

**WORLD TRADE
ORGANIZATION**

G/SG/N/1/IDN/2
1 April 2003

(03-1823)

Committee on Safeguards

Original: English

**NOTIFICATIONS OF LAWS, REGULATIONS AND
ADMINISTRATIVE PROCEDURES RELATING
TO SAFEGUARD MEASURES**

INDONESIA

The following communication, dated 25 March 2003, has been received from the Permanent Mission of Indonesia.

UNOFFICIAL TRANSLATION

**THE SAFEGUARD OF THE DOMESTIC
INDUSTRY AGAINST THE IMPACT
OF INCREASED IMPORTS**

(Presidential Decree No. 84/2002 dated 16 December 2002)

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering:

- (a) that the implementation of commitment to liberalize trade under the Agreement Establishing the World Trade Organization through the reduction of tariffs and the abolition of non-tariff barriers may lead to an increase in the import of goods as to cause serious injury or threaten to cause serious injury to the domestic industry;
- (b) that the serious injury or threat of serious injury as meant in paragraph (a) can be prevented through national legislation on safeguard, so that the industry suffering injury can undertake structural adjustments consistent with the Agreement on Safeguards are referred to in Law No. 7/1994 on the Ratification of the Agreement Establishing the World Trade Organization;
- (c) that based on the considerations in (a) and (b) above, it is deemed necessary to stipulate Presidential Decree on the Safeguard of the Domestic Industry Against The Impact of Increased Imports.

In view of:

1. Article 5, paragraph (2) of the 1945 Constitution as amended through the fourth round of amendment to the 1945 Constitution;
2. Law No. 5/1984 on Industry (Statute Book of 1984 No. 22, Supplement to Statute Book No. 3274);
3. Law No. 7/1994 on the Ratification of the Agreement Establishing the World Trade Organization (Statute Book of 1994 No. 57, Supplement to Statute Book No. 3564);
4. Law No. 10/1995 on Customs (Statute Book of 1995 No. 75, Supplement to Statute Book No. 3612);
5. Government Regulation No. 17/1986 on the Authority for the Management and Development of Industry (Statute Book of 1986 no. 23, Supplement to Statute Book no. 3330).

DECIDES:

To stipulate:

**DECREE OF THE PRESIDENT OF THE REPUBLIC OF INDONESIA
ON THE SAFEGUARD OF THE DOMESTIC INDUSTRY
AGAINST THE IMPACT OF INCREASED IMPORTS**

CHAPTER I

GENERAL PROVISIONS

Article 1

Hereinafter referred to as:

1. Safeguard shall be the step taken by the Government to redress serious injury or prevent threat of serious injury faced by the domestic industry as a result of an increase in the imports of like or directly competitive products, with the aim of enabling the domestic industry suffering from serious or threat of serious injury to undertake structural adjustments;
2. Serious injury shall be understood to mean a clear impairment suffered by the domestic industry;
3. Threat of serious injury shall be understood to mean serious injury that is likely to be suffered by the domestic industry;
4. Domestic industry shall be understood to mean the producer of the like product or product directly compete with products subject to investigation, or producers whose collective output of the like product constitutes a major proportion of the total domestic production of the like product;
5. Like product shall be understood to mean domestic product which is identical or alike in all respects to the product subject to investigation or having the same physical, technical or chemical characteristics as the product subject to investigation;
6. Directly competitive product shall be understood to mean domestic product similar to or serving as a substitute for the product subject to investigation;
7. Product subject to investigation shall mean product which imports have increased and to cause serious injury or are threatening to cause serious injury to the domestic industry;
8. Interested parties shall be understood to mean:
 - (a) domestic producer(s) of the like product and or product directly compete with product subject to investigation;
 - (b) association of producer(s) of the like product or product directly compete with product subject to investigation;
 - (c) labour union representing the interests of workers of the domestic industry;
 - (d) importers of product subject to investigation in Indonesia;
 - (e) association of importers of product subject to investigation;
 - (f) industry using product subject to investigation;
 - (g) exporters or foreign producers of product subject to investigation;
 - (h) association of exporters of product subject to investigation;

- (i) government of the exporting country of product subject to investigation; and or
 - (j) individual or corporate body which according to the committee has interests in the result of an investigation serving as safeguard.
9. Structural adjustment shall be understood to mean effort to improve the performance of the domestic industry in producing the like or directly competitive products subject to investigation efficiently;
10. Committee shall be understood to mean a unit or body fully authorized to conduct an investigation in accordance with this Presidential Decree;
11. Agreement on Safeguard shall be understood to mean the Agreement on Safeguards as referred to the attachment to Law no. 7/1994 on the ratification of Agreement Establishing the World Trade Organization;
12. WTO shall be understood to mean the World Trade Organization;
13. Committee on Safeguards shall be understood to mean a unit under the preview of the WTO dealing with matters related to the implementation of an agreement on safeguard.

C H A P T E R I I

COVERAGE

Article 2

The Presidential Decree shall stipulate provisions and procedures for safeguarding all domestic industries suffering from serious injury or threat of serious injury as a result of a relative or absolute increase of imported products into the Indonesian territory.

C H A P T E R I I I

INVESTIGATION

Article 3

- (1) Interested party(ies) can file an application to the Committee to conduct an investigation of increased imports to cause serious injury or threat of serious injury to the domestic industry;
- (2) The application as referred to in paragraph (1) may include the following:
- (a) identification of the applicant;
 - (b) detailed descriptions of product subject to investigation;
 - (c) detailed descriptions of like product or products directly competing with product subject to investigation;

- (d) name and country of the exporter or country of origin of product subject to investigation;
 - (e) the domestic industry suffering from injury;
 - (f) information on serious injury or threat of serious injury;
 - (g) information on the import of product subject to investigation;
- (3) No later than 30 (thirty) days after the receipt of properly documented application as referred to in paragraph (2) by the Committee, based on the results of preliminary examination and *prima facie* evidence as contained in the application, the Committee shall issue a decision on :
- (a) the rejection of the application if the application does not fulfill the specified requirements; or
 - (b) the acceptance of the application and initiate an investigation if the application fulfill the specified requirements.

Article 4

- (1) The Committee shall notify interested parties as referred to in Article 3, paragraph (3) of a decision on whether or not to conduct an investigation together with the justification for the decision reached and announce it in the print media;
- (2) With regard to the notification of the Committee on the justification as referred to in paragraph (1), the interested parties shall be given a chance to respond to them if they are considered incorrect, no later than 15 (fifteen) days after the date of decision by the Committee;
- (3) The Minister of Industry and Trade shall stipulate procedures for filing the application, notifying the interested parties of the decision and announcing the decision in the print media as referred to in Article 3 and Article 4, paragraph (1).

Article 5

A delay in the completion or a termination of an investigation shall be announced in the print media by including the justification for the delay supported by facts and shall be notified to the interested parties promptly.

Article 6

The petitioners may withdraw the application for an investigation to the Committee.

Article 7

- (1) If the results of an investigation indicate that there is no clear evidence that the domestic industry has suffered from serious injury or threat of serious injury as a result of increased imports, the Committee shall terminate the investigation;
- (2) Based on the decision of the Committee on the termination of an investigation, all provisional import duties paid by the importer(s) of investigated product, which is subject to provisional

safeguard measures as referred to in Article 10, paragraph (2) shall be refunded to the importer(s) concerned;

- (3) No later than 15 (fifteen) days after the Committee issued the decision on the termination of an investigation, the Minister of Finance shall revoke import duties based on the imposition of provisional safeguard measure on product subject to investigation;
- (4) Refund of the duties as referred to in paragraph (2) shall be made as soon as possible, no later than 15 (fifteen) days after the Minister of Finance issued the decision on the revocation of duties as referred to in paragraph (3);

Article 8

- (1) The Committee shall complete an investigation no later than 200 (two hundred) days after the issuance of a decision on the initiation of the investigation;
- (2) If further information is needed for the purpose of supporting evidence, the Committee can send a list of written question to interested parties;
- (3) Interested parties shall respond to the question raised as referred to in paragraph (2) no later than 15 (fifteen) days; or 20 (twenty) days upon request by interested parties concerned after the date of the questions being sent by the Committee.

CHAPTER IV

PROVISIONAL SAFEGUARD MEASURES

Article 9

In case of:

- (a) There is clear evidence that increased imports has caused or threaten to caused serious injury; or
- (b) Increased imports of product subject to investigation have caused serious injury which would be difficult to repair if the imposition of a safeguard measure is delayed;

the Committee may recommend provisional safeguard measures in the form of import duty.

Article 10

- (1) The Minister of Industry and Trade may recommend to the Minister of Finance the imposition of provisional safeguard measures;
- (2) Based on the recommendation as referred to in paragraph (1), the Minister of Finance shall determine the amount of import duty as a provisional safeguard measure;
- (3) The provisional safeguard measure shall be imposed not more than 200 (two hundred) days.

Article 11

- (1) The provisional safeguard measures as referred to in article 10, paragraph (2) shall be made public in the State Gazette and print media and be formally notified to the interested parties;
- (2) The announcement in the State Gazette and print media as referred to in paragraph (1) may include:
 - (a) detailed descriptions of product subject to investigation, including the technical characteristics and use as well as tariff number;
 - (b) detailed descriptions of like products or products directly compete with product subject to investigation;
 - (c) names of known domestic industry which produce like products or products directly compete with product subject to investigation;
 - (d) names and countries of exporters or countries of origin of product subject to investigation;
 - (e) summary of process of determination of injury and determining factors, findings and conclusions.

CHAPTER V

DETERMINATION OF INJURY

Article 12

- (1) Determination of serious injury or threat of serious injury suffered by the domestic industry as a result of increased imports of product subject to investigation shall be based on the results of objective analysis of all relevant factors of the industry concerned, covering:
 - (a) the rate and amount of the increase in imports of product subject to investigation, in absolute or relative terms against like product or product directly compete with product subject to investigation;
 - (b) the share of the domestic market taken by increased imports; and
 - (c) changes in the levels of sales, production, productivity, capacity utilization, profits and losses, and employment.
- (2) To determine an increase in the import of product subject to investigation leading to threat of serious injury, the Committee shall analyze other factors than those referred to in paragraph (1), including:
 - (a) the real and potential export capacity of the country or countries of origin of product subject to investigation;
 - (b) inventory of product subject to investigation in Indonesia and exporting countries.

- (3) In the case of serious injury or threat of serious injury occur at the same time as increase in the import of product subject to investigation due to other factors than those referred to in paragraph (1) and paragraph (2), the serious injury or threat of serious injury shall not be attributed to the increased imports of product subject to investigation.

Article 13

A determination of the existence of threat of serious injury as a result of an increase in the import of product subject to investigation shall be based on facts and not merely on allegation, predictions or remote possibilities.

CHAPTER VI

EVIDENCE

Article 14

For the purpose of collecting evidence the Committee shall be entitled to request interested parties or other competent sources either government or private agencies/institutions to provide data and information.

Article 15

The Committee can decide on evidence to be used for the best information available where during the investigation the interested parties:

- (a) do not provide a response, data or information required within a period of time provided by the Committee; or
- (b) impede the progress of investigation.

Article 16

- (1) The Committee shall treat confidential data and information accordingly;
- (2) The confidential data and information as referred to in paragraph (1) shall not be disclosed without permission of the party submitting it;
- (3) The interested party providing confidential data and information to the Committee shall enclose summaries of the confidential data and information;
- (4) The Summaries as referred to in paragraph (3) shall be non-confidential.

Article 17

In the process of collecting evidence, the Committee shall provide equal opportunity to the interested parties to provide written evidence as well as additional written information or clarification to the Committee.

Article 18

The Committee may verify data and information received from interested parties in the exporting country or the country of origin of product subject to investigation as well as from domestic industry.

CHAPTER VII

PUBLIC HEARINGS

Article 19

- (1) Before recommending a permanent safeguard measure, the Committee shall hold a public hearing;
- (2) Interested parties to attend a hearing should provide name or name(s) of its representative to the Committee at the latest 7 (seven) days before the date of the public hearing;
- (3) The Committee shall notify a public hearing schedule to the interested parties well in advance to enable the interested parties or its representative to attend the public hearing.

CHAPTER VIII

PERMANENT SAFEGUARD MEASURES

Article 20

- (1) The Committee shall recommend permanent safeguard measures;
- (2) The recommendation on permanent safeguard measures as referred to in paragraph (1) can be submitted only after the entire procedures for conducting an investigation have been completed and there are clear factual evidence that an increase in the imports of product subject to investigation proven to have caused serious injury or threat of serious injury to the domestic industry;
- (3) The Committee shall notify the recommended permanent safeguard measures to interested parties no later than 10 (ten) days after the decision is taken and make an announcement in the State Gazette and or the print media;
- (4) The announcement in the State Gazette and or the print media as referred to in paragraph (3) shall at least contain:
 - (a) detailed descriptions of product subject to investigation, including their technical characteristics and use as well as tariff number;
 - (b) detailed descriptions of like products or goods directly competing with product subject to investigation;
 - (c) names of domestic industry known as the producers of like products or product directly compete with product subject to investigation;

- (d) names of exporters and exporting countries or countries of origin of product subject to investigation;
- (e) a summary of the process of determining serious injury and or threat of serious injury, determination factors, findings and conclusions;
- (f) the form, rate and duration of safeguard measures;
- (g) proposed date for the application of permanent safeguard measures;
- (h) quota allocation for each supplying country if the safeguard measures is not in the form of import duty; and
- (i) list of developing nations exempted from the safeguard measures.

Article 21

- (1) The Committee submits the recommendation for permanent safeguard measures to the Minister of Industry and Trade;
- (2) The permanent safeguard measures to be decided by the Minister of Finance in the form of import duty and or by the Minister of Industry and Trade in the form of quota.

Article 22

- (1) The permanent safeguard measures in the form of quota shall not be lower than the average import volume in the past 3 (three) years, unless there is clear justification that a lower quota or import volume is necessary to remedy or prevent from serious injury or threat of serious injury;
- (2) If there are more than one countries exporting product subject to investigation to Indonesia, the import quotas specified shall be allocated among the exporting countries;
- (3) The quotas as referred to in paragraph (1) shall be allocated on a pro rata basis in accordance with the percentage of the average import from each exporting country in the past 3 (three) years.

Article 23

- (1) Permanent safeguard measures shall only be applied where it is considered necessary to remedy or prevent from serious injury or threat of serious injury and to provide a period for structural adjustment to the domestic industry suffering from serious injury or threat of serious injury;
- (2) The application of safeguard measures as referred to in paragraph (1) shall be a maximum of 4 (four) years and could be extended;
- (3) Where safeguard measures have been applied for more than 3 (three) years, the Committee shall undertake an examination on safeguard measures and notify the interested parties of the results of the examination no later than 6 (six) months before the expiry date of the safeguard measures as referred to in paragraph (2).

Article 24

- (1) The duration of safeguard measures could be extended upon the formal request of the domestic industry or at the initiative of the Committee if there is a clear justification that serious injury or threat of serious injury suffered by the domestic industry as a result of increased imports of product subject to investigation will continue and the domestic industry is undergoing structural adjustments;
- (2) An extended safeguard measures shall not be more restrictive than it was at the end of the previous period;
- (3) The total duration of safeguard measures shall not exceed 10 (ten) years, including the period of provisional safeguard measures, the period of permanent safeguard measures and the extension period of permanent safeguard measures;
- (4) The safeguard measures as referred to in Article 21, paragraph (2) shall be gradually reduced or liberalized during the period of the permanent safeguard measures.

Article 25

- (1) No safeguard measures shall be applied again to the imported product which has been subject to such a measure;
- (2) Exception to the provision in paragraph (1), permanent safeguard measures with a duration of 180 (one hundred and eighty) days may be imposed on imported products, if:
 - (a) at least 1 (one) year has elapsed since the date of introduction of safeguard measures on the import of that products; and
 - (b) such permanent safeguard measures has not been applied on the same product more than twice in the five-year period immediately preceding the date of introduction of permanent safeguard measures.

Article 26

The Minister of Finance shall stipulate procedures for payment and refund of import duties as referred to in Article 10, paragraph (2) and Article 21, paragraph (2).

CHAPTER IX

IMPORT FROM DEVELOPING NATIONS

Article 27

Safeguard measures shall not be applied against a product originating in a developing country as long as its share of import of the product subject to investigation does not exceed 3% (three per cent), provided that developing country with less than 3% (three per cent) import share collectively account for not more than 9% (nine per cent) of the total import of the product subject to investigation.

CHAPTER X

NOTIFICATION AND CONSULTATIONS

Article 28

The Committee shall notify the Committee on Safeguards of its decisions on safeguard measures, including:

- (a) decision to start investigation and the results of investigation;
- (b) determination of serious injury or threat of serious injury as a result of an increase in the import of the product subject to investigation;
- (c) decisions to apply safeguards measures, both provisional and permanent, and the extension of safeguard measures.

Article 29

- (1) The Government may hold consultations upon request with countries having substantial interests in the product subject to investigation regarding the decisions notified by the Committee as referred to in Article 28;
- (2) The results of the consultation as referred to in paragraph (1) shall be notified to the Committee on Safeguards.

CHAPTER XI

THE COMMITTEE

Article 30

The Committee is authorized to conduct investigations, postponement/termination of investigations, and issue all decisions related to recommendations for modification or extension of the duration of safeguard measures as well as other decisions related to investigations on serious injury or threat of serious injury suffered by the domestic industry as a result of an increased import of the product subject to investigation.

Article 31

In carrying out its functions and duties, the Committee shall abide to this Presidential Decree and other related laws and regulations.

Article 32

- (1) The Committee shall be led by a chairman and consist of representatives of:
 - (a) The Ministry of Industry and Trade;
 - (b) The Ministry of Finance;
 - (c) The Central Agency of Statistics;
 - (d) Other related ministries or non-governmental institutions; and
 - (e) Experts of the product subject to investigation.

- (2) The number of members as referred to in paragraph (1) shall not be even;
- (3) The appointment and dismissal of the members of the Committee shall be stipulated by the Minister of Industry and Trade.

Article 33

- (1) In carrying out its functions and duties, the Committee shall be independent, shall not be influenced by other parties, and shall not withhold anything which by law does not require confidential treatment as referred to in Article 16, paragraph (3) and paragraph (4) of this Presidential Decree;
- (2) Any member of the Committee found disclosing confidential information shall be subject to sanction in accordance with the existing laws and regulations.

CHAPTER XII

CONCLUSION

Article 34

Implementing regulation required under this Presidential Decree shall be stipulated by the Minister of Industry and Trade.

For public notice purposes, this Presidential Decree shall be placed in the Statute Book of the Republic of Indonesia.

Stipulated in Jakarta
On 16 December 2002

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

MEGAWATI SOEKARNOPUTRI

Promulgated in Jakarta
On 16 December 2002
THE STATE SECRETARY,

BAMBANG KESOWO
STATUTE BOOK OF
THE REPUBLIC OF INDONESIA OF 2002 NUMBER 133

DECREE

THE MINISTER OF INDUSTRY AND TRADE

THE REPUBLIC OF INDONESIA

NUMBER : 85/MPP/Kep/ 2 /2003

REGARDING

**PROCEDURES AND REQUIREMENTS OF APPLICATION FOR INVESTIGATION
WITH RESPECT TO SAFEGUARDING DOMESTIC INDUSTRY
FROM AN INCREASE IN IMPORT**

THE MINISTER OF INDUSTRY AND TRADE

THE REPUBLIC OF INDONESIA

- Considering:
- (a) that as the implementation of the President Decree Number 84 of 2002 regarding the Safeguard of The Domestic Industry Against the Impact Of Increased Imports; and in view of responding to the application by the domestic industry for investigation with respect to an increased imports of product subject to investigation that caused or threaten to cause serious injury; it is necessary to stipulate procedures and requirements of the application;
 - (b) that for such a purpose it is necessary to issue a Decree of the Minister of Industry and Trade.
- In view of:
- 1. The Law No. 7 of 1994 on The Ratification of The Agreement Establishing The World Trade Organization (State Gazette of the Republic of Indonesia No. 57 of 1994, Supplement to the State Gazette of the Republic of Indonesia No. 3364);
 - 2. The Law No. 10 of 1995 on Custom (State Gazette of the Republic of Indonesia No. 75 of 1995, Supplement to the State Gazette of the Republic of Indonesia No. 3612);
 - 3. Decree of the President of the Republic of Indonesia No. 102 of 2001 on The Position, Tasks, Function, Authorities, Organizational Structure and Departmental Procedures;
 - 4. Decree of the President of the Republic of Indonesia No. 228/M of 2001 on The Formation of *Gotong Royong* Cabinet;
 - 5. Decree of the President of the Republic of Indonesia No. 84 of 2002 on the Safeguard of the Domestic Industry Against an Increase in the Import of Products;
 - 6. Decree of the Minister of Industry and Trade No. 86/MPP/Kep/3/2001 on Organization and Procedures of Department of Industry and Trade;

7. Decree of the Minister of Industry and Trade No. 84/MPP/Kep/2/2003 on Committee on Trade Defense of Indonesia (Komite Pengamanan Perdagangan Indonesia/KPPI).

D E C I D E S

To stipulate: **DECREE OF THE MINISTER OF INDUSTRY AND TRADE OF THE REPUBLIC OF INDONESIA ON THE PROCEDURES AND REQUIREMENTS OF APPLICATION FOR INVESTIGATION WITH RESPECT TO SAFEGUARDING DOMESTIC INDUSTRY FROM AN INCREASE IN IMPORTS**

Article 1

In this Decree:

- (a) Product subject to investigation, domestic industry, like product, interested parties, serious injury, threat of serious injury and safeguard shall be defined as laid down in the Presidential Decree No. 84/2002.
- (b) Substitute for product subject to investigation stipulated in Chapter I Article 1 Paragraph (6) of The Presidential Decree No. 84/2002 is like product that in its use may substitute the product subject to investigation.

Article 2

- (1) In case of serious injury or threat of serious injury suffered by the Domestic Industry caused by increased imports, interested parties directly affected may file an application for safeguard investigation to the Committee;
- (2) The interested parties as referred to in paragraph (1) are:
 - (a) Domestic Industry(ies) in Indonesia who produce the like product or directly compete with product subject to investigation;
 - (b) Association of producers of the like product or product directly compete with product subject to investigation;
 - (c) Labour Organization representing the interests of the workers of the domestic industry;
- (3) If it is deemed necessary the Government may file an application for investigation to the Committee in order to safeguard the domestic industry;
- (4) The Committee on Trade Defense of Indonesian (KPPI) at its own initiative may conduct an investigation with respect to an increase in import as to cause or threaten to cause serious injury to the domestic industry.

Article 3

- (1) The application as referred to in Article 1 must be filed in writing in Indonesian language to the CHAIRPERSON OF THE COMMITTEE ON TRADE DEFENSE OF INDONESIA c.q THE SECRETARIAT OF COMMITTEE ON TRADE DEFENCE OF INDONESIA.
- (2) The domestic industry(ies) filing the application as referred to in paragraph (1) must indicate:
 - (a) name and address of the company;
 - (b) telephone and facsimile numbers of the company;
 - (c) name of the company's management authorized to represent the company
- (3) The association representing the domestic manufacturers filing the application as referred to in paragraph (1) must indicate:
 - (a) name and address of the association;
 - (b) telephone and facsimile number of the association;
 - (c) name of the management of the association; ;
 - (d) names and addresses of all represented manufacturers.

Article 4

- (1) The Application as referred to in Article 1 must include:
 - (a) identification of the applicant;
 - (b) description of product subject to investigation;
 - (c) description of like product or products directly competing with product subject to investigation;
 - (d) name and country of the exporter or country of origin of product subject to investigation;
 - (e) the domestic industry suffering from injury;
 - (f) information on serious injury or threat of serious injury;
 - (g) information on the import of product subject to investigation;
- (2) The applicant must submit information as referred to in paragraph (1) or other information required in the investigation in writing;
- (3) Should the information submitted is confidential in nature, the applicant must submit a non-confidential summary.

Article 5

- (1) Each application as referred to in Article 3 shall be examined from administrative and substantive aspects pursuant to the provisions and requirements set forth in this Decree.
- (2) During the examination of the application as referred to in paragraph (1), the applicant shall be given time to complete the data submitted, upon request of the applicant or the Committee, in case the data is incomplete in accordance with the requirement of this Decree.
- (3) Within at least thirty (30) days from the receipt of the completed application by the Committee and based on the result of the examination as well as the preliminary evidence submitted by the Applicant, the Committee shall issue a decision that may:

- (a) reject the application if the application fails to satisfy the specified requirements; or
- (b) accept the application and start the investigation if the application meets the specified requirements.

Article 6

- (1) The Committee shall notify the applicant concerning the rejection of the application along with the justifications of rejection;
- (2) Upon the Committee's notification with respect to the justifications specified in paragraph (1), the interested parties shall be given the opportunity to respond within fifteen (15) days from the date of the decision of the Committee.

Article 7

Should the application be accepted, the Committee shall announce the decision through Government Notice i.e. Official Gazette of the Committee on Trade Defense of Indonesia and Notify the Interested Parties with respect to the initiation of the investigation of the product subject to investigation that allegedly have caused serious injury and or threat of serious injury to the Domestic Industry.

Article 8

Additional provisions required and provisions not set out in this Decree will be elaborated by the Committee on behalf of the Chairperson of the Committee.

This Decree comes into force on the date of issuance.

For public cognizance, this Decree shall be announced by placing it in the State Gazette of the Republic of Indonesia.

**Stipulated in Jakarta
On 17 February 2003**

**THE MINISTER OF INDUSTRY AND
TRADE OF THE REPUBLIC OF
INDONESIA**

RINI M. SUMARNO SOEWANDI
