

**AMENDMENT TO REGULATION OF THE TRADE
MINISTER NO. 77/M-DAG/PER/12/2013 CONCERNING
THE SIMULTANEOUS ISSUANCE OF BUSINESS PERMITS
AND CORPORATE REGISTRATION CARDS
FOR TRADE COMPANIES**

**(Regulation of the Trade Minister No. 14/M-DAG/PER/3/2016
dated March 2, 2016)**

BY THE GRACE OF GOD ALMIGHTY

THE TRADE MINISTER OF THE REPUBLIC OF INDONESIA,

Considering :

- a. that to help trade companies that will start their businesses, it is necessary to speed up and ease the process of issuing trade business permits and corporate registration cards simultaneously;
- b. that based on the consideration as referred to in letter a, it is necessary to revise several provisions in Regulation of the Trade Minister No. 77/M-DAG/PER/12/2013 concerning the Simultaneous Issuance of Trade Permits and Corporate Registration Cards for Trade Companies;
- c. that based on the considerations as referred to in letters a and b, it is necessary to stipulate Regulation of the Trade Minister concerning Amendment to Regulation of the Trade Minister No. 77/M-DAG/PER/12/2013 concerning the Simultaneous Issuance of Trade Permits and Corporate Registration Cards for Trade Companies;

In view of :

1. Law No. 3/1982 concerning Compulsory Registration of Companies (Statute Book of the Republic of Indonesia of 1982 No. 7, Supplement to Statute Book of the Republic of Indonesia No. 3214);
2. Law No. 25/2007 concerning Investment (Statute Book of the Republic of Indonesia of 2007 No. 67, Supplement to Statute Book of the Republic of Indonesia No. 4724);
3. Law No. 40/2007 concerning Limited Liability Company (Statute Book of the Republic of Indonesia of 2007 No. 106, Supplement to Statute Book of the Republic of Indonesia No. 4756);
4. Law No. 20/2008 concerning Micro Small and Medium Businesses (Statute Book of the Republic of Indonesia of 2008 No.93, Supplement to Statute Book of the Republic of Indonesia No. 4866);

5. Law No. 39/2008 concerning State Ministry (Statute Book of the Republic of Indonesia of 2008 No. 166, Supplement to Statute Book of the Republic of Indonesia No. 4916);
6. Law No. 25/2009 concerning Public Services (Statute Book of the Republic of Indonesia of 2009 No. 112, Supplement to Statute Book of the Republic of Indonesia No. 5038);
7. Law No. 28/2009 concerning Regional Taxes and Levies (Statute Book of the Republic of Indonesia of 2009 No. 130, Supplement to Statute Book of the Republic of Indonesia No. 5049);
8. Law No. 7/2014 concerning Trade (Statute Book of the Republic of Indonesia of 2014 No. 45, Supplement to Statute Book of the Republic of Indonesia No. 5512);
9. Law No. 23/2014 concerning Regional Administrations (Statute Book of the Republic of Indonesia of 2014 No. 244, Supplement to Statute Book of the Republic of Indonesia No. 5587) as already several times amended the latest by Law No. 9/2015 concerning the Second Round of Amendment to Law No.23/2014 concerning Regional Administrations (Statute Book of the Republic of Indonesia of 2015 No. 58, Supplement to Statute Book of the Republic of Indonesia No. 5679);
10. Presidential Regulation No. 27/2009 concerning Integrated One Stop Services in the Field of Investment;
11. Presidential Regulation No. 7/2015 concerning the Organization of State Ministry;
12. Presidential Regulation No. 48/2015 concerning the Trade Ministry;
13. Presidential Decree No. 121/P/2014 concerning the Formation and Appointment of Working Cabinet Ministers for the 2014-2019 Period;
14. Presidential Decree No. 79/P/2015 concerning the Replacement of Several State Ministers of the Working Cabinet for the 2014-2019 Period;
15. Regulation of the Trade Minister No. 36/M-DAG/PER/9/2007 concerning the Issuance of Trade Permits as already several times amended the latest by Regulation of the Trade Minister No. 39/M-DAG/PER/12/2011;
16. Regulation of the Trade Minister No. 37/M-DAG/PER/9/2007 concerning the Registration of Companies as already amended by Regulation of the Trade Minister No. 116/M-DAG/PER/12/2015;
17. Regulation of the Trade Minister No. 77/M-DAG/PER/12/2013 concerning the Simultaneous Issuance of Trade Permits and Corporate Registration Cards for Trade Companies;
18. Joint Regulation of the Home Affairs Minister, the Law and Human Rights Minister, the Trade Minister, the Manpower and Transmigration Minister and the Chairman of the Investment Coordinating Board No. 69/2009, No. M.HH.-08.AH.01.01.2009, No. 60/M-DAG/PER/12/2009, No. Per.30/MEN/XII/2009, No. 10/2009 concerning the Efforts of Speeding up Licensing Services and Non-Licensing Services to Start Businesses;

19. Regulation of the Trade Minister No. 08/M-DAG/PER/2/2016 concerning the Organization and Work Mechanism of the Trade Ministry;

DECIDES :

To stipulate :

REGULATION OF THE TRADE MINISTER CONCERNING AMENDMENT TO REGULATION OF THE TRADE MINISTER NO.77/M-DAG/PER/12/2013 CONCERNING THE SIMULTANEOUS ISSUANCE OF TRADE PERMITS AND CORPORATE REGISTRATION CARDS FOR TRADE COMPANIES.

Article I

Several provisions in Regulation of the Trade Minister No. 77/M-DAG/PER/12/2013 concerning the Simultaneous Issuance of Trade Permits and Corporate Registration Cards for Trade Companies shall be amended as follows:

1. Article 3 shall be amended so that it reads as follows:

Article 3

- (1) The application as referred to in Article 2 paragraph (1) shall be filed by the executive board, the person in charge of trade company or the third party to the issuing official simultaneously by filling SIUP and TDP application form.
- (2) The application form as referred to in paragraph (1) is contained in Attachment to this Ministerial Regulation.
- (3) The application form as referred to in paragraph (1) shall be signed by the executive board or the person in charge of the trade company with adequate duty stamp.
- (4) If the application as referred to in paragraph (1) is filed by the third party, it shall be accompanied by a power of attorney with adequate duty stamp signed by the executive board or the person in charge of the trade company.

2. Article 5 shall be amended so that it reads as follows :

Article 5

- (1) The official shall issue SIUP and TDP simultaneously no later than 2 (two) working days after the application has been received in a complete and correct way.

- (2) The SIUP and TDP as referred to in paragraph (1) shall be issued in separate documents using SIUP format and TDP format by observing Regulation of the Trade Minister concerning SIUP and the Regulation of the Trade Minister concerning TDP.
 - (3) If the application is considered incomplete and incorrect, the issuing official shall issue a letter rejecting the application to the applicant no later 1 (one) working day after the application has been received.
 - (4) Trade company whose application is rejected can file another application for the issuance of SIUP and TDP simultaneously according to the requirements as provided for in this Ministerial Regulation.
 - (5) The simultaneous issuance of SIUP and TDP as referred to in paragraph (1) can use online corporate information system managed by the Trade Ministry.
3. Article 6 shall be amended so that it reads as follows:

Article 6

To develop and supervise trade companies, the issuing official shall convey any issuance of SIUP and TDP to the Head of Service office responsible for the trade sector in the form of photocopy.

Article II

This Ministerial Regulation shall come into force as from the date of promulgation.

For public cognizance, this Ministerial Regulation shall be promulgated by placing it in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

On March 2, 2016

THE TRADE MINISTER OF THE REPUBLIC OF INDONESIA,

sgd.

THOMAS TRIKASIH LEMBONG

Editor's Notes :

- Attachment are not carried for technical reason.

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