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Indonesia Conditions For Market Access For Films And Videos

THE UNITED STATES TRADE REPRESENTATIVE

Executive Office of the President

Washington, D.C. 20506

The Honorable Arifin M. Siregar Minister of Trade

Republic of Indonesia

Jakarta, Indonesia

Dear Minister Siregar:

I have the honor to acknowledge receipt of your letter of this date concerning steps that the Government of Indonesia will take to achieve improved market access conditions for imported films and videos in Indonesia. Your letter reads as follow:

"Dear Ambassador Hills:

Representatives of our governments have met on several occasions to discuss the condition of market access for motion pictures (films) and video cassettes (videos) into Indonesia. After making every effort to assist with this matter, I have the honor, on behalf of my Government, to inform you of the steps that the Government of Indonesia will take to achieve the objective of improving market access conditions for imported films and videos in Indonesia. In this regard, I can provide the following assurances:

1. The Government of Indonesia will expand the membership of AIFEA and ASIREVI to eight companies, respectively.
2. With respect to videos, the Department of Information will make a decision on and issue video import licenses to P.T. Tobama Mustika film and Video, P.T. kreasi Video Hedkwarter Mas (VHQ), and P.T. Primera Multi Video at the latest by April 30, 1992, which will become effective on such date.
3. With respect to films, the Department of Information will make a decision on and issue film import licenses to two (2) qualified applicants as soon as the applications are completed. Such licenses shall be effective after the implementing regulations for the new Indonesian film law have been issued.
4. The Government of Indonesia confirms that direct distribution of imported motion pictures -- that is, distribution in Indonesia by 100 percent foreign owned companies -- will be permitted at the time such distribution is permitted for any other imported product.
5. The Government of Indonesia confirms that pursuant to licenses granted under Article 12, paragraph 1 of the new Indonesian film law Indonesia companies may cooperate with foreign companies in subtitling and duplicating film and videos in Indonesia. The Government of Indonesia will positively consider applications for such licenses and act on them promptly. "Technical assistance" that is approved by the Minister of Information can assist Indonesian companies in marketing and advertising foreign films in Indonesia.
6. In consideration of the increase in the membership in AIFEA and ASIREVI, the Government of Indonesia will increase import quota for films from the U.S. and Europe and for videos at the next notification of quota amounts. The amount of such increase for each such quota will be ten percent for 1993.

7. The Government of Indonesia confirms that pursuant to regulation, a total number of prints equal to 18 times the quota of films from the U.S. and Europe may be imported. The Government of Indonesia confirms that if the allocation of 18 prints for a specific imported film title is not used, then the unused number prints may be reallocated to another imported film title, but only if the total number of prints of imported film title is for the year, as calculated above. Further, the Government of Indonesia confirms that geographic restrictions no longer apply to restrict the number of prints that may be shown in any particular region in Indonesia.

8. The Government of Indonesia confirms that according to the present regulation, imported films intended for viewing by children may be dubbed in Bahasa, Indonesia. When the implementing regulations for the new Indonesian film law are issued, the Government of Indonesia will extend this regulation to permit the dubbing of imported videos intended for viewing by children in Bahasa Indonesia. The integration of the dubbed sound may be accomplished abroad subject to the license granted under Article 12, paragraph 1 of the new Indonesian law on film.

9. When the implementing regulations for the new Indonesian film law are issued, the Government of Indonesia will adjust regulations on the form, including the width, of masters of video tapes and video discs consistent with advances in technology in order to ensure quality products for Indonesian consumers. Video importers may choose the form including the width of master video tapes and video discs.

10. When the implementing regulations for the new Indonesian film law are issued, the Government of Indonesia will change its regulations to permit a single production certificate to be issued for a video of a single film title, even if that title is in excess of 90 minutes in running time.

11. The Government of Indonesia will permit cooperation, subject to license granted under Article 12, paragraph 1 of the new Indonesian film law, between Indonesian film making companies and foreign film making companies to offer technical services, including the duplication or reproduction of videos in Indonesia.

Please confirm that this represents our mutual understanding of the conditions for market access for films and videos into Indonesia.

Sincerely,

ARIFIN M. SIREGAR

Minister of Trade

I have the honor to confirm that this exchange of letters represents our Governments mutual understanding of the conditions for market access for films and videos into Indonesia. Please accept my highest regards with respect to your efforts to address this matter.

Sincerely,

/s/

Carla A. Hills

EMBASSY OF THE

UNITED STATES OF AMERICA

Jakarta, Indonesia

April 19, 1992

The Honorable

Carla A. Hills

United States Trade Representative

600 17th Street, N.W.

Washington, DC 20506

Dear Ambassador Hills:

I have the pleasure to convey to you the signed original of Indonesian Minister of Trade Arifin Siregar's April 29 letter to you concerning motion picture market access.

We in Jakarta wish to thank you and the many members of your staff involved in the Special 301 process for your willingness to permit the Government of Indonesia to submit its final offer at the very last moment. I understand that the authorities here who were holding the letter for the Minister's signature had a nervous afternoon as the Minister's flight from Singapore was delayed by several hours.

With warm personal regards.

Sincerely

John C. Monjo

Ambassador

Attachment:

as stated

The Honorable

Carla A. Hills

U.S. Trade Representative

600 17th Street, N.W. Washington, D.C. 20506

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ARIFIN M. SIREGAR

Minister of Trade

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*TANC offers these agreements electronically as a public service for general reference. Every effort has been made to ensure that the text presented is complete and accurate. However, copies needed for legal purposes should be obtained from official archives maintained by the appropriate agency.*