

GUIDELINE AND PROCEDURE FOR IMPLEMENTATION OF PERMITS AND NON-PERMIT FOR CAPITAL INVESTMENT

**(Regulation of the Head of Capital Investment
Coordinating Body of R.I Number 15 Year 2015,
dated September 29, 2015)**

WITH THE BLESSING OF THE ONE AND ONLY GOD
THE HEAD OF CAPITAL INVESTMENT
COORDINATING BODY OF
THE REPUBLIC OF INDONESIA

Considering:

- a. Whereas, in the context of simple implementation of the Permits and Non-Permits for Capital Investment Regulation of the Head of Capital Investment Coordinating Body Number 5 Year 2013, concerning Guideline and Procedure for implementation of the Permits and Non-Permits for Capital Investment as amended by Regulation of the Head of Capital Investment Coordinating Body Number 12 Year 2013;
- b. Whereas, in the implementation of the provision in Article 16 paragraph (2) of Law Number 23 Year 2014, concerning Regional Administration and Article 5 paragraph (1) letter a and Article 7 paragraph (1) letter a and letter c Presidential Regulation Number 97 Year 2014, concerning implementation of the One Stop Integrated Ser-

vice, it is deemed necessary to replace Regulation of the Head of Capital Investment Coordinating Body Number 5 Year 2013, concerning Guideline and Procedure for implementing the Permits and Non-Permits for Capital Investment as amended by Regulation of the Head of Capital Investment Coordinating Body Number 12 Year 2013;

- c. Whereas, based on the consideration referred to in letter a and letter b, it is necessary to stipulate Regulation of the Head of Capital Investment Coordinating Body on Guideline and Procedure for Implementing Permits and Non-Permits for Capital Investment;

In view of:

1. Law Number 5 Year 1999, concerning Prohibition from Practising Monopoly and Unhealthy Business Competition (Statute Book of the Republic of Indonesia Year 1999 Number 33, Supplement to Statute Book of the Republic of Indonesia Number 3817);

2. Law Number 37 Year 2000, concerning Stipulation of Government Regulation in Lieu of Law Number 2 Year 2000, on Free Trade Zone and Sabang Free Port to become Law (Statute Book of the Republic of Indonesia Year 2000 Number 252, Supplement to Statute Book of the Republic of Indonesia Number 4054);
3. Law Number 13 Year 2003, concerning Manpower (Statute Book of the Republic of Indonesia Year 2003 Number 39, Supplement to Statute Book of the Republic of Indonesia Number 4279);
4. Law Number 25 Year 2007, concerning Capital Investment (Statute Book of the Republic of Indonesia Year 2007 Number 67, Supplement to Statute Book of the Republic of Indonesia Number 4724);
5. Law Number 26 Year 2007, concerning Space Layout (Statute Book of the Republic of Indonesia Year 2007 Number 68, Supplement to Statute Book of the Republic of Indonesia Number 4725);
6. Law Number 40 Year 2007, concerning Limited Liability Company (Statute Book of the Republic of Indonesia Year 2007 Number 106, Supplement to Statute Book of the Republic of Indonesia Number 4756);
7. Law Number 44 Year 2007, concerning Stipulation of Government Regulation in Lieu of Law Number 1 Year 2007, on Amendment to Law Number 36 Year 2000, concerning Stipulation of Government Regulation in Lieu of Law Number 1 Year 2000, on Free Trade Zone and Free Port to become Law (Statute Book of the Republic of Indonesia Year 2007 Number 130, Supplement to Statute Book of the Republic of Indonesia Number 4775);
8. Law Number 11 Year 2008, concerning Information and Electronic Transaction (Statute Book of the Republic of Indonesia Year 2008 Number 58 Supplement to Statute Book of the Republic of Indonesia Number 4843);
9. Law Number 14 Year 2008, concerning Transparency of Public Information (Statute Book of the Republic of Indonesia Year 2008 Number 61, Supplement to Statute Book of the Republic of Indonesia Number 4846);

10. Law Number 20 Year 2008, concerning Micro, Small, and Medium Business (Statute Book of the Republic of Indonesia Year 2008 Number 93, Supplement to Statute Book of the Republic of Indonesia Number 4866);
11. Law Number 25 Year 2009, concerning Public Service (Statute Book of the Republic of Indonesia Year 2009 Number 112, Supplement to Statute Book of the Republic of Indonesia Number 5038);
12. Law Number 32 Year 2009, concerning Management of Living Environment (Statute Book of the Republic of Indonesia Year 2009 Number 140, Supplement to Statute Book of the Republic of Indonesia Number 5059);
13. Law Number 39 Year 2009, concerning Special Economic Zone (Statute Book of the Republic of Indonesia Year 2009 Number 147, Supplement to Statute Book of the Republic of Indonesia Number 5066);
14. Law Number 23 Year 2014, concerning Regional Administration (Statute Book of the Republic of Indonesia Year 2014 Number 244, Supplement to Statute Book of the Republic of Indonesia Number 5587) as amended several times and lately amended by Law Number 9 Year 2015, on Second Amendment to Law Number 23 Year 2014, on Regional Administration (Statute Book of the Republic of Indonesia Year 2015 Number 58, Supplement to Statute Book of Republic of Indonesia Number 5679);
15. Government Regulation Number 44 Year 1997, concerning Partnership (Statute Book of the Republic of Indonesia Year 1997 Number 91, Supplement to Statute Book of the Republic of Indonesia Number 3718);
16. Government Regulation Number 65 Year 2005, concerning Guideline for Compiling and Applying Service Minimum Standard (Statute Book of the Republic of Indonesia Year 2005 Number 150, Supplement to Statute Book of the Republic of Indonesia Number 4585);
17. Government Regulation Number 41 Year 2007, concerning Organization of Regional Apparatus (Statute Book of the Republic of Indonesia Year 2007 Number 89, Supplement to Statute Book of the Republic of Indonesia Number 4741);

18. Government Regulation Number 46 Year 2007, concerning Free Trade Zone and Batam Free Port (Statute Book of the Republic of Indonesia Year 2007 Number 107, Supplement to Statute Book of the Republic of Indonesia Number 4757) as amended by Government Regulation Number 5 Year 2011 (Statute Book of the Republic of Indonesia Year 2011 Number 16, Supplement to Statute Book of the Republic of Indonesia Number 5195);
19. Government Regulation Number 47 Year 2007, concerning Free Trade Zone and Bintan Free Port (Statute Book of the Republic of Indonesia Year 2007 Number 108, Supplement to Statute Book of the Republic of Indonesia Number 4758);
20. Government Regulation Number 48 Year 2007, concerning Free Trade Zone and Karimun Free Port (Statute Book of the Republic of Indonesia Year 2007 Number 109, Supplement to Statute Book of the Republic of Indonesia Number 4759);
21. Government Regulation Number 45 Year 2008, concerning Guideline for Granting Incentive and Facilities on Capital Investment in the Region (Statute Book of the Republic of Indonesia Year 2008 Number 68, Supplement to Statute Book of the Republic of Indonesia Number 4861);
22. Government Regulation Number 24 Year 2009, concerning Industrial Zone (Statute Book of the Republic of Indonesia Year 2009 Number 47, Supplement to Statute Book of the Republic of Indonesia Number 4987);
23. Government Regulation Number 83 Year 2010, concerning Grant of Authority to the Body of Sabang Zone (Statute Book of the Republic of Indonesia Year 2010 Number 143, Supplement to Statute Book of the Republic of Indonesia Number 5175);
24. Government Regulation Number 2 Year 2011, concerning Operation of Special Economic Zone (Statute Book of the Republic of Indonesia Year 2011 Number 3, Supplement to Statute Book of the Republic of Indonesia Number 5186);

25. Government Regulation Number 26 Year 2012, concerning Tanjung Lesung Special Economic Zone (Statute Book of the Republic of Indonesia Year 2012 Number 47, Supplement to Statute Book of the Republic of Indonesia Number 5284);
26. Government Regulation Number 27 Year 2012, concerning Environmental Permits Statute Book of the Republic of Indonesia Year 2012 Number 48, Supplement to Statute Book of the Republic of Indonesia Number 5285);
27. Government Regulation Number 29 Year 2012, concerning Sei Mangkei Special Economic Zone (Statute Book of the Republic of Indonesia Year 2012 Number 54, Supplement to Statute Book of the Republic of Indonesia Number 5287);
28. Government Regulation Number 96 Year 2012, concerning Implementation of Law Number 25 Year 2012, on Public Service (Statute Book of the Republic of Indonesia Year 2012 Number 215, Supplement to Statute Book of the Republic of Indonesia Number 5357);
29. Presidential Regulation Number 76 Year 2007, concerning Criteria and Requirements for Establishing Private Business and Public Business based on the requirements for Capital Investment;
30. Presidential Regulation Number 90 Year 2007, concerning Capital Investment Coordinating Body as amended by Presidential Regulation Number 86 Year 2012 (Statute Book of the Republic of Indonesia Year 2012 Number 210);
31. Presidential Regulation Number 39 Year 2014, concerning List of Private Business and Public Business on Capital Investment (Statute Book of the Republic of Indonesia Year 2014 Number 93);
32. Presidential Regulation Number 97 Year 2014, concerning Implementation of One Stop Integrated Service (Statute Book of the Republic of Indonesia Year 2014 Number 221);
33. Presidential Decree Number 75 Year 1995, concerning Use of Expatriate Manpower;

34. Presidential Decree Number 90 Year 2000, concerning Representative Office of Foreign Company;
35. Decision Letter of the Head of Police Force of the Republic of Indonesia Number SKEP/638/XII/2009, concerning Delegation of Authority for Granting Business Permit on Safeguarding Service Business in the implementation of One Stop Integrated Service on Capital Investment to the Head of Capital Investment Coordinating Body;
36. Regulation of the Minister of Trade Number 27/M-DAG/PER/5/2012, concerning Terms on Importer Identification Number (API) as amended by Regulation of the Minister of Trade Number 59/M-DAG/PER/9/2012;
37. Regulation of the Minister of Finance Number 18/PMK.010/2012, concerning Joint Venture Capital Company;
38. Regulation of the Minister of Tourism Number 2 Year 2014 on implementation of One Stop Integrated Service on Tourism and Creative Economy within the Capital Investment Coordinating Body as amended by Regulation of the Minister of Tourism Number 1 Year 2015;
39. Regulation of the Minister of Industry Number 122/M-IND/PER/12/2014, concerning Delegation of Authority for Granting Permits on Industry in the implementation of One Stop Integrated Service to the Head of Capital Investment Coordinating Body;
40. Regulation of the Minister of Manpower Number 25 Year 2014, concerning implementation of One Stop Integrated Service on Manpower within the Capital Investment Coordinating Body;
41. Regulation of the Minister of Communication and Information Number 40 Year 2014, concerning Delegation of Authority on implementation of One Stop Integrated Service on Communication and Information to the Head of Capital Investment Coordinating Body;
42. Regulation of the Minister of Health Number 93 Year 2014, concerning implementation of One Stop Integrated Service on Health within the Capital Investment; Coordinating Body;

43. Regulation of the Minister of Energy and Mineral Resource Number 35 Year 2014, concerning Delegation of Authority for Granting Business Permit on Manpower in the implementation of One Stop Integrated Service to the Head of Capital Investment Coordinating Body;
44. Regulation of the Minister of Trade Number 96/M-DAG/PER/12/2014, concerning Delegation of Authority on Trade in the implementation of One Stop Integrated Service to the Head of Capital Investment Coordinating Body as amended by Regulation of the Minister of Trade Number 10/M-DAG/PER/1/2015;
45. Regulation Minister of Agriculture Number 70/Permentan/PD.200/6/2014, concerning Guideline on Permits for Horticulture Cultivation.
46. Decision of the Minister of Agriculture Number 1312/Kpts/KP.340/12/2014, concerning Delegation of Authority for Granting Business Permit on Agriculture on the implementation of One Stop Integrated Service on Capital Investment to the Head of Capital Investment Coordinating Body;
47. Regulation of the Minister of Agrarian and Space Layout/Head of National Land Body Number 15 Year 2014, concerning appointment of Official of the Ministry of Agrarian and Space Layout/Head of National Land Body for assignment in the One Stop Integrated Service Capital Investment Coordinating Body;
48. Regulation of the Minister of Public Works and People's Housing Number 22 Year 2014, concerning Delegation of Authority for Granting Business Permit on Public Works and People's Housing in the implementation of the One Stop Integrated Service within the Capital Investment Coordinating Body;
49. Regulation of the Minister of Finance Number 256/PMK.011/2014, concerning implementation of One Stop Integrated Service within the Capital Investment Coordinating Body;
50. Regulation of the Minister of Education and Culture Number 69 Year 2014, concerning Permit for exercising Non-Formal Education using Foreign Capital;
51. Regulation of the Minister of Communication and Information of the Republic of Indonesia Number 40/2014, concerning Delegation of Authority implementation of One Stop Integrated Service on Communication and

Information to the Head of Capital Investment Coordinating Body;

52. Regulation of the Minister of Living Environment and Forestry Number P.97/MENHUT-II/2014, concerning Delegation of Authority for Granting Permits and Non Permits on Living Environment and Forestry in the implementation of One Stop Integrated Service to the Head of Capital Investment Coordinating Body as amended by Regulation of the Minister of Living Environment and Forestry Number P.1/Menhut-II/2015;
53. Regulation of the Minister of Marine and Fishery Number 3/PERMEN-KP/2015, concerning Delegation of Authority for Granting Business Permit on Fishery in the implementation of One Stop Integrated Service to the Head of Capital Investment Coordinating Body;
54. Regulation of the Minister of Energy and Mineral Resource Republic of Indonesia Number 23 Year 2015, concerning Delegation of Authority for Granting Permits on Natural Oil and Gas in the implementation of One Stop Integrated Service to the Head of Capital Investment Coordinating Body;
55. Regulation Minister of Energy and Mineral Resource Republic of Indonesia Number 25 Year 2015, concerning Delegation of Authority for Granting Permits on Mineral and Coal Mining in the implementation of One Stop Integrated Service to the Head of Capital Investment Coordinating Body;
56. Regulation of the Minister of Communication Number PM. 03 Year 2015, concerning implementation of One Stop Integrated Service on Communication within the Capital Investment Coordinating Body;
57. Regulation of the Head of Center of Statistic Number 57 Year 2009, concerning Classification of Standard Field of Business in Indonesia;
58. Regulation of the Head of Capital Investment Coordinating Body Number 14 Year 2011, concerning Minimum Standard of Service on Capital Investment of Province and Regency/Municipality;
59. Regulation of the Head of Capital Investment Coordinating Body Number 1 Year 2012, concerning Delegation of Authority for Granting Registration and Provisional Permit for Capital Investment to the Board of Sabang Zone;

60. Regulation of the Head of Capital Investment Coordinating Body Number 2 Year 2012, concerning Delegation of Authority for Granting Business Permit for Capital Investment to the Board of Sabang Zone;
61. Regulation of the Head of Capital Investment Coordinating Body Number 3 Year 2012, concerning Guideline and Procedure for Controlling implementation of Capital Investment;
62. Regulation of the Head of Capital Investment Coordinating Body Number 10 Year 2012, concerning Technical Guideline for Minimum Standard of Service on Capital Investment of Province and Regency/Municipality;
63. Regulation of the Head of Capital Investment Coordinating Body Number 8 Year 2013, concerning Delegation of Authority for Granting Provisional Permit for Capital Investment to the Head of Free Trade Zone and Batam Free Port Exploitation Body of Regency Areas, to the Head of Free Trade Zone and Bintan Free Port Exploitation Body of Tanjung Pinang Area, and the Head of Free Trade Zone and Karimun Free Port Exploitation Body;
64. Regulation of the Head of Capital Investment Coordinating Body Number 9 Year 2013, concerning Delegation of Authority for Granting Business Permit for Capital Investment to the Head of Exploitation Body for Free Trade Zone and Batam Free Port Regency Area; to the Head of Exploitation Body for Free Trade Zone and Bintan Free Port Regency; to the Head of Exploitation Body for Free Trade Zone and Bintan Free Port of Tanjung Pinang Regency and to the Head of Exploitation Body for Free Trade Zone and Karimun Free Port
65. Regulation of the Head of Capital Investment Coordinating Body Number 1 Year 2014, concerning Delegation of Authority for Granting Provisional Permit for Capital Investment to the Head Administrator of Sei Mangkei Special Economic Zone;
66. Regulation of the Head of Capital Investment Coordinating Body Number 2 Year 2014, concerning Delegation of Authority for Granting Business Permit for Capital Investment to the Head Administrator of Sei Mangkei Special Economic Zone;

67. Regulation of the Head of Capital Investment Coordinating Body Number 4 Year 2014, concerning Information Service System and Permits for Electronic Investment;
68. Regulation of the Head of Capital Investment Coordinating Body Number 1 Year 2015, concerning Delegation of Authority for Granting Provisional Permit for Capital Investment to the Head Administrator of Tanjung Lesung Special Economic Zone;
69. Regulation of the Head of Capital Investment Coordinating Body Number 2 Year 2015, concerning Delegation of Authority for Granting Business Permit for Capital Investment to the Head Administrator of Tanjung Lesung; Special Economic Zone
70. Regulation of the Head of Capital Investment Coordinating Body Number 9 Year 2015, concerning implementation of the Center One Stop Integrated Service within the Capital Investment Coordinating Body;
71. Regulation Head of Capital Investment Coordinating Body Number 14 Year 2015, concerning Guideline and Procedure for implementing Provisional Permit for Capital Investment;

D E C I D E D :

To stipulate:

REGULATION OF THE HEAD OF CAPITAL INVESTMENT COORDINATING BODY ON GUIDELINE AND PROCEDURE FOR IMPLEMENTING PERMITS AND NON-PERMITS FOR CAPITAL INVESTMENT.

CHAPTER I

GENERAL PROVISION

Article 1

What is meant in this Regulation by:

1. Capital Investment shall be all types of activities on capital investment, either by Domestic Capital Investment or Foreign Capital Investment, to run businesses within the territory of the Unitary State of the Republic of Indonesia.

2. Capital Investment shall be either in the form of individual or business entity exercising Capital Investment that may be in the form of Domestic Capital Investment or Foreign Capital Investment.
3. Domestic Capital Investment, hereinafter referred to as PMDN, shall be capital investment to run business within the territory of the Unitary State of the Republic of Indonesia exercised by Domestic Capital Investor using domestic capital.
4. Foreign Capital Investment, hereinafter referred to as PMA, shall be capital investment to run business within the territory of the Unitary State of the Republic of Indonesia run by Foreign Capital Investor using foreign capital either fully or in joint venture with Domestic Capital Investor.
5. One Stop Integrated Service, hereinafter referred to as PTSP, shall be services integrated into one processing unit taking effect as of the application stage up to completion of the services in one stop stage.
6. PTSP Operator shall be Central Government, Regional Administration, Exploitation Body for Free Trade Zone and Free Ports, and Administrator of Special Economic Zone.
7. Delegation of Authority shall be delivery of duty, right, obligation, and accountability on the Permits and Non-Permits, including the signing thereof in the name of the grantor of authority.
8. Delegation of Authority shall be delivery of duty, obligation and accountability on the Permits and Non-Permits, including the signing thereof in the name of the receiver of authority.
9. One Stop Integrated Service Center hereinafter referred to as PTSP Center at BKPM, shall be service pertaining to Capital Investment constituting the authority of the Central Government, exercised integrately in one processing unit effective as of the application stage up to completion of the services through in one stop stage within the Capital Investment Coordinating Body (BKPM), which operation is exercised by means of:
 - a. delegation of authority by the Minister/Head of Non-Ministry Governmental Institution (LPNK) to the Head of BKPM; and/or

b. assignment of Official of the Ministry/LPNK at BKPM.

10. Permits shall be all types of approval to exercise Capital Investment activities issued by the Central Government, Regional Administration, Exploitation Body for Free Trade Zone Areas and Free Ports and Administrator of Special Economic Zone, having authority that conforms the provisions in the statutory regulation.
11. Non-Permits shall be all facilities on services and information concerning Capital Investment, based on the provisions in the statutory regulation.
12. Capital Investment Company shall be business entity exercising Capital Investment activity either in the form of legal entity or entity not yet in the form of legal entity.
13. Commences producing operation shall be the time when the Capital Investment Company is ready to produce goods and/or services.
14. Ready to Produce shall be the condition when 80% (eighty percent) of the main machinery of the producing activities of the industrial company has been installed at the project location.
15. Ready to Operate shall be the condition when the company on business field other than industry, has provided all facilities and infrastructure ready to run its business activities.
16. Provisional Permit for Capital Investment, hereinafter referred to as Provisional Permit, shall be Permit that must be possessed before commencing business activities.
17. Provisional Permit for Expansion of Capital Investment, hereinafter referred to as Provisional Permit that must be possessed by the company before commencing activity on business expansion.
18. Provisional Permit for Amendment of Capital Investment, hereinafter referred to as Provisional Permit for Amendment, shall be Provisional Permit that must be possessed by the company for legalization of amendment to plan or realization of Capital Investment that has been stipulated before.

19. Provisional Permit for Merger of Capital Investment Company, hereinafter referred to as Provisional Permit that must be possessed by the company resulting from merger, to carry out business activity by the merged company.
20. Investment Permit shall be Provisional Permit belonging to the Company having particular criteria as governed in the Regulation of the Head of BKPM.
21. Business Permit shall be Permit that must be possessed to run production/operation activities that produce goods or services, unless provided otherwise in the statutory regulation.
22. Business Permit for Expansion shall be Permit that must be possessed by the company to start carrying out production/operation to produce goods or services based on the business expansion, unless provided otherwise in the statutory regulation.
23. Permit for Expansion shall be Business Permit that must be possessed by the company to start producing goods or services based on the business expansion, particularly for industrial sector.
24. Business Permit for Amendment shall be Permit that must be possessed by the company for legalization of the amendment to realization of Capital Investment as has been stipulated previously.
25. Business Permit for Merger of the Company shall be license that must be possessed by the company resulting from merger to start producing activity to produce goods or services.
26. Business Permit for Manpower Placement shall be Business Permit for placement of manpower to exercise placement of manpower.
27. Permit for Representative Office for foreign company having its representative office in Indonesia.
28. Representative Office of Foreign Company, hereinafter referred to as KPPA, shall be office led by one or more expatriates or Indonesian citizens appointed by the foreign company of merged foreign company

overseas as its representative in Indonesia.

29. Representative Office of Foreign Trading Company, hereinafter referred to as KP3A, shall be office led by Indonesian person or expatriate appointed by the Foreign Company or Foreign Merged Company overseas as its representative in Indonesia.
30. Representative Office of Foreign Construction Service Business Entity shall be business entity duly established under the law and domiciled overseas, having its representative office in Indonesia, and is equivalent to legal entity in the form of Limited Liability Company operating in construction service business activity.
31. Importer Identification Number, hereinafter referred to as API, shall be identification number as Importer.
32. Company Management shall be the Board of Directors / Management of the Company as set forth in the Articles of Association / Deed of Establishment of the Company or amendments thereof that have obtained approval / ratification / notification of the Minister of Law and Human Rights for Limited Liability Company legal entity based on the provisions in the statutory regulation for other than Limited Liability Company legal entity.
33. Central Government shall be President of the Unitary State of the Republic of Indonesia that holds the power of administration of the Unitary State of the Republic of Indonesia assisted by Vice President and the Ministers as mentioned in the 1945 Constitution of the Unitary State of the Republic of Indonesia.
34. Regional Administration shall be the Head of Region constituting operating element of regional administration leading the implementation of administration affair constituting authority of autonomous region.
35. Capital Investment Coordinating Body, hereinafter referred to as BKPM, shall be Non-Ministry Government Institution responsible on Capital Investment, led by the Head that is directly responsible to the President.
36. Liaise Official shall be Official of the Ministry / LPNK appointed as Front Officer and Back Officer to provide consultation service and/or to process the application for Permits and Non-Permits pertaining to Capital Investment constituting the authority of the Minister on Technical matter/Head of LPNK with transparent

and defined duty, rights, authority, obligation, and accountability..

37. Capital Investment Agency and One Stop Integrated Service of Province, or apparatus of Provincial government exercising matter on Capital Investment with other nomenclature in accordance with the applicable statutory regulation, hereinafter referred to as BPMPTSP of Province, shall be assistant to the Head of Region in exercising Regional Administration of Province, exercising the main function in coordinating Capital Investment within the Provincial Government.
38. Capital Investment Agency dan One Stop Integrated Service Regency/Municipality, or Administration apparatus of Regency/Municipality exercising Capital Investment matter with other classification based on the prevailing statutory regulation, hereinafter referred to as BPMPTSP of Regency/Municipality, shall be assistant to the Head of Region in exercising regional administration of Regency/Municipality, carrying out the main function in coordinating Capital Investment activity within Regency/Municipality Administration.
39. Free Trade Zone and Free Port, hereinafter referred to as KPBPB, shall be any zone located within the territory of the Unitary State of the Republic of Indonesia apart from the customs area causing it to free from import duty, value added tax, sales tax on luxurious goods, and excise.
40. Special Economic Zone, hereinafter referred to as KEK, shall be zone with particular borders within the territory of the Unitary State of the Republic of Indonesia by law as stipulated to carry out economical function and to obtain certain facilities.
41. Report on Capital Investment activity, hereinafter referred to as LKPM, shall be report on the progress of Capital Investment realized and the obstacle encounters by the Capital Investor that must submitted periodically.
42. System of Information Service and Permit for Electronic Investment, hereinafter referred to as SPIPISE, shall be system in providing integrated service on Permit and Non-Permit between the Central Government having the authority to issue Permit and Non-Permit and the Regional Administration.

CHAPTER II

PURPOSES AND OBJECTIVES

Article 2

Guideline and procedure in exercising Permit and Non-Permit for Capital Investment is meant as guideline for implementation of Capital Investment pertaining to the procedure for submitting application and complying with the requirements of the Permit and Non-Permit for Capital Investment activity, addressed to the Officials of BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB, PTSP KEK, the business players and the public society.

Article 3

The guideline and procedure for exercising Permit and Non-Permit for Capital Investment are meant to:

- a. achieve equality and uniformity of procedure for submitting application, complying with the requirements and procedure for exercising the Permit and Non-Permit for Capital Investment activity within BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB, PTSP KEK throughout Indonesia;
- b. give information as to completion period of the application process for Permit and Non-Permit for Capital Investment activity; and
- c. accomplish accessible, fast, appropriate, accurate, transparent and accountable service.

CHAPTER III

AUTHORITY TO PROVIDE SERVICE FOR CAPITAL INVESTMENT ACTIVITY

Part One

Implementation by PTSP on Capital Investment

Article 4

- (1) PTSP on Capital Investment will be exercised by the Central Government, PTSP KPBPB, PTSP KEK, Provincial Government, and Regency/Municipality Administration.
- (2) Implementation by PTSP as referred to in paragraph (1) shall be:

- a. Central Government by Central PTSP at BKPM;
- b. Provincial Government by BPMPTSP of Province;
- c. Regency/Municipality Administration by BPMPTSP of Regency/Municipality;
- d. Exploitation Body for Free Trade Zone and Free Port by PTSP KPBPB; and
- e. Administrator of Special Economic Zone by PTSP KEK.

(3) The Central Government, Provincial Government, and Regency/Municipality Administration as referred to in paragraph (1) shall delegate authority in the form of assignment of duty, right, obligation, and accountability on the Permit and Non-Permit including the signing thereof to the PTSP Operator on Capital Investment.

(4) The PTSP Operator on Capital Investment will receive delegation of authority as follows:

- a. Head of BKPM from the Minister / Head of LPNK;
- b. Head of BPMPTSP of Province from the Governor;
- c. Head of BPMPTSP of Regency/Municipality from the Regent/Mayor;
- d. Head of KPBPB Exploitation Body from the Minister/Head of LPNK, Governor, and Regent/Mayor; and
- e. Administrator of KEK from the Minister / Head of LPNK, Governor, and Regent/Mayor.

Part Two

Central PTSP at BKPM

Article 5

(1) PTSP on Capital Investment constituting the authority of the Central Government is implemented on PTSP Center at BKPM and consisting of:

- a. implementation of Capital Investment which scope is cross-provinces;
- b. administration matter on Capital Investment covering:
 - 1. Capital Investment pertaining to non-renewable natural resource with high risk on environmental damage;
 - 2. Capital Investment on industry constituting high priority on national scale;
 - 3. Capital Investment that pertains to unification function and connecting media cross-regions or

which scope is cross-provincial;

4. Capital Investment that relates to implementation of national strategy on defense and security;
 5. Foreign Capital Investor and Domestic Capital Investor using foreign capital originating from the Government of other country, which is based on agreement entered into by the Central Government and Foreign Capital Investor and Domestic Capital Investor using foreign capital, originating from the Government of other country, and
 6. Other Capital Investment constituting Central Government affair based on the statutory regulation.
- (2) PTSP Center at BKPM as referred to in paragraph (1) will be implemented based on Delegation of Authority from the Minister/Head of LPNK having the authority over Permits and Non-Permits on Capital Investment constituting Central Government's affair.
- (3) Capital Investment for fields of businesses as referred to in paragraph (1) letter b figure 1, figure 2, figure 3, figure 4, and figure 6 based on what has been stipulated by the Minister/Head of LPNK having the authority over Permits constituting the Central Government affair on Capital Investment.

Part Three

PTSP OF Provincial Government

Article 6

- (1) PTSP on Capital Investment constituting the authority of Provincial Government will be implemented by BPMPTSP of Province covering:
- a. provincial administration affair as governed in the statutory regulation;
 - b. provincial administration affair which scope is cross-Regency/Municipality; and
 - c. Government affair which authority is delegated to the Governor.
- (2) In exercising the PTSP as referred to in paragraph (1), the Governor shall delegate authority for granting Permits and Non-Permits for administration affair constituting the authority of Provincial Government over Permits and Non-Permits to the Head of BPMPTSP of Province.

Part Four

PTSP of Regency/Municipality Administration

Article 7

(1) PTSP on Capital Investment constituting authority of Regency/Municipality Administration will be exercised by BPMPTSP of Regency/Municipality covering:

- a. Regency/Municipality Administration affair on Capital Investment which scope is within one Regency/Municipality; and
- b. Central Government's affair which authority thereof is delegated to the Regent/Mayor.

(2) For the PTSP referred to in paragraph (1), the Regent/Mayor shall delegate authority to grant Permits and Non-Permits on administration affair constituting the authority of Regency/Municipality administration to the Head of BPMPTSP of Regency/Municipality.

Part Five

PTSP at KPBPB

Article 8

PTSP on Capital Investment located at KPBPB as referred to in Article 4 paragraph (3) letter d will be implemented based on delegation of authority from the Minister/Head of LPNK, the Governor, and/or Regent/Mayor based on the statutory regulation.

Part Six

PTSP at KEK

Article 9

PTSP on Capital Investment located at KEK as referred to in Article 4 paragraph (3) letter e will be implemented based on delegation of authority from the Minister/Head of LPNK, the Governor, and/or the Regent/Mayor in accordance with the provisions in the statutory regulation.

CHAPTER IV

SCOPE OF SERVICES ON CAPITAL INVESTMENT

Part One

General

Article 10

- (1) The scope of services governed in Regulation covers:
 - a. service on Permits; and
 - b. service on Non-Permits.

- (2) The services referred to in paragraph (1) shall be provided by PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP of KPBPB, PTSP of KEK based on their respective authority, as referred to in Article 5, Article 6, Article 7, and Article 8.

Part Two

Type of Permits and Non-Permits

Article 11

- (1) Type of Permits as referred to in Article 10 paragraph (1) letter a, shall be:
 - a. Business License for various business sectors;
 - b. Business License for expansion of various business sectors;
 - c. Business License for merger of Capital Investment Companies for various business sectors;
 - d. Business License for Amendment for various business sectors;
 - e. License for Representative Office; and
 - f. License for operational of various business sectors.

- (2) Types of Non-Permits as referred to in Article 10 paragraph (1) letter b, covering:
 - a. utilization of Foreign Manpower;
 - b. Importer Identification Number; and
 - c. technical recommendation for various business sectors.

Article 12

- (1) Types of Permits and Non-Permits issued by PTSP Center at BKPM, as stipulated by the Minister/Head of

LPNK holding the authority on Permits and Non-Permits.

- (2) Types of Permits and Non-Permits not governed in the guideline and procedure thereof in this Regulation, that comply with the provisions as stipulated by the relevant Minister/Head of LPNK, the Governor and the Regent/Mayor.
- (3) Types of Permits and Non-Permits as referred to in paragraph (2) covering:
 - a. technical consideration on Land Affairs;
 - b. Permit for Location;
 - c. Permit for Building Construction(IMB);
 - d. Environmental Permit; and
 - e. Other Permits and Non-Permits in accordance with the provisions in the statutory regulation.

Part Three

Business License

Article 13

- (1) Any company that holds Provisional Permit / Investment Permit, and intending to carry out production/ operation activity shall be obliged to possess Business License.
- (2) Application for Business License as referred to in paragraph (1) must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK according to their respective authority by on-line supported by compliance with the requirements as set forth in Attachment I constituting inseparable part of this Regulation.
- (3) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK that have not submitted application for Permits by on-line as referred to in paragraph (1) must submit it manually, using the Form of Application as set forth in Attachment II supported by compliance with the requirements set forth in Attachment I constituting inseparable part of this Regulation.
- (4) Any company shall be incapable to submit application for Business License if the term of the Provisional Permit / Investment Permit referred to in paragraph (1) expired.

Municipality according to their respective authority;

- c. only accomplished its project in one (1) province, thereby application for Business License must be submitted to BPMPTSP of Province, or BPMPTSP of Regency/Municipality based on their respective authority.

(4) PMDN Company possessing Provisional Permit with location cross- Regency/Municipality, which Provisional Permit is issued by BPMPTSP of Province, if:

- a. completion period of the project is the same by the time production/operational activity commences is obliged to submit application for Business License at the same time to BPMPTSP of Province;
- b. completion period of the project is different, by the time production/operational activity will commence, is obliged to submit application for Business License to BPMPTSP of Regency/Municipality;
- c. only accomplished its project in one (1) Regency/Municipality, application for Business License must be submitted to BPMPTSP of Regency/Municipality.

(5) Business activity at the project location not accomplished yet as referred to in paragraph (3) letter c and paragraph (4) letter c, the business activity at the project location shall be declared cancelled.

Part Four

Business License for Expansion

Article 15

- (1) Company possessing valid Provisional Permit and intends to carry out production/operational activity is obliged to hold Business License for Expansion.
- (2) Particularly for PMA Company, at submitting application for Business License for Expansion, the total value of investment accomplished must be Rp 10.000.000.000,00 (ten billion Rupiah) other than investment on land and construction.
- (3) If Provisional Permit for Expansion that has been approved with investment value less than Rp.10.000.000.000,00 (ten billion Rupiah) other than investment on land and construction, and comple-

tion period of project is still valid, the PMA company may submit application for Expansion Permit for a total investment value less than Rp.10.000.000.000,00 (ten billion Rupiah) other than investment on land and construction based on the provisions in the statutory regulation.

- (4) Application for Business License for Expansion referred to in paragraph (1) must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority by on-line, supported by compliance with the requirements as set forth in Attachment I constituting inseparable part of this Regulation.
- (5) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK not submitting yet application for Permits by on-line, application for Permits as referred to in paragraph (1) may be submitted manually, using the application form as set forth in Attachment II supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation.
- (6) Business License for Expansion as referred to in paragraph (1) will be issued within six (6) working days as of the date the complete and correct application or that complies with the provisions in the statutory regulation is received.
- (7) Type of Business License for Expansion as referred to in paragraph (1) is as specified in Attachment VI constituting inseparable part of this Regulation.
- (8) If the application for Business License for Expansion referred to in paragraph (4) dan (5) is rejected, the Head of BKPM or appointed Official shall issue Rejection Letter for Business License for Expansion within five (5) working days.
- (9) Type of Rejection Letter referred to in paragraph (8) shall be as set forth in Attachment IV constituting inseparable part of this Regulation.
- (10) Coordination pertaining to Business License for Expansion is the same as coordination pertaining to Business License as set forth in Article 13 and Article 14.

Part Five

Business License for Company Merger

Article 16

- (1) Company resulting from merger that holds Provisional Permit for Company Merger shall be obliged to hold Business License for Company Merger at commencement of production/operation.
- (2) Business License for Company Merger for application of Provisional Permit for Company Merger as referred to in paragraph (1), shall be issued separately for each sector or particular business sector, based on the provisions stipulated by the Ministry / LPNK Management of business sector.
- (3) Application for Business License for Company Merger referred to in paragraph (1) must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority by on-line supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation.
- (4) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK not submitting application for Permits by on-line yet, such application for Permits as referred to in paragraph (1) must be submitted manually using the application form as set forth in Attachment II supported

by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation.

- (5) Business License for Company Merger as referred to in paragraph (1) will be issued within six (6) working days as the date the complete and correct application or that complies with the provisions in this Regulation.
- (6) Type of Business License for Company Merger as referred to in paragraph (1) is as set forth in Attachment VII constituting inseparable part of this Regulation.
- (7) If application for Business License for Company Merger as referred to in paragraph (3) and (4) is rejected, the Head of BKPM or Official appointed shall issue Rejection Letter for Company Merger within five (5) working days.
- (8) Type of Rejection Letter referred to in paragraph (7) is as set forth in Attachment IV constituting inseparable part of this Regulation.

Part Six

to be continued

(MA)

GUIDELINE AND PROCEDURE FOR IMPLEMENTATION OF PERMITS AND NON-PERMIT FOR CAPITAL INVESTMENT

**(Regulation of the Head of Capital Investment
Coordinating Body of R.I Number 15 Year 2015,
dated September 29, 2015)**

**[Continued from Business News No. 8819-8820
page 23-48]**

Part Six

Business License for Amendment

Paragraph 1

General

Article 17

- (1) Company holding Business License/Business License for Expansion / Business License for Merging Company may make amendment to accomplished Capital Investment.
- (2) Amendment to accomplished Capital Investment as referred to in paragraph (1) covers amendment to:
 - a. project location;
 - b. terms on field of business;
 - c. validity of Business License.
- (3) Based on the amendment as referred to in paragraph (2), the company shall be obliged to hold Business License for Amendment.

- (4) Amendment other than as referred to in paragraph (3) will be reported in LKPM.

- (5) Business License for Amendment referred to in paragraph (2) may apply for justification in the case of non-justified permit issued based on the application submitted by the company, if there are discrepancies originating from the PTSP Center at BKPM, PTSP KPBPB, PTSP KEK, BPMPTSP of Province and BPMPTSP of Regency/Municipality based on their respective authority.

- (6) The application for Business License for Amendment referred to in paragraph (3) must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority by online, supported by compliance with the requirements as set forth in Attachment I constituting inseparable part of this Regulation.

- (7) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK that have not submitted application for Permits, the application for Permits online as referred to in paragraph (3) must be submitted manually using the Application Form as set forth in Attachment VIII supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation.
- (8) The Business License for Amendment referred to in paragraph (3) will be issued within five (5) working days as of the date the complete and correct application is received or it complies with the provisions in the statutory regulation.
- (9) The type of Business License for Amendment referred to in paragraph (3) is as set forth in Attachment IX constituting inseparable part of this Regulation.
- (10) If the application for Business License for Amendment referred to in paragraphs (5) and (6) is rejected, the Head of BKPM or appointed Official shall issue Rejection Letter for Business License for Amendment within five (5) working days.
- (11) Type of Rejection Letter as referred to in paragraph (9) shall be as set forth in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM

Paragraph 2

For Change of Project Location

Article 18

- (1) Company holding Business License / Business License for Expansion / Permit for Expansion / Business License for Company Merger changing project location and having complied with the provisions for submitting application for Business License at the new location, may automatically apply for Business License for Amendment/Change.
- (2) Especially for major trading business (major distributor), in submitting application for Change of project location by stating the area of the land for Head Office and warehouse.

- (3) If the Company referred to in paragraph (1) fails to comply with the provisions in teh requirements to submit application for Business License for Change to new location, this will be proceede by Provisional Permit for Change.
- (4) The Provisional Permit for Change referred to in paragraph (3) must be followed by submitting application for Business License for Change within one (1) year effective as of the date the Povisional Permit for Change is issued.

Paragraph 3

Provision for Change of Field of Business

Article 19

Any Company holding Business License / Business License for Expansion / Business License for Company Merger may make a Change to field of business covering:

- a. type of product resulting from product diversification without adding machinery / investment;
- b. production capacity as set forth in the Business License / Business License for Expansion / Business License for Company Merger does not justify with the capacity installed at the project location based on the result of inspection in the field;
- c. marketing and export value per annum;
- d. justification to KBLI;
- e. adding commodity without adding capacity and investment, particularly on major trading business,; or
- f. additional sub-qualification, particularly for consultancy service for foreign construction business and/or business service for foreign construction operation.

Paragraph 4

Validity of Business License for Amendment / Change

Article 20

- (1) Any Company holding Business License / Business License for Expansion / Business License for Company Merger which validity will expire, is obliged to hold Business License for Amendment / Change based on the provisions in the statutory regulation.
- (2) At the application referred to in paragraph (1), Business License for Amendment / Change will be issued stating that the Business License is valid so long the company still runs its production / operation activity for a certain period based on the provisions in the statutory regulation.
- (3) For any company which Business License is not issued by PTSP Center of BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority, is obliged to justify its Business License by complying with the requirements as set forth in the provisions in the statutory regulation.
- (4) Especially for consultancy service for foreign construction and/or operating service for foreign construction, at expiry of the validity of Business License, application for new Business License on the same type of business must be submitted to PTSP Center at BKPM without applying for new Provisional Permit supported by compliance with the requirements as set forth in the provisions in the statutory regulation.

Part Seven

Permit for Representative Office

Paragraph 1

General

Article 21

Permit for Representative Office as referred to in Article 1 point 27 shall cover:

- a. Permit for Representative Office of Foreign Company (KPPA);
- b. Permit for Representative Office of Foreign Trading Company (KP3A); and
- c. Permit for Representative Office of Foreign Construction Service Business Entity (BUJKA).

Paragraph 2

KPPA

Article 22

(1) KPPA's Activities are limited to:

- a. administer the interests of the company or its affiliated companies; and/or
- b. prepare establishment and development of business in Foreign Capital Investment in Indonesia or in other countries; and
- c. locate business in Provincial capital city and domiciled at office building.

(2) To carry out activity of foreign representative office in Indonesia the company is obliged to hold KPPA Permit.

(3) If the Head of KPPA appointed is a foreigner or WNA and/or is employing TKA, the Head of KPPA is obliged to employ TKI based on the provisions in the statutory regulation.

(4) The validity of KPPA Permit as referred to in paragraph (2) is three (3) years and is renewable two (2) times, respectively for one (1) year.

(5) After the five (5) year terms, the KPPA may be extended if the business activity of KPPA is different from the previous period.

(6) Application for KPPA Permit as referred to in paragraph (2) must be submitted to PTSP Center at BKPM supported by compliance with the requirements as set forth in Attachment I constituting inseparable part of this Regulation of the Head of BKPM

(7) KPPA Permit will be issued within five (5) working days as of receipt of the complete and correct application.

(8) Type of KPPA Permit as referred to in paragraph (2) is as set forth in Attachment X constituting inseparable part of this Regulation of the Head of BKPM

(9) If the application for KPPA Permit as referred to in paragraph (2) is rejected, the Head of BKPM or appointed Official shall issue Rejection Letter to KPPA Permit within five (5) working days.

(10) Type of Rejection Letter as referred to in paragraph (10) is as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM

Article 23

(1) KPPA may make amendment to the terms that have been stipulated by the Central Government in the KPPA Permit, as covered in the Amendment:

- a. data on foreign company represented:
 1. name of parent company;
 2. address of Head Office / Parent company;
 3. Parent company's business activity;
- b. domicile of representative office in Indonesia:
 1. address;
 2. area of activity;
- c. data of Head of Representative Office:
 1. name;
 2. citizenship;
 3. Passport / Resident Identity Number;
 4. address (in the country of origin and in Indonesia);
- d. Use of manpower:
 1. management;
 2. expert;
 3. staff and employee.

(2) With the existence of Amendment as referred to in paragraph (1), the company must hold Permit for Amendment of the KPPA terms.

- (3) Application for Permit for Amendment to KPPA terms as referred to in paragraph (2) must be submitted to PTSP Center at BKPM supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM
- (4) Permit for Amendment of KPPA terms will be issued within five (5) working days as of receipt of the complete and correct application.
- (5) Type of Permit for Amendment to KPPA terms as referred to in paragraph (2) is as specified in Attachment XI constituting inseparable part of this Regulation of the Head of BKPM
- (6) If the application referred to in paragraph (2) is rejected, the Head of BKPM or appointed Official shall issue Rejection Letter to Permit for Amendment to KPPA terms within five (5) working days.
- (7) Type of Rejection Letter as referred to in paragraph (6) is as set forth in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM

Paragraph 3

KP3A

Article 24

- (1) KP3A may establish Sales Agent (Selling Agent) and/or Manufacturing Agent and/or Buying Agent, but it is prohibited from exercising trading activity and sales transaction, either at the initial period or completion thereof, such as bidding, sign contract, settle claim and the type.
- (2) KP3A may be opened in the capital city and of Province and capital city of Regency/Municipality overall territories of the Republic of Indonesia.
- (3) If the appointed Head of KP3A is a foreigner or WNA and/or hiring foreign manpower or TKA, he/she is obliged to also hire Indonesian manpower or TKI in accordance with the provisions in the statutory regulation.

- (4) In carrying out activity, the KP3A is obliged to submit application for Business License Certificate for Representative Office of Foreign Trading Company (SIUP3A) to PTSP Center at BKPM supported by compliance with the requirements as set forth in Attachment I.
- (5) Temporary SIUP3A, Permanent SIUP3A, and SIUP3A for Extension will be issued within six (6) working days as of receipt of the complete and correct application.
- (6) SIUP3A for Amendment will be issued within five (5) working days as of receipt of the complete and correct application.
- (7) Type of SIUP3A as referred to in paragraph (5) and paragraph (6) shall be as set forth in Attachment XII, Attachment XIII, Attachment XIV, and Attachment XV constituting inseparable part of this Regulation of the Head of BKPM
- (8) If the application referred to in paragraph (5) and paragraph (6) is rejected, the Head of BKPM or appointed Official shall issue Rejection Letter for SIUP3A within five (5) working days.
- (9) Type of Rejection Letter as referred to in paragraph (8) shall be as set forth in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM

Article 25

- (1) Business License Certificate for Representative Office of Foreign Trading Company (SIUP3A), shall consist of:
 - a. Temporary SIUP3A;
 - b. Permanent SIUP3A;
 - c. SIUP3A for Extension;
 - d. SIUP3A for Amendment / Change; and
 - e. Branch Office of Representative of Foreign Trading Company.
- (2) Temporary SIUP3A is valid for two (2) months effective as of the date it is issued.

- (3) Permanent SIUP3A is valid for one (1) year effective as of the date it is issued.
- (4) Extension of SIUP3A is valid for three (3) years at the longest, unless it is determined for less than three (3) years in the Appointment Letter and may be extended based on the Appointment Letter based on the term of assignment as set forth in the Assignment Letter.

Article 26

- (1) KP3A may make amendment to the provisions that have been approved and determined by the Central Government in the Permit for KP3A Activity by applying for SIUP3A for Amendment, such as, Amendment to:
- a. data of foreign company being represented:
 - 1. name and Parent company;
 - 2. address of Parent / Head Office;
 - 3. business activity;
 - b. domicile of Representative Office in Indonesia:
 - 1. address;
 - 2. area of activity;
 - 3. field of activity;
 - c. data on management of Representative Office such as:
 - 1. name;
 - 2. citizenship;
 - 3. Passport / Resident Identity Number;
 - 4. address (in the country of origin and in Indonesia);
 - d. utilization of manpower:
 - 1. assistant to the Head of Representative Office;
 - 2. expert;
 - 3. staff and employees.

- (2) In the occurrence of Amendment as referred to in paragraph (1), the company is obliged to hold SIUP3A for Amendment.
- (3) Coordination pertaining to SIUP3A for Amendment is similar to coordination of SIUP3A as referred to in Article 24 of this Regulation of the Head of BPKM.

Article 27

- (1) KP3A may open Representative Branch Office of Foreign Trading Company in the capital city of Province and/or in Regency/Municipality.
- (2) The Branch Office referred to in paragraph (1) may be opened as soon as the Head Office of Foreign Trading Company holds SIUP3A.
- (3) Permit for Representative Head Office of Foreign Trading Company is valid for three (3) years, unless it is provided less than three (3) years in the Appointment Letter and may be extended based on the term of Assignment as specified in the Appointment Letter.

Paragraph 4

Representative Office of Foreign Construction Business Entity

Article 28

- (1) Permit for Representative Office shall be granted to Foreign Construction Business Entity (BUJKA) with major qualification as governed in the statutory regulation.
- (2) Permit for Representative Office may be utilized to run construction business activity overall Indonesian territories.
- (3) Permit for Representative Office is valid for three (3) years and is renewable.
- (4) In exercising its activity, the party is obliged to hold Permit for Representative Office of Foreign Construction Business Entity (BUJKA) from PTSP Center at BKPM supported by compliance with the requirements as set forth in Attachment I.

- (5) Permit for Representative Office of BUJKA will be issued within two (2) working days as of the complete and correct application is received.
- (6) Type of Representative Office of BUJKA as referred to in paragraph (5) is as specified in Attachment XVI constituting inseparable part of this Regulation of the Head of BKPM
- (7) If the application referred to in paragraph (5) is rejected, the Head of BKPM or appointed Official shall issue Rejection Letter to application for Permit for Representative Office of BUJKA within five (5) working days.
- (8) Type of Rejection Letter as referred to in paragraph (7) is as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM

Article 29

- (1) Permit for Representative Office of Foreign Construction Business Entity (BUJKA) consists of:
 - a. new Permit for BUJKA;
 - b. Permit extension for BUJKA;
 - c. replacement data for permit for BUJKA;
 - d. closing of permit for BUJKA.
- (2) Application for new Permit, Permit extension, and/or replacement data for Permit as referred to in paragraph (1), is subject to administration fee as follows:
 - a. planning / supervisory consultancy services with a value of USD. 5.000 (five thousand US Dollar); and/
or
 - b. construction operation service with a value of USD. 10.000 (ten thousand US Dollar).
- (3) Administration fee as referred to in paragraph (2) must be deposited directly by BUJKA to the State Treasury.
- (4) Application for replacement of data as referred to in paragraph (1) letter c consists of:

- a. replacement data of business entity;
- b. replacement data of address;
- c. for Amendment of type of business; and/or
- d. replacement data of the Head of Representative Office of BUJKA.

(5) Application for closing Permit for BUJKA as referred to in paragraph (1) letter d must be submitted to PTSP Center at BKPM based on the statutory regulation.

Part Eight

Utilization of Foreign Manpower

Paragraph 1

General

Article 30

- (1) Capital Investment Company and Representative of Foreign Company may employ Foreign Manpower (TKA).
- (2) To be able to employ TKA manpower, the Capital Investment Company and Representative Office of Foreign Company must hold Permit for TKA, namely:
 - a. Plan on the Use of Foreign Manpower (RPTKA) / Expatriate; and
 - b. Permit to Employ Foreign Manpower (IMTA) / Expatriate.
- (3) TKA intending to work at Capital Investment Company and Representative Office of Foreign Company already arriving in Indonesia is obliged to hold Visa to Work issued by the Representative Office of the Republic of Indonesia overseas.
- (4) Application for Permits for TKA must be submitted on-line to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB, or PTSP KEK based on their respective authority.

Paragraph 2

Plan for Foreign Manpower Utilization (RPTKA)

Article 31

- (1) Application to obtain ratification of RPTKA must be submitted to PTSP Center at BKPM using the RPTKA Form, as governed in the statutory regulation on Manpower matter.
- (2) Decision Letter of Ratification of RPTKA as referred to in paragraph (1) will be issued within three (3) working days as of receipt of the complete and correct application.
- (3) Any Amendment and extension to RPTKA must obtain approval of RPTKA.
- (4) Application for Amendment of RPTKA as referred to in paragraph (4) covering Change of title, location and total number of foreign manpower must be submitted to PTSP Center at BKPM using RPTKA Form as governed in the statutory regulation on Manpower matter.
- (5) Application for extension to RPTKA as referred to in paragraph (4) must be submitted to:
 - a. PTSP Center at BKPM if the work location is cross-province; or
 - b. BPMPTSP of Province if the work location is in one (1) provincial area using RPTKA Form as governed in the statutory regulation on Manpower matter.
- (6) Application for Amendment and/or extension of RPTKA must be supported by compliance with the requirements as governed in the statutory regulation on Manpower matter.
- (7) With respect to the application for Amendment and/or extension of RPTKA as referred to in paragraph (4) Decision Letter of Amendment to RPTKA will be signed by the Official of the Ministry of Manpower based on his/her authority.
- (8) Decision Letter for Amendment and/or extension of RPTKA will be issued within 2 (two) working days as of receipt of the complete and correct application.

Paragraph 3

Permit for Employing Foreign Manpower (IMTA)

Article 32

- (1) Application for IMTA must be submitted to PTSP Center at BKPM using IMTA Form as governed in the statutory regulation on Manpower matter..
- (2) The Decision Letter for IMTA referred to in paragraph (1) will be issued within three (3) working days as of receipt of the complete and correct application letter.
- (3) The Decision Letter for IMTA referred to in paragraph (2) is valid for one (1) year at the longest but is renewable.
- (4) If the Company and Representative Office of Foreign Company intend to extend its IMTA the party concerned is obliged to submit application for extension of IMTA using the IMTA Application Form to:
 - a. PTSP Center at BKPM for TKA which work location lies in more than one (1) provincial areas and the TKA working at the Representative Office;
 - b. BPMPTSP of Province for TKA which work location lies cross-Regency/Municipality areas within one (1) Province; or
 - c. BPMPTSP of Regency/Municipality for TKA which work location lies in one (1) Regency/Municipality.
- (5) The application referred to in paragraph (4) must be submitted within 30 (thirty) days at the latest prior to expiry of validity of the SK IMTA from TKA concerned, using the IMTA Application Form as governed in the statutory regulation on Manpower matter.
- (6) Based on the application referred to in paragraph (4), the Official of the Ministry of Manpower assigned to the PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality shall issue Decision Letter for Extension of IMTA.
- (7) Decision Letter for Extension of IMTA will be issued within three (3) working days as of receipt of the complete and correct application.

Part Nine**Importer Identification Number****Paragraph 1****General****Article 33**

- (1) Goods may only be imported by the Importer holding Importer Identification Number (API).
- (2) The API referred to in paragraph (1) consists of:
 - a. Producer API (API-P);
 - b. General API (API-U).
- (3) Any importer may only hold one (1) type of API and the Signor of API Card must be member of the Board of Directors and Authorized Member of the Board of Directors.
- (4) API shall be valid effective as it is stipulated overall territories of Indonesia.
- (5) The application for API as referred to in paragraph (1) must be submitted to PTSP Center at BKPM or BPMPTSP of Province based on their respective authority manually, using the application form as specified in Attachment XVII supported by compliance with the requirements as set forth in Attachment I constituting inseparable part of this Regulation of the Head of BKPM
- (6) The Company possessing API as referred to in paragraph (1), shall be obliged to make re-registration to PTSP Center at BKPM or BPMPTSP of Province, based on their respective authority, once in every five (5) years effective as of the date of its issue.
- (7) Re-registration as referred to in paragraph (6) will be made within 30 (thirty) working days after a period of five (5) years at the latest.
- (8) API as referred to in paragraph (1) will be issued within five (5) working days as of receipt of the complete and correct application.

- (9) Type of API issued shall be as referred to in Attachment XVII and Attachment XIX constituting inseparable part of this Regulation of the Head of BKPM
- (10) If the application for API as referred to in paragraph (5) is rejected, the Head of BKPM or appointed Official shall issue Rejection Letter for API within five (5) working days.
- (11) Type of Rejection Letter as referred to in paragraph (10) shall be as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM

Paragraph 2

Producing Importer Identification Number (API-P)

Article 34

- (1) API-P will be granted only to company importing goods for own use as capital goods, basis material, supporting material, and/or material to support producing process.
- (2) The imported goods referred to in paragraph (1) shall be prohibited from trading or assigning to other party.
- (3) If the imported goods as referred to in paragraph (2) are in the form of capital goods that are granted facilities in the form of import duty exemption and they are for own use for a term of at least two (2) years as of the date of the notification of import customs, such imported goods may be assigned to other party.

Paragraph 3

General Importer Identification Number (API-U)

Article 35

- (1) API-U will be issued only by company exercising import of particular goods for trade....
- (2) Certain imported goods referred to in paragraph (1) are included in the type of goods covered in one (1) section as set forth in the List of Classified Goods based based on statutory regulation.

- (3) Company constituting the owner of API-U may import type of goods more than one (1) section if:
- a. the company owning the API-U imported goods originating from company located overseas and has privilege with the company owning the API-U; or
 - b. the company possessing the API-U shall be business entity where part of or the whole capital thereof belongs to the State/Government.
- (4) List of the Inner Part of Classified Goods as referred to in paragraph (2), shall be as referred to in the statutory regulation.
- (5) The privilege referred to in paragraph (3) letter a may be acquired based on:
- a. based on contractual agreement for various types of control over any economic activity;
 - b. shares ownership;
 - c. Articles of Association;
 - d. agency/attributorship agreement;
 - e. loan agreement;
 - f. goods providing agreement (supplier agreement); or
 - g. governed in the statutory regulation.

Paragraph 4

Amendment to API

Article 36

- (1) Any amendment made to the provision stipulated in the API must submit application for amendment to API.
- (2) Coordination in making amendment to API is the same as coordination in making amendment to API as specified in Article 33 of this Regulation of the Head of BKPM.

Part Nine

Establishment of Branch Office

Article 37

- (1) The Company intending to establish Branch Office shall report such plan for opening Branch Office to

BPMPTSP of Province according to the location of the Branch Office.

- (2) The report on opening of branch office as referred to in paragraph (1) must be supported by document as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (3) Approval for the plan to open branch office referred to in paragraph (1) will be issued within three (3) working days at the latest effective as of the complete and correct application letter is received.
- (4) Type of approval issued as referred to in paragraph (3) is as specified in Attachment XX constituting inseparable part of this Regulation of the Head of BKPM.

CHAPTER V

TYPE, GUIDELINE AND PROCEDURE FOR APPLYING FOR SECTORAL PERMITS AND NON-PERMITS

Part One

General

Article 38

- (1) Type of Permits and Non-Permits based on sector as governed in this Regulation of the Head of BPKPM shall be Permits and Non-Permits issued by PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB, PTSP KEK based on their respective authority.
- (2) Type of Permits and Non-Permits based on sector constituting the authority of Regional Government shall comply with the provision stipulated by the relevant Minister / Head of LPNK, Governor and Mayor.

Part Two

Public Works and People's Housing Sectors

Paragraph 1

Type of Permits

Article 39

Types of Permits for Public Works and People's Housing shall be among other things,:

- a. Permit for Capital Investment for toll road construction business;

- b. Business License for potable water provision;
- c. Business License for construction and development of property;
- d. Business License for foreign construction service;
- e. Business License for foreign construction consultancy service;
- f. Business License for housing matter;

Paragraph 2

Guideline and Procedure for Obtaining Permits

Article 40

- (1) Application for Permits as referred to in paragraph (1) must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority by on-line, supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (2) For application that has been verified and is still short of data, notification will be automatically transmitted to the applicant's email address and record/notes on details of the result of verification can be viewed on the applicant's system.
- (3) For application that is declared complete and correct, notification will be automatically transmitted to the applicant's email and the applicant may print receipt thereof from the applicant's system.
- (4) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK not applying yet for Permits by on-line, such application for Permits as referred to in paragraph (1) must be submitted manually, using the application form as specified in Attachment II supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (5) The Permits referred to in paragraph (1) shall be issued within six (6) working days at the latest as of the date the complete and correct application based on the statutory regulation is received.
- (6) Types of Permits issued as referred to in Article 39 letter a, letter b, letter c, and letter f shall comply with the technical provision stipulated by the agency management of the sector thereof, as specified in

Attachment III constituting inseparable part of this Regulation of the Head of BKPM.

- (7) Types of Permits issued as referred to in Article 39 letter d and letter e, shall be as specified in Attachment XXI constituting inseparable part of this Regulation of the Head of BKPM.
- (8) If the application referred to in paragraph (1) is rejected, PTSP Center at BKPM shall issue Rejection Letter for Business License within five (5) working days at the latest as of receipt of the application.
- (9) Type of Rejection Letter as referred to in paragraph (7) shall be as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM.

Part Three

Trading Sector

Paragraph 1

Types of Permits

Article 41

Types of Permits for Trading sector shall be follows:

- a. Business License Certificate for Trading by Exporter, Importer, and Distributor;
- b. Business License Certificate for Warehousing operation for warehousing service and cold storage;
- c. Business License Certificate for business management consultancy service;
- d. Business License Certificate for Building / Apartment Management service;
- e. Business License Certificate for Temporary Direct Sale (SIUPL);
- f. Business License Certificate for Permanent Direct Sale (SIUPL) and Re-Registration of Business License Certificate for Temporary Direct Sale (SIUPL).

Paragraph 2

Guideline and Procedure

Article 42

- (1) The application for Permits referred to in Article 41 paragraph (1) letter a, letter b, letter c, and letter d, must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority by on-line, supported by compliance with the

requirements as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.

- (2) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK not yet submitting application for Permits by on-line, application for Permits as referred to in Article 41 paragraph (1) letter a, letter b, letter c, and letter d, must be submitted manually, using the application form as specified in Attachment II supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (3) The application for Permits referred to in paragraph (1) letter e and letter f, must be submitted to PTSP Center at BKPM, by on-line, supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (4) For application that has been verified and is still short of data, notification thereof will be transmitted automatically to the applicant's email address and record of details on the result of verification can be viewed in the applicant's system.
- (5) For application that is declared complete and correct notification will be transmitted automatically to the applicant's email address and the applicant may print receipt from the application system.
- (6) The Permits referred to in paragraph (1) will be issued within six (6) working days at the latest effective as of the date the complete and correct application conforming the provisions in the statutory regulation is received.
- (7) The type of Permits issued as referred to in Article 41 shall comply with the technical provision stipulated by the agency management as specified in Attachment III constituting inseparable part of this Regulation of the Head of BKPM.

- (8) If the application referred to in paragraph (1) is rejected, PTSP Center at BKPM shall issue Rejection Letter for Business License within five (5) working days at the latest effective as of the date the application is received.
- (9) The type of Rejection Letter referred to in paragraph (7) is as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM.

Paragraph 3

Temporary Business License Certificate for

Direct Sale (SIUPL)

Article 43

- (1) Capital Investment Company holding Provisional Permit to carry out business activity of Temporary Direct Sale (multi level marketing / MLM) and is ready to commence producing operation, is obliged to hold Business License with the type of Business License Certificate for Temporary Direct Sale (SIUPL).
- (2) In the issuing process of Business License Certificate as referred to in paragraph (1), the company is obliged to make presentation on marketing program and code of ethic before the BKPM Officials of the Directorate of Business Development of the Ministry of Trade and Association for Temporary Direct Sale Indonesia (APLI) at PTSP Center at BKPM.
- (3) Valiatty:
- a. Temporary SIUPL is valid for one (1) 1 Year;
 - b. Permanent SIUPL is valid so long the company runs its business and is obliged to re-register once in every five (5) years.
- (4) Types of Temporary SIUPL, Permanent SIUPL and Re-Registration of SIUPL are as specified in Attachment XXII and Attachment XXIII constituting inseparable part of this Regulation of the Head of BKPM.

Part Four

Tourism Sector

Paragraph 1

Types of Permits and Non-Permits

Article 44

Types of Permits and Non-Permits for Tourism Sector, are namely:

- a. Business Registration Identification of Tourism Attraction;
- b. Business Registration Identification of Tourism Area;
- c. Business Registration Identification of Tourism Transportation Service;
- d. Business Registration Identification of Tourism Travelling;
- e. Business Registration Identification of Food and Beverage Service;
- f. Business Registration Identification of Accommodation Provision;
- g. Business Registration Identification of Entertainment and Recreation activities;
- h. Business Registration Identification of Coordination of Meetings, Travelling Incentive, Conference and Exhibition;
- i. Business Registration Identification of Information on Tourism;
- j. Business Registration Identification of Consultation on Tourism;
- k. Business Registration Identification of Tourism on Waters;
- l. Business Registration Identification of Spa Business;
- m. Permit Certificate for Producing (SIP) films by foreign film/TV producer in Indonesia;
- n. Business License for Film Technical Service;
- o. Business License for Film Distribution;
- p. Business License for Film Files;
- q. Business License for Film Export;
- r. Business License Film Import;
- s. Recommendation pertaining to Grant of Permit for Shooting Location.

Paragraph 2

Guideline and Procedure

Article 45

- (1) The application for Permits referred to in Article 44 letter a through letter l must be supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.

- (2) The application for Permits referred to in Article 44 letter a through letter l, must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority by on-line, supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (3) For application that has been verified but still short of data, notification will be automatically transmitted to the applicant's email and record on the result of verification may be viewed in the application system.
- (4) For application declared as complete and correct notification will be automatically transmitted to the applicant's email and the applicant may print receipt thereof from the application system.
- (5) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK not submitting application for Permits by on-line yet, such application for Permits as referred to in Article 44 letter a through letter l, must be submitted manually using the application form as specified in Attachment II supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (6) The Permits referred to in Article 44 letter a through letter l will be issued within six (6) working days at the latest effective as of the complete and correct application or that conform the provisions in the statutory regulation is received.
- (7) Type of Business License issued as referred to in Article 44 letter a through letter l shall comply with the technical provision as stipulated by the management agency of the relevant sector as specified in Attachment III constituting inseparable part of this Regulation of the Head of BKPM.
- (8) The conditions, term of issue, and format of the Permits and Non-Permits as referred to in Article 46 letter m through letter s are governed in the statutory regulation on Tourism.
- (9) If the application referred to in paragraph (1) is rejected, PTSP Center at BKPM shall issue Rejection Letter for Permits within five (5) working days at the latest as of the date the application is received.

(10) Type of Rejection Letter referred to in paragraph (5) is as set forth in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM.

Paragraph 3

Validity of Business Registration Identification Number

Provision on Accommodation

Article 46

Specifically for validity of Business Registration Identification Number of Provision of Accommodation will be granted in two (2) phases, namely:

- a. For company not obtaining star certification yet from the Business Certification Institution (LSU), will be granted Business Registration Identification Number for Provision on Accommodation that is valid for one (1) year;
- b. Any company that obtained star certification from the Business Certification Institution (LSU), is obliged to submit application for Business Registration Identification that is valid for the term the company continues operating.

Part Five

Energy and Mineral Resource Sectors

Paragraph 1

Types of Permits

Article 47

Types of Permits within Energy and Mineral Resource shall be as follows:

- a. Business License for Supporting Service Natural Oil and Gas;
- b. Business License for Mining Service;
- c. Permit for Geothermal;
- d. Permit for Electric Power;
- e. Permit for Natural Oil and Gas;
- f. Permit for Mineral and Coal.

Paragraph 2

Guideline and Procedure

Article 48

- (1) The application for Permits as referred to in Article 47 letter a and b, must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority by on-line, supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (2) For application that has been verified but still short of data, notification will be transmitted automatically to the applicant's email address and record of details on verification may be viewed in the application system.
- (3) For application declared complete and correct, notification will be automatically transmitted to the applicant's email address and the applicant may print the result thereof from the application system.
- (4) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK not submitting application for Permits by on-line yet, the application for Permits as referred to in Article 47 letter a and b, must be submitted manually, supported by compliance with the requirements as set forth in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (5) The Permits referred to in paragraph (1) will be issued within six (6) working days at the latest effective as of the date complete and correct application or that conform the provisions in the statutory regulation is received.
- (6) Type of Business License issued as referred to in Article 47 letter a and b shall comply with the technical provision stipulated by the management agency as specified in Attachment III constituting inseparable part of this Regulation of the Head of BKPM.
- (7) The conditions, terms of issue, validity, and format of Permits as referred to in Article 47 shall be governed in the provisions in the statutory regulation on Energy and Mineral Resource.

- (8) If the application referred to in paragraph (1) and paragraph (2) is rejected, PTSP Center at BKPM shall issue Rejection Letter on Business License within five (5) at the latest as of receipt of the application.
- (9) Type of Rejection Letter as referred to in paragraph (6) is as set forth in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM.

Part Six

Living Environment and Forestry Sectors

Paragraph 1

Types of Permits and Non-Permits

Article 49

Types of Permits and Non-Permits for Living Environment and Forestry shall be among other things:

- a. Business License for Utilization of Timber Produced by Natural Forest (IUPHHK-HA);
- b. Business License for utilization of Timber Produced by Cultivated Forest Industry (IUPHHK-HTI);
- c. Business License for Utilization of Timber Produced by Natural Forest which Ecosystem is Restored/Preserved in Natural Forest (IUPHHK-RE);
- d. Extension of Business License for Utilization of Timber Produced by Natural Forest (IUPHHK-HA);
- e. Business License for Utilization of Carbon Absorption and/or Storage of Carbon (UP RAP-KARBON and/or UP PAN-KARBON) in Protected Forest;
- f. Business License for Utilization of Carbon Absorp-

tion (UP RAP-KARBON and/or UP PAN-KARBON) in Producing Forest;

- g. Business License for Primary Industry on Forest Timber Produce of exceeding 6.000 m³/year;
- h. Permit for Extension of Business License for Primary Natural Forest Timber Produce Industry of exceeding 6.000 m³/year;
- i. Business License for Utilization of Silvo Pasture Area in Producing Forest Zone;
- j. Permit for Borrow and Use of Forest Zone;
- k. Relinquishment of Forest Zone;
- l. Business License for Provision/Rehabilitation of Natural Tourism Facilities;
- m. Permit from Conservation Institution;
- n. Permit for Exploitation of Hunting Ground;
- o. Permit for Breeding Loan of Protected Wild Animals Taken Overseas for the purpose of Breeding (breeatng loan);
- p. Business License for Utilization of Water in Medium and Big scale at Wild Animal Reserve, National Reserve, Natural Tourism Reserve, and Great Forest Reserve;
- q. Business License for Utilization of Water Energy in Medium and Large scale at Wild Animal Reserve, National Reserve, Natural Tourism Reserve, and Great Forest Reserve.

Paragraph 2
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- m. Permit from Conservation Institution;
- n. Permit for Exploitation of Hunting Ground;
- o. Permit for Breeding Loan of Protected Wild Animals Taken Overseas for the purpose of Breeding (breeding loan);
- p. Business License for Utilization of Water in Medium and Big scale at Wild Animal Reserve, National Reserve, Natural Tourism Reserve, and Great Forest Reserve;
- q. Business License for Utilization of Water Energy in Medium and Large scale at Wild Animal Reserve, National Reserve, Natural Tourism Reserve, and Great Forest Reserve.

Paragraph 2

Guideline and Procedure

Article 50

- (1) The application for Permits and Non-Permits as referred to in Article 49, must be submitted to PTSP Center at BKPM manually.
- (2) The conditions, term of issue, validity, and format of Permits as referred to in Article 49 shall be governed in the provisions in the statutory regulation on Living Environment and Forestry.
- (3) If the application referred to in paragraph (1) is rejected, PTSP Center at BKPM shall issue Rejection Letter to Business License within five (5) working days at the latest as receipt of the application.
- (4) Type of Rejection Letter as referred to in paragraph (2) shall be set forth in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM.

Part Seven

Agricultural Sector

Paragraph 1

Types of Permits and Non-Permits

Article 51

Types of Permits and Non-Permits for Agriculture sector, are:

- a. Business License for Food Vegetation;
- b. Business License for Horticulture;

- c. Business License for Plantation;
- d. Business License for Husbandry;
- e. Business License for Animal Medicine (producer);
- f. Technical recommendation.

Paragraph 2

Guideline and Proocedure

Article 52

- (1) The application Permits referred to in Article 51 letter a, letter b, letter c, letter d, and letter e, must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority by on-line, supporte by compliance with the requirements as set forth in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (2) For application that has been verified but still lack data, notification thereof will be transmitted automatically to the applicant's email address and record of details on the result of verification may be viewed on the application system.
- (3) For application declared complete and correct notification will be automatically transmitted to the applicant's email address and the applicant may print it from the application system.
- (4) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK not yet submitting application for Permits by on-line, such application for Permits referred to in Article 51 letter a, letter b, letter c, letter d, and letter e, may be submitted manually, supported by compliance with the requirements as set forth in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (5) The Permits referred to in paragraph (1) will be issued within six (6) working days at the latest effective as of the complete and correct application or that conforms the provisions in the statutory regulation is received.

- (6) Type of Business License issued as referred to in Article 51 letter a through letter e shall comply with the technical provision stipulated by the management agency of the sector as set forth in Attachment III constituting inseparable part of this Regulation of the Head of BKPM.
- (7) The conditions, term of issue, validity, and format of Non-Permits as referred to in Article 51 letter f shall be governed in the statutory regulation on Agriculture.
- (8) If the application referred to in paragraph (1) is rejected, PTSP Center at BKPM shall issue Rejection Letter on Business License within five (5) working days at the latest effective as of the date the application is received.
- (9) Type of Rejection Letter as referred to in paragraph (6) shall be as set forth in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM.

Part Eight

Industrial Sector

Paragraph 1

Type of Permit

Article 53

Types of Permit for Industrial Sector are, among other things,:

- a. Business License for Industry;
- b. Business License for Industrial Zone.

Paragraph 2

Guideline and Procedure

Article 54

- (1) The application for Permits as referred to in Article 53, may be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority by on-line, supported by compliance with the requirements as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.

- (2) For application that has been verified but still short of data notification will be automatically transmitted to the applicant's email address and record of details on the result of verification may be viewed on the application system.
- (3) For application declared complete and correct notification will be automatically transmitted to the applicant's email address and the applicant may print receipt thereof from the application system.
- (4) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK not submitting application yet for Permits on-line the Permits referred to in Article 53, must be submitted manually supported by compliance with the requirements as set forth in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (5) The Permit referred to in paragraph (1) will be issued within six (6) working days at the latest as of receipt of the complete and correct application and conforms the provisions in the statutory regulation.
- (6) Type of Business License issued as referred to in paragraph (1) must comply with the technical provision stipulated by the managing agency of the business as set forth in Attachment III constituting inseparable part of this Regulation of the Head of BKPM.
- (7) If the application referred to in paragraph (1) and paragraph (2) is rejected, PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK shall issue Rejection Letter to Business License within five (5) working days at the latest as of receipt of the application.
- (8) Type of Rejection Letter as referred to in paragraph (5) shall be as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM.

Part Nine

Health Sector

Paragraph 1

Types of Permits

Article 55

Types of Permits within Health Sector among other things, are:

- a. Business License for Pharmaceutical Industry;
- b. Business License for Pharmaceutical Material / Stuff Industry;
- c. Business License for Health Apparatus;
- d. Business License for Class A Hospital;
- e. Business License for Foreign Capital Investment or PMA Hospital;
- f. Business License for Sel Punca Bank;
- g. Business License for Sel Punca Processing Laboratory;
- h. Business License for Prime Clinic / PMA Specialist;
- i. Business License for Banking Network.

Paragraph 2

Guideline and Procedure

Article 58

- (1) The application for Permit referred to in Article 55 will be submitted manually to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK according to their respective authority.
- (2) The conditions, term of issue, validity and format of Permits as referred to in Article 55 shall be governed in the statutory regulation on Health.
- (3) If the application referred to in paragraph (1) is rejected, PTSP Center at BKPM shall issue Rejection Letter to Business License within five (5) working days at the latest as of receipt of the application.
- (4) Type of Rejection Letter referred to in paragraph (3) shall be as specified in Attachment IV constituting inseparable part this Regulation of the Head of BKPM.

Part Ten

Communication and Information Sector

Paragraph 1

Types of Permits

Article 57

Types of Permits within Communication and Information Sector are as follows:

- a. Business License for Operation of National Postal matter;
- b. Business License for Operation of Postal matter of Province;
- c. Business License for Operation of Postal matter of Regency/Municipality;
- d. Business License for Operation of Telecommunication Network;
- e. Business License for Operation of Telecommunication Service;
- f. Business License for Stipulation of Telecommunication Appliances Test Institution;
- g. Business License for Operation of broadcast of Private Broadcast Institution;
- h. Business License for broadcasting operation by Subscribed Broadcasting Institutions;
- i. Verification of Operation of Postal Operations;
- j. Provisional Permit for Operation of telecommunication network;
- k. Provisional operation of basic, multimedia and value added telecommunication service;
- l. Provisional Permit for operation of telecommunication service for Legal Entity;
- m. Permit for radio station, radio frequency tape, and radio frequency channel;
- n. Certification of telecommunication device and appliances;
- o. Trial test of telecommunication device and appliances;
- p. Positioning of Test Trial Institution;
- q. Registration of Electronic System Operation.

Paragraph 2

Guideline and Procedure

Article 58

- (1) The application for Permits referred to in Article 57 letter a through letter h, must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority on-line, supported by compliance with the terms as specified in Attachment I constituting inseparable part dari Regulation of the Head of BKPM.
- (2) For application that has been verified but still short of data notification will be automatically transmitted to the applicant's email address and record of details on the result of verification may be viewed on the application system.
- (3) For application that is declared complete and correct notification will be automatically transmitted to the

applicant's email address and the applicant may print receipt thereof from the application system.

- (4) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK not yet submitting application for Permits on-line, the application for Permits as referred to in Article 57 letter a through letter h, must be submitted manually, supported by compliance with the conditions as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (5) The application for Permit as referred to in Article 57 letter i through letter q, must be submitted manually to PTSP Center at BKPM.
- (6) The Permits referred to in paragraph (1), paragraph (2) and paragraph (3) shall be issued within six (6) working days at the latest as of receipt of the complete and correct application or that conform the provisions in the statutory regulation.
- (7) Type of Business License issued as referred to in Article 57 letter a through letter h shall comply with the provision stipulated by the managing agency as specified in Attachment III constituting inseparable part of this Regulation of the Head of BKPM.
- (8) The conditions, term of issued, validity, and format Permit and Non-Permit as referred to in Article 57 shall be governed in statutory regulation on Communication and Information.
- (9) If the application referred to in paragraph (1), paragraph (2) and paragraph (3) is rejected, PTSP Center at BKPM shall issue Rejection Letter to Business License within five (5) working days at the latest as of receipt of the application.
- (10) Type of Rejection Letter as referred to in paragraph (7) shall be as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM.

Part Eleven

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GUIDELINE AND PROCEDURE FOR IMPLEMENTATION OF PERMITS AND NON-PERMIT FOR CAPITAL INVESTMENT

**(Regulation of the Head of Capital Investment
Coordinating Body of R.I Number 15 Year 2015,
dated September 29, 2015)**

**[Continued from Business News No. 8822-8823
page 41-48]**

Part Eleven

Marine and Fishery Sector

Paragraph 1

Types of Permits

Article 59

Permits for Marine and Fishery shall be Permanent Business License for Fishery.

Paragraph 2

Guideline and Procedure

Article 60

- (1) The application Permits as referred to in Article 59, must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP or Regency/Municipality, PTSP KPBPB or PTSP KEK according to their respective authority by on-line, supported by compliance with the conditions as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (2) For application that has been verified but still short of data, notification will be automatically transmitted to the applicant's email address and record of details on the result of verification may be viewed in the application system.
- (3) For application declared complete and correct notification will be automatically transmitted to the applicant's email address and the applicant may print it from the application system.

- (4) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK not yet submitting application for Permits by on-line, application for Permits as referred to in Article 59, must be submitted manually, supported by compliance with the terms and conditions as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (5) Permits as referred to in paragraph (1) and paragraph (2) will be issued within six (6) working days at the latest effective as receipt of the complete and correct or that conforms the provisions in the statutory regulation.
- (6) Type of Business License issued as referred to in paragraph (1) must comply with the technical provision stipulated by the managing agency on business, as specified in Attachment III constituting inseparable part of this Regulation of the Head of BKPM.
- (7) If the application referred to in paragraph (1) and paragraph (2) is rejected, PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK according to their respective authority, shall issue Rejection Letter on Business License within five (5) working days at the latest effective as of the date the application is received.
- (8) Type of Rejection Letter as referred to in paragraph (5) shall be as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM.

Part Twelve
to be continued

(MA)

GUIDELINE AND PROCEDURE FOR IMPLEMENTATION OF PERMITS AND NON-PERMIT FOR CAPITAL INVESTMENT

**(Regulation of the Head of Capital Investment
Coordinating Body of R.I Number 15 Year 2015,
dated September 29, 2015)**

[Continued from Business News No. 8824 page 47-48]

Part Twelve

Educational and Cultural Sector

Paragraph 1

Type of Permit

Article 61

Permits on Educational and Cultural sector shall be Non-Formal Educational Business License.

Paragraph 2

Guideline and Procedure

Article 62

(1) The application for Permit as referred to in Article 61, must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority by on-line, supported by compliance with the terms and conditions as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.

(2) For application that has been verified but still short of data notification will be automatically transmitted to the applicant's email address and record of details on the result of verification may be viewed in the application system on-line.

(3) For application declared complete and correct notification will be transmitted automatically to the applicant's email address and the applicant may print receipt thereof from the application system.

(4) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK not yet submitting application for Permits by on-line application for Permits as referred to in Article 61, must be submitted manually, supported by compliance with the terms and conditions as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.

- e. If the application referred to in letter c is rejected, PTSP Center at BKPM shall issue Rejection Letter for Business License within five (5) working days at the latest effective as of the date the application is received;
- f. Type of Rejection Letter as referred to in letter d shall be as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM;
- g. No extension to Business License referred to in letter a, will be issued if the application submitted after the stipulated time has elapsed;;
- h. If the company fails to submit application for extension of Business License for placement of manpower, the company shall be obliged to return the Business License to the Head of BKPM on behalf of the Minister.

Paragraph 3

Business License for Provision of Worker / Laborer

Article 65

- (1) Business License for Provision of Workers / Laborers, namely granted to in writing worker / laborer provider company possessing overseas capital and complies with the terms to operate business on provision of workers/laborers.
- (2) Application for Business License for Provision of Workers/Laborers Services shall cover::
 - a. issue of new Business License for Provision of Workers / Laborers Services; and
 - b. issue of extension of Business License for Provision of Workers / Laborers Services.
- (3) Requirements for PMA that may submit application for Business License for provision of workers / laborers' services as referred to in paragraph (2) letter a, shall cover the following:
 - a. holding Provisional Permit;
 - b. is in the form of Limited Liability legal entity (PT) that has been ratified by the Minister in charge of administration matter on the law and human rights;

- c. possessing Office with permanent address;
- d. holds Obligatory Taxpayer Identification Number (NPWP);
- e. holds Company Registration Identification Number (TDP).
- f. holds Business License for Provision of Workers / Laborers Services (specifically for extension); and
- g. holds Manpower Obligatory Reporting Evidential Proof (specifically for extension)

(4) Types of business activities on provision of workers/laborers services that may be provided by PMA company:

- a. cleaning service;
- b. provision of food to the workers / laborers (catering);
- c. security unit personnel);
- d. supporting services on mining and oil business; and
- e. provision of transportation for workers / laborers.

(5) Issue of Permit:

- a. Permits as referred to in paragraph (1) will be issued in one (1) work days as of compliance with the terms and conditions and the complete and correct and conforms the provisions in the statutory regulation is received.
- b. Permit for work training to be provided for a period of three (3) years and may be extended for equivalent period.
- c. At delivery of document, the company is obliged to show the original document;
- d. If the result of verification conforms the required document the Head of BKPM shall issue Business License for Work Training;
- e. The Terms and Conditions, term of issue, validity, and format of the Permits as referred to in Article 63 shall be governed in the statutory regulation on Manpower matter;

- f. If the application referred to in paragraph (2) is rejected, PTSP Center at BKPM shall issue Rejection Letter to Business License within five (5) working days at the latest as of the date the application is received;
- g. Type of Rejection Letter as referred to in letter e shall be as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM.

Paragraph 4

Business License for Work / Occupational Training (LPK)

Article 66

- (1) Occupational Training Institution, shall be Governmental agency, legal entity or individual that complies with the terms and conditions to exercise occupational training..
- (2) Application for Business License for Occupational Training Institution covers:
 - a. Issue of New Business License for Occupational Training;
 - b. Issue of Extension of Business License for Occupational Training;
 - c. Issue of Business License for Amendment / Addition to Occupational Training Program.
- (3) Implementation of verification shall be, among other things:
 - a. Verification consists of verification of document and the field;
 - b. Verification shall be conducted by a Team consisting of elements of BKPM and the Ministry.
- (4) Issue of Permits, shall be among other things:
 - a. The Permits referred to in paragraph (1) will be issued in one (1) day as receipt of the complete and correct document and the report on verification of the document and field that conform the provisions in the statutory regulation;
 - b. Permit for Occupational Training shall be issued for a term of three (3) years and may be extended for a term equivalent thereto;

- c. If the result of verification conforms the requirements for the document, then
PTSP Center at BKPM shall issue Business License for Occupational Training;
- d. The Terms and Conditions, term of issue, validity, and format of Permits as referred to in Article 63 shall be governed in the statutory regulation on Manpower matter;
- e. LPK that has obtained permit must report to the authority responsible on Manpower matter of Regency/ Municipality where the LPK is located;
- f. If the application referred to in paragraph (2) is rejected, PTSP Center at BKPM shall issue Rejection Letter to Business License within five (5) working days at the latest as of receipt of the application;
- g. Type of Rejection Letter as referred to in letter e shall be as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM;
- h. No Extension will be granted to Permit for Occupational Training as referred to in letter a, if application is submitted after the deadline as stipulated has elapsed.

Part Fourteen

Police Force

Paragraph 1

Types of Permit and Non-Permit

Article 67

Types of Permits and NonPermits on Police Force shall be, among other things:

- a. Business License for Security Consultation Service;
- b. Business License for Application of Security Apparatus;
- c. Business License for Security Training Education;
- d. Business License for Transport of Money and Valuable Things;
- e. Business License for Provision of Security Personnel;
- f. Business License for Provision of Wild Animal Service;
- g. Permit Certificate of Operations (SIO).

Paragraph 2

Guideline and Procedure

Article 68

- (1) The application for Permits as referred to in Article 67 letter a, letter b, letter c, letter d, letter e, and letter f, must be submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK based on their respective authority by on-line, supported by compliance with the terms and conditions as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (2) For application that is verified but still short of data notification notification will be automatically transmitted to the applicant's email address and record of details on the result of verification may be viewed on the application system.
- (3) For application that is declared complete and correct notification will be automatically transmitted to the applicant's email address and the applicant may print receipt thereof from the application system.
- (4) For BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK not yet submitting application for Permits by on-line, the application for Permits as referred to in Article 67 letter a, letter b, letter c, letter d, letter e, and letter f, may be submitted manually, supported by compliance with the terms and conditions as specified in Attachment I constituting inseparable part of this Regulation of the Head of BKPM.
- (5) The Permits referred to in paragraph (1) and paragraph (2) will be issued within six (6) working days at the latest as of receipt of the complete and correct and conforms the provisions in the statutory regulation.
- (6) Type of Business License issued as referred to in paragraph (1) and paragraph (2) must comply with the technical terms stipulated by the managing agency of business, as specified in Attachment III constituting inseparable part of this Regulation of the Head of BKPM.
- (7) The terms and conditions, term of issue, validity, and format of the Permit as referred to in Article 67 letter g shall be governed in the statutory regulation on Police Force.

- (8) If the application referred to in paragraph (1) and paragraph (2) is rejected, PTSP Central at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK according to their respective authority shall issue Rejection Letter to Business License within five (5) working days at the latest as of receipt of the application.
- (9) Type of Rejection Letter as referred to in paragraph (6) shall be as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM.

Part Fifteen

Communications Sector

Paragraph 1

Type of Permit and Non-Permit

Article 69

Types of Permits and Non-Permits in Communications Sector, among things, are:

- a. Business License Certificate for Company exercising Marine matters (SIUPAL);
- b. License for Company exercising Specific Marine Operation (SIOPSUS);
- c. Decision Letter for Ports Business Agency;
- d. Business License Certificate for Company exercising Salvage and Underwater Works;
- e. Business License for Recruitment and Placement of Ship Crews (IUPPAK);
- f. License for Exploitation of Commercial Airport (License for Airport Business Entity);
- g. Business License for Air Transportation.

Paragraph 2

Guideline and Procedure

Article 70

- (1) The application for Permits and Non-Permits as referred to in Article 69, must be submitted manually to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB or PTSP KEK according to their respective authority.
- (2) The terms and conditions, term of issue, validity, and format of Permit and Non-Permit referred to in Article 69 shall be governed in the statutory regulation on Communications.

- (3) If the application referred to in paragraph (1) is rejected, PTSP Center at BKPM, shall issue Rejection Letter for Business License within five (5) working days at the latest effective as of receipt of the application by mentioning the reason of rejection.
- (4) Type of Rejection Letter referred to in paragraph (3) shall be as specified in Attachment IV constituting inseparable part of this Regulation of the Head of BKPM.

CHAPTER VI

OTHER PROVISIONS

Part One

Signing

Article 71

- (1) Permits and Non-Permits issued based on assignment and/or delegation of authority as referred to in Article 4 paragraph (3) letter a, are signed by the Head of BKPM on behalf of the Minister / Head of LPNK, unless provided otherwise by Regulation of the Minister / Head of LPNK.
- (2) The Permits and Non-Permits issued based on assignment and/or delegation of authority as referred to in Article 4 paragraph (3) letter a, will be signed by the Deputy on Capital Investment Service on behalf of the Head of BKPM for the Minister/Head of LPNK, unless provided otherwise in Regulation of the Minister/Head of LPNK.

Article 72

The Permits and Non-Permits issued based on assignment and delegation of authority as referred to in Article 4 paragraph (3) letter b, will be signed by the Head of BPMPTSP of Province.

Article 73

The Permits and Non-Permits issued based on assignment and delegation of authority as referred to in Article 4 paragraph (3) letter c, will be signed by the Head of BPMPTSP of Regency/Municipality.

Article 74

The Permits and Non-Permits di KPBPB as referred to in Article 4 paragraph (3) letter d, will be applied by PTSP KPBPB based on the statutory regulation pertaining to KPBPB guided by this Regulation, and signed by the Head of PTSP KPBPB.

Article 75

The Permits and Non-Permits issued for KEK as referred to in Article 4 paragraph (3) letter e will be implemented by PTSP KEK based on the statutory regulation pertaining to KEK guided by this Regulation, and signed by the Head of PTSP KEK.

Part Two

SPIPISE

Article 76

- (1) Company shall submit application for Permits and Non-Permits to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB, PTSP KEK, based on their respective authority by on-line through SPIPISE.
- (2) Company submitting application by on-line as referred to in paragraph (1) is obliged to download the entire original document of the Company into the folder of the Company available in the SPIPISE.
- (3) For Company possessing Company's folder may download additional original document based on the type of application submitted.
- (4) Application for Permits and Non-Permits not yet implemented by on-line through the SPIPISE, may be submitted manually.

Part Three

Penalty

Article 77

- (1) The Board of Directors / Management of Company and/atau applicant for Permits and Non-Permits providing false information and/atau data, shall be prohibited from applying for Permits and Non-Permits at PTSP

Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB, PTSP KEK, according to their respective authority, for at least one (1) year which will be announced to public.

- (2) The Board of Directors / Management of Company and/atau applicant for Permits and Non-Permits providing false information and/atau data as evidenced in the application for Capital Investment submitted to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP Regency/Municipality, PTSP KPBPB, PTSP KEK, according to their respective authority are subject to criminal penalty based on the provisions in the statutory regulation.

Part Four

Power of Attorney

Article 78

- (1) Administration of application for Permits and Non-Permits for Capital Investment to PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB, or PTSP KEK, shall be based on their respective authority below:
- a. Board of Directors / Management of Company as applicant;
 - b. employees of the Company granted special power to administer the application without the right to substitute;
 - c. individual advocacy;
 - d. Advocate establishing civil association (persekutuan perdata) as legal consultant;
 - e. Notary;
 - f. Representative of Chamber of Commerce and Industry of the country constituting the potential holder of the Company's shares, or
 - g. Indonesia Company in the form of Legal Entity exercising Domestic Capital Investment pertaining to consultancy service;;
- (2) The employee or Attorney referred to in paragraph (1) letter b through letter g must have competence and capability to provide valid and accurate information to the Official of PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB, PTSP KEK, according to their respective authority and is responsible for the entire information provided.

(3) Grant of Power to employee or Attorney referred to in paragraph (1) letter b through letter g must be supported by original Power of Attorney duly stamped, with clear personal identity of the grantor and grantee of power and legality of the Attorney.

(4) The legality of the Attorney referred to in paragraph (3) shall be as follows:

- a. Company's employee: by virtue of Decision Letter of Appointment as employee / work contract with the Company or statement letter as employee;
- b. Individual Advocate: Advocate Certificate (may not be assigned to Associate / Office's employee / Company);
- c. Office of Legal Consultant: Deed of establishment of firm or Deed of Civil Association (persekutuan perdata), Decision Letter as employee or work contract with Legal Consultancy Office or Statement Letter as employee;
- d. Notary Office: Decision Letter of Stipulation as Notary from the Ministry of Law and Human Rights, and Decision Letter as employee or work contract with Notary Office;
- e. Representative of Chamber of Commerce and Industry of the country constituting candidate shareholder of the (Chamber of Commerce): Decision Letter on the status of employee or contract employee and the Company;
- f. Office of Consultancy in the form of Indonesia legal entity (100% domestic): Business License or SIUP (business management consultancy service, document administration), Decision Letter stating status of Company's employee. .

Article 79

(1) The Power of Attorney referred to in Article 78, paragraph (3) must be in form of Power of Attorney as governed in this Regulation Head of BKPM.

- (2) Type of Power of Attorney for signing the application referred to in paragraph (1), shall be as set forth in Attachment XXIV constituting inseparable part of this Regulation of the Head of BKPM.
- (3) Type of Power of Attorney for administering the application referred to in paragraph (1), shall be as set forth in Attachment XXV constituting inseparable part of this Regulation of the Head of BKPM.

Article 80

The Board of Directors / Management of the and/or applicant for Permits and Non-Permits shall be obliged to understand, agree, guarantee and responsible for:

- a. authenticity of the entire document submitted;
- b. authenticity of the entire record of data submitted together with the original thereof (if submitted manually); and
- c. authenticity of all signatures affixed on the application.

Part Five

Standard Permits Numbering

Article 81

- (1) In the context of standard numbering of Permits and Non-Permits for Capital Investment issued by PTSP Center at BKPM, BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB, PTSP KEK, it is necessary to govern standard format of numbering.
- (2) The format of numbering referred to in paragraph (1), shall cover number of the Company and numbering of products of the Permits and Non-Permits.
- (3) Numbering of Company shall be provided automatically by SPIPSE.
- (4) Number of products of Permits shall cover the components, such as:
- a. sequence number of letters;
 - b. area code of PTSP operating agency constituting the issuer of Permits;
 - c. type code of Permits issued;

- d. type code of Capital Investment Company;
 - e. year of issue of Permits;
- each component is separated by slash code.

(5) Numbering of Non-Permit product covering the components such as:

- a. sequence Number of letter;
- b. area code of PTSP operating agency issuing Non-Permit;
- c. Code of Signor Official;
- d. Type Code of Non-Permit issued;
- e. Year of issue of Non-Permit;

any of the components is separated by slash code .

Article 82

(1) The area code for PTSP as referred to in Article 81 paragraph (4) letter b, shall be governed as follows:

- a. inscription of area code for PTSP Center shall be figure 1 (one);
- b. inscription of area code for PTSP KPBPB shall be KPBPB- followed by area code where KPBPB is located;
- c. inscription of area code for PTSP KEK shall be KEK- followed by area code where KEK is located;
- d. inscription of area code for BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB, PTSP KEK, shall refer to the provision on area code as governed by the Statistic Center;
- e. inscription of Area Code for BPMPTSP of Province, BPMPTSP of Regency/Municipality, begins with Provincial Area Code proceeded by Area Code of Regency/Municipality by referring to the provisions on area code as governed by the Statistic Center Agency.

(2) Type Code of Permits as referred to in Article 81 paragraph (4) letter c, shall be governed as follows:

- a. Business License shall be IU (in capital letter);

- b. Business License for Expansion shall be IU-PL (in capital letter);
- c. Business License for Amendment / Change shall be IU-PB (in capital letter);
- d. Business License for Company Merger shall be IU-PP (in capital letter).

(3) Type Code of the Capital Investment Company as referred to in Article 81 paragraph (4) letter d shall be:

- a. Code of Capital Investment consisting of overseas capital shall be PMA (in capital letter);
- b. Code of Capital Investment which capital is domestic capital shall be PMDN (in capital letter).

CHAPTER VII

TRANSITIONAL PROVISION

Article 83

- (1) All Permits and Non-Permits for Capital Investment issued prior to this Regulation of the Head of BKPM comes to force, survive until the validity of the Permits expire.
- (2) If the validity of Provisional Permint of a company expires, as referred to in Article 13 paragraph (4), the company may use its Business License for one (1) year as of this Regulation of the Head of BPKM takes effect.

CHAPTER VIII

CLOSING PROVISION

Article 84

With this Regulation of the Head of BKPM comes to force, Regulation of the Head of Capital Investment Coordinating Board Number 5 Year 2013, concerning Guideline and Procedure for applying for Capital Investment as amended by Regulation of the Head of Capital Investment Coordinating Board Number 12 Year 2013, shall revoke and shall be declared null and void.

Article 85

This Regulation of the Head of BKPM takes effect as of:

- a. for PTSP Center at BKPM on October 26, 2015; and

- b. for BPMPTSP of Province, BPMPTSP of Regency/Municipality, PTSP KPBPB, and PTSP KEK within 90 (ninety) working days as of the date it is enacted.

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

Stipulated in Jakarta

Dated September 29, 2015

HEAD OF
CAPITAL INVESTMENT COORDINATING BODY
OF THE REPUBLIC OF INDONESIA

sgd.

FRANKY SIBARANI

Enacted in Jakarta

Dated October 8, 2015

DIRECTOR GENERAL OF STATUTORY REGULATION
OF THE REPUBLIC OF INDONESIA

sgd.

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA
YEAR 2015 NUMBER 1479

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