policy or the statement of obligation fulfillment to insure its liabilities in accordance with the provisions of legislation;
 - g. Copy of international certificate regarding competent experts in the owned multimodal transport sector;
 - h. Copy of employment license for foreign experts in accordance with the provision of legislation;;

- i. Certificate from the country of origin stating that the Foreign Multimodal Transport Operator has a good performance.
3. Your consideration and kind approval of the matter would be highly appreciated.

Applicant

(.....)
Name and signature of the person in charge

Copy to:
Minister for Transportation

Example 2

Number : Jakarta,

Attachment :

Subject : Rejection for Application of To:
Multimodal Transport Operator
Registration

1. With regards to your letter of application Numberdated..... regarding application for registration of foreign multimodal transport operator, we hereby notify that your application has not been accepted, because it has not complied the following requirements:
 - a.
 - b.
 - c.
2. Should the requirements as referred to in point 1 (one) above have been completed, you may re-submit your application.
3. To be taken into consideration and attention.

SECRETARY GENERAL

(.....)

Copy to:
Minister for Transportation

Example 3

DECISION OF THE MINISTER FOR TRANSPORTATION
NUMBER : OF
ON
REGISTRATION APPROVAL FOR FOREIGN MULTIMODAL TRANSPORT OPERATOR
TOTO OPERATE MULTIMODAL TRANSPORT

BY THE BLESSINGS ALMIGHTY GOD

MINISTER FOR TRANSPORTATION,

- Reciting : Application Letter..... Number dated regarding
- Considering : a. that in accordance with Government Regulation Number 8 of 2011 on Multimodal Transport and Regulation of the Minister for Transportation Number PM ... of ..., it is regulated that in operating its activities in Indonesia, Foreign Multimodal Transport Operator is obligated to register the Foreign Multimodal Transport Operator granted by the Minister for Transportation;
- b. that according to the assessment result of, it has complied to the requirements to obtain the registration approval for Foreign Multimodal Transport Operator;
- c. that based on the considerations as referred to in point a and b above, it is necessary to issue the Decision of the Minister for Transportation on Registration Approval of as a Foreign Multimodal Transport Operator.
- Observing : 1. Law Number 23 of 2007 on Railways (State Gazette of the Republic of Indonesia Number 65 of 2007, Supplement to State Gazette of the Republic of Indonesia Number 4722);
2. Law Number 17 of 2008 on Shipping (State Gazette of the Republic of Indonesia Number 64, Supplement to State Gazette of the Republic of Indonesia Number 4849);
3. Law Number 1 of 2009 on Aviation (State Gazette of the Republic of Indonesia Number 1 of 2009, Supplement to State Gazette of the Republic of Indonesia Number 4956);
4. Law Number 22 of 2009 on Road Transportation and Traffic (State Gazette of the Republic of Indonesia Number 96 of 2009, Supplement to State Gazette of the Republic of Indonesia Number 5025);

5. Government Regulation Number 8 of 2011 on Multimodal Transport (State Gazette of the Republic of Indonesia Number 20 of 2011);
6. Presidential Regulation Number 47 of 2009 on Formation and Organization of State Ministries, as amended by Presidential Regulation Number 91 of 2011;
7. Presidential Regulation Number 24 of 2010 on Position, Duties and Functions of State Ministries as well as Organizational Structure, Duties and Functions of Echelon I of State Ministries, as amended by Presidential Regulation Number 92 of 2011;
8. Regulation of the Minister for Transportation Number KM. 49 of 2005 on National Transportation Systems (SISTRANAS);
9. Regulation of the Minister for Transportation Number KM. 60 of 2010 on Organization and Performance of the Ministry of Transportation;
10. Regulation of the Minister for Transportation Number 8 of 2012 on Operation and Business of Multimodal Transport;

HAS DECIDED:

To issue : DECISION OF THE MINISTER FOR TRANSPORTATION ON REGISTRATION APPROVAL FOR FOREIGN MULTIMODAL TRANSPORT BUSINESS OPERATOR TO PT TO OPERATE MULTIMODAL TRANSPORT.

FIRST : to give the registration approval for Foreign Multimodal Transport Operator to:
a. Company Name :
b. Field of Business : Multimodal Transport
c. Address :
d. Taxpayer Identification Number :
e. Person in Charge :

SECOND : as a Foreign Multimodal Transport Operator as referred to in the FIRST Dictum may operate multimodal transport activities in Indonesia, covering the activities since the goods is taken in charge by the multimodal transport operator from the user until the delivery of goods to the consignee from the multimodal transport operator in accordance with the multimodal transport document.

THIRD : In operating multimodal transport activities, the foreign multimodal transport operator as referred to in SECOND Dictum is required to:

- a. Appoint a National Multimodal Transport Operator as agent;
- b. comply with the provision of legislation in multimodal transport sector;
- c. comply with the provisions of legislation from other government institutions related to its main business;
- d. report multimodal transport operational activities to the Minister.

FOURTH : The Registration Approval to as a Foreign Multimodal Transport Operator as referred to in the FIRST dictum is valid until the written notification regarding the revocation of business license from the country of origin is conveyed.

FIFTH : The Minister conducts fostering and technical supervision of the implementation of this Ministerial Decree.

Issued in :
on :

MINISTER FOR TRANSPORTATION

.....

Copies of this Decision are conveyed to:

- 1.
- 2.
- 3. And so on.

Example 4

Number : Jakarta,

Attachment :

Subject : Application for Registration
Approval for National
Multimodal Transport
Operator

Honorable,
Minister for Transportation
Cq. Secretary General of
The Ministry of Transportation

in
J A K A R T A

1. In accordance with the Regulation of the Minister for Transportation PM Number ... of on Operation and Business of Multimodal Transport, hereby we apply for registration approval of National Multimodal Transport Operator to operate multimodal transport in ASEAN member states.
2. Your consideration and kind approval of the matter would be highly appreciated.

Applicant

(.....)
Name and signature of the person in charge

Copy to:
Minister for Transportation

Example 5

DECISION OF THE MINISTER FOR TRANSPORTATION
NUMBER : OF
ON
REGISTRATION APPROVAL FOR NATIONAL MULTIMODAL TRANSPORT
OPERATOR TO TO OPERATE MULTIMODAL TRANSPORT IN ASEAN
MEMBER STATES

BY THE BLESSINGS OF ALMIGHTY GOD

MINISTER FOR TRANSPORTATION

- Reciting : Application Letter Number dated.... regarding
- Considering
- a. that in accordance with Government Regulation Number 8 of 2011 on Multimodal Transport and Regulation of the Minister for Transportation Number PM ... of ..., it is regulated that National Multimodal Transport Operator in operating activities in ASEAN member states is obligated to register the National Multimodal Transport Operator granted by Minister for Transportation;
 - b. that in accordance with the considerations as referred to in point a, it is necessary to issue the Decision of the Minister for Transportation on Registration Approval to as a National Multimodal Transport Operator
- Observing :
- 1. Law Number 23 of 2007 on Railways (State Gazette of the Republic of Indonesia Number 65 of 2007, Supplement to State Gazette of the Republic of Indonesia Number 4722);
 - 2. Law Number 17 of 2008 on Shipping (State Gazette of the Republic of Indonesia Number 64, Supplement to State Gazette of the Republic of Indonesia Number 4849);
 - 3. Law Number 1 of 2009 on Aviation (State Gazette of the Republic of Indonesia Number 1 of 2009, Supplement to State Gazette of the Republic of Indonesia Number 4956)
 - 4. Law Number 22 of 2009 on Road Transportation and Traffic (State Gazette of the Republic of Indonesia Number 96 of 2009, Supplement to State Gazette of the Republic of Indonesia Number 5025);
 - 5. Government Regulation Number 8 of 2011 on Multimodal Transport (State Gazette of the Republic of Indonesia Number 20 Year 2011);
 - 6. Presidential Regulation Number 47 of 2009 on Formation and Organization of State Ministries, as amended by Presidential

Regulation Number 91 of 2011;

7. Presidential Regulation Number 24 of 2010 on Position, Duties and Functions of State Ministries as well as Organizational Structure, Duties and Functions of Echelon I of State Ministries, as amended by Presidential Regulation Number 92 of 2011
8. Regulation of the Minister for Transportation Number KM. 49 of 2005 on National Transportation Systems (SISTRANAS);
9. Regulation of the Minister for Transportation Number KM. 60 of 2010 on Organization and Performance of the Ministry of Transportation
10. Regulation of the Minister for Transportation Number PM 8 of 2012 on Operation and Business of Multimodal Transport;;

HAS DECIDED

To issue : DECISION OF THE MINISTER FOR TRANSPORTATION ON REGISTRATION APPROVAL FOR NATIONAL MULTIMODAL TRANSPORT BUSINESS OPERATOR TO PT TO OPERATE MULTIMODAL TRANSPORT IN ASEAN MEMBER STATES

FIRST : to give the registration approval for National Multimodal Transport Operator to:

- a. Company Name :
- b. Field of Business : Multimodal Transport
- c. Address :
- d. Taxpayer Identification Number :
- e. Person in Charge :

SECOND : PT. as a National Multimodal Transport Operator as referred to in FIRST Dictum may operate multimodal transport activities in ASEAN member states, covering the activities since the goods is taken in charge by the multimodal transport operator from the user until the delivery of goods to the consignee from the multimodal transport operator in accordance with the multimodal transport document.

THIRD : In operating multimodal transport activities, the national multimodal transport operator is required to not only operates the activities as referred to in SECOND Dictum but also conducts supporting activities of multimodal transport covering the management of :

- a. transportation;
- b. warehousing;
- c. freight consolidation;

FOURTH : d. provision of cargo space; and/or
 e. customs for inward and outward multimodal transport.
 : In operating multimodal transport activities, the national multimodal transport operator as referred to in SECOND Dictum is required to :
 a. comply with the provisions of legislation in multimodal transport sector;
 b. comply with the provisions of legislation from other government institutions related to its main business;
 c. report the multimodal transport operational activities to the Minister.

FIFTH : The Minister conducts fostering and technical supervision of the implementation of this Ministerial Decision.

SIXTH : This Decision comes into force on the date of its issuance

Issued in :
 on :

MINISTER FOR TRANSPORTATION

Copies of this Decision are conveyed to:

1.
2.
3. And so on.

Example 6

Number : Jakarta,

Attachment :

Subject : Application for Recommendation of Standard Trading Conditions (STC) Document

To:
Honorable,
Minister for Transportation
Cq. Secretary General of the
Ministry of Transportation

1. Hereby we kindly propose an application for recommendation of the Standard Trading Conditions (STC) document in accordance with Regulation of the Minister for Transportation Number PM ... of ... on Standard Trading Conditions (STC) of Multimodal Transport Operator.
2. In accordance with Regulation of the Minister for Transportation in point 1 above, we herewith enclose the concept of the Standard Trading Conditions (STC) document.
3. Thank you for your kind attention and consideration.

Applicant
Duty Stamp Rp. 6.000,00

(.....)
Name and signature of the person in charge

Copy to:
Minister for Transportation.

Example 7

Number : Jakarta,
Attachment :
Subject : Rejection for Recommendation of Standard Trading Conditions (STC) Document To:

Dear,.....

1. With regards to your letter of application Number datedregarding application for recommendation of Standard Trading Conditions (STC) and based on Record of Verification of discussion of the concept of Standard Trading Conditions (STC) document Number, we hereby notify that your application has not been accepted, because it has not complied with the following requirements:
 - a.
 - b.
 - c.
2. Should the requirements as referred to in point 1 (one) above have been completed, you may re-submit the application for recommendation of Standard Trading Conditions (STC).
3. To be taken into consideration and attention.

Secretary General

(.....)

Copy to:
Minister for Transportation

Example 8

Number : Jakarta,

Attachment :

Subject : Application for Multimodal Transport Business Permit

To:
Honorable,
Minister for Transportation
Cq. Secretary General of the
Ministry of Transportation

1. We hereby wish to apply for multimodal transportation business permit in accordance with Regulation of the Minister for Transportation Number PM ... of ... on Operation and Business of Multimodal Transport.
2. In accordance with Regulation of the Minister for Transportation, in point 1 above, we herewith enclose the required documents consisting of:
 - a. Administrative requirements that cover:
 - 1) notary deed of the establishment of company issued by the Minister in charge of government affairs in legal sector.
 - 2) taxpayer identification number (NPWP).
 - 3) certificate of business domicile.
 - 4) maintains minimum assets equivalent to 80,000 (eighty thousand) Special Drawing Right (SDR).
 - 5) owning and/or controlling a permanent office.
 - 6) owning and/or controlling not less than 1 (one) unit of mode of transportation.
 - 7) owning and/or controlling loading and unloading equipments, not less than 1 (one) unit.
 - b. Technical requirements that cover:
 - 1) owning and/or controlling a permanent office.
 - 2) owning and/or controlling not less than 1 (one) unit of mode of transportation such as trucks and/or 1 (one) train set (Locomotive and railway coach or train), ships or aircraft evidenced by valid documents.
 - 3) owning and/or controlling loading and unloading equipments, not less than 1 (one) unit evidenced by valid documents.
 - 4) having competence human resources in multimodal transport sector.

3. Thus, we submit our application to be taken into consideration and should it may be approved, we stand ready to comply and are willing to be sanctioned in accordance with the provisions of legislation on multimodal transport, specifically on the Requirements and Procedures for Obtaining Multimodal Transport Business License and other prevailing provisions.

Applicant
Duty Stamp Rp. 6.000,-

(.....)
name and signature of the person in charge

Copy to:
Minister of Transportation.

Example 9

**DECISION OF THE MINISTER FOR TRANSPORTATION
NUMBER : OF
ON
ISSUANCE OF MULTIMODAL TRANSPORT BUSINESS PERMIT TO PT
TO OPERATE MULTIMODAL TRANSPORT**

BY THE BLESSINGS OF ALMIGHTY GOD

MINISTER FOR TRANSPORTATION,

Reciting : Application Letter of PT Number dated regarding

Considering : a. that in accordance with Government Regulation Number 8 of 2011 on Multimodal Transport and Regulation of the Minister for Transportation Number PM ... of ..., it is regulated that in operating its business activities, Multimodal Transport Operator is obligated to have a business permit granted by the Minister for Transportation;

b. that according to the assessment result, PT has complied with the requirements to be established as National Multimodal Transport Operator that operates multimodal transport activities;

c. based on the considerations as referred to in point a and b above, it is necessary to issue the Decision of the Minister for Transportation on Issuance of Business Permit to PT as a Multimodal Transportation Operator;

Observing : 1. Law Number 23 of 2007 on Railways (State Gazette of the Republic of Indonesia Number 65 of 2007, Supplement to State Gazette of the Republic of Indonesia Number 4722);

2. Law Number 17 of 2008 on Shipping (State Gazette of the Republic of Indonesia Number 64, Supplement to State Gazette of the Republic of Indonesia Number 4849);

3. Law Number 1 of 2009 on Aviation (State Gazette of the Republic of Indonesia Number 1 of 2009, Supplement to State Gazette of the Republic of Indonesia Number 4956);

4. Law Number 22 of 2009 on Road Transportation and Traffic (State Gazette of the Republic of Indonesia Number 96 of 2009, Supplement to State Gazette of the Republic of Indonesia Number 5025);

5. Government Regulation Number 8 of 2011 on Multimodal Transport (State Gazette of the Republic of Indonesia Number 20 of 2011);

6. Regulation of the President of the Republic of Indonesia Number 47 of 2009 on Formation and Organization of State Ministries, as amended by Regulation of President of the Republic of Indonesia Number 91 of 2011;
7. Regulation of the President of the Republic of Indonesia Number 24 of 2010 on Position, Duties and Functions of State Ministries as well as Organizational Structure, Duties and Functions of Echelon I of State Ministries, as amended by Regulation of the President of the Republic of Indonesia Number 92 of 2011;
8. Regulation of the Minister for Transportation Number KM. 49 of 2005 on National Transportation Systems (SISTRANAS);
9. Regulation of the Minister for Transportation Number KM. 60 of 2010 on Organization and Performance of the Ministry of Transportation;
10. Regulation of the Minister for Transportation Number PM 8 of 2012 on Operation and Business of Multimodal Transport;

HAS DECIDED:

To issue : DECISION OF THE MINISTER FOR TRANSPORTATION ON ISSUANCE OF BUSINESS PERMIT TO PT. AS MULTIMODAL TRANSPORT OPERATOR TO OPERATE MULTIMODAL TRANSPORT.

FIRST : to give business permit as Multimodal Transport Operator to:

- a. Company Name :
- b. Field of Business : Multimodal Transport
- c. Address :
- d. taxpayer identification number :
- e. Person in Charge :

:

SECOND : as a National Multimodal Transport Business Operator as referred to in **FIRST** Dictum may operate multimodal transport activities including the activities since the goods is taken in charge by the multimodal transport operator from the user until the delivery of goods to the consignee from the multimodal transport operator in accordance with the multimodal transport document.

THIRD : In operating multimodal transport activities, the multimodal transport operator is required to not only operates the activities as referred to in **SECOND** Dictum but also conducts supporting activities of multimodal transport covering the management of:

- a. transportation;
- b. warehousing;

- c. freight consolidation;
- d. provision of cargo space; and/or
- e. customs for inward and ourward multimodal transport.

FOURTH : In operating multimodal transport activities, the multimodal transport operator as referred to in SECOND Dictum is obligated to:

- a. comply with the provisions of legislation in multimodal transport sector;
- b. comply with the provisions of legislation from other government institutions related to its main business;
- c. report multimodal transport operational activities to the Minister.

FIFTH : Multimodal transport business permit as referred to in FIRST dictum, may be revoked if the holder does not comply with the responsibilities as referred to in FOURTH dictum.

SIXTH : Business Permit of PT as Multimodal Transport Operator is valid as long as the business activities are still in operation.

SEVENTH : Multimodal Transport Business Permit of PT may be revoked if the holder of the business permit does not comply with the responsibilities as referred to in SECOND and THIRD Dictum.

EIGHTH : The Official appointed by the Minister conducts technical fostering and monitoring of the implementation of this Decree.

NINTH : This Decision comes into force on the date of its issuance.

Issued in Jakarta :
on :

MINISTER FOR TRANSPORTATION

Copies of this Decision are conveyed to:

- 1.
- 2.
- 3. And so on.

.....

Example 10

Number : Jakarta,

Attachment :

Subject : Rejection of Multimodal Transport Operator Business Permit To:

Dear,.....

1. With regards to your application Numberdated..... regarding the application for multimodal transportation business permit, we hereby notify that your application has not been accepted, because it has not complied with the following requirements:
 - a.
 - b.
 - c.
2. Should the requirements as referred to in point 1 (one) above have been completed, you may re-submit your application.
3. To be taken into attention and consideration.

SECRETARY GENERAL

(.....)

Copy to:
Minister for Transportation.

Example 11

Number : Jakarta,

Attachment :

Subject : First Reprimand for To:
Multimodal Transport President Director
Business Permit PT.

1. In accordance with Business Permit of Multimodal Transport Operator of PT. Number Dated and noting also Government Regulation Number 8 of 2011 on Multimodal Transport and Regulation of the Minister for Transportation Number PM ... of ... on Operation and Business of Multimodal Transport, we hereby notify that your company has not fulfilled the liabilities specifically in accordance with Regulation of the Minister for Transportation Number PM ... of ... Article and Article ... section ... that are:

"" "

2. Furthermore, in accordance with Regulation of the Minister for Transportation Number PM 8 of 2012 Article Section, if within one (1) month since the issuance of this letter, your company has not fulfilled its liabilities as referred to in point 1, further actions will be taken in accordance with the prevailing legislation.

3. This letter is **the FIRST REPRIMAND.**

4. To be taken into full consideration.

SECRETARY GENERAL

(.....)

Copies to:
1.
2.
3. And so on.....

Example 12

Number : Jakarta,

Attachment :

Subject : Second Reprimand for To:
Multimodal Transport President Director
Business Permit PT.

1. With regards to our letter Number dated on First Reprimand for Multimodal Transport Business Permit.
2. In accordance to our existing data, apparently until the time being your company has not fulfilled the liabilities specifically in accordance with the Regulation of the Minister for Transportation Number PM ... of ... Article and Article section.....
3. Furthermore, in accordance with Regulation of the Minister for Transportation Number PM ... of ... Article and Article section..... if within one (1) month since the issuance of this letter, your company has also not fulfilled the liabilities as referred to in point 1, further actions will be taken in accordance with the prevailing legislation.
4. This letter is **the SECOND REPRIMAND**.
5. To be taken into full consideration.

SECRETARY GENERAL

(.....)

- Copies to:
1.
 2.
 3. And so on.....

Example 13

Number	:		Jakarta,
Attachment	:		
Subject	:	Third Reprimand for Multimodal Transport Business Permit	To: President Director PT.

1. With regards to our letter Number dated on First Reprimand and Number Date on Second Reprimand for Multimodal Transport Business Permit.
2. In accordance to our existing data, apparently until the time being your company has not fulfilled the liabilities specifically in accordance with Regulation of the Minister for Transportation Number PM ... of ... Article and Article section.....
3. Furthermore, in accordance with Regulation of the Minister for Transportation Number PM ... of ... Article section.....and if within one (1) month since the issuance of this letter, your company has also not fulfilled the liabilities as referred to in point 1, further actions will be taken in accordance with the prevailing legislation.
4. This letter is **the THIRD REPRIMAND.**
5. To be taken into full consideration.

SECRETARY GENERAL

(.....)

- Copies to:
1.
 2.
 3. And so on.....

Example 14

Number : Jakarta,
Attachment :
Subject : Suspension of Multimodal Transport Operator Business Permit To:
President Director
PT.

1. With regards to Multimodal Transport Operator Business Permit of PT
Number :
Date :
2. We hereby notify that your company does not fulfil the specific requirements in accordance with Regulation of the Minister for Transportation Number PM ... of ... Article point that is:
"
....."
3. In accordance with the prevailing legislation, your company has received 3 (three) times of reprimand respectively, i.e.:
 - a. Reprimand I Number. dated
 - b. Reprimand II Number. dated
 - c. Reprimand III Number. dated.....
4. Considering the matters conveyed above and in accordance with Decision of the Minister for Transportation Number of Article point and it is hereby informed that from the date of the issuance of this letter, your company is not permitted to operate any activities in multimodal transport sector in the entire territory of the Republic of Indonesia.
5. If within the period of 3 (three) months from the date of issuance of this suspension letter, your company has not been able to fulfill the provisions as referred to in point 2 (two) above, your Multimodal Transport Operator Business Permit will be revoked.

6. To be taken into full consideration.

SECRETARY GENERAL

()

Copies to:

1.

2.

Example 15

DECISION OF THE MINISTER FOR TRANSPORTATION

NUMBER : OF

ON

REVOCATION OF MULTIMODAL TRANSPORT OPERATOR BUSINESS PERMIT

OF

PT.

- Considering** :
- a. that PT. as multimodal transport operator is not fulfilling its obligation to convey to the Official appointed by the Minister, which is not complied with the provisions of Government Regulation Number 8 of 2011 and the Regulation of the Minister for Transportation Number PM ... of ... Article point
 - b. that the company has been given 3 (three) times of reprimand respectively, followed by Suspension of Business Permit Letter Number: date;
 - c. that with regards to the matters above, it is viewed as necessary to revoke the Multimodal Transport Operator Business Permit of PT Number on

- Observing** :
- 1. Law Number 23 of 2007 on Railways (State Gazette of the Republic of Indonesia Number 65 of 2007, Supplement to State Gazette of the Republic of Indonesia Number 4722);
 - 2. Law Number 17 of 2008 on Shipping (State Gazette of the Republic of Indonesia Number 64, Supplement to State Gazette of the Republic of Indonesia Number 4849);
 - 3. Law Number 1 of 2009 on Aviation (State Gazette of the Republic of Indonesia Number 1 of 2009, Supplement to State Gazette of the Republic of Indonesia Number 4956);
 - 4. Law Number 22 of 2009 on Road Transportation and Traffic (State Gazette of the Republic of Indonesia Number 96 of 2009, Supplement to State Gazette of the Republic of Indonesia Number 5025);
 - 5. Government Regulation Number 8 of 2011 on Multimodal Transport (State Gazette of the Republic of Indonesia Number 20 of 2011);
 - 6. Presidential Regulation Number 47 of 2009 on Formation and Organization of State Ministries, as amended by Presidential Regulation Number 91 of 2011;
 - 7. Presidential Regulation Number 24 of 2010 on Position, Duties and Functions of State Ministries as well as Organizational Structure, Duties and Functions of Eselon I of State Ministries, as amended by of Presidential Regulation Number 92 of 2011;
 - 8. Regulation of the Minister for Transportation Number KM. 49 of 2005 on National Transportation Systems (SISTRANAS);
 - 9. Regulation of the Minister for Transportation Number KM. 60 of 2010 on Organization and Performance of the Ministry of Transportation;
 - 10. Regulation of the Minister for Transportation Number PM 8 of 2012 on Operation and Business of the Multimodal Transport;

- Noting** : 1. Letter Number....datedregarding First Reprimand;
 2. Letter Number.... dated regarding Second Reprimand;
 3. Letter Number... dated..... regarding Third Reprimand;
 4. Letter Number ...dated regarding Suspension Letter of the Multimodal Transport Operator Business Permit of PT.

HAS DECIDED:

To issued : **DECISION OF THE MINISTER FOR TRANSPORTATION ON REVOCATION OF MULTIMODAL TRANSPORT OPERATOR BUSINESS PERMIT OF PT.**

FIRST : To revoke the multimodal transport operator business permit of PT.
 Number dated with the following data:
 a. Company Name : PT.
 b. Domicile address : Jl.
 c. Number and date of SIUPAM : date

SECOND : PT. is obligated to return the Multimodal Transport Operator Business Permit to the Official appointed by the Minister.

THIRD : This decision comes into force on the date of its issuance and should there is any errors in its issuance, correction may be made as necessary.

Issued in :
on :

MINISTER FOR TRANSPORTATION

()

Copies of this Decision are conveyed to:

1.
2.
3. And so on

MINISTER FOR TRANSPORTATION,

Signed

E.E. MANGINDAAN