

**REGULATION OF THE MINISTRY OF FORESTRY OF THE REPUBLIC OF  
INDONESIA**

**NUMBER P.18/Menhut-II/2013**

**CONCERNING**

**INFORMATION ABOUT TIMBER LEGALITY VERIFICATION VIA  
TIMBER LEGALITY INFORMATION SYSTEM PORTAL (SILK)  
AND ISSUANCE OF V-Legal DOCUMENT**

**WITH THE BLESSINGS OF THE GOD ALMIGHTY**

**THE MINISTRY OF FORESTRY OF THE REPUBLIC OF INDONESIA,**

Considering:

- a. that pursuant to Article 16 of the Presidential Regulation Number 10 of 2008 concerning Use of Electronic System within the Framework of Indonesia's National Single Window, it has been decided that further provision is needed to implement this Presidential Regulation in each of the relevant ministry/instance (user) which shall be collectively or separately regulated using a Ministry Regulation or Regulation issued by Head of Relevant Instances (user);
- b. that in order to manage and verify the timber legality information for the purpose of timber and forestry industry product export, the Ministry of Forestry has stipulated the Timber Legality Information System with a Decision of the Ministry of Forestry Number SK.418/Menhut-VI/2012;
- c. that based on letter a and b above, it is necessary to stipulate the Regulation of the Ministry of Forestry concerning Information about Timber Legality Verification Via Timber Legality Information System Portal (SILK) and Issuance of V-Legal document;

In View of:

1. Law Number 41 of 1999 regarding Forestry (State Gazette of the Republic of Indonesia of 1999 Number 167, Addendum to State Gazette of the Republic of Indonesia Number 3888) as already amended by Law Number 19 of 2004 regarding Stipulation of the Government Regulation As Replacement to Law Number 1 of 2004 regarding Amendment on Law Number 41 of 1999 regarding Forestry into a Law (State Gazette of the Republic of Indonesia of 2004 Number 86, Addendum to State Gazette of the Republic of Indonesia Number 4412);

This translation is provided as a non-sworn and legal translation from Bahasa Indonesia into English. This translated version is provided as referral knowledge purpose only. For any legal use of this document, we suggest user to obtain the legal translation version

2. Government Regulation Number 6 of 2007 regarding the Forestry Governance & Making of Plan for Forestry Management as well as Forestry Utilization (State Gazette of the Republic of Indonesia of 2007 Number 22, Addendum to State Gazette of the Republic of Indonesia Number 4696) as already amended by Government Regulation Number 3 of 2008 (State Gazette of the Republic of Indonesia of 2008 Number 16, Addendum to State Gazette of the Republic of Indonesia Number 4814);
3. Presidential Regulation Number 10 of 2008 concerning Use of Electronic System within the Framework of Indonesia's National Single Window;
4. Presidential Regulation Number 47 of 2009 regarding Establishment of State Ministry Organization as already amended by Presidential Regulation Number 91 of 2011;
5. Presidential Regulation Number 24 of 2010 regarding Position, Duty & Function of State Ministry and Organizational Structure, Duty and Function of Echelon I of State Ministry as already amended several times, lastly with Presidential Regulation Number 92 of 2011;
6. Presidential Decree Number 84/P of 2009 regarding the Establishment of Kabinet Indonesia Bersatu II as already amended by Presidential Decree Number 59/P of 2011;
7. Regulation of the Minister of Trade Number 28/M-DAG/Per/6/2009 concerning Provisions for Export and Import Permit Issuance using Electronic System via INATRADE within the framework of Indonesia's National Single Window;
8. Regulation of the Minister of Trade Number 64/M-DAG/Per/10/ 2012 concerning Provisions on Export of Forestry Industry Products;
9. Regulation of the Minister of Forestry Number P.38/Menhut-II/2009 regarding the Standard and Guideline for Performance Assessment of Sustainable Production Forest Management & Timber Legality Verification on Permit Holders or Smallholding Forests (State Gazette of the Republic of Indonesia of 2009 Number 141) as already amended by several times lastly by the Regulation of the Minister of Forestry Number P.45/Menhut-II/2012 (State Gazette of the Republic of Indonesia of 2012 Number 1272);
10. Regulation of the Minister of Forestry Number P.40/Menhut-II/2010 regarding Organization & Procedure of the Ministry of Forestry as already amended by Regulation of the Minister of Forestry Number P.33/Menhut-II/2012 (State Gazette of the Republic of Indonesia of 2012 Number 779);

This translation is provided as a non-sworn and legal translation from Bahasa Indonesia into English. This translated version is provided as referral knowledge purpose only. For any legal use of this document, we suggest user to obtain the legal translation version

11. Regulation of the Ministry of Forestry Number P.7/Menhut-II/2011 concerning Provisions of Public Information Service within the Ministry of Forestry (State Gazette of the Republic of Indonesia of 2011 Number 53);

HAS DECIDED:

To Stipulate:

REGULATION OF THE MINISTRY OF FORESTRY CONCERNING INFORMATION ABOUT TIMBER LEGALITY VERIFICATION VIA TIMBER LEGALITY INFORMATION SYSTEM PORTAL (SILK) AND ISSUANCE OF V-Legal DOCUMENT.

#### CHAPTER I GENERAL PROVISIONS

##### Article 1

In this Regulation the following definitions apply:

1. Electronic system is a system to collect, prepare, store, process, analysis and distribute information electronically.
2. SILK Portal is an electronic system used to integrate data on the issuance of V-Legal and other information related to timber legality verification online, which also guarantee the security of the data and information being exchanged as well as integrate the flow and process of information exchange between different system automatically.
3. Indonesia's National Single Window hereinafter shall be referred to as INSW is a web-based electronic system used national wide to enable the delivery of single submission of data and information, single and synchronous processing of data and information as well as the process of single decision-making for custom release and clearance of cargoes.
4. INATRADE is a web-based service system to manage export and/or import permit in the Ministry of Trade electronically which is done via internet.
5. Standard Verification for Timber Legality hereinafter shall be referred to as SVLK is a set of requirements to obtain status of timber/timber product legality provided on basis of agreement between the forestry stakeholder, which contains the standard, criteria, indicator, verifier, method of verification, and basis of the assessment.
6. Government instances shall be any instance involved in the information and issuance of V-Legal document as well as information about timber legality verification.
7. National Accreditation Committee hereinafter shall be referred to as KAN is the agency which provides accreditation to Assessor Agency of Sustainable

This translation is provided as a non-sworn and legal translation from Bahasa Indonesia into English. This translated version is provided as referral knowledge purpose only. For any legal use of this document, we suggest user to obtain the legal translation version

Production Forest Management (LP-PHPL) and Verification Agency for Timber Legality (LVLK).

8. Independent Agency for Assessment and Verification hereinafter shall be referred to as LP&VI is an independent organization carrying out the assessment and/or verification.
9. Assessor Agency for Sustainable Production Forest Management hereinafter shall be referred to as LP-PHPL is an LP&VI organization established based on the laws of Indonesia to carry out the performance assessment on Sustainable Production Forest Management (PHPL).
10. Verification Agency for Timber Legality hereinafter shall be referred to as LVLK is an LP&VI organization established based on the laws of Indonesia to carry out the verification of timber legality (LK).
11. Independent Observer hereinafter shall be referred to as PI is part of independent community of both individuals or organization with legal entity based on Indonesian law, carrying out the function of supervision related to public service in the forestry sector, such as issuance of S-PHPL or S-LK.
12. Registered Exporter of Forestry Industry Products hereinafter shall be referred to as ETPIK is a wood-based industry company already obtained license to do export of forestry industry products.
13. Registered Exporter of Forestry Industry Products - Non Producer hereinafter shall be referred to as ETPIK Non-Producer is a trading company already obtained license to do export of forestry industry products.
14. Competent authority in the export destination country is an organization having the authority to carry out validation for issuance of V-Legal document.
15. Certificate of Sustainable Production Forest Management (S-PHPL) is a certification document provided to the holders of management permit or holders of concession right explaining their success in managing a sustainable forest.
16. Certificate of Timber Legality (S-LK) is a certification document to be provided to holders of management permit or holders of concession right or owners of smallholding forests explaining their compliance to the standard of timber legality.
17. V-Legal mark is a label put on a timber, timber product, or its packaging, to confirm that the timber or timber product has complied to the PHPL or VLK standard as proven by the ownership of S-PHPL or S-LK certificates.

18. V-Legal document is a document to confirm that the timber product for export has complied to the standard of verification for timber legality pursuant to applicable prevailing regulations.
19. Management of SILK Portal is a unit organization under the Directorate General of Production Forest Development as the responsible party to manage the SILK Portal.
20. Access Right is a right provided and used to interact as a user with the electronic systems both the stand-alone and networking systems.
21. Minister is the Minister having the duty and responsibility in forestry affairs.
22. Director General is the Director General having the duty and responsibility in Production Forest Development.
23. Director is the Director having the duty and responsibility in the processing and marketing of forestry products.

## CHAPTER II PORTAL OF TIMBER LEGALITY INFORMATION SERVICE (SILK)

### Article 2

- (1) The scope of SILK Portal service shall include information related to timber legality verification provided online and issuance of V-Legal document, within the framework of Indonesia's National Single Window (INSW).
- (2) SILK Portal as specified in paragraph (1) shall be provided in <http://silk.dephut.go.id>

### Article 3

SILK Portal service as specified in Article 2 paragraph (2), shall be provided to :

- a. Public; and
- b. Access Right Holders.

### Article 4

SILK Portal service for public as specified in Article 3 letter a, shall include:

- a. General information and news related to SVLK;
- b. Legal policy and products related to timber legality;
- c. List and profile of LP&VI organizations;
- d. Announcement of plan for assessment/verification event/schedule;
- e. List of S-PHPL and S-LK holders;
- f. Announcement of issuance, revision, transfer, postponement, freezing, as well as cancellation of S-PHPL and S-LK;
- g. List of ETPIK or ETPIK Non-Producer; and

- h. Recapitulated issuance of V-Legal document based on tariff post of products and export destination country.

#### Article 5

SILK Portal service for Access Right Holders as specified in Article 3 letter b, shall be provided to:

- a. Government instances;
- b. National Accreditation Committee (KAN);
- c. Independent Agency for Assessment and Verification (LP&VI);
- d. Holders of S-PHPL or S-LK;
- e. ETPIK and ETPIK Non-Producer already obtained the V-Legal document;
- f. Competent authority for the export destination country; and
- g. Independent Observer (PI).

#### Article 6

SILK Portal service provided for government instances via Access Right as specified in Article 5 letter a, shall include:

- a. Provision of general information and news related to SVLK;
- b. Provision of information on legal policy and products related to timber legality;
- c. Provision of information on appointment of LP&VI;
- d. List of officers/authority to issue V-Legal document for the custom authority of Indonesia;
- e. Validation for V-Legal document accepted by the custom authority of Indonesia;
- f. Updated summary report related to issuance of V-Legal document and report of any non-compliance; and
- g. List of competent authority for the export destination country.

#### Article 7

SILK Portal service provided for KAN via Access Right as specified in Article 5 letter b, shall include:

- a. Provision of general information and news related to SVLK;
- b. Provision of information on legal policy and products as well as standard related to timber legality;
- c. Provision of list and profile of LP&VI organizations;
- d. Provision of information on contract on license use of V-Legal mark; and

- e. Updated summary report related to issuance of V-Legal document and report of any incompliance as well as settlement of grievance/complaint.

#### Article 8

SILK Portal service for LP&VI via Access Right as specified in Article 5 letter c, shall include:

- a. Provision of general information and news related to SVLK;
- b. Provision of list of application for performance assessment by PHPL or timber legality verification;
- c. Announcement on plan to carry out assessment/verification;
- d. Provision of list and profile of business organization (auditee) currently being audited for performance assessment by PHPL or timber legality verification or issuance of V-Legal document;
- e. Provision of summarized result of audit performance assessment by PHPL or timber legality verification;
- f. Announcement on issuance, amendment, extension, transfer, postponement, freezing, as well as cancellation of S-PHPL and S-LK;
- g. Provision of updated summary related to recapitulated issuance of S-PHPL and S-LK;
- h. Provision of information contract on sub-license use of V-Legal mark;
- i. Provision of list of issuing officers for V-Legal document;
- j. Issuance of V-Legal document by LVLK, including extension, replacement or cancellation of the document as well as Report of Incompliance;
- k. Provision of regular public summary related to issuance of V-Legal document and Report of Incompliance; and
- l. Provision of Information about settlement of grievance/complaint and appeal related to issuance of S-PHPL and S-LK as well as V-Legal document.

#### Article 9

SILK Portal service for the holders of S-PHPL or S-LK via Access Right as specified in Article 5 letter d, shall become the service related to information about settlement of appeal report related to the said holders of S-PHPL or S-LK.

#### Article 10

SILK Portal service for ETPIK and ETPIK Non-Producer via Access Right as specified in Article 5 letter e, shall include:

- a. Issuance of V-Legal document for ETPIK or ETPIK Non-Producer including extension, replacement or cancellation of the document;

This translation is provided as a non-sworn and legal translation from Bahasa Indonesia into English. This translated version is provided as referral knowledge purpose only. For any legal use of this document, we suggest user to obtain the legal translation version

- b. Report of Incompliance shall be related to verification on issuance of V-Legal document to ETPIK or ETPIK Non-Producer; and
- c. Information about settlement of appeal report shall be related to ETPIK and ETPIK Non-Producer.

#### Article 11

SILK Portal service for competent authority in the export destination country via Access Right as specified in Article 5 letter f, shall include:

- a. Provision of list of competent authority for each export destination country;
- b. Validation for V-Legal document received; and
- c. List of issuing officers for V-Legal document.

#### Article 12

SILK Portal service for Independent Observer (PI) via Access Right as specified in Article 5 letter g, shall include:

- a. Provision of general information and news related to SVLK;
- b. List and profile of business organization (auditee) currently being audited for performance assessment by PHPL or timber legality verification or issuance of V-Legal document;
- c. Summarized result of audit performance assessment by PHPL or timber legality verification;
- d. Updated summary related to issuance of V-Legal document and Report of Incompliance;
- e. List of competent authority for the export destination country; and
- f. Information about settlement of grievance/complaint.

### CHAPTER III ISSUANCE OF V-LEGAL DOCUMENT

#### Article 13

- (1) V-Legal document must also contain ETPIK or ETPIK Non-Producer Registration Number already validated to INATRADE via SILK Portal.
- (2) Delivery of data on the issuance of V-Legal document by LVLK shall be done electronically via SILK Portal.
- (3) The Guideline for the Issuance of V-Legal document by LVLK as specified in Article 8 letter j, shall be regulated by a Regulation of the Director General.

#### Article 14



- (1) In case that the electronic system is not functioning due to force majeure event/ situation, delivery of data on the issuance of V-Legal document by LVLK or issuance of V-Legal document shall be done manually.
- (2) Force majeure events as specified in paragraph (1) may be in the form of:
  - a. Natural disaster, such as flooding, earthquake, landslide, or other disasters happening naturally;
  - b. Fire, blackout, and theft of equipment; and/or
  - c. Malfunctioning and disability of the facility and supporting infrastructure for the application system of SILK Portal for more than 4 (four) hours.
- (3) Issuance of V-Legal document manually as specified in paragraph (1), shall be further stipulated in a Regulation of the Director General.

#### CHAPTER IV OPERATIONAL IMPLEMENTATION OF SILK PORTAL

##### Article 15

Operational implementation of SILK shall be carried out by the SILK Portal of which the activities are, among others:

- a. To manage information related to issuance of S-PHPL and S-LK;
- b. To manage information related to issuance of V-Legal document;
- c. To provide information about validation related to authenticity, completeness, and validity of V-Legal document to the Indonesian custom authority and competent authority for export destination country;
- d. To manage general information and news related to SVLK; and
- e. To manage information on legal policy and products related to timber legality.

#### CHAPTER V APPROVAL, REJECTION, OR CANCELATION OF ACCESS RIGHT

##### Article 16

- (1) Access Right as specified in Article 5 letter a, b, c, d, e and f, shall be obtainable by submitting application letter by the head of the organization/instance to the Ministry of Forestry c.q the Director General;
- (2) The application letter as specified in paragraph (1), must explain data of the applicant, responsible person/party for the Access Right and statement of the applicant.
- (3) Access Right as specified in Article 5 letter g, shall be obtained after completing and submitting registration form as well as statement form by the applicant provided online via <http://silk.dephut.go.id>.

- (4) In case that such application as specified in paragraph (1) or registration as specified in paragraph (3) is approved, notification of approval for Access Right shall be provided, accompanied by user password for activation.

#### Article 17

- (1) The Director General shall provide the approval to application for Access Right as specified in Article 16 paragraph (4), or rejection or cancellation of it.
- (2) The Director General may delegate the authority on approval, rejection or cancellation as specified in paragraph (1), to the Director.
- (3) Notification of approval for Access Right shall be provided at the latest by 7 (seven) working days after such application/registration and complete supporting documents are received.
- (4) Notification of rejection for Access Right shall be provided at the latest by 7 (seven) working days after such application/registration and complete supporting documents are received, accompanied with reason for such rejection.
- (5) Approval for Access Right as specified in paragraph (3) can be cancelled in case that any misuse or violation of applicable laws is found as specified in the accompanying Access Right Agreement or Memorandum of Understanding (MoU).

### CHAPTER VI OBLIGATION OF ACCESS RIGHT HOLDERS

#### Article 18

- (1) Access Right Holders must comply to the provisions as specified in the accompanying Access Right Agreement or Memorandum of Understanding (MoU).
- (2) Access Right Agreement or Memorandum of Understanding (MoU) as specified in paragraph (1), shall be further stipulated in a Regulation of the Director General.

### CHAPTER VII TERMINATION OF ACCESS RIGHT

#### Article 19

- (1) Access Right to obtain the SILK Portal services shall terminate in case that:
  - a. The Access Right has been revoked;
  - b. The Access Right holders submit request to the Management of SILK Portal to terminate their Access Right to SILK Portal service;

- c. Management of SILK Portal is obliged by law to terminate Access Right based on prevailing applicable laws;
  - d. The Access Right holders have not used their Access Right within 6 (six) months in a row.
- (2) Such termination of Access Right as specified in paragraph (1), shall be notified to the Access Right holder along with the reason of such action.

#### CHAPTER VIII FINANCING ASPECT

##### Article 20

All costs arising from the implementation and management of the SILK Portal shall be payable from the State Budget (APBN) under the budget allocation of the Ministry of Forestry.

#### CHAPTER IX CLOSING PROVISIONS

##### Article 21

This Regulation of the Minister shall be effective from the date of enactment. In order that everyone becomes aware of it, it has been ordered that this Regulation of the Minister of Forestry will be published in a State Gazette of the Republic of Indonesia.

Stipulated in Jakarta on 18 March 2013

**THE MINISTER OF FORESTRY OF THE REPUBLIC OF INDONESIA,**

signed

**ZULKIFLI HASAN**

Enacted in Jakarta on 19 March 2013

**THE MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA,**

signed

**AMIR SYAMSUDIN**

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2013 NUMBER 454

This copy is identical to the original